

Amendment Report

*45-53 Macleay Street, Potts
Point*

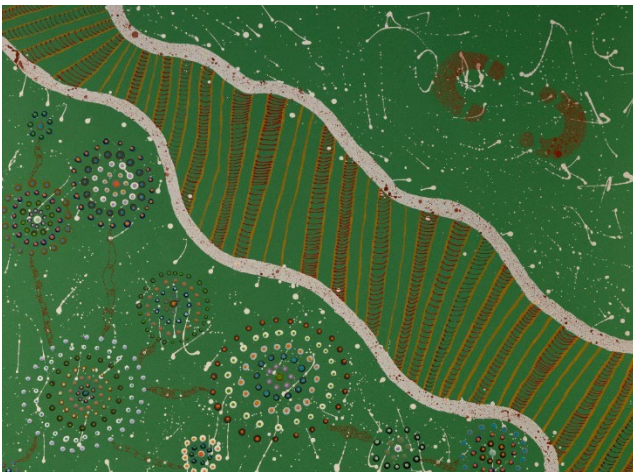
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Project Code P0035022
Report Number Final

Acknowledgment of Country

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The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

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Executive Summary

Overview

This Amendment Report has been prepared on behalf of T&P Chimes Development Pty Ltd (**the Applicant**) in support of an application to amend State Significant Development Application (**SSDA**) (SSD-79316759) for the concept approval of a shop top housing development at 45-53 Macleay Street, Potts Point (**the site**).

This Amendment Report seeks consent to amend SSD-79316759 to include Stage 1 demolition works (physical works) in the scope of the proposal, comprising demolition and removal of existing structures on the site (a two-storey car park and ten-storey brick and concrete residential tower) to the ground floor slab.

The proposed amendments are intended to enable an accelerated construction program, supporting the timely delivery of market and affordable housing in a strategic location, consistent with the National Housing Accord.

Planning Context

The proposal, as amended, remains consistent with the following relevant strategic planning policies as assessed in the Environmental Impact Statement for SSD-79316759:

- Greater Sydney Region Plan: A Metropolis of Three Cities
- Eastern City District Plan
- NSW Housing Strategy: Housing 2041
- City Plan 2036: Local Strategic Planning Statement
- Housing for All – City of Sydney Local Housing Strategy
- Sustainable Sydney 2030-2050
- Future Transport Strategy.

Additionally, this Amendment Report assesses the proposed demolition works against the relevant controls of the Sydney Local Environmental Plan 2012 and determines that the development, as amended, complies with the relevant objectives and controls.

Approval is also required under section 138 of the *Roads Act 1993* (NSW) for the establishment of work zones on McDonald Street to accommodate truck movements, as outlined in the Demolition Traffic Management Plan (**Appendix E**). A separate application for the work zones will be submitted to City of Sydney Council.

Assessment of Key Issues

The Amendment Report identifies and assesses the key environmental impacts of the proposed demolition works and recommends measures to mitigate, minimise or manage these impacts. These include:

- The proposal will result in acceptable noise and vibration impacts to nearby sensitive receivers, subject to mitigation measures such as the retention of external walls and installing acoustic hoarding around the site. Any noise and vibration impacts are expected to be short-term and temporary
- Traffic associated with the demolition works will not result in any adverse impacts on the surrounding intersections or road network and will be managed through the implementation of the Demolition Traffic Management Plan during works.
- Demolition waste will be appropriately managed, recycled and disposed of in accordance with the relevant guidelines and industry best practice.

- Erosion and sediment control measures including sediment fencing, mesh and gravel inlet filters and stabilised site access are proposed to appropriately manage off-site soil and water impacts during demolition.
- The proposed development will not result in any tree removal and incorporates appropriate tree protection measures, including the establishment of Tree Protection Zones.

Where mitigation measures are recommended, these can be incorporated as conditions of consent to be implemented to avoid unacceptable environmental impacts.

