



State Significant Development Modification Report

The Timberyards by RTL Co.

Marrickville, NSW

Submitted to Department of Planning, Housing and Infrastructure
on behalf of the RTL Co.

SSD-76927247

Prepared by Urban Planning

9 June 2026 | 2230814



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

Contact		Ben Craig Director, Planning	Ben.Craig@colliers.com 0416 917 365
This document has been prepared by		This document has been reviewed by	
			
Constance Longrigg / Ella Freire-Yale		Ben Craig	9 June 2026
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Contents

Executive Summary	7
Strategic Context	8
Statutory Context	8
Assessment of Impacts	8
Evaluation and Justification	9
1.0 Introduction	10
1.1 The Applicant	10
1.2 Overview of the approved development	10
1.3 Proposed modifications to the consent	11
1.4 Site Overview	12
1.5 Analysis of Alternatives	13
1.6 Cumulative Impacts	14
2.0 Strategic context	15
3.0 Description of the modifications	16
3.1 Modification Overview	16
3.2 Detailed Modification Description	17
3.3 Modifications to conditions	34
3.4 Substantially the same development	41
3.5 Updated project description	42
4.0 Statutory context	43
4.1 Power to Grant Approval	43
4.2 Permissibility	43
4.3 Other Approvals	43
4.4 Pre-Conditions to Exercising Power to Grant Approval	43
4.5 Mandatory Matters for Consideration	44
4.6 State Environmental Planning Policies	46
4.7 Marrickville Development Control Plan 2011	47
5.0 Assessment of impacts	48
5.1 Land Use	48
5.2 Built Form and Design	48
5.3 Residential Amenity	49

5.4	Landscaping.....	50
5.5	Noise Impact.....	50
5.6	Transport and Parking.....	50
5.7	Waste Management.....	51
5.8	Sustainability.....	52
5.9	Stormwater Management	52
5.10	Reasons Given for Granting Consent.....	52
5.11	Site Suitability and Public Interest.....	53
6.0	Justification of the modification project	54

Figures

Figure 1	Artist's impression of the redeveloped Timberyards.....	11
Figure 2	Site Context Map	12
Figure 3	Site Aerial Map.....	13
Figure 4	Proposed new Building C rooftop communal open spaces.....	19
Figure 5	Comparison between approved and proposed site movement and access	20
Figure 6	Comparison between approved and proposed upper-level bridge	20
Figure 7	Comparison between approved (top) and proposed (bottom) retail strategy	22
Figure 8	Comparison between approved and proposed loading dock arrangement	23
Figure 9	Comparison between approved and proposed plans for upper ground floor of Building A	24
Figure 10	Comparison between approved and proposed Building B Level 9 layout.....	25
Figure 11	Comparison between approved and proposed Building B Level 11 layout.....	25
Figure 12	Comparison between approved and proposed plans for ground floor of Building C.....	26
Figure 13	Comparison between approved and proposed Victoria Road elevation of Building D	27
Figure 14	Comparison between approved and proposed plans for ground floor of Building E.....	28
Figure 15	Comparison between approved and proposed plans for ground floor of Building F	29
Figure 16	Comparison between approved and proposed Sydenham Road elevation of Building G	30
Figure 17	Comparison between approved and proposed Building G Level 4 layout	30
Figure 18	Comparison between approved and proposed Building G Level 5 layout	30
Figure 19	Comparison between approved and proposed basement layout.....	34
Figure 20	Comparison between approved and proposed ground level retail parking layout.....	34

Tables

Table 1	Applicant Details.....	10
Table 2	Analysis of Alternatives.....	13
Table 3	Key Metrics Comparison	16
Table 4	Amendments to public domain.....	17
Table 5	Proposed OSD Amendments.....	21
Table 6	Revised deep soil calculations	21
Table 7	Amendments to retail provision in each building.....	21
Table 8	Proposed modifications to Building Entrances.....	24
Table 9	Comparision of approved and proposed dwelling yield and mix.....	31
Table 10	Proposed awning modifications	32
Table 11	Proposed balcony modifications.....	32
Table 12	Proposed window and glazing modifications	32
Table 13	Proposed amendments to Building Finishes and materials.....	32
Table 14	Proposed sawtooth amendments.....	33
Table 15	Plant Alterations.....	33
Table 16	Assessment against pre-conditions to exercising power to grant approval.....	43
Table 17	Assessment of proposed modifications against the IWLEP 2022	44
Table 18	Assessment against State Environmental Planning Policies.....	46
Table 19	Assessment against reasons given for granting consent for SSD-76927246.....	52

Appendices

Appendix	Author
A. Amended Architectural Plans	Aileen Sage, Architecture AND, Turner and Tribe Studio Architects
B. Design Report	Aileen Sage, Architecture AND, Turner and Tribe Studio Architects
C. Amended Landscaping Plans	Land + Form
D. Landscape Report	Land + Form
E. Environmental Noise Assessment	Acoustic Logic
F. Operational Waste Management Plan	Elephants Foot Consulting
G. Transport Letter Addendum	Ason Group
H. Amended BASIX Stamped Plans	Atelier Ten
I. Section J Addendum	Atelier Ten

Executive Summary

This Modification Report has been prepared by Colliers Urban Planning on behalf of Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.) (the Applicant) to accompany a Modification Application pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act). It seeks to modify Development Consent SSD-76927247 relating to The Timberyards by RTL Co. on land at Marrickville, NSW (the site).

The State Significant Development (SSD) Application (SSD-76927247) was approved by the Minister for Planning and Public Spaces on 17 February 2026 for the rental housing precinct. This application seeks consent for the following modifications to the development consent:

- Amendments to the retail and activation strategy across the site's ground plane to enhance street activation;
- Decentralisation of the mail and parcel management strategy across the development;
- Adjustments to building services and plant across multiple buildings;
- Design amendments to Buildings D and G in response to Conditions B1 and B2;
- Relocation of two-storey annex from Building D to Building E, incorporating six (6) work-live dwellings;
- Reconfiguration of co-living and build-to-rent apartment layouts to improve functionality;
- Revisions to dwelling mix and overall yield, resulting in a net increase of 14 dwellings compared to the approved scheme, and a reduction of one (1) dwelling from the original submission;
- Minor amendments to façade design and materiality, including:
 - Refinement of ground floor apartment entries;
 - Minor reduction to some balcony sizes to ensure compliance with ADG internal area requirements;
 - Updates to glazing specification;
 - Revisions to external finishes and materials;
- Refinements to the on-site stormwater detention (OSD) design;
- Enhancements to landscaping and the public domain, including:
 - Redesign of the Farr Street Bridge connection;
 - Provision of new pedestrian walkways;
 - Introduction of a new public lift to improve accessibility and connectivity; and
- Amendments to Conditions A2, A6, B1, B2, B8, B9, B12, B18, and F12.

These proposed amendments are expanded on in further detail throughout this report. The Modification Application is based on the amended Architectural Plans prepared by Aileen Sage, Architecture AND, Turner and Tribe Studio Architects (see **Appendix A**), Amended Landscaping Plans prepared by Land + Form (see **Appendix C**) and other supporting technical information appended to the Report (see **Table of Contents**). It should be noted that the project design has evolved through the engagement of a new lead landscape architect (Land + Form). The revised plans reflect their updated design vision for the site. Despite these amendments, the development remains substantially the same as the approved scheme. Whilst there may be some variance in documents, any physical modifications to the approved development are outlined throughout this report.

This Modification Report has been prepared in accordance with Part 5 of the EP&A Regulations. Specifically, the Report considered the *State Significant Development Guidelines*, provides the Applicant's details, describes the modifications, including its intentions, assesses its impacts, and confirms that the modified development will remain substantially the same as the development originally approved.

Strategic Context

The modified development remains consistent with the applicable strategic planning framework and continues to support State and local housing objectives. The proposal will deliver 1,180 rental dwellings, including 115 affordable rental dwellings, within a highly accessible location approximately 700 metres from Sydenham Metro Station, contributing to housing supply in an area identified for growth. The development will also provide active ground-floor uses, a pocket park, children's play areas and landscaped open space, enhancing the amenity and vibrancy of the precinct.

The strategic framework assessed under SSD-76927247 remains largely unchanged, with the introduction of the Draft Sydney Plan 2025 reinforcing the delivery of sustainable housing in well-located areas. The proposed amendments represent a refinement of the approved scheme and do not alter its underlying strategic intent. The modified development therefore continues to align with relevant State, regional and local planning objectives.

Statutory Context

Section 4.55(2) states consent authority may modify a development consent if it is satisfied that the proposed development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted.

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

- The proposed design modifications reflect further design refinements and evolution that would typically occur as part of the detailed design process for projects of such scale and complexity, and do not reflect a notable departure from the approved development.
- The fundamental aspects of the Marrickville Timberyards redevelopment which will provide a diverse mix of housing, including build to rent apartments, affordable housing and co living dwellings, alongside retail and commercial space, creative and co working uses will remain the same.
- The overall bulk, scale and envelopes of the buildings remain consistent with the project as approved.
- When considered in their totality, the proposed design amendments are not substantial and do not alter the fundamental outcomes of the project.
- The proposed amendments do not change the approved land use or any of the key parameters of the development.
- The intention and purpose of the conditions proposed to be amended continue to be achieved.
- The amendments do not alter the development's consistency with the relevant provisions of State Environmental Planning Policies, the Inner West Local Environmental Plan 2022 or the Marrickville Development Control Plan 2011.
- The proposed amendments will not introduce any unreasonable environmental impacts or substantially alter the environmental impact of the approved development, as demonstrated in **Section 6.0** below.

Assessment of Impacts

This Report, supported by technical reports (see Table of Contents), provides an assessment of the impacts of the proposed modifications and outlines measures proposed to avoid, mitigate or compensate for potential impacts arising from the development. This assessment determined the following:

- Land Use – (**Section 5.1**)
- Built Form and Design – (**Section 5.2**)
- Residential Amenity – (**Section 5.3**)
- Landscaping – (**Section 5.4**)
- Noise Impacts – (**Section 5.5**)
- Transport and Parking – (**Section 5.6**)
- Waste Management – (**Section 5.7**)
- Sustainability – (**Section 5.8**)
- Stormwater Management – (**Section 5.9**)

Evaluation and Justification

The Modification Report assesses the proposed modification against its relevant statutory requirements, policies, strategic context and views of the community. Based on this assessment and having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the proposed modification is justified for the following reasons:

- The proposed modification remains consistent with the established strategic context of SSD-76927247.
- The modified development is substantially the same as the development originally approved, with no change to its underlying form, function or intent.
- The proposal remains consistent with the applicable statutory planning framework, including relevant State Environmental Planning Policies and the IWLEP 2022.
- The proposed modification does not give rise to unreasonable environmental, social or economic impacts.
- The site remains suitable for the proposed development and the modification does not alter the suitability of the approved concept.
- The proposed modification is considered to be in the public interest.

1.0 Introduction

This Modification Report has been prepared by Colliers Urban Planning on behalf of Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.) (the Applicant) to accompany a Modification Application pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify Development Consent SSD-76927247 relating to The Timberyards by RTL Co. on land at Marrickville, NSW (the site).

The Modification Application is based on the amended Architectural Plans provided by Aileen Sage, Architecture AND, Turner and Tribe Studio Architects (see **Appendix A**) and other supporting technical information appended to the Report (see **Table of Contents**). This Report has been prepared in accordance with Part 5 of the EP&A Regulations and the Department of Planning and Environment’s (DPE) State Significance Development Guidelines – Preparing a Modification Report. It identifies the consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration.

1.1 The Applicant

The Applicant’s details are presented in **Table 1** below.

Table 1 *Applicant Details*

Applicant:	Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.)
Address:	Level 14, 275 George St, Sydney NSW 2000
ABN:	94 620 640 148

1.2 Overview of the approved development

Development consent SSD-76927247 was granted by the Minister for Planning and Public Spaces on 17 February 2026 for a rental housing precinct development comprising Build to Rent housing (BTR), co-living housing, affordable housing, retail and public and private recreation area. The project’s key elements as originally approved comprise:

- *Site preparation works, remediation, services and infrastructure augmentation, bulk earthworks, demolition of existing buildings and structures, removal of trees and vegetation;*
- *Construction of 7 buildings ranging from 5 to 14 storeys providing for:*
 - *474 build-to-rent apartments;*
 - *115 in-fill affordable apartments;*
 - *577 co-living dwellings;*
 - *1,425m² of retail and neighbourhood shop floor space;*
 - *263 surface and basement car parking space, 15 motorcycle spaces; 726 bicycle spaces;*
 - *Landscaping, publicly accessible open space, and resident communal open space;*
 - *Lot amalgamation and stratum subdivision; and*
 - *Installation of infrastructure and services.*



Figure 1 *Artist's impression of the redeveloped Timberyards*

Source: Design Team

1.3 Proposed modifications to the consent

This application seeks consent for the following modifications to the development consent:

- Amendments to the retail and activation strategy across the site's ground plane to enhance street activation;
- Decentralisation of the mail and parcel management strategy across the development;
- Adjustments to building services and plant across multiple buildings;
- Design amendments to Buildings D and G in response to Conditions B1 and B2;
- Relocation of two-storey annex from Building D to Building E, incorporating six (6) work-live dwellings;
- Reconfiguration of co-living and build-to-rent apartment layouts to improve functionality;
- Revisions to dwelling mix and overall yield, resulting in a net increase of 14 dwellings compared to the approved scheme, and a reduction of one (1) dwelling from the original submission;
- Minor amendments to façade design and materiality, including:
 - Refinement of ground floor apartment entries;
 - Minor reduction to some balcony sizes to ensure compliance with ADG internal area requirements;
 - Updates to glazing specification;
 - Revisions to external finishes and materials;
- Refinements to the on-site stormwater detention (OSD) design;
- Enhancements to landscaping and the public domain, including:
 - Redesign of the Farr Street Bridge connection;
 - Provision of new pedestrian walkways;
 - Introduction of a new public lift to improve accessibility and connectivity; and
- Amendments to Conditions A2, A6, B1, B2, B8, B9, B12, B18, and F12.

1.4 Site Overview

This Modification Application does not seek to change the extent of the SSD-76927247 project site. As discussed within the SSD-76927247 EIS, the site is known as the 'Timberyards', located in Marrickville within the Inner West Local Government Area (LGA). The site has been consolidated into a single lot known as 183 Victoria Road, Marrickville and has a site area of 22,770m². The site has frontages to Sydenham Road to the south and Mitchell Street to the north (and encompasses a small lane off Mitchell Street). **Figure 2** and **Figure 3** shows the site and its surrounding context.



Figure 2 Site Context Map

Source: Nearmap, Colliers Urban Planning



Figure 3 Site Aerial Map

Source: Nearmap, Colliers Urban Planning

1.5 Analysis of Alternatives

In preparing this modification application, a number of alternatives were considered by the Applicant. These are summarised in **Table 2** below.

Table 2 Analysis of Alternatives

Scenario	Assessment
<i>Do nothing</i>	The proposed modification seeks changes which further optimise and rationalise the layout and design of the development following further detailed design work undertaken since the approval for SSD-76927247. Therefore, not modifying the development would not result in the optimal outcome for the site.
<i>Alternative design</i>	As the proposed design amendments have been made specifically to deliver optimised and functional outcomes for the new timberyards BTR scheme while remaining substantially the same as SSD-6927247, an alternative design would not be appropriate.
<i>Proposed modification</i>	Given the above, modifying the SSD-76927247 as per this modification application is considered to deliver the optimal outcome at this site.

