

Corrimal Coke Works SSDA Stage 2a

*Clause 4.6 Variation Request
Building 2.3
(Building Height)*

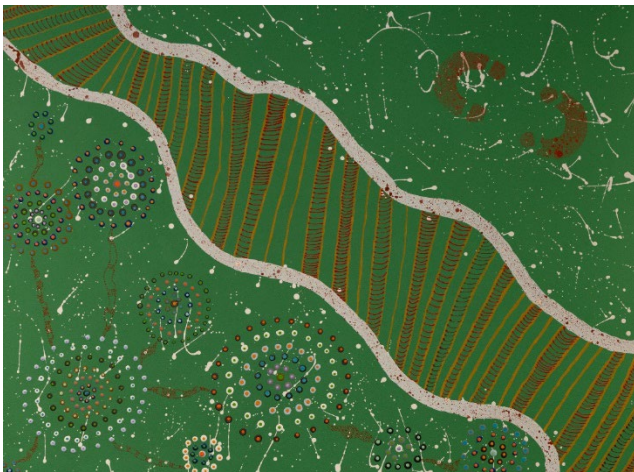
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Acknowledgment of Country

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Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



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

This Clause 4.6 Variation Request (**request**) has been prepared by Urbis Ltd on behalf of LEGPRO 70 PTY LTD ATF LEGPRO 70 UNIT TRUST ("Legacy") (**the applicant**) to accompany a State Significant Development Application (**SSDA**) (SSD-83789711) for the construction of four (4) residential flat buildings (**the proposal**) at the former Corrimal Coke Works site (**the site**). The SSDA is referred to as the "**Stage 2a Built Form SSDA**".

The Stage 2a Built Form SSDA implements the second built form stage of the urban renewal of the former Corrimal Coke Works site. The proposal will deliver vibrant and contemporary residential-led urban renewal, which celebrates the site's industrial history and leverages its highly accessible and strategic location in proximity to Corrimal town centre and local amenities and services. The proposal will deliver high amenity residential dwellings of various sizes and typologies, including a dedicated affordable housing building.

This request seeks a variation to the maximum building height development standard which applies to part of one of the residential flat buildings, referred to as Building 2.3, under Clause 4.3(2) of the Wollongong Local Environmental Plan 2009 (**LEP**). The majority of Building 2.3 is located within the Transport Oriented Development (**TOD**) Area, as defined in Chapter 5 of State Environmental Planning Policy (Housing) 2021 (**Housing SEPP**), and is eligible to utilise the maximum building height development standard of 22 metres pursuant to Section 155(2). However, a small portion of Building 2.3 is located outside the TOD Area (as defined in Chapter 5) and the building height development standard under Section 155(2) does not apply.

Building 2.3 has a maximum building height of 20.95 metres, measured from existing ground level* at RL13.8 to the highest point of the building at RL34.5. The part of Building 2.3 outside the TOD Area exceeds the maximum building height development standard of LEP Clause 4.3(2) (15 metres) by 5.7 metres (an exceedance of 38%).

For the reasons detailed in this Clause 4.6 request, the variation is well-founded and justified and there are sufficient environmental planning grounds to warrant contravention of the development standard.

Request to Vary the Maximum Building Height Development Standard under

1. Site Description

Table 1 outlines the key features of the former Corrimal Coke Works site, the site to which the Stage 2a Built Form SSDA relates, and the site to which this Clause 4.6 variation request relates.

Table 1 Site Description

Feature	Description
Street Address	Corrimal Coke Works, 27 Railway Street, Corrimal
Country	Dharawal Country
Existing legal description	The existing legal property description of the former Corrimal Coke Works site is Lot 101 DP1301632, Lot 201 DP1308649, Lot 202 DP1308649, and Lot 103 DP1301632 (registered titles). The former Corrimal Coke Works site boundary is identified in purple below. The site to which the Stage 2a Built Form SSDA relates extend across Lot 201 DP1308649 (part) and Lot 202 DP1308649 (part), as identified in red .

The site to which this Clause 4.6 Variation Request relates is identified in **blue**.



A development application for the paper subdivision of the former Corrimal Coke Works site to create eight (8) new Torrens Title lots (DA-2025/388) (**Subdivision DA**) was approved on 1 December 2025. The new lots approved under DA-2025/388 are described as Lots 1–8 in DP1313981. The relevant Subdivision Certificate has been submitted and formal registration of the lots with NSW Land Registry Services is imminent. For information only, the below figure identifies the approved subdivision under DA-2025/388 with the subject SSDA area identified in **red** and the area of land to which this clause 4.6 relates is identified in **blue**.

Feature	Description
Site area	The area of the site to which the Stage 2a Built Form SSDA relates is 10,597 sqm. More broadly, the area of the Corrimall Coke Works site is 18.2 hectares.
Existing development	Existing features across the Corrimall Coke Works site are as follow: - Structures and infrastructure associated with the former coke work production have been demolished under the Demolition DA (DA-2022/1249). - Towradgi Creek forms the southern boundary of the site and drains in a west to east direction. A tributary of the Creek traverses the site. The western portion of the site is occupied by scattered bush and stockpiling areas. Separate development applications (DAs) have been lodged to Wollongong City Council, and either have been determined or are under assessment. These DAs seek development consent for works relating to subdivision, built form (apartment buildings), bulk earthworks, and vegetation management.
Heritage	The Corrimall Coke Works site, in part, is subject to the following heritage listings: - Local heritage listing in the Wollongong LEP 2009 (ID 6607); and - State heritage listing on the State Heritage Register in the NSW Heritage Act 1977 ('Corrimall Coke Works Site', Item No. 02061).
Local context	The Corrimall Coke Works site has an irregular configuration and is bounded by: - East boundary: main southern railway line (Corrimall Train Station) - West boundary: dual carriageway (Memorial Drive) - North boundary: Railway Street - South boundary: Towradgi Creek
Regional context	The Corrimall Coke Works site is approximately 1km to the east of the Corrimall Town Centre. Corrimall is approximately 6.5km north of Wollongong City Centre. The site is located within close proximity to education and recreation facilities, including the Corrimall High School, Corrimall East Public School, Robert Ziems Park, Corrimall Memorial Park, Towradgi Beach Park, and Bowls and Recreation Club.