Justification of Amended Project

The Amendment Report demonstrates that the proposed demolition works are suitable for the site and in the public interest. The justification for the proposal, as amended, remains largely consistent with the previous proposal as:

- The proposal remains highly suitable for the site and is consistent with the zone objectives.
- The proposal will expedite the delivery of diverse and affordable housing in an accessible location, as envisioned under the concept approval, by allowing the demolition of the existing building on the site in a more streamlined manner
- The proposal remains consistent with the relevant State and local Strategic plans and substantially complies with the relevant planning controls.
- Potential impacts associated with the demolition works, including noise, traffic, waste and environmental management impacts, have been appropriately assessed and deemed to be acceptable, subject to the implementation of the recommended mitigation measures.

Accordingly, it is submitted that the development as amended is appropriate for the site and approval is recommended.

Glossary and Abbreviations

Reference	Description
BDAR	Biodiversity Development Assessment Report
CDA	Concept Development Application
CEMP	Construction Environmental Management Plan
CMP	Construction Management Plan
CTMP	Construction Traffic Environmental Plan
DPHI	NSW Department of Planning, Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
LEP	Local Environmental Plan
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
Site	45-53 Macleay Street, Potts Point NSW 2011 (SP 934)
SSD	State Significant Development
SSDA	State Significant Development Application
TIA	Traffic Impact Assessment
WMP	Waste Management Plan

1 Introduction

This Amendment Report is submitted to the Department of Planning, Housing and Infrastructure (**DPHI**) on behalf of T&P Chimes Development Pty Ltd (**the Applicant**) in support of a State Significant Development Application (**SSDA**) (SSD-79316759) for a shop top housing development at 45-53 Macleay Street, Potts Point (the site).

In accordance with section 37 of the *Environmental Planning & Assessment Regulation 2021* (**EP&A Regulation**), the Applicant may, with the agreement of the consent authority, amend an application at any time before it is determined.

The Applicant has engaged with DPHI as the consent authority who have agreed to the amendment of the proposal for the purpose of including Stage 1 demolition works as part of this application. The proposed amendments would ensure an efficient construction program to deliver fit for purpose market and affordable housing on the site within the Housing Accord period.

This Amendment Report has been prepared in accordance with the DPHI *State Significant Development Guidelines – Preparing an Amendment Report (Appendix D)* dated October 2022.

1.1 Applicant Details

The applicant details for the proposed development are listed in the following table.

Table 1 Proponent Details

Descriptor	Proponent Details
Full Name(s)	T&P Chimes Development Pty Ltd (Time & Place)
Postal Address	Suite 34.02, 264 George Street, Sydney, NSW 2000
ABN	83647909073 / 647909073
Nominated Contact	Justyn Ng, Time & Place 0402 036 378 Justyn.ng@timeplace.com.au

1.2 Project Background

The proposal (SSD-79316759) was lodged with the DPHI on 10 March 2025. The SSDA was publicly exhibited for 28 days between 2 April 2025 and 29 April 2025.

Following this exhibition, a Response to Submissions was submitted to the Department on 12 June 2025. An additional Response to Request for Information was submitted to the Department on 12 August 2025 in response to agency advice received on the Response to Submissions package.

1.3 Project Overview

The original proposal sought approval for the following:

- Maximum gross floor area of 5,529.8 sqm, including:
 - Retail - maximum 250m²
 - Residential – 5,279 m² including minimum 15% GFA for affordable housing
- Maximum building height of 50.05m (RL 78.12) or 13 storeys (*inclusive of 30% affordable housing bonus and 10% design excellence bonus*)

- Maximum floor space ratio of 4.29:1 (*inclusive of 30% affordable housing bonus and 10% design excellence bonus*)
- Ground floor retail and commercial uses with 12 storeys of residential tower above
- Three basement levels for parking, services and storage
- Vehicular and loading access from McDonald Street.

This Amendment Report seeks to clarify that the 10% design excellence bonuses for the height, FSR and GFA will only apply at the detailed SSDA stage, subject to demonstrating design excellence. For the concept assessment, the envelope was assessed with the bonus applied to provide a conservative (worst-case) analysis of impacts.

Without applying the design excellence bonuses, the key metrics are:

- Maximum building height of 45.5m (RL 73.54)
- Maximum floor space ratio of 3.9:1
- Maximum GFA of 5,029.05 sqm.