1.6 Cumulative Impacts

The proposed amendments are not anticipated to alter the cumulative impacts of SSD-76927247. They broadly relate to various minor refinements including a revised retail strategy, landscaping and public domain improvements, internal and external refinements. Whilst the development proposals will result in some change to the residential yield including the introduction of the new annex with co-work and work-liv dwellings, the amendments will maintain the overall approved built form envelope, apart from the parapet and rooftop plant screening extensions and the relocated two-storey Building E Annex, and the reduced Building D and Building G setbacks in accordance with the conditions of consent. Moreover, these amendments will also maintain the approved employment generating uses and mixed-use character across the site.

Cumulative impacts including amenity and traffic generation are considered acceptable and unlikely to materially change given the changes to retail floorspace and occupancy levels are minor and not substantially increasing beyond the approved assumptions. Chapter 6 of this report considers these impacts in more detail.

The proposed external amendments including to facades, setbacks, rooftop elements and architectural detailing are localised refinements which will improve the architectural cohesion of the site rather than materially alter the approved visual character. The proposed landscaping amendments will improve permeability and accessibility throughout the site, improve wayfinding, activation and passive surveillance.

2.0 Strategic context

The submitted EIS for SSD-76927247 comprehensively assessed the approved development against the relevant strategic guidelines at state, regional, and local level, including the Greater Sydney Region Plan – A Metropolis of Three Cities, the Eastern City District Plan, and the Inner West Local Strategic Planning Statement.

The strategic framework which the development proposals were assessed against remain up-to-date, however since the lodgement of SSD-76927247, the *Draft Sydney Plan 2025* has been introduced. The Draft Sydney Plan is a 20-year strategic framework which seeks to drive the sustainable development of the greater Sydney region. The public exhibition period for the draft plan concluded in February 2026 and it is anticipated that the plan will be adopted later this year.

The proposed amendments represent further refinements and design evolution following additional design development post approval of SSD-76927247, which is typical for a project of such scale and complexity. Accordingly, the schemes underlying intent remains compliant with the strategic framework. The proposed amendments will optimise the schemes design, further enabling its positive outcomes.

3.0 Description of the modifications

This Section describes the proposed modifications to the approved project. It also outlines why the development, as proposed to be modified, is substantially the same development as that originally approved.

3.1 Modification Overview

The purpose of this Modification Application is to amend SSD-76927247 for a number of design refinements. The proposed modifications are summarised in **Table 3** below and further detailed in **Section 3.2**.

Table 3 Key Metrics Comparison

Component	Approved	Proposed	Change (+/-)
Land Use	MU1 Mixed Use and R4 High Density Residential	MU1 Mixed Use and R4 High Density Residential	No change
Site Area	22,770m ²	22,770m ²	No change
Site Area (excluding SP2 Zone)	22,564m ²	22,564m ²	No change
Gross Floor Area	- Residential: 71,223m² - Retail: 1,425m² - Communal: 3,886m² Total: 76,534m²	- Residential: 71,703m² - Retail: 1,671m² - Commercial: 645m² - Communal: 2,805m² Total: 76,824m²	+480m² +246m² +645m² -1,080m² +290m²
Floor Space Ratio	3.39:1	3:40:1	+0.01:1
Building Height	RL50.8	RL50.8	No change
Residential Dwellings	<u>Build-To-Rent</u> - Studios: 72 1 bedroom: 125 2 bedroom: 229 3 bedroom: 47 4 bedroom: 1	- Studios: 75 1 bedroom: 125 2 bedroom: 229 3 bedroom: 47 4 bedroom: 1	+3 - No change - No change - No change - No change
	<u>Co-living</u> - CL02: 329 - CL03: 229 - CL04: 19	- CL02: 329 - CL03: 234 - CL04: 25	- No change +5 +6
	<u>Affordable Housing</u> - Studios: 19 1 bedroom: 61 2 bedroom: 32 3 bedroom: 3 Total: 1,166	- Studios: 19 1 bedroom: 61 2 bedroom: 32 3 bedroom: 3 Total: 1,180	- No change - No change - No change - No change +14
Ground Level Boundary Setbacks	Victoria Road: 1.5m from SP2 zoned land	Victoria Road: 1.5m from SP2 zoned land	No change

Component	Approved	Proposed	Change (+/-)
	- Sydenham Road: 2m - Farr Street: 3m - Mitchell Street (north of lane): 3m - Mitchell Street (south of lane): 0m	- Sydenham Road: 2m - Farr Street: 3m - Mitchell Street (north of lane): 3m - Mitchell Street (south of lane): 0m	
<i>Car Spaces</i>	- Residential: 238 spaces - Retail: 18 spaces - RTL Co. Staff: 7 spaces Total: 263 spaces	- Residential: 238 spaces - Retail: 34 spaces - RTL Co. Staff: 7 spaces Total: 279 spaces	<i>No change</i> +16 spaces <i>No change</i> +16 spaces
<i>Cycle Spaces</i>	726 spaces	726 spaces	<i>No change</i>
<i>Deep Soil Area</i>	13.48%	13.49%	+0.01%

3.2 Detailed Modification Description

3.2.1 Public Domain, Landscaping and Open Space Improvements

Planting and Tree Canopy

The modification application proposes landscape enhancements across the site including additional planting which will further strengthen the landscape character, soften the hard landscaping across the site and offer increased amenity and biodiversity benefits.

The landscape principles have been informed by country principles, consequently, native and endemic planting has been integrated throughout the project from the ground floor through to the rooftop gardens. The amendments include additional planting in the areas within Warehouse Place and the Gateway.

Increased planting has increased the overall tree canopy coverage across the site from 20.8% to 24.12%. Refer to the Landscape Report at **Appendix D**.

Public Domain

The amendments to the public domain across the site are summarised in **Table 7**, with further detail provided in the Design Report and Landscape Report at **Appendix B** and **Appendix D**, respectively.

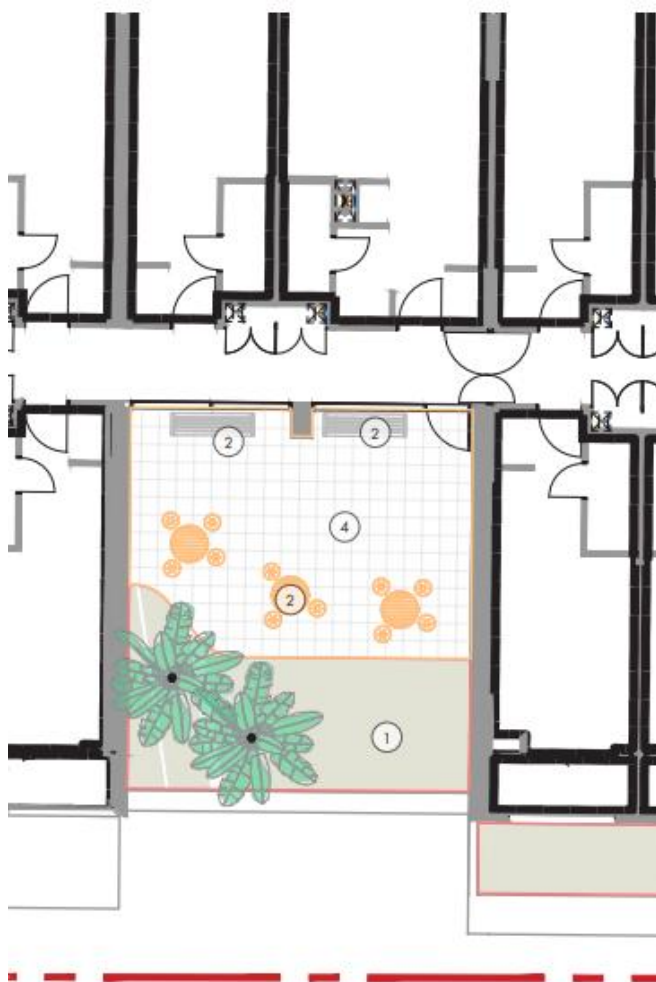
Table 4 Amendments to public domain

Area	Proposed Amendments
<i>Farr Street Pocket Park</i>	- Refinement of bridge to be more integrated with landscape and buildings - Increased usable space with turf terracing and a timber amphitheatre - Larger space for public events and performances
<i>The Gateway</i>	- Addition of planting and tree fern canopy - Integrated bespoke seating elements - Brick pattern carried through as wayfinding - Improved interface to Victoria Road with additional framed planting
<i>Timberyard Commons</i>	- Refinement of secondary paths - Increased water permeability through Water detention ponds - OSD tanks and depths captured through design development - Increased area of activated usable space - Increase in play spaces

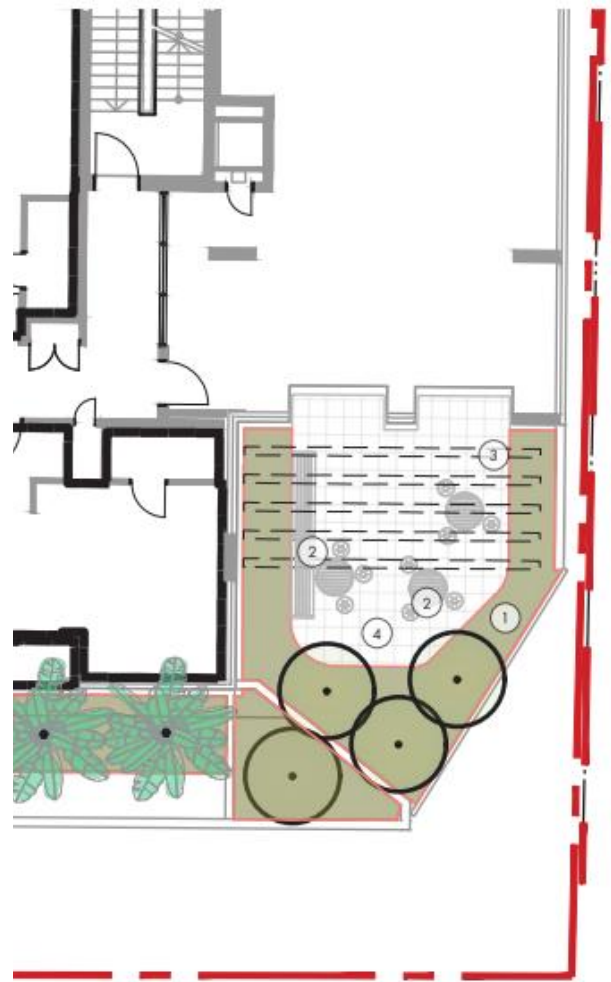
Area	Proposed Amendments
	• Increased lawn area to allow for informal gatherings and pets • Refinement of form / shapes
<i>Building E Annex</i>	• Increase in tree canopy • Additional spill out space for retail • Improved connectivity through wider site links • Consistent materiality • Refined laneway experience
<i>Warehouse Place</i>	• More regular planting areas • Increase in tree canopy and under storey planting • Connection with proposed bridge • Brick patterning reflecting water • Fogging water feature added reflecting water, play and to reduce urban heat effect
<i>Hardware Lane</i>	• Connection with Warehouse Place and Timberyards Commons from new bridge • Refined communal resident spaces, facilities management and servicing interfaces • Integrated back-of-house movement, waste management and basement connections
<i>Wicks Alley and Commerce Lane</i>	• Enhanced laneway character • Improved activation and permeability • Increased Building D setback has enabled further activation along Wicks Alley • Introduction of adaptable studio and live-work frontages • Commerce Lane connection strengthened as an active pedestrian link between Warehouse Place and Wicks Alley • New northeast facing public stairway and integrated seating with canopy cover • Activated Building D retail frontages • Integrated end-of-trip, parent and retail amenities • Through-site link connecting to the new public lift and bridge beyond
<i>Retail Car Parking</i>	• Introduce a landscaped courtyard space centred around a large tree • Integrated public domain outcome • Introduction of new pedestrian movement paths

Rooftop Communal Open Space

It is proposed to refine the communal rooftop spaces and introduce two additional shared rooftop areas to Building C at Upper Ground Level and Level 5, as illustrated in **Figure 4** below. These amendments are consistent with the approved scheme; however, the spaces have been carefully enhanced to better activate the rooftop environment and provide a softer transition at the Building Edge.



Upper Ground Level



Level 5

Figure 4 Proposed new Building C rooftop communal open spaces

Source: Design Team

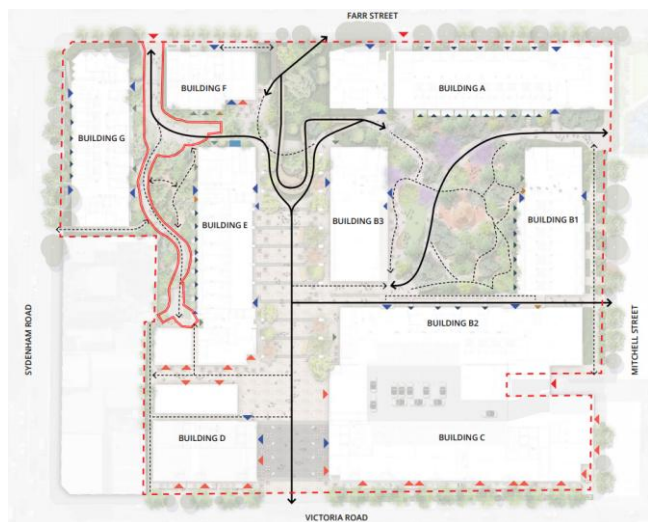
Site Movement and Access

The modification application will revise the layout of the pedestrian network through the site to improve accessibility and wayfinding. The proposed amendments rationalise the number of secondary pathways, which will result in clearer and more direct pedestrian connections throughout the site. Moreover, the hierarchy of the ground plane materials have been strengthened to better define movement corridors.

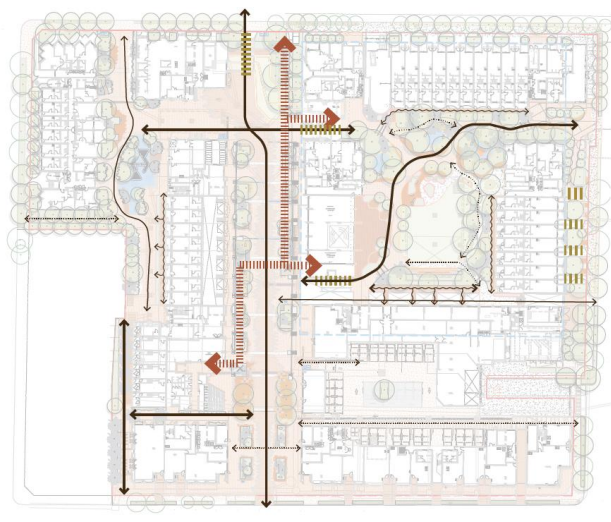
New walkways through Warehouse Place and a new through-site link between Buildings B and C are proposed. Moreover, the addition of the Building E Annex has created additional landscape laneways bringing users through to the residential mews along the southern boundary line whilst width of the Wicks Alley laneway running along the boundary of Building D has been increased. This has resulted in more generous public realm and greater opportunities for planting and outdoor dining.

A new public lift is also proposed at the Building E Annex to improve its connection between Victoria Road, the upper-level bridge connections and surrounding communal spaces.