2. Proposed Development

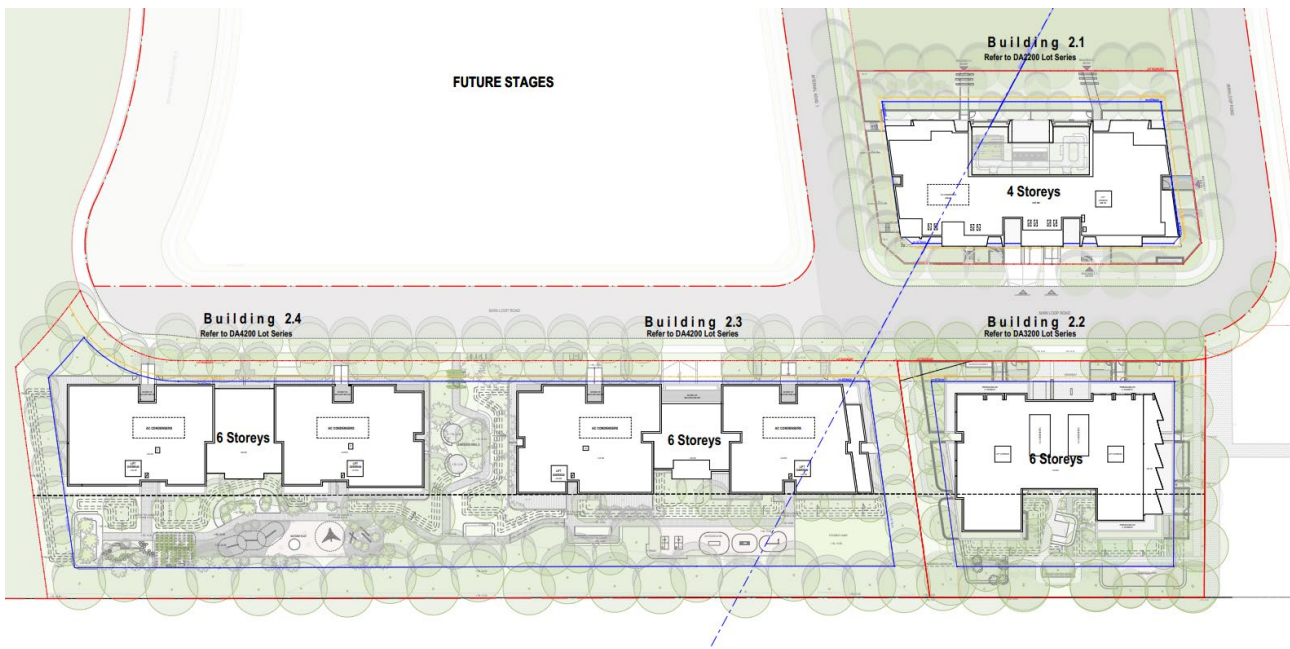
As detailed in the Environmental Impact Statement (**EIS**), the Stage 2a Built Form SSDA seeks consent for:

- Construction of four (4) residential flat buildings, providing a total of 206 x residential apartments (including 57 x affordable housing units). The unit typologies, per residential flat building, are as follows:
 - Building 2.1 – 31 x apartments (8 x one-bedroom, 17 x two-bedroom, and 6 x three-bedroom)
 - Building 2.2 – 57 x affordable housing apartments (3 x one-bedroom, 27 x two-bedroom, and 27 x three-bedroom)
 - Building 2.3 – 59 x apartments (16 x one-bedroom, 31 x two-bedroom, and 12 x three-bedroom) [**This Clause 4.6 variation request relates specifically to Building 2.3**]
 - Building 2.4 – 60 x apartments (12 x one-bedroom, 32 x two-bedroom, and 16 x three-bedroom)
- Construction of three (3) separate single-level basements as follows:
 - Basement 01 (to service Building 2.1)
 - 41 x residential car parking spaces
 - 6 x visitor car parking spaces
 - Bicycle parking spaces
 - Motorcycle parking spaces
 - Waste and recycling storage areas
 - Basement 02 (to service Building 2.2)
 - 34 x residential car parking spaces
 - 11 x visitor car parking spaces
 - Bicycle parking spaces
 - Motorcycle parking spaces
 - Waste and recycling storage areas
 - Basement 03 (to service Building 2.3 and Building 2.4)
 - 151 x residential car parking spaces
 - 24 x visitor car parking spaces
 - Bicycle parking spaces
 - Motorcycle parking spaces
 - Waste and recycling storage areas
- Creation of a series of deep soil areas and communal open space areas (including lawns and play areas, BBQ areas, and seating spaces) and accessible open space areas.

The Stage 2a Built Form SSDA implements the second built form stage of the urban renewal of the former Corrimal Coke Works. The project will deliver vibrant and contemporary residential-led urban renewal, which celebrates the site's industrial history and leverages its highly accessible and strategic location in proximity to Corrimal town centre and local amenities and services. The proposal will deliver high amenity residential dwellings of various sizes and typologies, including a dedicated affordable housing building.

Figure 1 provides an illustration of the overall masterplan for the Stage 2a Built Form SSDA.

Figure 1 Stage 2a Built Form SSDA Overall Plan



Source: DKO Architects

The project utilises the legislation introduced by the NSW Government under Chapter 5 of the Housing SEPP to unlock increase housing supply with identified TOD Areas (including Corrimal train station). In applying the TOD provisions of the Housing SEPP, the proposal responds to a critical planning policy reform of the NSW Government to increase mid-rise housing within 400 metres of well-located transport hubs.