This Amendment Report also seeks to amend SSD-79316759 to also seek consent for stage 1 demolition works, including the demolition of the existing structures on the site (comprising two-storey car park and ten-storey residential tower – refer **Figure 1**) to the existing concrete slab.

Figure 1 Existing building on the site to be demolished



Picture 1 View from North (Macleay Street)

Source: Urbis



Picture 2 View from North West (McDonald Street)

Source: Urbis

2 Strategic Context

This Amendment Report seeks consent to amend SSD-79316759 to include Stage 1 demolition works in the scope of the proposal. The amendments do not alter the overall intent or strategic alignment of the proposed development. Instead, the amendments will enable an accelerated construction program, supporting the timely delivery of market and affordable housing in a strategic location, consistent with the National Housing Accord.

The proposal, as amended, remains consistent with the following strategic planning policies:

- Greater Sydney Region Plan: A Metropolis of Three Cities
- Eastern City District Plan
- NSW Housing Strategy: Housing 2041
- City Plan 2036: Local Strategic Planning Statement
- Housing for All – City of Sydney Local Housing Strategy
- Sustainable Sydney 2030–2050
- Future Transport Strategy.

3 Description of Amendments

This Amendment Report seeks consent to amend SSD-79316759 to include Stage 1 demolition works (physical works) in the scope of the proposal.

Specifically, the proposed stage 1 demolition works comprise:

- Site establishment
- Demolition and removal of existing structures on the site (comprising a two-storey car park and ten-storey brick and concrete residential tower) to the ground floor slab (inclusive of internal fixtures, fittings, furniture, internal finishes and building fabric at the site) (**Figure**)
- Installation of hoarding and scaffolding
- Provision of sediment control measures at the site during demolition.

No below ground works or tree removal is proposed.

Demolition works will be undertaken in accordance with the Demolition Plan prepared by SJB (**Appendix A**) and are expected to commence in April 2026 for a five-month period. A detailed description of each stage of the demolition works is outlined in the Demolition Work Plan prepared by Jabbs Excavations (**Appendix C**).

The Stage 1 demolition works are proposed to be undertaken within the following hours:

- Monday to Friday: 7:30am to 5:30pm
- Saturdays: 7:30am to 3:30pm
- Sundays and public holidays: no work.

Figure 2 Proposed extent of demolition works



4 Statutory Context

Approval is now sought for Stage 1 demolition works (physical works) involving the demolition of the existing building on the site down to ground slab level (no ground disturbance) as part of the Concept SSDA approval process. In accordance with Section 4.22(3) of the Environmental Planning and Assessment Act 1979, a concept proposal may set out detailed proposals for the first stage of development. Accordingly, demolition is proposed as the first stage of work.

Approval is required under section 138 of the *Roads Act 1993* (NSW) for the establishment of work zones on McDonald Street to accommodate truck movements, as outlined in the Demolition Traffic Management Plan (**Appendix E**). An application for the work zones will be submitted to City of Sydney Council.

The proposed demolition work does not require any additional approvals under the following Acts:

- *Environment Protection and Biodiversity Conservation Act 1999.*
- *NSW National Parks & Wildlife Act 1974.*
- *NSW Heritage Act 1977.*
- *NSW Water Management Act 2000.*
- *NSW Rural Fire Service Act 1997; and*
- *NSW Protection of the Environment Operations Act 1997.*

4.1 Sydney LEP 2012

The demolition works have been assessed against the relevant clauses of the Sydney LEP 2012.