A comparison between the approved and proposed movement across the site is shown in **Figure 5** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.



Approved



Proposed

Figure 5 Comparison between approved and proposed site movement and access

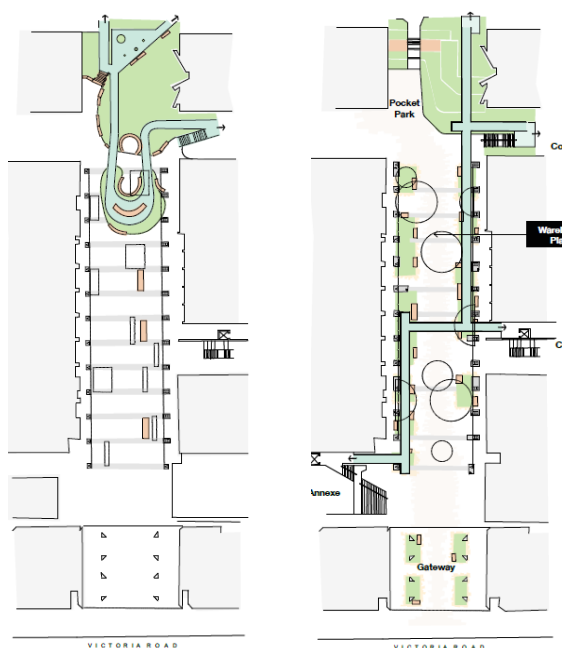
Source: Design Team

Bridge Alignment

As part of the proposed amendments to improve the pedestrian network, the bridge connection from Farr Street has been realigned to improve accessibility between Farr Street and the upper ground floor levels, which include the Timberyard Commons, Hardware Lane Steps, communal resident areas and the new Building E Annex. The re-aligned access bridge will also now extend from Farr Street down the length of the warehouse structure which will strengthen site-wide connectivity.

The expression and material palette of the bridge has been carried through from the approved scheme, utilising light-weight steel construction to suggest a floating boardwalk through the space. A pale-grey metallic finish has been utilised to differentiate from the retained warehouse steel.

A comparison between the approved and proposed bridge is shown in **Figure 6** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.



Approved

Proposed

Figure 6 Comparison between approved and proposed upper-level bridge

Source: Design Team

On-site Stormwater Detention

Following technical co-ordination between the civil engineer and the design team, the on-site stormwater detention (OSD) strategy has been updated. The proposed updates to OSD are summarised in **Table 5** below.

Table 5 *Proposed OSD Amendments*

Building	Proposed Amendments
B	New OSD tank at upper ground level above Hardware Lane Tenancy.
C	Integration of OSD tank between Buildings C and D to the lower roof to achieve stormwater requirement on site.
D	Integration of OSD tank between Building C and D to the lower roof to achieve stormwater requirement on site.
E	Refined OSD design including two tanks below paving to the west and south of Building E and a tank on the roof of Building E annex.
F	Design development resulted in the removal of the pump room and its replacement with an OSD tank at the rear of the ground floor reflective of the evolving stormwater detention requirements across the site. The consequent spatial change at ground level has now contributed to the Precinct Communal Area.

The revised approach incorporates OSD tanks for on-site stormwater detention together with landscaped ponding areas designed to temporarily collect runoff during high flow events and direct stormwater to the detention system. Refer to the Landscape Report at **Appendix D**.

As a result of the amendments to the OSD design, the deep spoil calculations have been revised as shown in **Table 6** below.

Table 6 *Revised deep soil calculations*

Deep Soil	Previous Calculations	Amended Calculations
Deep soil – greater than 6m	9.62%	9.80%
Deep soil – less than 6m	1.79%	2.27%
Permeable Paving	2.07%	1.42%

These revised figures are broadly consistent with the approved SSD.

3.2.2 Retail and Activation Strategy and Refinements

Following advice regarding the retail strategy across the site, the whole site was reviewed to relocate tenancies best suited to activate the Victoria Street frontage. Accordingly, the proposed modifications will result in amendments to the retail strategy throughout the ground plane for all buildings except for Building G. It is considered that the expansion of the ground level retail will deliver an improved offering to the local community and provide a greater level of ground floor activation.

The amendments to the retail provision in each building is detailed in **Table 7** and shown in **Figure 7** below.

Table 7 *Amendments to retail provision in each building*

Building	Proposed Amendments
A	Introduction of a neighbourhood shop adjoining the Mitchell and Farr Street Pocket Park in lieu of some communal floorspace but continues to support neighbourhood-level activation. Specifically, this neighbourhood shop is relocated from Building F.
B	Introduction of new retail tenancy which will comprise “market style” food and beverage to improve the activation of Warehouse Place.
C	Rationalisation of retail tenancy mix to support flexible small, medium and larger tenancy configurations in response to the retail strategy.

Building Proposed Amendments

- | | |
|---|---|
| D | For improved retail strategy, the Annex previously connected to Building D has been relocated to Building E allowing retail activation to the new pedestrian link on the north side of Building D, and including new retail tenancies that will be accessed from the Gateway, which will improve activation along the north side of Building D. |
| E | Introduction of work-live dwellings within the new Annex to the east of Building E, resulting in minor amendments to the retail tenancies, including a slight increase in the size. |
| F | Relocation of neighbourhood shop from Building F to the upper ground floor level of Building A in response to retail strategy advice to reconfigure this area to optimise a more active Warehouse Place and Victoria Road by placing communal amenity uses here which will contribute to site wide amenity. |



Approved



Proposed

Figure 7 Comparison between approved (top) and proposed (bottom) retail strategy

Source: Design Team

3.2.3 Operations and Facility Management Modifications

Mail and Parcel Strategy Amendment

RTL Co undertook consultation with key delivery service providers, including Australia Post, regarding the proposed universal mail location. Through these discussions, concerns were raised about the operational and logistical challenges associated with servicing a single, centralised mail facility across the development. Following this consultation, it was determined that the most practical and efficient solution would be to relocate the mail and parcel storage facilities to the ground floor of each individual building, improving accessibility, delivery efficiency, and ongoing operational outcomes for both residents and service providers.

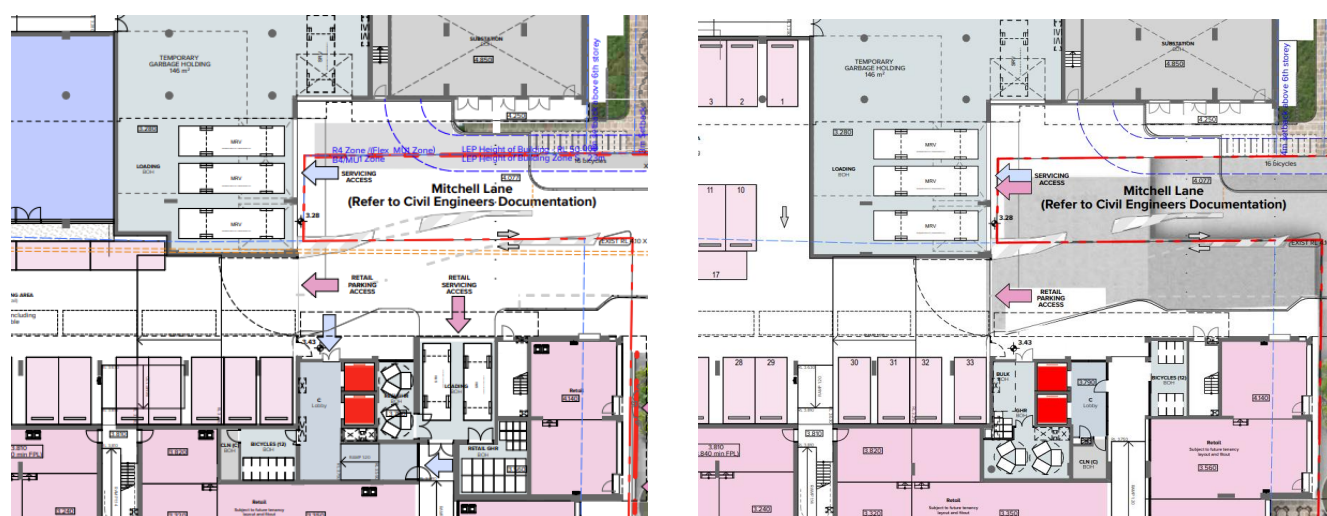
Therefore, as part of the proposed modifications, the mail strategy will no longer be centralised, and the revised strategy will be localised. In the original proposals, the mail room was located to the south of Building B which was the focal point for residential concierge services, however this room is now facilities management.

Core layouts within each building have been amended so that each lobby is expanded to integrate mailroom facilities including mailbox and parcel shelving. Mail and parcel vans will be able to access each lobby directly from the street or via public domain.

The integration of this strategy within each building is detail in **Section 3.2.5** below.

Mitchell Lane Loading Dock Refinements

The loading dock at Mitchell Lane has been reconfigured to consolidate previously distributed servicing functions into a single, enclosed loading and waste management facility that will accommodate retail servicing and residential waste streams, including recycling and FOGO collection (shown in **Figure 8** below). The loading dock previously approved within Building C has been removed and is absorbed within this consolidated loading dock in Building B. This approach enhances operational efficiency by minimising servicing activity across the ground plane, while also improving acoustic performance and visual screening for the apartments above.



Approved

Proposed

Figure 8 Comparison between approved and proposed loading dock arrangement

Source: Design Team

3.2.4 Building Entry Refinements

To support the revised retail strategy and improve amenity and entry legibility, amendments to several Building Entrances are proposed and are summarised in **Table 8** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 8 Proposed modifications to Building Entrances

Building	Proposed Amendments
A	Integration of updated mail and parcel storage within the lobby, including secure gated lobby interfaces and parcel storage coordination.
B	Refinement of the main residential lobby including parcel storage integration.
C	Relocation of C1 lobby to the opposite side of the lift core to support the revised retail strategy, providing direct residential foyer access from Victoria Road integrated with the through-site link to Mitchell Street laneway. Integration of mailboxes and parcel storage adjacent to the residential lobby.
D	Relocation of D1 and D2 lobby to the opposite side of the lift core to support the revised retail strategy. Integration of mailboxes and parcel storage adjacent to the residential lobby. Integration of mailboxes and parcel storage adjacent to the residential lobby and the D2 fire stair has shifted one bay to accommodate the updated arrangement.
F	Minor amendments to lobby layouts, including inclusion of mail and parcel storage. Adjustments to locations of entry ramps at ground and lower ground levels which will improve street entry and community connection.
G	Minor amendments to lobby layouts, including inclusion of mail and parcel storage.

3.2.5 Built Form and Architectural Refinements

Building A

The proposed modifications to Building A include the refinement of the Farr Street frontage through new landscaped planters, terrace thresholds and integrated seating edges to strengthen the residential/public domain interface; the introduction of retail amenities, including publicly accessible WC facilities associated with the new corner retail tenancy (as outlined in **Section 3.2.2**); and the integration of revised fire-stair egress arrangements along Farr Street, incorporating gated security and coordinated landscape interfaces. These modifications are shown in **Figure 9** below.

Additional modifications to Building A include the integration of the retail strategy and mail strategy, as well as amendments to the building entry and façade treatments, as detailed in **Sections 3.2.2, 3.2.4** and **3.2.8**.



Approved



Proposed

Figure 9 Comparison between approved and proposed plans for upper ground floor of Building A

Source: Design Team

Building B

The proposed modifications to Building B include the creation of six (6) new dwellings. The new dwellings within Building B, comprise three (3) studio dwellings, in lieu of some communal area on Level 9 (**Figure 10**) and three (3) co-living dwellings, in lieu of part of a plant room on Level 11, as shown in **Figure 11**.

It is also proposed to include a minor reconfiguration of the rooftop communal terrace, incorporating updated planting zones which to enhance shade, alongside the introduction of new shade structures. Refer to the Amended Landscape Plans and Landscape Report at **Appendix C** and **Appendix D**, respectively.

Additional modifications to Building B include the integration of the retail strategy and mail strategy, as well as amendments to the building entry and façade treatments, as detailed in **Sections 3.2.2, 3.2.4** and **3.2.8**.