The Stage 2a Built Form SSDA was declared as State Significant Development (**SSD**) in the State Significant Development Declaration Ministerial Order (No 10) 2025 (dated 30 June 2025) at Clause 5(1)(n) in Schedule 1 (Amendment SSD Declaration Order 2025 (No 5)).

The Stage 2a Built Form SSDA is submitted concurrently with a separate (but interrelated) SSDA (referred to as the **Stage 2-4 Civil Works SSDA** (SSD-86131212)), which seeks consent for the construction of the Central Park and the Southern Park, roads, drainage and stormwater infrastructure, and paper subdivision.

Planning Instrument, Development Standard, And Proposed Variation

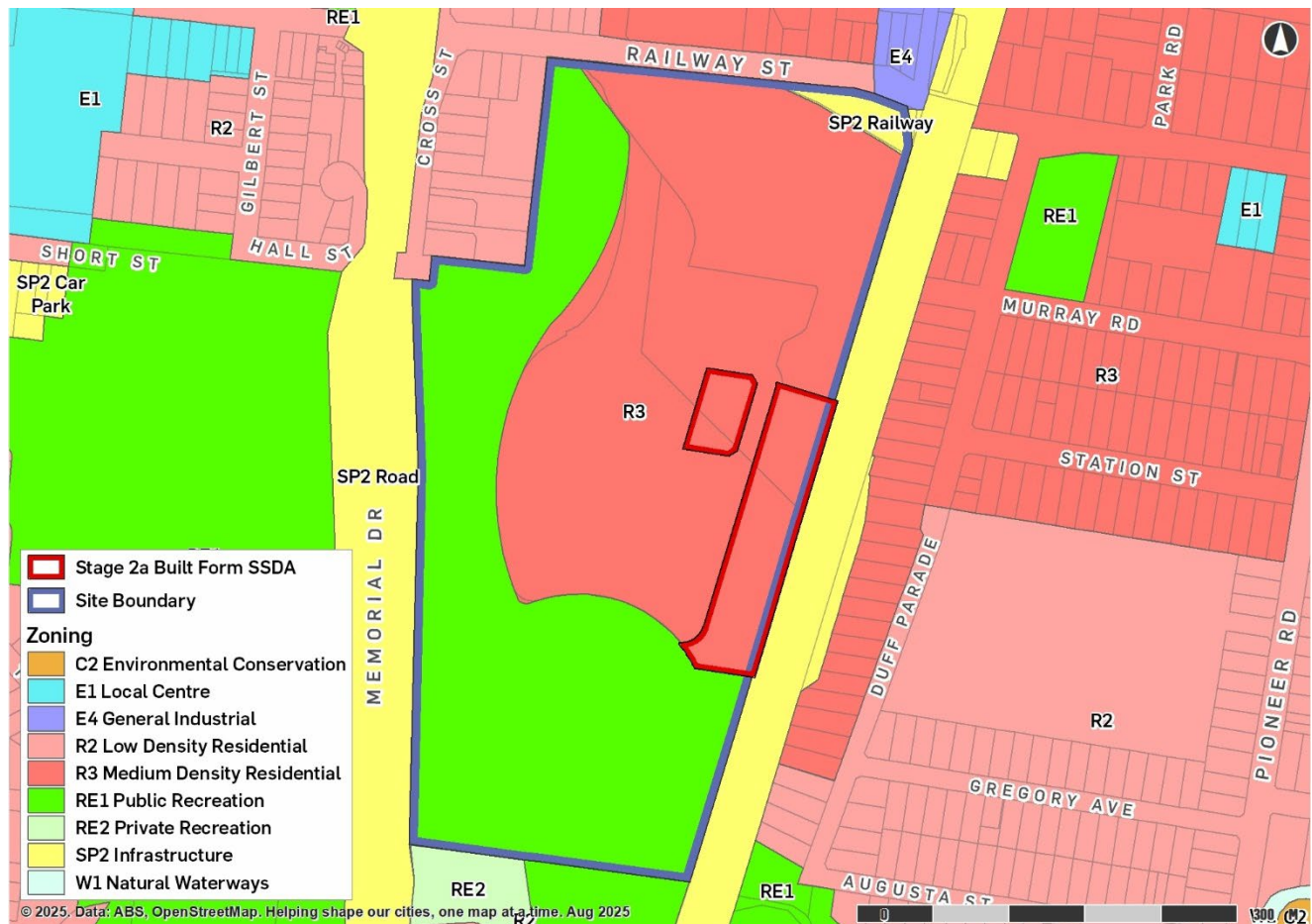
3. Environmental planning instrument sought to be varied

This request seeks to vary Wollongong Local Environmental Plan 2009 (LEP).

4. Zoning of the site

The site to which the Stage 2a Built Form SSDA relates is zoned R3 Medium Density Residential (see **Figure 2**).

Figure 2 Land Use Zoning



Source: Urbis

The objectives for Zone R3 Medium Density Residential are as follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The Stage 2a Built Form SSDA is entirely consistent with the objectives of the R3 Zone insofar as it will deliver a variety of housing typologies within a medium density residential environment and cater for a diversity housing needs of the community, including provision of affordable rental housing within Building 2.2.