Provision	Consideration
2.7 Demolition requires development consent	
The demolition of a building or work may be carried out only with development consent.	Development consent is being sought for the demolition works.
7.19 Demolition must not result in long term adverse visual impact	
Development consent must not be granted to development involving the demolition of a building unless the consent authority is satisfied that— (a) any land affected by the demolition— (i) in the case of land to which any provision of Division 5 (Site specific provisions) of Part 6 applies—is subject to a site-specific development control plan, or (ii) in any other case—will be comprehensively redeveloped under the development consent (if granted) or under an existing development consent relating to the site, and	The proposed amendment seeks to incorporate demolition works into the existing SSD application, which already seeks concept approval for a 13-storey shop top housing development on the site. The Concept SSD establishes a clear framework for the comprehensive redevelopment of the site. The Applicant is wholly committed to delivering the redevelopment. This is demonstrated by: <ul style="list-style-type: none"> ▪ Securing SEARs for the detailed SSD stage of the proposal ▪ Undertaking a competitive design process for the Stage 2 works ▪ Progressing a design integrity process to inform the detailed SSD submission. Inclusion of Stage 1 demolition works within the concept stage is sought to facilitate an efficient construction program and ensure the timely delivery of fit for purpose market and affordable housing on the site within the Housing Accord period. This approach is consistent with Section 4.22 of the

EP&A Act which allows concept applications to also include detailed proposals, and initial stages of development, including demolition.

Clause 7.19 places the onus on the consent authority being satisfied that the land subject to demolition will be comprehensively redeveloped. A Concept SSD, once approved, constitutes a valid development consent and provides the necessary statutory assurance that the site will be comprehensively redeveloped.

The existing building will be vacated by March 2026. Approving demolition within the Concept SSD will avoid unnecessary vacancy and accelerate redevelopment, bringing forward the delivery of much-needed fit for purpose housing during a period of significant housing demand.

Therefore, the land which is subject to the proposed demolition is clearly intended to be comprehensively redeveloped following approval of the Concept and subsequent Detailed SSDAs.

(b) adequate measures will be taken to assist in mitigating any adverse visual impacts that may arise as a result of the demolition with regard to the streetscape and any special character area.

The proposed demolition works will be temporary, with an anticipated duration of approximately five months. Any associated visual impacts will therefore be short-term.

To mitigate adverse visual impacts associated with demolition, perimeter hoarding will be installed around the site to screen demolition activities from the public domain and mitigate impacts on the streetscape and surrounding character. Works will be sequenced to enable Stage 2 construction to commence immediately following demolition (subject to separate approval process), ensuring the site is efficiently redeveloped in line with the concept approval and visual impacts associated with construction are limited in duration.

Visual impacts associated with the future development on the site will be considered and assessed under the subsequent detailed application.

The Applicant is willing to accept any necessary conditions of consent to mitigate adverse visual impacts that arise from demolition.

5 Assessment of Impacts

This section provides a comprehensive description of the updated specialist technical studies undertaken to assess the potential impacts of the proposed amendments and the updated mitigation, minimisation and management measures recommended to avoid unacceptable impacts.

The detailed technical reports and plans prepared by specialists and appended to the EIS are individually referenced within the following sections. A summary of the updated mitigation measures is provided as **Appendix B**.

5.1 Hazardous Materials

The Demolition Work Plan prepared by Jabbs Excavation (**Appendix C**) outlines that, following approval and prior to demolition works commencing, a Hazardous Material Survey will be undertaken to identify any hazardous materials within the structure of the building, including:

- Asbestos containing materials.
- Synthetic mineral fibre.
- Lead containing painting.

If required, an Asbestos Management Plan will also be prepared by Jabbs Excavation. If any suspected asbestos contaminated material is found during the demolition works, the area will be isolated, and a licensed asbestos removalist will be engaged to remove any asbestos identified. A clearance certificate will be obtained prior to recommencement of demolition in that area, and following the completion of all asbestos removal works.

All works will be undertaken in accordance with the relevant Australian Standards and SafeWork NSW requirements.

5.2 Noise and Vibration

A Construction Noise and Vibration Management Plan (CNVMP) has been prepared by E-LAB Consulting and is attached at **Appendix D** to assess potential noise and vibration impacts associated with the proposed demolition works on nearby sensitive receivers. The assessment considered the existing acoustic environment, operational noise and vibration emissions, and recommended mitigation measures to ensure compliance with relevant policies and guidelines.

Baseline noise monitoring was undertaken at two locations on site on 21 July 2025 to establish background noise levels for nearby sensitive receivers, which was used to set project-specific noise management levels, applying the criteria set out in the NSW *Interim Construction Noise Guideline*.