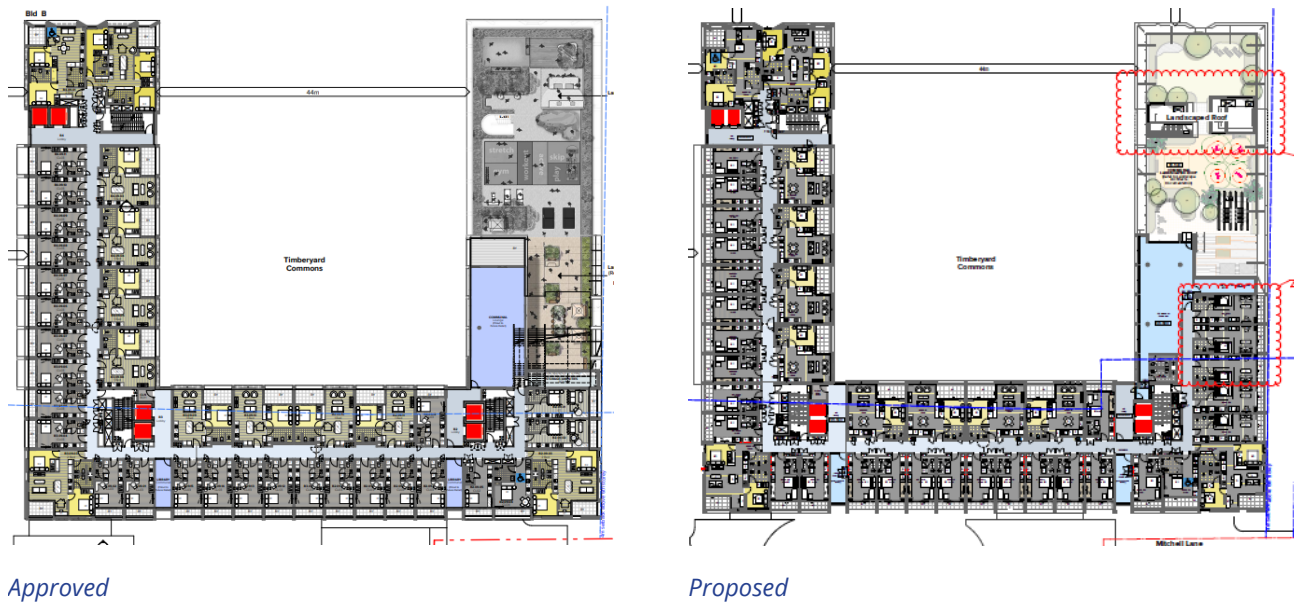


Figure 10 Comparison between approved and proposed Building B Level 9 layout

Source: Design Team

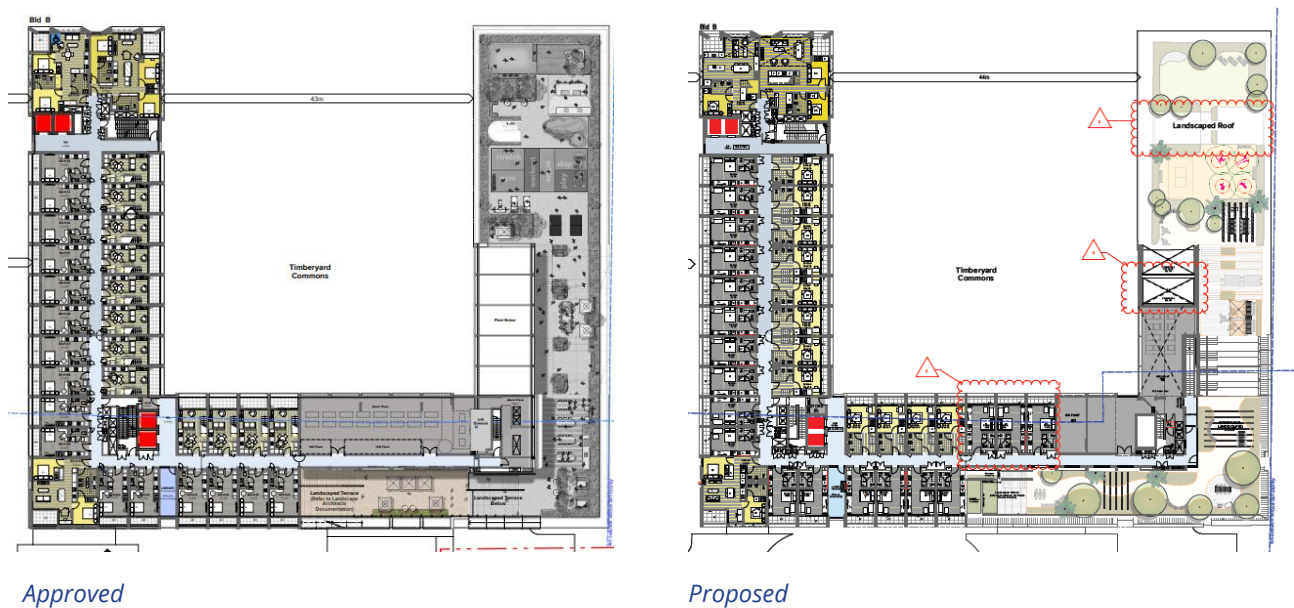


Figure 11 Comparison between approved and proposed Building B Level 11 layout

Source: Design Team

Building C

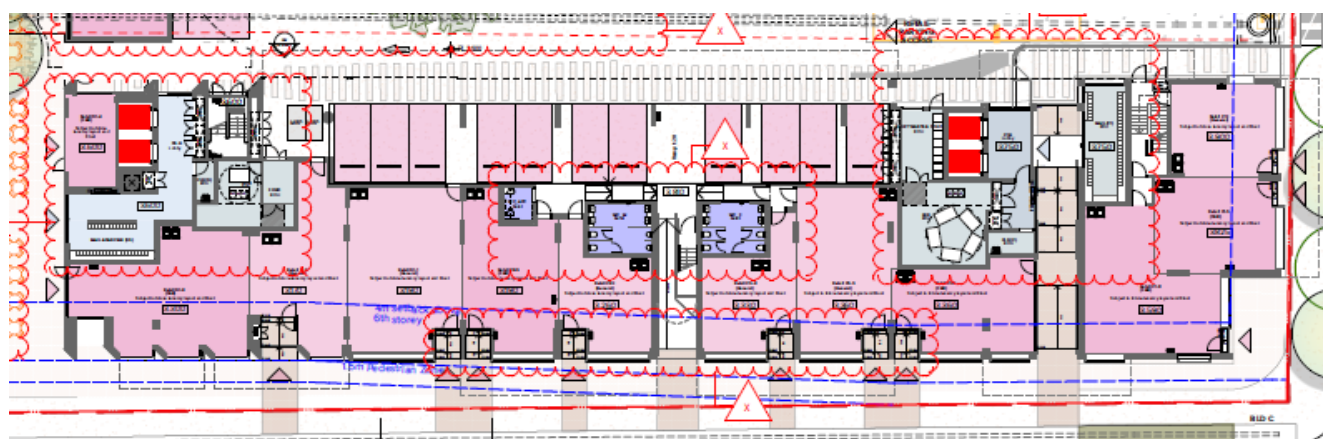
The proposed modifications to Building C include the removal of the loading dock and retail bin room, with these functions now consolidated into the Mitchell Lane loading dock within Building B (as detailed in **Section 3.2.3**). This

consolidation enables the introduction of a new through-site link (outlined in **Section 3.2.1**) and the provision of a building-specific mailroom consistent with the revised mail strategy (outlined in **Section 3.2.3**). The back-of-house levels for the Victoria Road retail tenancies have also been adjusted to sit above the flood planning level and now align with the Mitchell Lane carpark entry. In addition, the Building C core has been reconfigured to improve operational efficiency, circulation and accessibility. These modifications are shown in **Figure 12** below.

Additional modifications to Building C include the integration of the retail strategy and mail strategy, as well as amendments to the building entry and façade treatments, as detailed in **Sections 3.2.2, 3.2.4 and 3.2.8**.



Approved



Proposed

Figure 12 Comparison between approved and proposed plans for ground floor of Building C

Source: Design Team

Building D

The metal-clad sawtooth roof was a defining feature of approved Building D, providing an architectural reference to the form of the historic Marrickville warehouses. To maintain the formal integrity of this key design element while achieving a 6m setback, the approved sawtooth volumes at Level 5 and above have been shifted north-east, away from the neighbouring boundary. Consequently, an external stair connecting Levels 5 and 6 has been removed to minimise any reduction in communal open space at Level 5.

The proposed amendments to Building D are in response to both the SSDA conditions of consent and ongoing development and coordination between technical consultants. These amendments also entail several modifications to the approved layout of Building D including updated setbacks, reconfigurations of the ground level residential lobbies and replacement of the annex previously connected to the rear façade of Building D.

Condition B1 of the consent sets out the following minimum setback requirements:

- 'A minimum boundary setback of 3 metres at the ground floor level of Building D to the adjoining property at 199 Victoria road; and

- A minimum boundary setback of 6 metres for levels 1 and above or Building D to the adjoining property at 199 Victoria road'

The setbacks between 199 Victoria Road and Building D have been revised to provide an outcome that complies with the requirements of Condition B1, specifically providing a 6m setback at all levels, rather than the staggered 3m at ground level and then 6m above. These changes have also necessitated a minor 400mm shift into the gateway and an adjustment to the sawtooth roof forms at Level 5 (see **Section 3.2.8** of this report) to enable the retention of the same number of co-living units facing Victoria Road at Level 5.

Other modifications proposed in Building D include the replacement of the annex previously connected to Building D as a result of the creation of the annex attached to Building E.

These modifications are shown in **Figure 13** below.

Additional modifications to Building D include the integration of the retail strategy and mail strategy, as well as amendments to the building entry and façade treatments as detailed in **Sections 3.2.2, 3.2.4** and **3.2.8**.



Approved



Proposed

Figure 13 Comparison between approved and proposed Victoria Road elevation of Building D

Source: Design Team

Building E (New Annex)

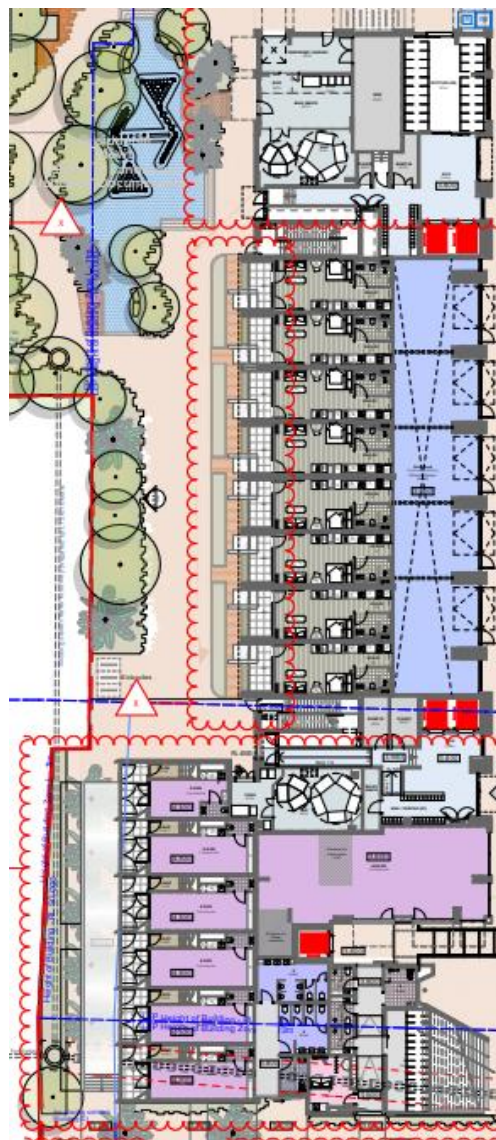
As part of the improved retail strategy, the proposed amendments include a new two-storey annex attached to Building E and expanding its footprint to the south. This new Building E annex effectively replaces the annex that was previously linked to Building D, and will comprise flexible commercial space in the form of new work-live tenancies, new public amenities, a parent's room and end of trip facilities for retail staff.

The creation of the annex will enable new pedestrian connections as it has resulted in a new link between Wicks Alley and the residential mews along the western boundary, improving passive surveillance, whilst also connecting to the new bridge through Warehouse Place. It will also allow for future pedestrian connections through a site link to the corner site.

The annex building is consolidated into two storeys with a 6m setback to the side boundary a generous public landscaped stepped seating facing Warehouse Place. The provision of the new annex building is shown in **Figure 14** below.

It is also proposed to include a minor reconfiguration of the rooftop communal terrace, incorporating updated planting zones which to enhance shade, alongside the introduction of new shade structures. Refer to the Amended Landscape Plans and Landscape Report at **Appendix C** and **Appendix D**, respectively.

Additional modifications to Building E include the integration of the retail strategy as well as amendments to the façade treatments as detailed in **Sections 3.2.2** and **3.2.8**.



Approved

Proposed

Figure 14 Comparison between approved and proposed plans for ground floor of Building E

Source: Design Team

Building F

The proposed modifications to Building F include the replacement of the neighbourhood shop with communal space, as shown in **Figure 15** below.

Modifications to Building F include the integration of the retail strategy and mail strategy, as well as amendments to the building entry and façade treatments as detailed in **Sections 3.2.2, 3.2.4 and 3.2.8**.



Approved

Proposed

Figure 15 Comparison between approved and proposed plans for ground floor of Building F

Building G

The design of Building G has been updated in response to the SSDA consent conditions and ongoing coordination with technical consultants. As a result, several modifications are proposed, including revised setbacks.

Condition B2 requires a minimum 9m setback for Levels 5 to 7 of Building G from the adjoining property at 119 Sydenham Road. In accordance with this requirement, the proposal introduces an updated 3m setback (9m overall) for Levels 5 to 7, as shown in **Figure 16** below.

The removal of this mass from the building has an impact on internal plan arrangement, structural design and subsequent elevational expression. Accordingly, internal layouts on Levels 4 and 5 have been redesigned to accommodate the change, and elevations adjusted. The proposed modifications are shown in **Figure 17** and **Figure 18**.

It is also proposed to include a minor reconfiguration of the rooftop communal terrace, incorporating updated planting zones, new shade structures and introduction of timber decking. Refer to the Amended Landscape Plans and Landscape Report at **Appendix C** and **Appendix D**, respectively.

Additional modifications to Building G include the integration of the mail strategy as well as amendments to the building entry and façade treatments as detailed in **Sections 3.2.4 and 3.2.8**.



Approved



Proposed

Figure 16 Comparison between approved and proposed Sydenham Road elevation of Building G

Source: Design Team

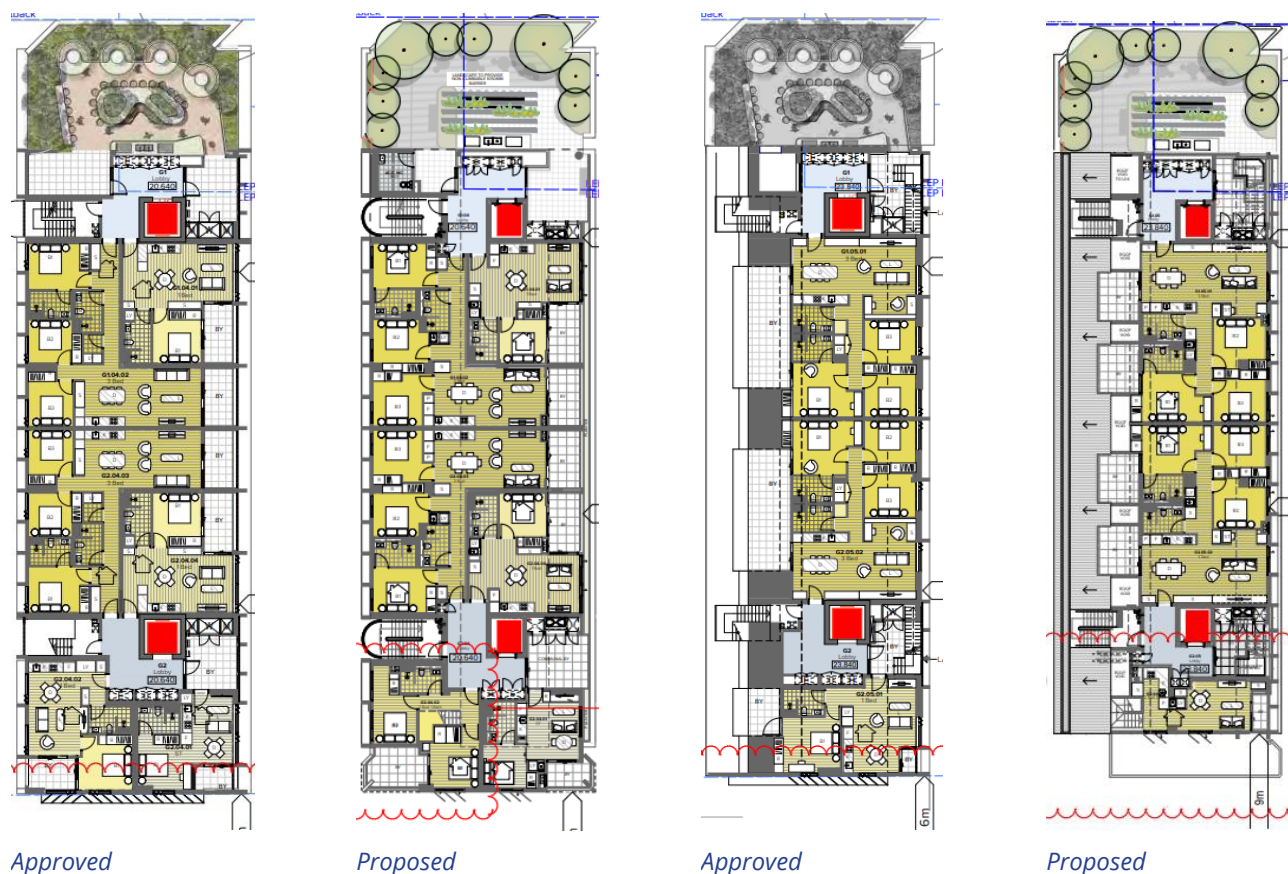


Figure 17 Comparison between approved and proposed Building G Level 4 layout

Source: Design Team

Figure 18 Comparison between approved and proposed Building G Level 5 layout

Source: Design Team

3.2.6 Dwelling Layout Refinement

The Modification Application seeks to expand the diversity of housing offerings through the introduction of work-live apartments within the Building E Annex.