6. Development Standard To Be Varied

Building 2.3 is subject to building height development standards under the following planning instruments:

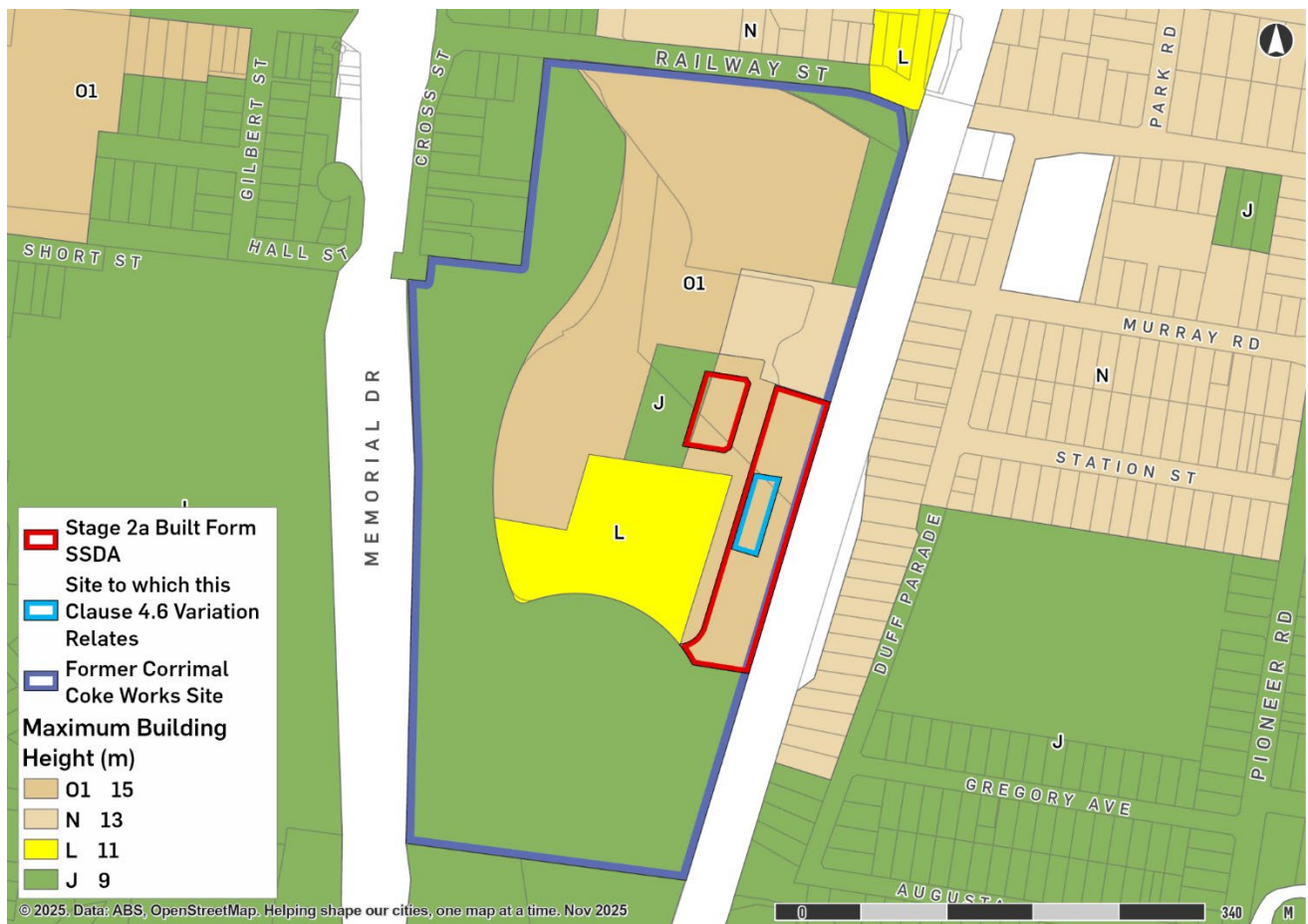
- Section 155(2) of the Housing SEPP – **22 metres** (which applies to the majority of Building 2.3 which is located within the Transport Oriented Development (TOD) Area). Refer **Figure 3**.
- Clause 4.3(2) of the Wollongong LEP – **15 metres** (which applies to a small portion of Building 2.3 which is located outside the Transport Oriented Development Area). Refer **Figure 4**.

Figure 3 TOD Area Mapping



Source: Urbis

Figure 4 LEP Building Height Control



Source: Urbis

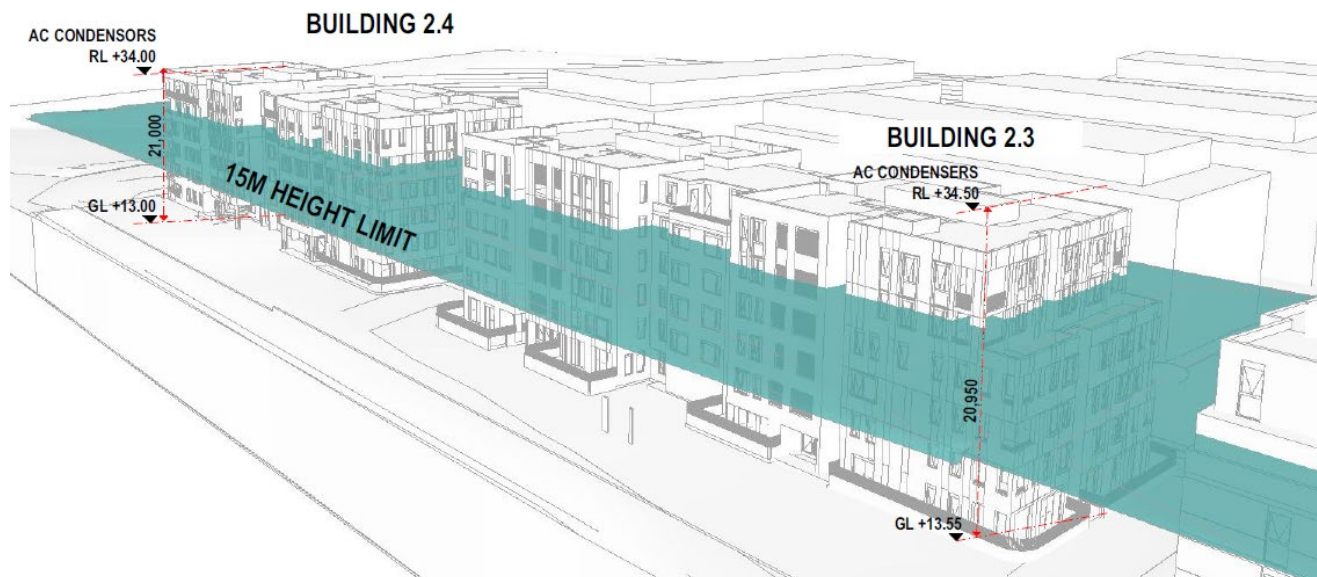
Figure 5 illustrates the part of Building 2.3 to which Section 155(2) of the Housing SEPP applies (in purple) and the part of Building 2.3 to which Clause 4.3(2) of the Wollongong LEP applies (in blue).