The assessment predicts worst-case demolition noise impacts would exceed the noise management levels at all four nearby residential receivers, with exceedances ranging between 4-17dB(A). To mitigate these impacts, the CNVMP recommends a range of measures, including:

- Retention of external walls during staged demolition to reduce breakout noise, noting demolition works carried out within the building while external façade elements are retained will be approximately 25-30dB lower than works carried out externally/with the façade removed.
- Selection of quieter machinery and equipment
- Installation of a minimum 2.4m high acoustic hoarding surrounding the site
- Scheduling works within approved hours
- Locating material drop zones within the site and at maximum distances from nearby noise sensitive receivers
- Strict truck operating protocols.

In terms of vibration, the CNVMP adopt both the British Standard and German Standard to define acceptable criteria levels for human comfort and structural integrity. The CNVMP recommends that attended vibration monitoring is conducted at the commencement of demolition works to identify safe working distances for vibration intensive plant to ensure ongoing vibration impacts are within safe limits for building damage and human comfort. Should vibration monitoring exceed the relevant criteria, mitigation measures will be implemented, such as an alternative method of activity or using machinery with less capacity, and additional vibration monitoring will be conducted.

The CNVMP also identifies additional mitigation measures including breaking structural links to adjoining buildings prior to demolition, breaking up materials into smaller pieces (less than 300mm) to minimise vibration generation at material drop zones, using lower-vibration equipment where possible, minimising drop heights and limiting hammer attachments to smaller machines.

In summary, while exceedances of the noise management levels are predicted, the CNVMP adopts a conservative worst-case assessment of noise and vibration impacts and demonstrates that impacts can be effectively managed. With the implementation of the recommended mitigation and monitoring measures, actual noise and vibration levels are expected to be lower than those modelled, and any residual impacts will be temporary and short-term given the five-month demolition program, therefore resulting in an acceptable level of impact on surrounding sensitive receivers with regards to noise and vibration.

5.3 Traffic

A Preliminary Demolition Traffic Management Plan (DTMP) (**Appendix E**) has been prepared by Transport Strategies to assess and manage potential traffic impacts during demolition works.

The demolition works will require the use of 12.5m Heavy Rigid Vehicles (HRVs) and 19m Semi Rigid Vehicle (SRVs) for special deliveries including scaffolding, hoists and cranes. Demolition is expected to generate an average of 25 truck movements per day, with a maximum of up to 35 movements. The DTMP concludes that this volume of truck movements will not result in any adverse impacts on the surrounding road network. These truck movements will be scheduled outside of peak periods to avoid disruptions to the surrounding road network. All loading, unloading and demolition activities will occur within the site. Up to 40 workers are anticipated to be on site during demolition, with five on-site parking spaces available for use by construction workers. However, workers will be encouraged to use public transport given the site's proximity to bus and rail services.

Site access will be via the existing vehicle access driveway off McDonald Street, which will be widened to accommodate the anticipated construction vehicles. Heavy vehicle routes to and from the site and swept path analysis are detailed in the DTMP and confirm that construction vehicles can access the site without adverse impact on surrounding intersection performance or safety. Works zones will be required on McDonald Street to accommodate truck turning paths and a separate application for approval under section 138 of the *Roads Act 1993* will be submitted to Council.

Overall, the proposed demolition works are acceptable from a traffic perspective, as impacts will be temporary, short-term (approximately five months) and can be appropriately managed through the DTMP.

5.4 Demolition Waste Management

A Demolition Waste Management Plan (DWMP) has been prepared by SLR Consulting (**Appendix F**) to detail how demolition waste will be managed and ensure appropriate recycling and disposal in accordance with Council's requirements. The DWMP estimates the following waste quantities from the demolition of the existing residential tower and car park on the site:

- Timber: 134m³
- Concrete: 4,947m³
- Bricks: 3,986m³
- Metals: 55m³

- Other waste: 158m³

The DWMP commits to achieving a minimum 80% resource recovery target to align with the City of Sydney Guidelines and the NSW Waste and Sustainable Materials Strategy 2041 through source separation and off-site recycling. Materials including concrete, brick, metals, timber and glass will be recycled, with only residual waste sent to licensed landfill. Hazardous waste, including asbestos, will be managed in accordance with the Work Health and Safety Regulation 2017 and disposed of at licensed facilities. The proposed demolition waste can therefore be appropriately managed in accordance with the relevant guidelines and industry best practice.