It is proposed to amend apartment layouts and communal facilities across the precinct to improve functionality, flexibility and usability of the dwellings. Specifically, co-living dwellings have been amended to increase integrated storage and reconfigure kitchen and bathroom layouts, and build-to-rent apartments have been amended to reconfigure living spaces and adjust the provision of storage and adjust the relationship between communal and private spaces.

Refer to the Design Report at **Appendix B** for a comparison between the approved and proposed dwelling configurations.

3.2.7 Dwelling Yield and Mix Modifications

The proposed modifications have resulted in changes to the dwelling yield distribution and mix, with an overall net increase of 14 dwellings compared to the approved scheme, and a reduction of one (1) dwelling from the original submission.

A comparison between the approved and proposed dwelling yield and mix is shown in **Table 9** below.

Table 9 Comparison of approved and proposed dwelling yield and mix

Typology	A	B	C	D	E	F	G	Total
Build-To-Rent								
Studio	8	60 (+3)	-	-	1	-	6	75 (+3)
1 Bedroom	39	55	-	-	11	-	20 (-1)	125
2 Bedroom	44	117	-	-	52	-	16 (+1)	229
3 Bedroom	14	23	-	-	2	-	8	47
4 Bedroom	-	1	-	-	-	-	-	1
Co-living								
CL02	-	-	149	180	-	-	-	329
CL03	-	123 (+3)	12	18 (+2)	81	-	-	234 (+5)
CL04	-	10	9	-	6 (+6)	-	-	25 (+6)
Affordable Housing								
Studio	-	4	-	-	7	8	-	19
1 Bedroom	-	10	-	-	31	20	-	61
2 Bedroom	-	13	-	-	4	14	-	31
3 Bedroom	-	4	-	-	-	-	-	4
Total	105	420 (+6)	170	198 (+2)	195 (+6)	42	50	1,180 (+14)

3.2.8 Façade and Materiality Refinements

Awnings

Proposed awning amendments and additions for Buildings A, C, E and G are summarised in

Table 10 below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 10 *Proposed awning modifications*

Building	Proposed Amendments
A	Introduction of new foyer entry awnings to provide weather protection and enhance legibility, clearly identifying the Building Entry.
C	Replacement of mixed steel and concrete awnings with a continuous concrete awning and integrated planter design along the northern frontage.
E	Awnings are to be positioned within the structural bays of the Warehouse Place structure to create a more refined and considered creative space.
G	Introduction of new foyer entry awnings to provide weather protection and enhance legibility, clearly identifying the Building Entry.

Balconies

Proposed balcony refinements and additions for Buildings A and E are summarised in **Table 11** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 11 *Proposed balcony modifications*

Building	Proposed Amendments
A	Introduction of new communal balconies at the northeast façade, facing the Mitchell Street Pocket Park. These new balconies are located at the end of residential corridors which will improve resident amenity and shared access for residents to additional outdoor space. Additionally, adjustments to the alignment of balconies is proposed as a result of the amendments to dwelling layouts, detailed in Section 3.2.6 above.
E	Introduction of additional balconies to selected Level 12 apartments to improve amenity and outlook.

Windows and Glazing

Since the approval of SSD-76927247, the design of the scheme has evolved in response to acoustic and mechanical co-ordination. Accordingly, several updates to glazing have occurred including refinements of window sizes and configurations. Proposed glazing amendments to Buildings A, C and F are summarised in **Table 12** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 12 *Proposed window and glazing modifications*

Building	Proposed Amendments
A	Refinements to window sizes and configurations across the building, in response to advice from acoustic and mechanical consultants.
C	Removal of full-height window to the fire stair adjacent to the mid-landing. Nevertheless, the screen-opening is retained to preserve façade rhythm.
F	Refinements to window sizes and configurations across the building, whilst maintaining the establish horizontal spandrel bands and the oval design integrity of the scheme. Glazing has been reduced to meet the required acoustic standards for the sites location.

Finishes and Materials

Proposed refinements to finishes and materials are summarised in **Table 13** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 13 *Proposed amendments to Building Finishes and materials*

Building	Proposed Amendments
B	Minor amendments to façade composition, colour palette and material selections, including a reduction to the extent of green finishes and refinement of masonry and cladding elements.

Building	Proposed Amendments
D	Replacement of terrazzo cladding with glazing to side of Gateway to enhance visual permeability and strengthen connections to the gateway landscape and proposed public art installations. Simplification of rooftop finishes for clearer architectural expression whilst maintaining the primary material palette.
G	Approved brickwork has been replaced with off-form concrete blades as a design development refinement to the tectonic expression of the facade. Additionally, exposed slab edges have been incorporated as a typical detail at balconies across the building which removes the need for visible shelf angles in balcony soffits which it is preferable to avoid as these can give rise to corrosion and corrosion staining in facades. While the overall built form, scale and character of Building G remains as approved, there have been minor amendments to the set-outs of the angled façade walls of Building G facing Farr Street to accommodate structural requirements and internal layout co-ordination whilst maintaining the overall approved façade composition.

The prefinished materials that have been chosen are reflective of the practical and industrial heritage of Marrickville. This includes the use of brickwork at street level to contribute to the 'Marrickville vernacular'.

Sawtooth Roof Form

Proposed refinements to sawtooth roof forms for Buildings C and D are summarised in **Table 14** below, with further detail provided in the Amended Architectural Plans and Design Report at **Appendix A** and **Appendix B**, respectively.

Table 14 *Proposed sawtooth amendments*

Building	Proposed Amendments
C	The sawtooth roof form has been rationalised to align with plant room efficiency requirements while reducing visual bulk and minimising overshadowing.
D	Minor reduction to the sawtooth roof form to enhance clarity and articulation.

3.2.9 Plant Alterations

The proposed modifications include several alterations to various aspects of plant across buildings on the development site, as detailed in **Table 15** below.

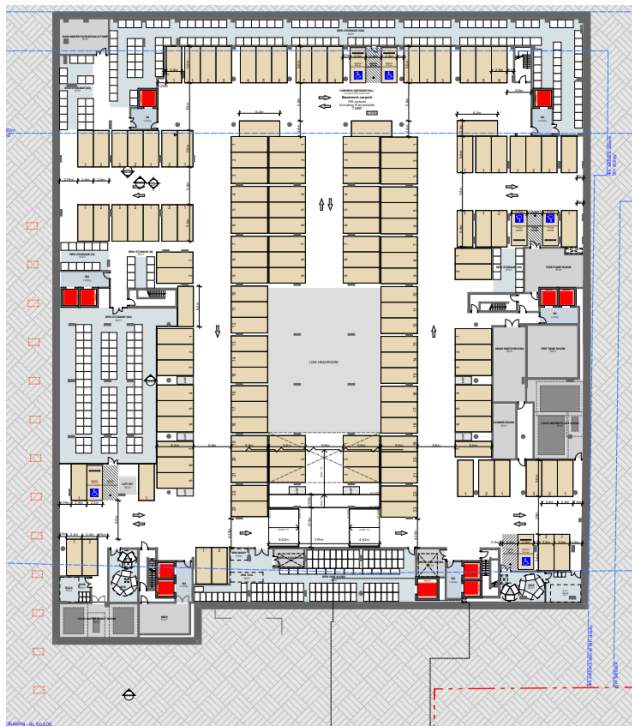
Table 15 *Plant Alterations*

Building	Proposed Amendments
A	Refinement of rooftop plant room planning and screen design to reduce visual bulk while maintaining acoustic and servicing performance requirements.
B	Refinement of rooftop plant extents, sloped roof forms and OLS coordination to reduce visual bulk and better integrate plant within the architectural form.
C	Refinement of rooftop plantroom layouts to reduce bulk and better integrate services within the roof form
E	Removal of overhead louvres and refinement of rooftop screening to reduce visual bulk and improve architectural integration
F	Refinement of rooftop plant room planning and services integration to reduce visual impact and improve efficiency

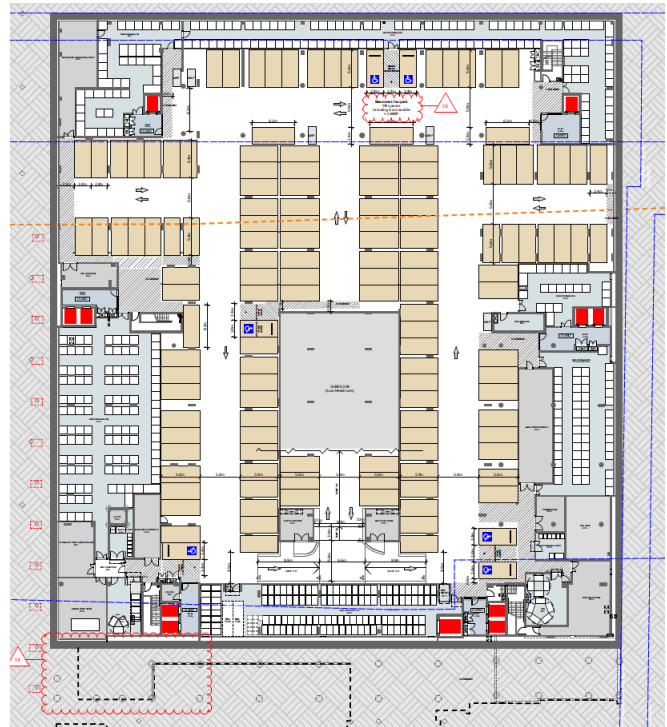
3.2.10 Basement Reconfiguration

The proposed modifications will consolidate the basement layouts to improve the layouts for plant, storage and car and bicycle parking spaces, as shown in **Figure 19** and **Figure 20** below. Specifically, the following amendments have been made to the parking arrangements:

- Removal of car wash bays; and
- Introduction of 16 new retail parking spaces at the ground level between Buildings B and C.



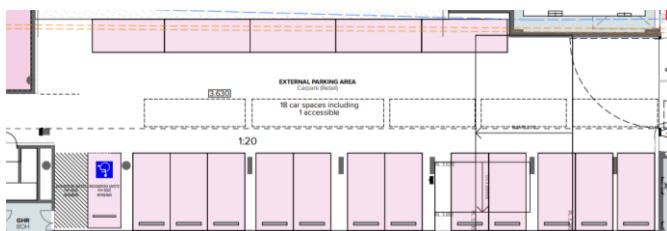
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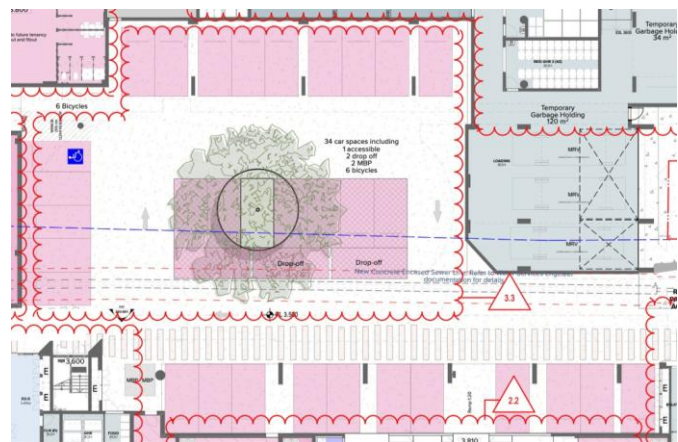
Proposed

Figure 19 Comparison between approved and proposed basement layout

Source: Design Team



Approved



Proposed

Figure 20 Comparison between approved and proposed ground level retail parking layout

Source: Design Team

3.3 Modifications to conditions

The proposed modifications described above necessitate 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***.

3.3.1 Condition A1

The development must be carried out:

- In compliance with the conditions of this consent;
- 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:

Drawing Number	Rev	Name of Plan	Date
Architectural Drawings prepared by Aileen Sage, Architecture AND, Matthew Pullinger Architect, Tribe Studio Architects and Turner			
<u>Context and Analysis</u>			
DA-010-010	2 3	Context Plan	04/06/2025 27/05/2026
DA-010-020	4 6	Site Plan	08/08/2025 27/05/2026
DA-010-030	2 4	Site Analysis	04/06/2025 27/05/2026
DA-010-0100	2	Demolition Plan	04/06/2025
<u>GA Plans</u>			
DA-110-006	2 5	Basement 01	04/06/2025 27/05/2026
DA-110-007	4 7	Ground Level – Victoria Road	09/08/2025 27/05/2026
DA-110-008	4 7	Upper Ground Level – Farr Steet	09/08/2025 27/05/2026
DA-110-010	3 5	Level 01	09/08/2025 27/05/2026
DA-110-020	3 6	Level 02	09/08/2025 27/05/2026
DA-110-030	3 6	Level 03	09/08/2025 27/05/2026
DA-110-040	3 7	Level 04	09/08/2025 27/05/2026
DA-110-050	3 7	Level 05	09/08/2025 27/05/2026
DA-110-060	2 6	Level 06	04/06/2025 27/05/2026
DA-110-070	2 6	Level 07	04/06/2025 27/05/2026
DA-110-080	2 6	Level 08	04/06/2025 27/05/2026
DA-110-090	2 5	Level 09	04/06/2025 27/05/2026
DA-110-100	2 5	Level 10	04/06/2025 27/05/2026
DA-110-110	2 5	Level 11	04/06/2025 27/05/2026
DA-110-120	2 5	Level 12	04/06/2025 27/05/2026
DA-110-200	2 5	Roof Level	04/06/2025 27/05/2026
<u>GA Elevations</u>			
DA-210-101	3 7	Farr Street_North West Elevation	09/08/2025 27/05/2026
DA-210-111	3 7	Farr Street_NW Context Elevation	09/08/2025 27/05/2026
DA-210-201	3 7	Mitchell Street_North East Elevation	09/08/2025 27/05/2026
DA-210-211	3 7	Mitchell Street_NE Elevation	09/08/2025 27/05/2026
DA-210-301	2 7	Victoria Road_South East Elevation	04/06/2025 27/05/2026
DA-210-401	3 7	Sydenham Road_South West Elevation	09/08/2025 27/05/2026
<u>Internal Elevations</u>			

DA-220-101	3 7	Residential Mews – North East Elevation	09/08/2025 27/05/2026
DA-220-201	3 7	Residential Mews – South West Elevation	09/08/2025 27/05/2026
DA-220-301	2 7	Warehouse Place – North East Elevation	04/06/2025 27/05/2026
DA-220-401	2 7	Warehouse Place – South West Elevation	04/06/2025 27/05/2026
DA-220-501	3 7	Pocket Park – South East Elevation	09/08/2025 27/05/2026
DA-220-601	2 7	Pocket Park – North West Elevation	04/06/2025 27/05/2026
DA-220-701	3 7	Commerce Lane – South East Elevation	09/08/2025 27/05/2026
DA-220-801	3 7	Commerce Lane – North West Elevation	09/08/2025 27/05/2026

GA Internal Section Elevations

DA-310-101	4 6	Buildings B, E – Long Section	09/08/2025 27/05/2026
DA-310-102	2 4	Buildings A, B, C – Long Section	04/06/2025 27/05/2026
DA-310-103	4 4	Buildings A, B, C – Long Section	04/06/2025 27/05/2026