Figure 5 Building 2.3 Building Height Controls



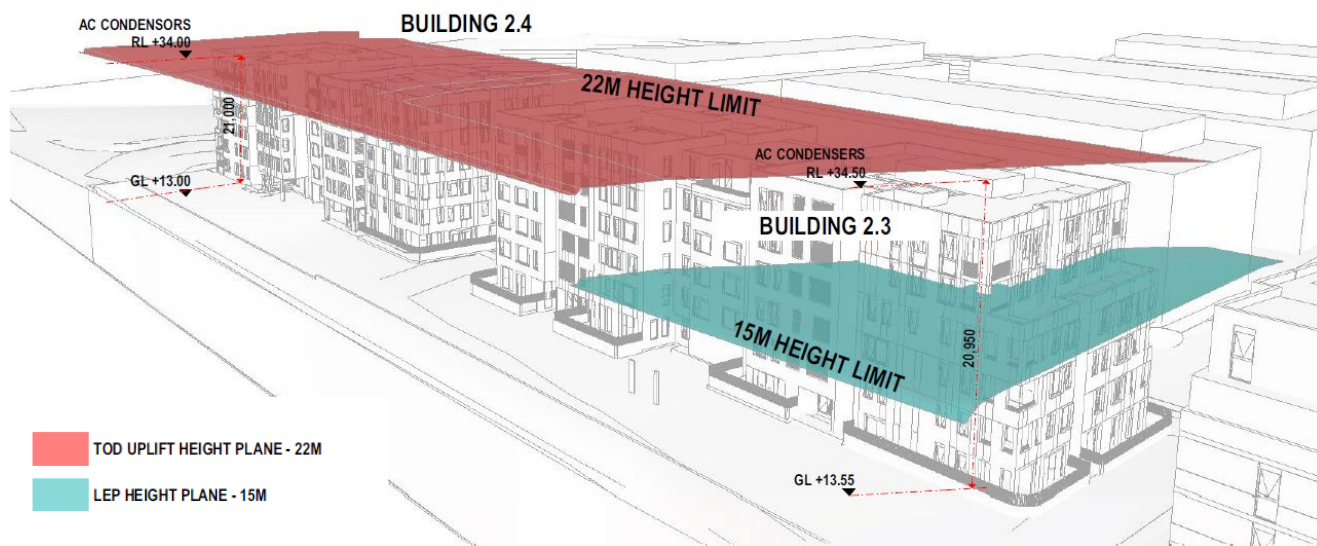
Figure 6 illustrates the 22 metre height plane which applies to the majority of Building 2.3 within the TOD Area and the 15 metre height plane which applies to the part of Building 2.3 located outside the TOD Area. The volume of Building 2.3 which is the subject of this Clause 4.6 variation request is identified in dashed blue.

Figure 6 Building Height Plane



Picture 1 LEP Building Height Plane

Source: DKO Architects



Picture 2 TOD Building Height Plane

Source: DKO Architects

This Clause 4.6 request seeks to vary the maximum building height development standard in LEP Clause 4.3(2) which applies to the part of Building 2.3 outside the TOD Area. As shown on **Figure 3** the part of Building 2.3 outside the TOD Area is subject to a maximum building height development standard of 15 metres.

The building height development standard in Clause 4.3(2) is not excluded from the operation of Clause 4.6.

7. Type of development standard

The request seeks to vary the building height development standard under Clause 4.3(2) of the LEP.

8. Variation to development standard

Building 2.3 has a maximum building height of 20.95 metres, measured from existing ground level* at RL13.55 to the highest point of the building at RL34.50. The part of Building 2.3 outside the TOD Area exceeds the maximum building height development standard of LEP Clause 4.3(2) (15 metres) by 5.95 metres (exceedance of 39.7%).

[* The maximum building height is measured as the vertical distance from the final excavation and ground levels established by the Stage 2-4 bulk earthworks (approved under DA-2023/823) to the top plant element.]

Table 2 calculates the exceedance of part of Building 2.3 with the building height development standard.

Table 2 Building Height Exceedance

	Building Height	Proposed Height	Variation	Part of Building that Exceeds Height
Building 2.3 [Within TOD Area]	22 metres under Section 155(2) of the Housing SEPP	20.95 metres	-	-
Building 2.3 [Outside TOD Area]	15 metres under Clause 4.3(2) of the LEP	20.95 metres	5.95 metres	- Upper part of Level 04 - Level 05 - AC Condensers

Figure 7 illustrates the area of Building 2.3 which exceeds building height development standard (in blue).

Figure 7 Exceedance of LEP Building Height Development Standard



Source: Urbis

9. Explanation of variation

The following provides a statutory planning explanation for the variation to Clause 4.3 of the LEP.