5.5 Erosion and Sediment Control

An Erosion and Sediment Control Plan (**Appendix G**) has been prepared by Arcadis to detail how soil and water impacts will be managed during demolition to protect the surrounding environment. The plan provides for the installation of sediment fencing, mesh and gravel inlet filters and stabilised site access to manage erosion and prevent sediment from leaving the site. It is also anticipated that the Department will implement standard conditions of consent relating to sediment and erosion control measures, including in accordance with *Managing Urban Stormwater: Soils and Construction (4th Edition, 3004)* (or the Blue Book). Accordingly, potential erosion and sediment impacts during the proposed demolition works are considered manageable and acceptable and effective controls will be implemented to avoid off-site impacts.

5.6 Tree protection

An Arborist Report has been prepared by Urban Arbor (**Appendix H**) to guide the protection and management of existing trees during demolition works. Whilst the amended proposal will not result in any tree removal, the report identifies seven trees within proximity to the site which will be retained and protected in accordance with AS4970-2025.

The Arborist Report details tree protection measures including the installation of trunk and ground protection, the establishment of Tree Protection Zones (**TPZs**) and Structural Root Zones (**SRZs**), and the installation of scaffolding and hoarding outside TPZs where practical. The project Arborist will certify the installation of protection measures prior to the commencement of demolition works, supervise demolition within or directly adjacent to TPZs and carry out regular inspections during the proposed works. Subject to the implementation of these measures, the proposed demolition works are not anticipated to result in any impacts to surrounding trees.

5.7 Biodiversity

A Biodiversity Development Assessment Report (BDAR) waiver was issued by DPHI on 28 February 2025. This BDAR waiver covered the scope of demolition works and therefore no further assessment of biodiversity impacts is required as a result of the proposed amendments.

6 Justification of Amended Project

The proposed demolition works are suitable for the site and in the public interest. The Applicant has identified an opportunity to bring forward works on the site, which is common practice within concept proposals for state significant developments including the Harbourside redevelopment at Darling Harbour, Cockle Bay Wharf Redevelopment, Gosford Alive redevelopment and Redevelopment of the Sydney Football Stadium.

Any potential impacts resulting from the works will be suitably managed through the adoption of all reasonable and appropriate mitigation measures, as detailed within the accompanying Noise and Vibration Management Report, Demolition Traffic Management Plan, Demolition Waste Management Plan, Erosion and Sediment Control Plan and Arborist Report.

The justification for the proposal, as amended, remains largely consistent with the previous proposal as:

- The proposal remains highly suitable for the site and is consistent with the zone objectives.
- The proposal will expedite the delivery of diverse and affordable housing in an accessible location, as envisioned under the concept approval, by allowing the demolition of the existing building on the site in a more streamlined manner
- The proposal remains consistent with the relevant State and local Strategic plans and substantially complies with the relevant planning controls.
- Potential impacts associated with the demolition works, including noise, traffic, waste and environmental management impacts, have been appropriately assessed and deemed to be acceptable, subject to the implementation of the recommended mitigation measures.

Having considered all relevant matters, we conclude the development as proposed to be amended is appropriate for the site and approval is recommended.

Disclaimer

This report is dated 5 September 2025 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of T&P Chimes Development Pty Ltd (**Instructing Party**) for the purpose of Amendment Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Appendix A – Demolition Plan

Appendix B – Updated Mitigation Measures

Appendix C – Demolition Work Plan

Appendix D – Noise and Vibration Management Report

Appendix E – Demolition Traffic Management Plan

Appendix F – Demolition Waste Management Plan

Appendix G – Erosion and Sediment Control Plan

Appendix H – Arborist Report



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