Façade Sections

DA-320-101	1	Building A_FS1_Lobby Entry	04/06/2025
DA-320-102	1	Building A_FS2_Town Houses	04/06/2025
DA-320-103	1	Building B_FS3_Town Houses	04/06/2025
DA-320-104	1	Building B_FS4_Lobby Entry	04/06/2025
DA-320-105	1	Building F_FS5_Lobby Entry	04/06/2025
DA-320-106	1	Building F_FS6_Town Houses	04/06/2025
DA-320-107	1	Building G_FS7_Lobby Entry	09/08/2025
DA-320-108	1	Building G_FS8_Town Houses	04/06/2025

Amenity Diagrams

DA-720-101	2 4	Solar Access Diagrams Sheet 1	04/06/2025 27/05/2026
DA-720-102	2 4	Solar Access Diagrams Sheet 2	04/06/2025 27/05/2026
DA-720-201	2 4	Cross Ventilation Diagrams Sheet 1	04/06/2025 27/05/2026
DA-720-202	2 4	Cross Ventilation Diagrams Sheet 2	04/06/2025 27/05/2026
DA-720-203	2 4	Building Separation Diagram	04/06/2025 27/05/2026

Communal Space Diagrams

DA-720-101	4 3	Communal Open Space Diagram	04/06/2025 27/05/2026
DA-720-102	2 4	Publicly Accessible Open Space	04/06/2025 27/05/2026
DA-720-201	2 4	COS Solar Diagram_Winter Solstice	04/06/2025 27/05/2026
DA-720-301	2 5	Communal Indoor GL-L7	04/06/2025 27/05/2026
DA-720-302	2 5	Communal Indoor L8-L12	04/06/2025 27/05/2026

DA-720-401	2 4	Landscape Diagram GL & Podium	04/06/2025-27/05/2026
DA-720-402	2 4	Landscape Diagram Upper Levels &	04/06/2025-27/05/2026

GFA Diagrams

DA-770-001	4 8	Basement to Level 6	31/10/2025-27/05/2026
DA-770-002	2 6	Level 07 to Level 12	04/06/2025-27/05/2026

Affordable Housing Diagrams

DA-785-001	3 6	Affordable Housing GL-17	09/08/2025-27/05/2026
DA-785-002	2 5	Affordable Housing L8-L12	04/06/2025-27/05/2026

Materials & Finishes

DA-890-001	2 5	Precinct Material & Finishes Board	04/06/2025-27/05/2026
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Landscape Plans prepared by Arcadia

L-100	B	LANDSCAPE MASTERPLAN	05/06/2025
L-101	B	DEEP SOIL ZONING	05/06/2025
L-400	B	PLANTING SCHEDULE	05/06/2025
L-401	B	SOFTWORKS PLAN SHEET 1 – GROUND HYBRID	05/06/2025
L-402	B	SOFTWORKS PLAN SHEET 2 – GROUND HYBRID	05/06/2025
L-403	B	SOFTWORKS PLAN SHEET 3 – GROUND HYBRID	05/06/2025
L-404	B	SOFTWORKS PLAN SHEET 4 – GROUND HYBRID	05/06/2025
L-405	B	SOFTWORKS PLAN SHEET 5 – GROUND HYBRID	05/06/2025
L-406	B	SOFTWORKS PLAN SHEET 6 – GROUND HYBRID	05/06/2025
L-407	B	SOFTWORKS PLAN SHEET 7 – GROUND HYBRID	05/06/2025
L-408	B	SOFTWORKS PLAN SHEET 8 – GROUND HYBRID	05/06/2025
L-409	B	SOFTWORKS PLAN SHEET 9 – GROUND HYBRID	05/06/2025
L-410	B	SOFTWORKS PLAN SHEET 10 – GROUND HYBRID	05/06/2025
L-411	B	SOFTWORKS PLAN SHEET 11 – GROUND HYBRID	05/06/2025
L-412	B	SOFTWORKS PLAN SHEET 12 – GROUND HYBRID	05/06/2025
L-413	B	SOFTWORKS PLAN SHEET 13 – GROUND HYBRID	05/06/2025
L-414	B	SOFTWORKS PLAN SHEET 14 – GROUND HYBRID	05/06/2025
L-415	B	SOFTWORKS PLAN SHEET 15 – GROUND HYBRID	05/06/2025
L-416	B	SOFTWORKS PLAN SHEET 16 – GROUND HYBRID	05/06/2025
L-417	B	SOFTWORKS PLAN SHEET 17 – GROUND HYBRID	05/06/2025
L-418	B	SOFTWORKS PLAN SHEET 18 – GROUND HYBRID	05/06/2025
L-419	B	SOFTWORKS PLAN SHEET 19 – GROUND HYBRID	05/06/2025

L-420	B	SOFTWARES PLAN SHEET 20 - GROUND HYBRID	05/06/2025
L-421	B	SOFTWARES PLAN SHEET 21 - GROUND HYBRID	05/06/2025
L-422	B	SOFTWARES PLAN SHEET 22 - GROUND HYBRID	05/06/2025
L-423	B	SOFTWARES PLAN SHEET 23 - GROUND HYBRID	05/06/2025
L-424	B	SOFTWARES PLAN SHEET 24 - GROUND HYBRID	05/06/2025
L-425	B	SOFTWARES PLAN SHEET 25 - GROUND HYBRID	05/06/2025
L-426	B	SOFTWARES PLAN SHEET 26 - GROUND HYBRID	05/06/2025
L-427	B	SOFTWARES PLAN SHEET 27 - GROUND HYBRID	05/06/2025
L-428	B	SOFTWARES PLAN SHEET 28 - GROUND HYBRID	05/06/2025
L-429	B	SOFTWARES PLAN SHEET 29 - GROUND HYBRID	05/06/2025
L-430	B	SOFTWARES PLAN SHEET 30 - GROUND HYBRID	05/06/2025
L-431	B	SOFTWARES PLAN SHEET 31 - GROUND HYBRID	05/06/2025
L-432	B	SOFTWARES PLAN SHEET 32 - GROUND HYBRID	05/06/2025
L-433	B	SOFTWARES PLAN SHEET 33 - GROUND HYBRID	05/06/2025
L-434	B	SOFTWARES PLAN SHEET 34 - GROUND HYBRID	05/06/2025
L-435	B	SOFTWARES PLAN SHEET 35 - GROUND HYBRID	05/06/2025
L-436	B	SOFTWARES PLAN SHEET 36 - GROUND HYBRID	05/06/2025
L-437	B	SOFTWARES PLAN SHEET 37 - GROUND HYBRID	05/06/2025
L-438	B	SOFTWARES PLAN SHEET 38 - GROUND HYBRID	05/06/2025
L-610	B	LANDSCAPE DETAILS	05/06/2025
Landscape Plans prepared by Land + Form			
MTY-LAN-LAF-DA-000-000	1	COVER PAGE	27/05/2026
MTY-LAN-LAF-DA-000-001	1	LEGEND	27/05/2026
MTY-LAN-LAF-DA-000-002	1	PLANTING SCHEDULE	27/05/2026
MTY-LAN-LAF-DA-000-003	1	COMPLIANCE DIAGRAM - DEEP SOIL	27/05/2026
MTY-LAN-LAF-DA-000-004	1	COMPLIANCE DIAGRAMS - TREE CANOPY	27/05/2026
MTY-LAN-LAF-DA-100-000	1	OVERALL GROUND FLOOR GENERAL ARRANGEMENT PLAN	27/05/2026
MTY-LAN-LAF-DA-100-001	1	LOWER GROUND GENERAL ARRANGEMENT PLAN 1	27/05/2026
MTY-LAN-LAF-DA-100-002	1	LOWER GROUND GENERAL ARRANGEMENT PLAN 2	27/05/2026
MTY-LAN-LAF-DA-100-003	1	LOWER GROUND GENERAL ARRANGEMENT PLAN 3	27/05/2026
MTY-LAN-LAF-DA-100-010	1	UPPER GROUND GENERAL ARRANGEMENT PLAN 1	27/05/2026
MTY-LAN-LAF-DA-100-011	1	UPPER GROUND GENERAL ARRANGEMENT PLAN 2	27/05/2026
MTY-LAN-LAF-DA-100-012	1	UPPER GROUND GENERAL ARRANGEMENT PLAN 3	27/05/2026
MTY-LAN-LAF-DA-100-020	1	ADDITIONAL COMMUNAL ROOFTOPS	27/05/2026
MTY-LAN-LAF-DA-100-021	1	LEVEL 4 GENERAL ARRANGEMENT PLAN	27/05/2026

MTY-LAN-LAF-DA-100-022	1	LEVEL 9 GENERAL ARRANGEMENT PLAN	27/05/2026
MTY-LAN-LAF-DA-100-023	1	LEVEL 10 GENERAL ARRANGEMENT PLAN	27/05/2026
MTY-LAN-LAF-DA-100-024	1	LEVEL 11 GENERAL ARRANGEMENT PLAN	27/05/2026
MTY-LAN-LAF-DA-200-001	1	LOWER GROUND PLANTING PLAN 1	27/05/2026
MTY-LAN-LAF-DA-200-002	1	LOWER GROUND PLANTING PLAN 2	27/05/2026
MTY-LAN-LAF-DA-200-003	1	LOWER GROUND PLANTING PLAN 3	27/05/2026
MTY-LAN-LAF-DA-200-010	1	UPPER GROUND PLANTING PLAN 1	27/05/2026
MTY-LAN-LAF-DA-200-011	1	UPPER GROUND PLANTING PLAN 2	27/05/2026
MTY-LAN-LAF-DA-200-012	1	UPPER GROUND PLANTING PLAN 3	27/05/2026
MTY-LAN-LAF-DA-200-020	1	ADDITIONAL COMMUNAL ROOFTOPS	27/05/2026
MTY-LAN-LAF-DA-200-021	1	LEVEL 4 PLANTING PLAN	27/05/2026
MTY-LAN-LAF-DA-200-022	1	LEVEL 9 PLANTING PLAN	27/05/2026
MTY-LAN-LAF-DA-200-023	1	LEVEL 10 PLANTING PLAN	27/05/2026
MTY-LAN-LAF-DA-200-024	1	LEVEL 11 PLANTING PLAN	27/05/2026
Draft Subdivision Plans prepared by LTS Surveyors			
Sheet 1	-	Location Plan	04/12/2024
Sheet 2	-	Basement 01	04/12/2024
Sheet 3	-	Ground level	04/12/2024
Sheet 4	-	Upper Ground level	04/12/2024
Sheet 5	-	Level 01	04/12/2024
Sheet 6	-	Level 02	04/12/2024
Sheet 7	-	Section 'A' - 'A' & Section 'B' - 'B'	04/12/2024

Reason: To reflect the Amended Architectural Plans (**Appendix A**) and Amended Landscape Plans (**Appendix C**) as a result of the design amendments sought under this Modification Application.

3.3.2 Condition A6

The floor area identified as "Retail" on the **upper** ground floor or Building **F A** must be used only for neighbourhood shops, unless separate development consent is obtained for an alternative use

Reason: To reflect the amendments to the retail strategy across the ground floor whereby the neighbourhood shop has been relocated to Building A and the ground floor of Building F has changed to communal use.

3.3.3 Condition B1

Prior to the issue of CC6, the Applicant must provide evidence to the Certifier that the revised plans detailing the following revisions have been submitted to and approved by the Planning Secretary:

- (a) a minimum boundary setback of 3 metres at the ground floor level of Building D to the adjoining property at 199 Victoria Road, and**
- (b) a minimum boundary setback of 6 metres for levels 1 and above of Building D to the adjoining property at 199 Victoria Road.**

Reason: To remove this condition as this modification application seeks to satisfy it.

3.3.4 Condition B2

~~Prior to the issue of CC7, the Applicant must provide evidence to the Certifier that the revised plans detailing the following revisions have been submitted to and approved by the Planning Secretary:~~

- ~~(a) a minimum boundary setback of 9 metres for levels 5 to 7 of Building G to the adjoining property at 119 Sydenham Road.~~

Reason: To remove this condition as this modification application seeks to satisfy it.

3.3.5 Condition B8

Prior to the issue of a Construction Certificate that includes public domain or landscaping works (CC5, CC6 or CC7), the Applicant must submit to the Certifier a detailed Landscape Plan which:

- (a) is consistent with the landscape plans prepared by **Arcadia Land + Form**, dated ~~5 June 2025~~ **29 May 2026** or as amended by any requirement of these conditions;
- (b) includes details of tree planting;
- (c) includes details of the location, species, maturity and height at maturity of plants to be planted on-site;
- (d) demonstrates adequate drainage and watering systems;
- (e) includes details of plant maintenance and watering for the first 12 months;
- (f) includes a commitment to replace plants with the same species if any plant loss occurs within the maintenance period; and
- (g) includes a direct and accessible through-site link between Victoria Road and Farm Street, providing a continuous path of travel consistent with the Disability Discrimination Act 1992 (Cth), the National Construction Code and relevant Australian Standards. The Landscape Plan must include details of gradients, surface treatments, tactiles, kerb ramps, lighting, wayfinding elements and integration with the surrounding public domain.

Reason: To reflect the Amended Landscape Plans (**Appendix C**), now prepared by Land + Form.

3.3.6 Condition B9

Prior to the issue of CC3, the Applicant must submit to the Certifier a Report demonstrating that the development will provide for the following traffic flow and car parking requirements:

- (a) all vehicles must enter and leave the subject site in a forward direction;
- (b) all vehicles are to be wholly contained on site before being required to stop;
- (c) parking associated with the development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) must be in accordance with the applicable Australian Standards;
- (d) appropriate pedestrian advisory signs must be provided at the egress from parking areas;
- (e) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority;
- (f) the swept path of the longest vehicle (including garbage trucks) entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS, AS2890.1-2004 and AS2890.2:2018;
- (g) provision of:
 - (i) 245 car parking spaces within the basement;
 - (ii) ~~18 34~~ retail **and commercial** parking spaces;
 - (iii) 15 motorcycle parking spaces;
 - (iv) electric vehicle charging infrastructure in accordance with the NCC; and
 - (v) 726 bicycle parking spaces comprising ~~710 708~~ residential [~~594 590~~ residents and ~~419 118~~ visitors] and ~~16 18~~ retail [~~8 16~~ staff and ~~8 2~~ visitors];
- (h) compliance of car parking and bicycle parking spaces with Australian Standards for the layout, design and security of bicycle facilities; and
- (i) pedestrian safety signage at the egress from crossovers on Farm Street.

Reason: To reflect the amended parking provision.

3.3.7 Condition B12

Prior to the issue of a Construction Certificate that includes above ground works (CC5, CC6 and CC7), the Applicant must submit a Report to the Certifier from a suitably qualified Acoustic Engineer / consultant demonstrating that the design of the development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the acoustic report, prepared by Acoustic Logic, dated 28/04/2025 **and the addendum acoustic report, prepared by Acoustic Logic, dated 20/05/2026.**

Reason: To reflect the Amended Acoustic Report (Appendix E).