- The Stage 2a Built Form SSDA proposes the construction of four (4) residential flat buildings on the site referred to as “Stage 2a” of the former Corrimal Coke Works. The project was declared State Significant Development (SSD) in the State Significant Development Declaration Ministerial Order (No 10) 2025 (dated 30 June 2025) at Clause 5(1)(n) in Schedule 1 (Amendment SSD Declaration Order 2025 (No 5)).
- The project utilises the legislation introduced by the NSW Government under Chapter 5 of the Housing SEPP to unlock increase housing supply with identified TOD Areas (including Corrimal train station). As detailed in the Environmental Impact Statement (EIS), the project aligns with the aims of Chapter 5 to:
 - increase housing density within 400m of existing and planned public transport;
 - deliver mid-rise residential flat buildings around rail and metro stations that are well designed, are of appropriate bulk and scale, and provide amenity and liveability; and
 - provide affordable housing to meet the needs of essential workers and members of the community.
- In applying the TOD provisions of the Housing SEPP, the proposal responds to a critical planning policy reform of the NSW Government to increase housing within proximity of well-located transport hubs.
- As identified in **Figure 3**, Building 2.3 is predominantly located on land within the TOD Area to which Chapter 5 of the Housing SEPP. The built form and scale of Building 2.3 has been designed to generally achieve consistency with the principal development standards which apply under Chapter 5 (FSR and building height), with the exception of the small part of the building which is outside the TOD Area.
- **Figure 8** provides a visual illustration of Building 2.3 from the perspective of the public domain.

Figure 8 Building 2.3



Source: DKO Architects

- The Urban Design Report prepared by the project architect describes the architecture and design principles which have informed the design, form, and presentation of Building 2.3 in terms of massing, articulation, horizontal graining, heritage connectivity, materiality, and landscaping.

- The key design principles for Building 2.3 are described as follows and illustrated in **Figure 9**:

“The railway edge focus on a series of 5 to 6-storey buildings that follow the site’s natural curve, creating a smooth, flowing built form. The architecture is clean and simple, with sculpted forms that gently curve to complement the railway boundary. Balcony designs are understated, featuring metal balustrades and full-height metal screening that provide privacy and texture. Light-framed elements contrast with dark tones on the recessed internal balcony walls, creating a striking visual interplay between light and shadow. This thoughtful palette and articulation not only enhance the building’s presence but also frame views toward Southern Park, strengthening the connection between the development and its surroundings.”

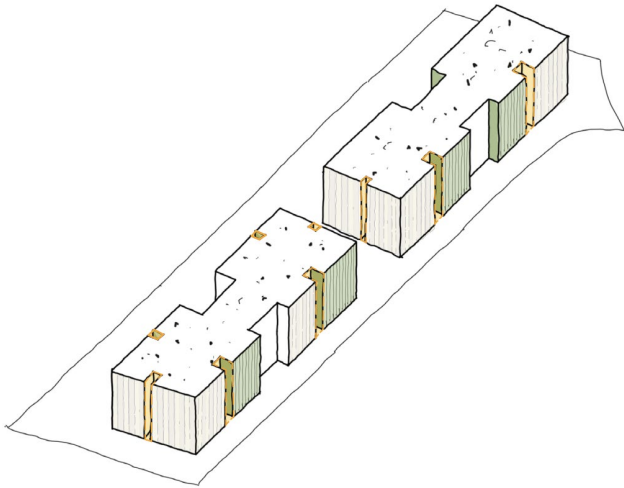
Figure 9 Key Design Principles for Building 2.3



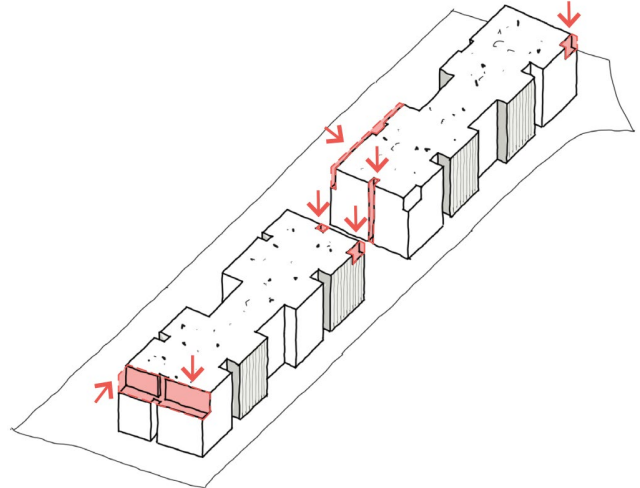
Source: DKO Architects

Figure 10 demonstrates the key architectural and urban design drivers and principles of Building 2.3.

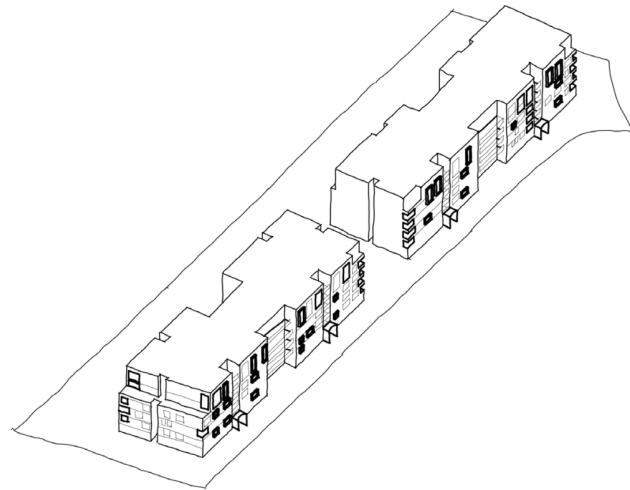
Figure 10 Building 2.3 Key Architectural and Urban Design Drivers