3.3.8 Condition B18

Prior to the issue of the first Construction Certificate that includes above-ground works (CC5, CC6 or CC7), the Certifier and Council must be provided with a Waste and Recycling Management Plan that:

- (a) confirms that all waste is to be collected by a private waste contractor.
- (b) Demonstrates that the bin storage area can accommodate the number of bins required for all waste and recycling generated by the development. The number of bins required must be based on the schedule outlined in the **Operational** Waste Management Plan prepared by ~~MRA Consulting Group~~ **Elephant's Foot**, dated ~~14 May 2025~~ **29 May 2026**.
- (c) Demonstrates that there is sufficient space for the manoeuvring of bins.
- (d) Where the path of transfer has a gradient exceeding 1:14 for 240L bins or 1:40 for 660L bins, a bin tug suitable for the gradient must be used. The bin tug must comply with Australian Standards in Health, Safety, Environment, and Quality. This applies to the movement of waste and recycling bins, as well as bulky household waste, from the basement to ground level.

Reason: To reflect the updated Operational Waste Management Plan (**Appendix F**).

3.3.9 Condition F12

For a period of at least 15 years commencing on the day an Occupation Certificate is issued for all parts of the building(s) to which this development relates, the tenanted component of the building(s) must:

- (a) Contain ~~474~~ **477** dwellings at completion noting a staged completion of the build-to-rent component occupied, or intended to be occupied, by individuals under residential tenancy agreements, and
- (b) Individual dwellings must not be subdivided into separate lots, and
- (c) Be owned and controlled by 1 person or entity, and
- (d) Be operated by 1 managing agent, who provides on-site management

Reason: To reflect the change to the number of BTR dwellings proposed.

3.4 Substantially the same development

Section 4.55(2) 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 proposed design modifications reflect further design refinements and evolution that would typically occur as part of the detailed design process for projects of such scale and complexity, and do not reflect a notable departure from the approved development.
- The fundamental aspects of the Marrickville Timbriyards redevelopment which will provide a diverse mix of housing, including build to rent apartments, affordable housing and co living dwellings, alongside retail and commercial space, creative and co working uses will remain the same.
- The overall bulk, scale and envelopes of the buildings remain consistent with the project as approved.
- When considered in their totality, the proposed design amendments are not substantial and do not alter the fundamental outcomes of the project.

- The proposed amendments do not change the approved land use or any of the key parameters of the development.
- The intention and purpose of the conditions proposed to be amended continue to be achieved.
- The amendments do not alter the development's consistency with the relevant provisions of State Environmental Planning Policies, the Inner West Local Environmental Plan 2022 or the Marrickville Development Control Plan 2011.
- The proposed amendments will not introduce any unreasonable environmental impacts or substantially alter the environmental impact of the approved development, as demonstrated in **Section 6.0** below.

For the above reasons, the consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted.

3.5 Updated project description

A consolidated, detailed description of the modified project has been provided at **Section 3.0** above. Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italics***.

- Site preparation works, remediation, services and infrastructure augmentation, bulk earthworks, demolition of existing buildings and structures, removal of trees and vegetation;
- Construction of 7 buildings ranging from 5 to 14 storeys providing for:
 - ~~474~~ ***477*** build-to-rent apartments;
 - 115 in-fill affordable apartments;
 - ~~577~~ ***588*** co-living dwellings;
 - ~~1,425m²~~ ***1,671m²*** of retail and neighbourhood shop floor space;
 - ~~263~~ ***279*** surface and basement car parking space, 15 motorcycle spaces; 726 bicycle spaces;
 - Landscaping, publicly accessible open space, and resident communal open space;
 - Lot amalgamation and stratum subdivision; and
 - Installation of infrastructure and services.

4.0 Statutory context

This section provides an assessment of the proposed amendments against the relevant sections of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and the relevant Environmental Planning Instruments (EPIs). It has been set out in accordance with the DPHI's *State significant development guidelines – preparing a modification report* (March 2026), which identifies the categories to be used to identify the statutory requirements of a project, being that of the following:

- Power to grant approval (**Section 4.1**).
- Permissibility (**Section 4.2**).
- Other approvals (**Section 4.3**).
- Pre-conditions to exercising the power to grant approval (**Section 4.4**).
- Mandatory matters for consideration (**Section 4.5**).

4.1 Power to Grant Approval

SSD-76927247 was declared to be State Significant Development (SSD) pursuant to Chapter 2, Section 2.11 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), by virtue of being development for the purposes of Build-to-Rent Housing on land within Greater Sydney that has a capital investment value of more than \$50 million of which the tenanted component represents at least 60%, is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*.

The proposed amendments do not alter SSD-76927247's eligibility as SSD pursuant to the above. As the development proposed to be modified, is substantially the same development as that originally approved (see **Section 3.4**), the DPHI as the consent authority has the power to grant consent to the modification application.

4.2 Permissibility

The site is partly zoned MU1 Mixed Use (land adjacent Victoria Road) and R4 High Density Residential (majority of site) under the *Inner West Local Environmental Plan 2022* (IWLEP 2022). All proposed uses are permissible with consent on the subject site, with co-living being permissible by virtue of Section 67 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), which allows co-living housing in a zone in which development for the purposes of residential flat buildings or shop top housing is permitted. With no changes proposed to land use, the permissibility of the development remains unchanged.

4.3 Other Approvals

The proposed amendments do not alter SSD-76927247's consistency with that of the following:

- Legislation that must be applied consistently to State Significant Development under Section 4.42 of the EP&A Act; and
- Consistency with the *Environmental Protection and Biodiversity Act 1999 Act*, as the project is not a matter of National Environmental Significance.

4.4 Pre-Conditions to Exercising Power to Grant Approval

An assessment of the relevant pre-conditions to granting approval for SSD-76927247 as they relate to the proposed amendments, are described in **Table 16** below.

Table 16 Assessment against pre-conditions to exercising power to grant approval

Scenario	Assessment
Biodiversity Conservation Act 2016	The proposed amendments relate to various minor refinements including amendments to design and the retail strategy. Therefore, the proposals do not necessitate an update to the approved BDAR for the project.

Scenario	Assessment
State Environmental Planning Policy (Transport and Infrastructure) 2021	The development has been assessed against the requirements of section 2.48. The proposed amendments are minor and will not increase the impacts on the electrical transmission or distribution network and as such no further assessment is required in this regard. The development as amended remains as traffic-generating development within the meaning of sections 2.119 and 2.122 of the Transport and Infrastructure SEPP. The proposed changes to the retail use and minor uplift in dwellings will have only negligible impacts on traffic generation and will not result in any increase to anticipated traffic impacts compared to SSD-76927247 as originally approved. There will be a minor uplift in the number of parking spaces which will increase from 263 spaces to 279 spaces, equating to an increase of 16 spaces. The impacts will be negligible.
State Environmental Planning Policy (Industry and Employment) 2021	The proposed amendments do not alter the signage of the site; therefore, the signage will remain consistent with the objectives of the SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	The proposed amendments do not change the suitability of the site with regards to hazardous and offensive development in relation to Chapter 3 of the Resilience and Hazard SEPP, or contamination in relation to Chapter 4 of the SEPP. The findings of the Contamination Investigation and Management Plans, including Remediation Action Plan approved under SSD-76927247 remain valid.

4.5 Mandatory Matters for Consideration

An assessment of the relevant pre-conditions to granting approval for SSD-76927247 as they relate to the proposed amendments has been provided in the below subsections.

4.5.1 Inner West Local Environmental Plan 2022

The Inner West Local Environmental Plan 2022 (IWLEP 2022) is the principal environmental planning instrument applying to the project site. An assessment of the proposed modification against the relevant clauses of the IWLEP 2022 has been provided in **Table 17** below.

Table 17 Assessment of proposed modifications against the IWLEP 2022

Clause	Control	Assessment
<i>Clause 2.3</i> <i>Zone Objectives and Land Use Table</i>	MU1 Mixed Use R4 High Density Residential	The site is zoned MU1 Mixed Use and R4 High Density Residential. The development as amended remains permissible with the consent. Refer to Section 4.2 above.
<i>Clause 4.3</i> <i>Height of buildings</i>	The site is mapped with the following maximum heights of buildings: • Sydenham Road – 11m • Farr Street – 20m • Victoria Road – 23m • Central part of the site – RL50m As the proposed development comprises 10.3% affordable housing, section 16 of the Housing SEPP applies, and up to 20% additional height can be applied to any part of the proposal comprising a residential flat building or shop top housing. It is noted that the central part of the site is restricted by the Obstacle Limitation Surface (OLS) for Sydney Airport. The resulting maximum heights inclusive of the height bonus are: • Sydenham Road – 13.2m • Farr Street – 24m	No changes are proposed to the maximum height of any building. There are, however, some minor amendments to external plant including additional enclosure to the roof top plant on Building F and the extension of the parapet screen to Building B's Level 12 plant on the south-west wing. These amendments will not result in an overall increase to the height of the building, and the height will remain within the maximum building heights. The impacts would therefore be negligible.

Clause	Control	Assessment
	- Victoria Road – 27.6m - Central site – RL50m (height bonus not applied due to OLS)	
<i>Clause 4.4</i> <i>Floor Space Ratio</i>	The site, with the exception of the land zoned SP2 (identified for the widening of Victoria Road), is mapped with a maximum Floor Space Ratio (FSR) of 3:1. As such, while the site area is 22,770m², for the purpose of calculation of floor space, the extent of site mapped with the 3:1 FSR is 22,564m². There is no floor space proposed on the SP2 zoned land. As the proposed development comprises 10.3% affordable housing, section 16 of the Housing SEPP applies, and 20% additional floor space applies. The resulting maximum FSR is 3.6:1.	The proposed amendments result in a 290m² increase to GFA, resulting in a minor increase in FSR from 3.39:1 to 3.40:1 (increase of 0.01:1). This increase is not anticipated to generate additional environmental impacts given the overall density and capacity of the site remains the same.
<i>Clause 5.3</i> <i>Development near zone boundaries</i>	The proposed development exercises use of this clause in relation to the ground floor commercial premises use, which enables a permissible use in an adjacent zone (in this case, the MU1 zone) to also be permissible in the subject zone (in this case, the R4 zone), for a maximum of 25 metres from the boundary of the two zones.	The land use of the site will not change therefore the development will remain consistent with the objectives of this clause and a compatible land use will be maintained.
<i>Clause 5.4</i> <i>Controls relating to miscellaneous permissible uses</i>	The clause sets out specific size and operational controls for ancillary land uses. Under sub-clause 7, if development for the purposes of a neighbourhood shop is permitted under the plan, the retail floor area must not exceed 100sqm.	Under development SSD-76927247, the ground floor of Building F (adjacent to Farr Street) was approved for 70m² of floorspace. Under the proposed amendments, the neighbourhood shop floorspace has been relocated to Building A.
<i>Clause 5.10</i> <i>Heritage Conservation</i>	N/A	The proposed amendments will not result in heritage implications.
<i>Clause 5.21</i> <i>Flood planning</i>	The site is identified as being flood prone.	The proposed amendments will not result in flooding implications.
<i>Clause 6.1</i> <i>Acid Sulfate Soils</i>	The site is situated across two risk area classes, Class 2 and Class 4 acid sulfate soils.	The proposed amendments will not have implications for acid sulfate soils.
<i>Clause 6.2</i> <i>Earthworks</i>	N/A	The proposed amendments will not have implications on earthworks.
<i>Clause 6.3</i> <i>Stormwater management</i>	N/A	The proposed amendments will not have implications on stormwater management. Amendments to OSD are detailed in Section 3.2.1 above.
<i>Clause 6.7</i> <i>Airspace operations</i>	Development consent must not be granted to development that is a controlled activity within the meaning of the <i>Airports Act 1996</i> (Airports Act) of the Commonwealth, Part 12, Division 4, unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.	The proposed development remains within the same site boundary that development was approved. The same provisions remain in place to ensure that the proposed development does not intrude into Sydney's prescribed airspace and that cranes remain a controlled activity.
<i>Clause 6.8</i> <i>Development in areas subject to aircraft noise</i>	The subject site is located on land in an ANEF contour of greater than 10 (approximately 25 to 30) to which the site is applicable as an area which is likely to be adversely affected by aircraft noise.	The objectives of the clause were satisfied when the original SSD-76927247 application was approved albeit, the amendment application will introduce new residential development at the new Building E Annex.

Clause	Control	Assessment
	Accordingly, in deciding whether to grant development consent, the consent authority must: - Consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and - Consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and - Be satisfied the development will meet the indoor design sound levels shown in Determination of Aircraft Noise Reduction) in AS 2021:2015.	The revised proposal has been assessed against acoustic impacts (refer to Section 5.5).
<i>Clause 6.9 Design excellence</i>	N/A	The proposed amendments constitute a coordinated refinement of the approved scheme rather than a substantive intensification or redesign therefore, design excellence is maintained.
<i>Clause 6.13 Residential accommodation in Zones E1, E2 and MU1</i>	The clause permits residential development in zones E1, E2 and MU1 if the authority is satisfied that the building: - Is a mixed-use development, and - Will have an active street frontage, and - Is compatible with the desired character of the area in relation to its bulk, form, uses and scale.	The land use of the site will remain as approved and therefore remains consistent with this clause.
<i>Clause 6.31 Development on certain land at Victoria Road, Marrickville</i>	The proposed development is located on land identified as Area 13 on the Key Site Map, being land that is transitioning from industrial land uses to residential and commercial uses to which the clause applies. The clause requires that development consent is not granted for development on the land to which the clause applies unless a development control plan that addresses the provisions within the clause has been prepared.	The proposed amendments are broadly for minor refinements and will not alter the land use of the site. The proposed amendments therefore remain in accordance with the assessment that was undertaken in the original SSD-76927247 application.

4.6 State Environmental Planning Policies

An assessment of the proposed amendments against the relevant State Environmental Planning Policies (SEPPs) applicable to SSD-76927247 has been provided in **Table 18** below.

Table 18 Assessment against State Environmental Planning Policies

Scenario	Assessment
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	The project as proposed to be amended remains State Significant Development under the Planning Systems SEPP, as detailed in Section 4.1 above.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The development has been assessed against the requirements of section 2.48. The proposed amendments are minor and will not increase the impacts on the electrical transmission or distribution network therefore, no further assessment is required in this regard. The development as amended remains as traffic-generating development within the meaning of sections 2.119 and 2.122 of the Transport and Infrastructure SEPP. The proposed changes to the retail use and minor uplift in dwellings will have a negligible impact on traffic generation and will not result in any increase to anticipated traffic impacts

Scenario	Assessment
	compared to the approved development. There will be a minor uplift in the number of parking spaces which will increase from 263 spaces to 279 spaces (+16).
<i>State Environmental Planning Policy (Housing) 2021</i>	The proposed amendments will have no impact on the approved development's compliance with the Housing SEPP. The development remains consistent with the relevant provisions and controls as detailed below.
<i>Chapter 2, Part 2, Division 1 for the purposes of In-fill affordable housing</i>	The proposed development continues to provide the minimum affordable housing contributions and remains compliant with the SEPP. The proposed amendments minorly reduce the size of the balconies so that the internal area of the apartments achieves the ADG standards in accordance with the requirements of the SEPP.
<i>Chapter 3, Part 3, for the purposes of Co-living housing</i>	The proposed development continues to provide shop-top housing in accordance with the approved consent. The proposed amendments will marginally increase the provision of co-living housing.
<i>Chapter 3, part 4 for the purposes of Build-to-rent housing</i>	The proposed development continues to provide residential flat buildings for the purposes of BTR housing in accordance with the approved consent. The proposed development will marginally increase the provision of BTR apartments.
<i>Chapter 4, for the purposes of residential apartment development</i>	The proposed development continues to provide a rental housing precinct, inclusive of affordable housing that will deliver a suite of apartments both as a stand alone use and within mixed use buildings on R4 zoned land.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	The proposed amendments do not impact the approved development's compliance with the Sustainable Buildings SEPP, including with regards to Standards for residential development – BASIX (Chapter 2), or Standards for non-residential development (Chapter 3).

4.7 Marrickville Development Control Plan 2011

Section 2.10 of the Planning Systems SEPP confirms that Development Control Plans are not a relevant assessment consideration for SSD. The development as amended nevertheless remains generally consistent with the provisions of the Marrickville Development Control Plan 2011 (MDCP 2011) as detailed in Section 4.5 of the approved SSD-76927247 EIS, with the outcomes of this assessment unchanged by the proposed amendments.

5.0 Assessment of impacts

Section 4.55(2) 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) with regards to the proposed amendments sought and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

5.1 Land Use

The proposed modifications respond to updated retail strategy advice, as outlined in **Section 3.2.2** above, and introduce a series of targeted floorspace layout changes across the site. The amended retail strategy is designed to enhance activation at the ground plane, improving the flexibility, viability and overall vitality of the ground-floor retail tenancies. In line with this strategy, variations are proposed to the GFA allocations for retail, commercial and communal spaces (refer to **Table 3**).

The modifications also result in adjustments to residential GFA, driven by compliance-related refinements to apartment layouts throughout the scheme. Despite these changes, the land use mix remains unchanged, and the development continues to deliver a mixed-use outcome comprising build-to-rent housing, affordable housing, co-living accommodation, and commercial and retail premises. The proposal therefore remains consistent with the approved land use framework and continues to contribute to NSW's housing supply while strengthening the Inner West's economy through new employment-generating spaces.

5.1.1 Retail Provision

The amended retail strategy represents a clear improvement, delivering greater social and economic public benefits by improving ground floor activation and increasing the flexibility and long-term viability of retail tenancies.

The introduction of co-work and work-live typologies within the new Building E Annex further supports the site's mixed-use character and expands employment-generating uses. These typologies promote day-long activation through a more diverse range of activities, reducing reliance on purely residential occupation and strengthening the precinct's economic and social vibrancy.

5.1.2 Housing Supply

As detailed in **Section 3.2.7**, the total overall dwelling numbers will increase by 14 dwellings.

5.2 Built Form and Design

As detailed in **Section 3.2**, numerous amendments and refinements have been made to the scheme as a result of design evolution and technical co-ordination. The design modifications reflect further design development and evolution that would typically occur as part of the detailed design process for projects of such scale and complexity. It is considered that the design refinements maintain the overall built form envelope whilst introducing localised refinements to facades, setbacks, rooftop elements and architectural detailing.

5.2.1 Height

There are no changes to the approved maximum building heights, and the development therefore remains fully within the approved site height parameters. Minor amendments are proposed to external plants, including additional enclosure to rooftop plant on Building F and an extension of the Level 12 parapet screen on the south-west wing of Building B. These elements will be imperceptible in the broader built form and do not increase the overall height of either building.

The increased dwelling provision within Building B, which offsets the reduction in Building D, has similarly not resulted in any height increase. The internal layout of Building B has been revised to accommodate these dwellings while maintaining compliant apartment layouts within the approved Building Envelope.

5.2.2 Massing and Scale

The site's total FSR is proposed to increase from 3.39:1 to 3.40:1, representing a minor net increase of 0.01:1. While the proposal introduces minor increases in bulk in isolated locations, including the parapet and rooftop plant screening extensions and the two-storey Building E Annex, these changes remain modest in scale.

Where additional enclosure has been introduced on Building F, the visual impact is minor, noting that Building F is the smallest building on the site. Although some plant structures experience minor height increases, other areas achieve reduced visual prominence through lowered plant profiles, resulting in no net adverse visual outcome.

Enhanced landscaping will further assist in mitigating any perceived bulk. In particular, strengthened planting along Wicks Alley and the western boundary will soften views of the Building E extension, which consolidates the former Building D Annex now removed. This improved landscape interface will reduce visual exposure from both the streetscape and neighbouring buildings.

Overall, any change to the perceived scale of development is considered negligible when viewed in the context of the site's overall massing and approved built form.

5.2.3 Materiality

Some minor amendments to the façade detailing and architectural expressions of the buildings are proposed as detailed in **Section 3.2.8** and the supporting design report. These changes to façade articulation, materials and sawtooth roof forms will deliver a more refined outcome and improve architectural cohesion without materially altering the approved visual character of the buildings. Additionally, the changes to materiality are necessary to enhance both the buildings environmental performance and the quality of its internal and external amenity. When viewed in the context of the overall development, the proposed façade amendments are minor and do not materially alter the architectural character or intended design of the buildings.

5.3 Residential Amenity

5.3.1 Solar Access

The proposed changes to the parapet and rooftop plant screening extensions, along with the two-storey Building E Annex, do not result in any significant additional impacts to solar access or overshadowing.

At mid-winter, 425 of 1,180 apartments (71.8%) receive at least two hours of direct sunlight to living rooms, representing a negligible decrease of 0.2% compared to the approved scheme and remaining compliant with the minimum 70% requirement under the ADG.

Similarly, 421 of 1,180 apartments (71.1%) achieve at least two hours of direct sunlight to private open space, reflecting a minor decrease of 0.4% from the approved scheme, while continuing to meet the 70% ADG requirement.

A total of 85 apartments (14.4%) do not receive direct solar access, representing a marginal increase of 0.5%.

In addition, the communal open space achieves at least two hours of direct sunlight to 54% of its principal usable area at mid-winter. This represents an improvement of 6.5% over the approved scheme and is compliant with the minimum 50% ADG requirement.

5.3.2 Building Separation

As detailed in **Section 3.2.5**, the separation between 199 Victoria Road and Building D has been revised to incorporate an additional 6m setback in accordance with Condition B1, and the separation between 119 Sydenham Road and Building G has been increased, introducing an additional 3m setback (9m overall) for Levels 5 to 7 in accordance with Condition B2.

The proposed two-storey Building E Annex provides a 4m separation to a single residential level of Building D. However, this interface is limited to a blank wall with no habitable room openings, thereby avoiding any potential for overlooking or

loss of privacy. Given the absence of windows and the modest scale of the Annex, the proposal does not result in any adverse impacts in terms of privacy or overshadowing.

Overall, appropriate separation distances are maintained across the development, consistent with the intent of the ADG, ensuring reasonable levels of internal and external privacy are achieved, while maintaining adequate access to daylight and sunlight without adverse impacts.

5.3.3 Communal Living Spaces

Across the site, the total provision of communal living space equates to approximately 2,805m². While this represents a minor reduction of 188m² compared to the approved scheme, it continues to significantly exceed the minimum requirement of 1,195m² under the Housing SEPP. Accordingly, the proposal maintains a substantial surplus of communal amenity, ensuring that the needs of future residents are comfortably accommodated.

Furthermore, the six new co-living dwellings within the Building E Annex will have clear, functional, and direct access to compliant communal living areas located within Building B. This arrangement ensures a high standard of amenity for future occupants and remains consistent with the intent and objectives of the Housing SEPP.

5.3.4 Private Open Spaces

While the modifications have resulted in some minor reductions to balcony sizes across the scheme, these changes are compliance-driven to ensure overall apartment sizes meet ADG requirements. Notwithstanding these refinements, all balconies will remain compliant with the relevant ADG standards.

5.4 Landscaping

The Amended Landscape Plans and Landscape Report prepared by Land + Form are provided at **Appendix C** and **Appendix D**, respectively. The supporting documents confirm that the revised landscaping strategy not only complies with all applicable controls but exceeds the minimum requirements. The proposed modifications deliver a 0.01% increase in deep soil zones and a 3.32% increase in tree canopy coverage.

The enhanced landscaping will overall strengthen the site's design and character, delivering high-quality open spaces that connect to Country, reinforce the green infrastructure network and support biodiversity improvements across the precinct.

5.5 Noise Impact

An Environmental Noise Assessment has been prepared by Acoustic Logic and is provided at **Appendix E**. The assessment considers the acoustic impacts of the proposed modifications, including internal noise levels relative to aircraft noise at the site, noise emissions from mechanical plant, and acoustic separation between dwellings and workspaces.

With the introduction of new work-live typologies within the Building E Annex, the report confirms that the recommended acoustic treatments remain consistent with those applied across the broader development to ensure compliance with the relevant noise criteria.

Overall, the proposed modifications will not result in any adverse noise impacts as the proposed uses are consistent with those approved under the originally consented scheme which were assessed against all noise impacts.

5.6 Transport and Parking

As detailed within **Section 3.2.7**, the modifications will amend the scheme to increase the dwelling yield by 14 dwellings, increase the provision of non-residential floor space, change the basement and retail parking layouts to increase on-site parking and change the on-site loading provision. Accordingly, a transport addendum has been prepared by Ason Group, and is provided at **Appendix G**, to confirm that the modified scheme can be supported from a transport perspective.

5.6.1 Parking Provision

The modified scheme results in an increase of 16 non-residential parking spaces, bringing the total provision to 34 non-residential visitor spaces. This exceeds the minimum requirement of 21 spaces in accordance with the MDCP 2011 and Housing SEPP.

No changes are proposed to the approved provision of 238 resident parking spaces and seven (7) staff parking spaces. These provisions continue to exceed the minimum requirements of 236 resident spaces and five (5) staff spaces.

Accordingly, the revised parking provision is considered to comply with all relevant policy requirements.

There are no changes to the approved bicycle or motorcycle parking provisions, which also remain compliant.

5.6.2 Traffic Generation

The Transport and Accessibility Impact Assessment (TAIA) prepared for the approved SSDA (Appendix RR of the EIS) included post-development SIDRA intersection modelling based on a larger retail floor area and car parking provision, including an assessment of 33 non-residential visitor spaces. As such, the proposed increase to 34 non-residential visitor spaces represents a negligible change in traffic generation compared to the approved assessment.

As no changes are proposed to the residential parking provision, no increase in residential traffic generation is anticipated.

5.6.3 Service and Delivery

The modified scheme proposes the removal of two (2) x 6.4m Small Rigid Vehicle (SRV) loading spaces located near the Mitchell Street access. This change enables increased provision for waste storage and back-of-house facilities, improving operational efficiency across the site. It also facilitates enhanced pedestrian permeability through to Victoria Road, improving access between the non-residential car park and retail tenancies.

This revised layout aligns with the design assessed in the TAIA and the main loading dock will continue to be supported by supplementary loading areas within the resident basement car park (servicing smaller vehicles such as vans and utes) and the Farr Street shared zone (accommodating waste collection and removalist vans/trucks). These elements remain generally consistent with the approved scheme and provide distributed loading capacity in locations where demand is expected.

Overall, the proposed loading arrangement is considered sufficient to meet the operational needs of the site and will be appropriately managed through the implementation of a detailed Loading Dock Management Plan prior to occupation.

5.7 Waste Management

An updated Operational Waste Management Plan has been prepared by Elephants Foot Consulting and is provided at **Appendix F**. The plan confirms that the waste management strategy, storage and collection arrangements and loading dock configuration remain appropriate for the proposed modifications.

Across the site, the increase in retail floorspace results in the following revised bin provisions:

- 1,100L general waste bins – increased from four (4) to nine (9)
- 1,100L recycling bins – increased from eight (8) to nine (9)
- 240L FOGO bins – reduced from twelve (12) to ten (10)

This represents a net increase of six (6) x 1,100L bins, a reduction of two (2) x 240L bins, and an expansion of the retail/commercial bin room to 60m².

Despite these adjustments, the weekly collection frequency remains unchanged from the approved arrangement.

The proposed consolidated loading dock, as detailed in **Section 3.2.3**, has been assessed and is demonstrated to accommodate waste collection vehicle ingress and egress in a forward direction and associated servicing movements without constraint.

5.8 Sustainability

It is considered that the proposed modifications including refined landscaping, updated OSD strategy, amendments to plant and servicing layouts and updates to building materials will enhance the overall sustainability performance of the development.

The series of landscaping updates including additional planting and enhancement of rooftop strategies will contribute to improved urban greening outcomes and increase biodiversity benefits across the site.

Overall, the amended design will continue to maintain compliance and, in several areas, improve upon, the relevant sustainability and performance standards.

5.9 Stormwater Management

As detailed in **Section 3.2.1**, following technical co-ordination between the civil engineer and the design team, the OSD strategy has been updated. The design responds to the architectural and landscape configuration and the amended system will continue to effectively manage stormwater runoff while improving the integration of water management infrastructure within the overall development design.

5.10 Reasons Given for Granting Consent

An assessment of the proposed amendments against the reasons for granting consent in the Statement of Reasons for Decision given by the Independent Planning Commission for SSD-76927247 has been provided in **Table 19** below.

Table 19 Assessment against reasons given for granting consent for SSD-76927246

Reason	Assessment
<i>The project will support the NSW Government's target of delivering 377,000 well-located homes over five years from mid-2024 by contributing to new housing supply.</i>	The proposed amendments result in an increase of 14 dwellings, with a total of 1,180 dwellings proposed across the site. This level of provision contributes meaningfully to the government's housing supply target and maintains the site's role in supporting broader strategic housing objectives.
<i>The project will deliver well-located high-density housing in an area serviced by rapid public transport within walking distance of employment, services and amenities, in accordance with Sydney's strategic planning objectives.</i>	No change.
<i>The project will deliver diverse rental accommodation that meets the need of Inner West residents at various life stages and supports a range of household types.</i>	No change.
<i>The project will demonstrate design excellence through high-quality architectural outcomes which consider the Site's topography, opportunities and constraints.</i>	No change.
<i>The project will complement the existing character of Marrickville by providing a highly permeable, pedestrian-friendly precinct with quality public spaces, including 'Timberyard Commons', 'Farr Street Pocket Park', the 'Residential Mews', and 'Warehouse Place' (which will be a generous 24-metre wide active thoroughfare and central spine through the precinct);</i>	No change.
<i>The project will broadly align with the indicative layout envisaged under the Victoria Road (Precinct 47) DCP Structure Plan.</i>	The project will remain aligned with the Victoria Road (Precinct 47) DCP Structure Plan.
<i>The project will strengthen the Inner West economy through provision of new retail spaces, increased demand for local goods and services generated by residents.</i>	The proposed retail and activation strategy will result in the increased provision of retail floorspace across the site.

Reason	Assessment
<i>The project will generate up to 760 construction jobs and 180 operational jobs.</i>	No change.

5.11 Site Suitability and Public Interest

The proposed amendments are suitable for the site, and in the public interest. The revised design is necessary as a result of further co-ordination between the technical and specialist co-ordination team. The amendments to design and landscaping as well as the revised retail strategy will improve the amenity and useability of the site and bring about significant public benefits.

6.0 Justification of the modification project

The proposed modification to the development consent (SSD-76927247) described in this report are justified for the following reasons:

- The proposed modification remains consistent with the established strategic context of SSD-76927247.
- The modified development is substantially the same as the development originally approved, with no change to its underlying form, function or intent.
- The proposal remains consistent with the applicable statutory planning framework, including relevant State Environmental Planning Policies and the IWLEP 2022.
- The proposed modification does not give rise to unreasonable environmental, social or economic impacts.
- The site remains suitable for the proposed development and the modification does not alter the suitability of the approved concept.
- The proposed modification is considered to be in the public interest.



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