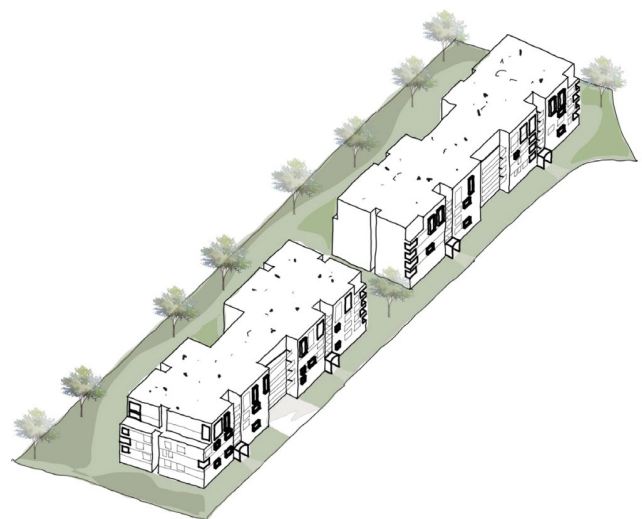
Picture 3 Additional articulation



Picture 4 Horizontal expression



Picture 5 Passive design



Picture 6 Landscaping

Source: DKO Architects

- The part of Building 2.3 located outside the TOD Area has been designed to integrate seamlessly with the overall six-storey built form, ensuring a cohesive and well-considered architectural outcome. This element contributes to the skilful and sensitive design of the building by enhancing its visual balance, reinforcing a consistent streetscape presence, and providing a transition in scale that respects the surrounding context. The building height exceedance in this portion of the building is not a result of overdevelopment; rather it is a deliberate design response that strengthens the building's architectural integrity and aligns with the broader urban design language for the Stage 2a Built Form proposal.

For the reasons detailed in **Section 10** of this request, there are sufficient environmental planning grounds to justify the exceedance of Building 2.3 with the maximum building height development standard and there are minimal environmental impacts arising from the non-compliance.

Justification For The Proposed Variation

10. How is compliance with the development standard unreasonable or unnecessary in the circumstances of the particular case?

Table 3 assesses the consistency of the proposal with the objectives of the development standards.

Table 3 Assessment against objectives

Key Questions	Response
a. <i>Are the objectives of the development standard achieved notwithstanding the non-compliance?</i>	<u>Objectives of Clause 4.3 of the LEP</u> a. <i>to establish the maximum height limit in which buildings can be designed and floor space can be achieved</i> The Stage 2a Built Form SSDA and Building 2.3 itself represent an appropriate correlation between the site area and the extent of development anticipated under the building height and FSR TOD uplift provisions of the Housing SEPP. The proposal respects the built form, spatial arrangements, and urban design principles envisaged in the original Masterplan, site-specific planning proposal, and statutory planning controls, incorporating density uplift commensurate with the TOD Area. b. <i>to permit building heights that encourage high quality urban form</i> Notwithstanding contravention to the applicable building height development standard, Building 2.3 and the Stage 2 Built Form SSDA proposal exhibit a high-quality urban form. The design, articulation, and articulation of the proposed four residential flat buildings (including Building 2.3) is underpinned by a holistic and sophisticated approach to architectural expression and urban design. The four residential flat buildings (including Building 2.3) are well-articulated and present attractive design features and architectural elements, creating a strong precedent for the wider renewal of the former Corrimal Cokeworks site. The use of contemporary materials, colours, textures, and finishes provide visual interest from the surrounding streetscape and reduce the perceivable mass and prominence of the built form. The overall bulk and massing of Building 2.3 is balanced with appropriate articulation, modulation, communal open space, landscaping, and connection with the public domain (such as the Heritage Plaza). The development will deliver vibrant and contemporary urban renewal which celebrates the site's industrial history and leverages its highly accessible and strategic proximity to Corrimal town centre and local amenities and services. c. <i>to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.</i> It is unlikely that the built form components of Building 2.3 outside the TOD Area and which exceed the building height control will result in any material disruption to views of the sky from other residential buildings (either within Stage 2a or future development stages) or public areas (for instance the Heritage Plaza). Similarly, the volume of the building height exceedance is contained within the north-eastern portion of Building 2.3, thus ensuring other residential buildings and public areas retain sufficient exposure to sunlight.
d. <i>Are the underlying objectives or purpose of the development standard not relevant to the development? (Give details if applicable)</i>	N/A
e. <i>Would the underlying objective or purpose be</i>	N/A

defeated or thwarted if compliance was required?
(Give details if applicable)

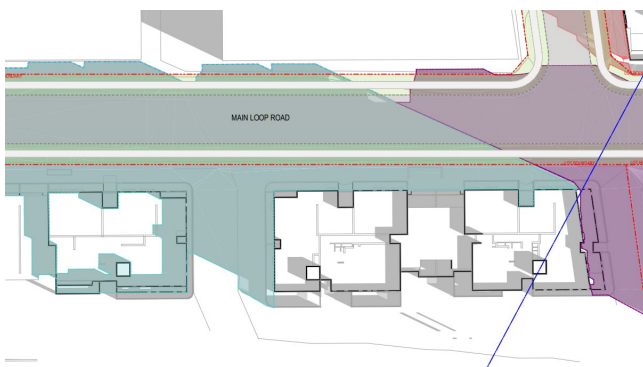
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|-------|---|-----|
| f. | Has the development standard been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard? | N/A |
| <hr/> | | |
| g. | Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary? | N/A |

11. Are there sufficient environmental planning grounds to justify contravening the development standard?

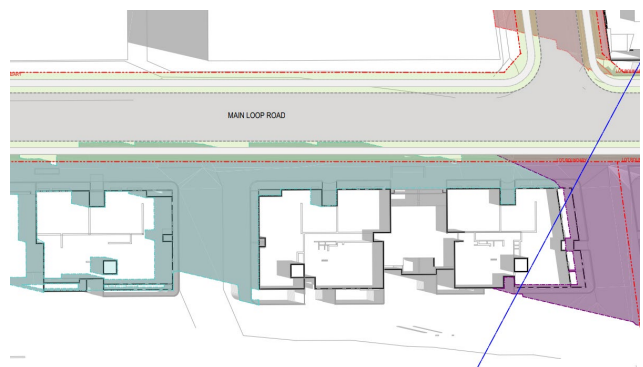
There is an absence of environmental harm arising from the contravention of the building height development standard and sufficient and positive environmental planning grounds to justify contravening the development standard for the following reasons:

- **Overshadowing:** The diagrams at **Figure 11** demonstrate the extent of overshadowing (in blue) from Building 2.3, including the elements protruding above the 15-metre building height plane.

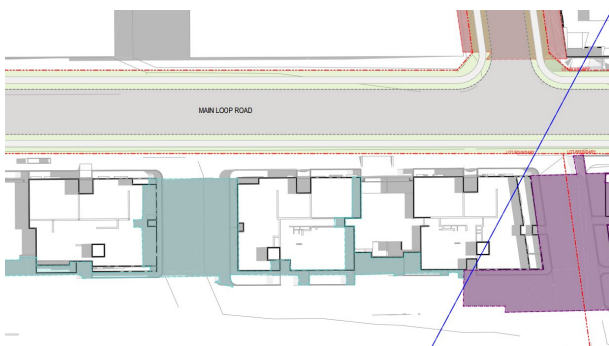
Figure 11 Overshadowing from Building 2.3



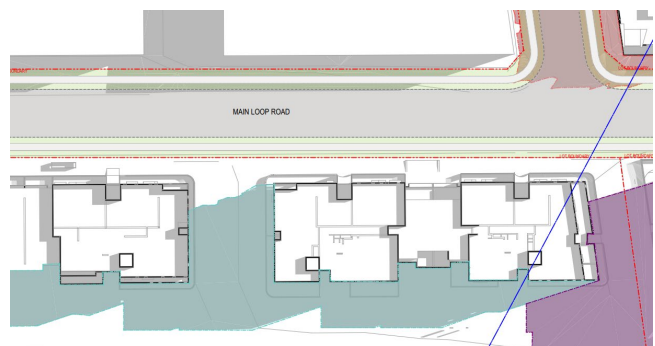
Picture 7 Overshadowing of Building 2.3 (9am)



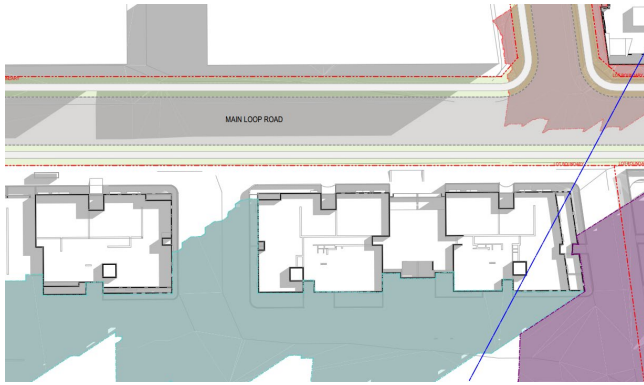
Picture 8 Overshadowing of Building 2.3 (10am)



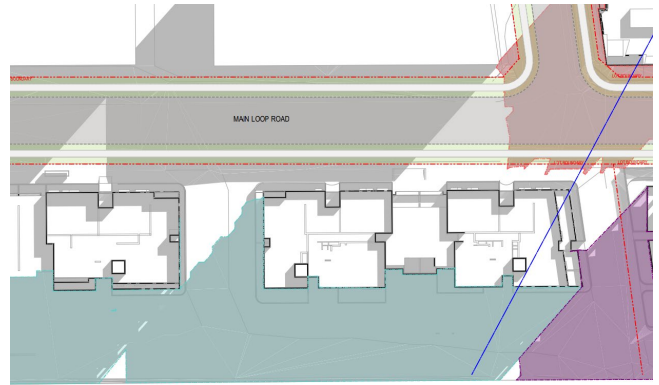
Picture 9 Overshadowing of Building 2.3 (11am)



Picture 10 Overshadowing of Building 2.3 (12 midday)



Picture 11 Overshadowing of Building 2.3 (1pm)



Picture 12 Overshadowing of Building 2.3 (2pm)

Source: DKO Architects

- **Visual and privacy:** The exceedance of the building height development standard results in 194 sqm GFA. This GFA does not compromise neighbours in adjoining residential flat buildings nor the Heritage Plaza in terms of visual privacy, overlooking, or solar access.
- **Architectural design:** As illustrated in **Figure 8**, Building 2.3 presents a highly articulated built form that reads as distinct forms. The massing and articulation represents an enhanced outcome from the form envisaged in the original Corrimal Cokeworks Masterplan. As illustrated in **Figure 10** Building 2.3 is designed to achieve high quality architectural principles in terms of massing, articulation, horizontal graining, heritage connectivity, materiality, and landscaping. The design refinement of the building has accentuated breaks in the massing and façade articulations to better respond to site context.
- **Disruption of views:** The exceedances with the building height plane relate to the upper element of Level 04, Level 05, and rooftop plant equipment. These elements are unlikely to result in the disruption of views from nearby development towards locations or objects that contain visual importance.

The contravention of the building height development standard which applies to Building 2.3 does not result in any material environment impacts beyond those created to a strictly compliant proposal (within the 15 metre building height limit). Impacts relating to solar access, view sharing, overshadowing, and reflectivity have been mitigated through the careful and considered siting, massing, articulation, and urban design.

For the reasons detailed in this request, the proposed variation to building height standard under the LEP is well-founded and justified. There is an absence of environmental harm arising from the contravention of the building height development standard and there are sufficient and positive environmental planning grounds to justify contravening the standard.

Disclaimer

This report is dated 27 January 2026 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 LEGPRO 70 PTY LTD ATF LEGPRO 70 UNIT TRUST (**Instructing Party**) for the purpose of Stage 2a Built Form SSDA (**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).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

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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