



SSD-9403

**1 and 2 Murray Rose
Avenue, Sydney Olympic
Park**

Section 4.55(1A) Modification
Report

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Project Code	P0035699
Report Number	Final

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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GLOSSARY AND ABBREVIATIONS

Reference	Description
ACHAR	Aboriginal Cultural Heritage Assessment Report
AQIA	Air Quality Impact Assessment
ARI	Average Recurrence Interval
BAM	Biodiversity Assessment Method
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Reg	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
CEEC	Critically Endangered Ecological Community
CDA	Concept Development Application
CEMP	Construction Environmental Management Plan
CMP	Construction Management Plan
CTMP	Construction Traffic Environmental Plan
DCP	Development Control Plan
DPIE	NSW Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
HIPAP	Hazardous Industry Planning Advisory Paper
LEP	Local Environmental Plan
MNES	Matters of National Environmental Significance
NRAR	Natural Resource Access Regulator
OEMP	Operational Environmental Management Plan
PBP	Planning for Bushfire Protection
PCT	Plant Community Type
POM	Plan of Management

Reference	Description
PSI	Preliminary Site Investigation
SAII	Serious and Irreversible Impacts
SARs	Commonwealth Supplementary Assessment Requirements
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
Site	1-2 Murray Rose Avenue, Sydney Olympic Park (legally described as Lot 1 & 2 DP 1185060)
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2009</i>
SSD	State Significant Development
SSDA	State Significant Development Application
TIA	Traffic Impact Assessment
UXO	Unexploded Ordnance
VIS	Vegetation Integrity Score
WMP	Waste Management Plan
WSUD	Water Sensitive Urban Design
WWTP	Wastewater Treatment Plant

1. INTRODUCTION

This section of the report outlines the relevant project history and describes the underlying reasons for the proposed modifications to the approved development.

1.1. APPLICANT DETAILS

The proponent details are listed in the following table.

Table 1 Proponent Details

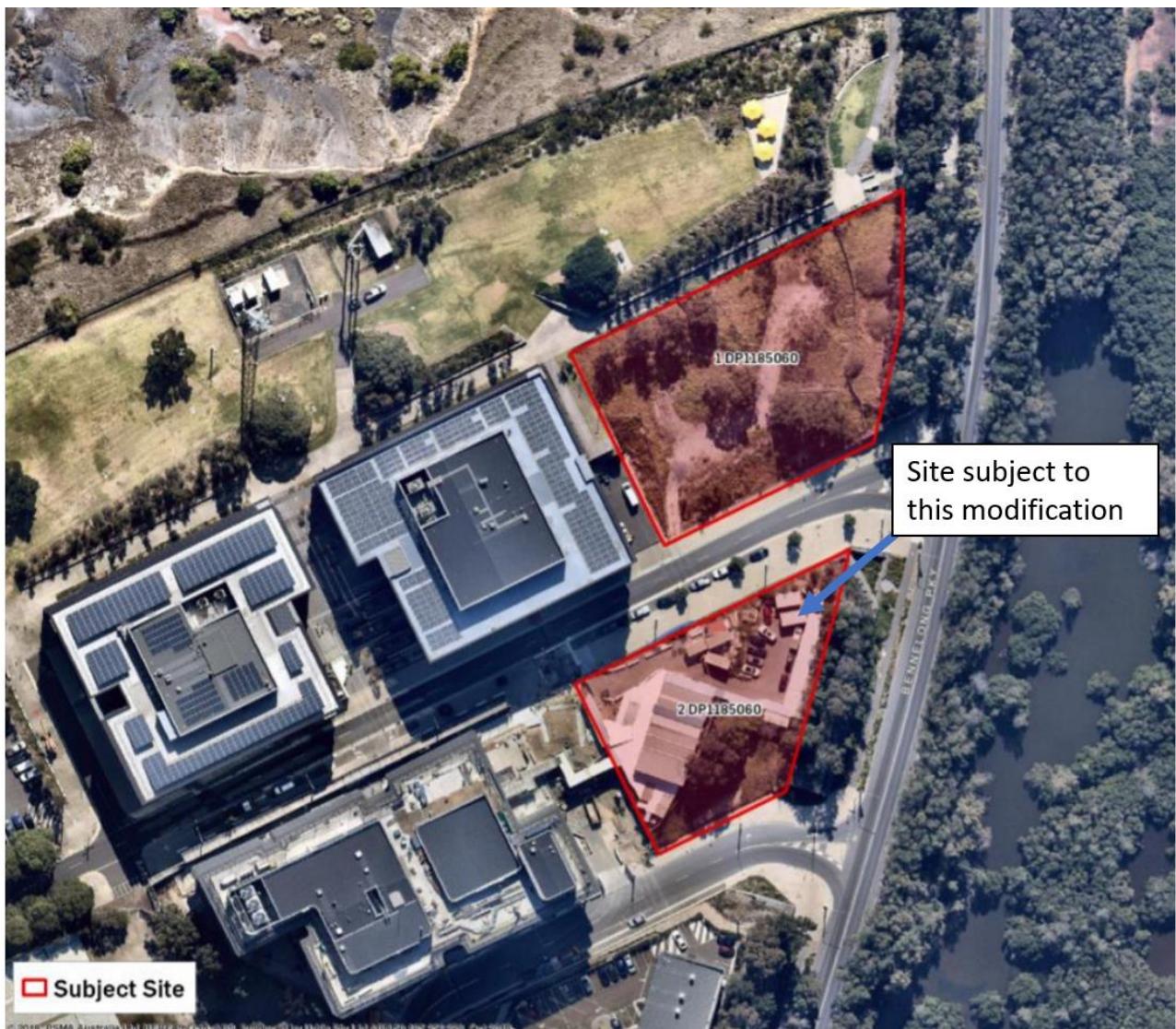
Descriptor	Proponent Details
Full Name(s)	Austino Sydney Olympic Park Pty Ltd
Postal Address	Suite 603, Level 6, 377 Sussex Street Sydney NSW 2000 Australia
ABN	26607262126
Nominated Contact	Will Wang
Contact Details	+61 2 9113 0806 will@austino.com.au
Name and Qualifications of Person who has prepared Modification Report	Nik Wheeler (Associate Director) Masters in Town Planning, University of Manchester (UK) Tim Fleming (Senior Consultant) Bachelor in Social Science (Geography and Town Planning), University of Birmingham (UK) Master of Urban and Regional Planning, University of Sydney Bachelor of Science (Environmental Studies and Geography), University of Sydney
Site Owner(s)	Sydney Olympic Park Authority

1.2. PROJECT OVERVIEW

This report is submitted to the Department of Planning, Industry and Environment (**DPIE**) on behalf of Austino Sydney Olympic Park Pty Ltd and in support of the proposed modifications of SSD-9403 at 1-2 Murray Rose Avenue, Sydney Olympic Park (legally described as Lot 1 & 2 in DP 1185060). A site aerial is provided at **Figure 1**.

The proposed modification only relates to 2 Murray Rose Avenue (Lot 2 in DP 1185060).

Figure 1 Site Aerial



Source: Nearmap

This Modification Application is lodged pursuant to section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and seeks changes to the development consent granted on 14 August 2019 for SSD-9403, including:

- Amendments to the parking layout of basement levels 2, 1 and level 00, resulting in no change to the overall parking provision.
- Amendments to the plant and storage space layout at basement level 1.
- Amendments to the garbage holding area layout at basement level 1.
- Amendments to the lobby space layout including the provision of a manager room.
- Provision of a gym community room at the Level 8 roof level of and minor amendments to the rooftop landscaping layout resulting in a minor decrease in communal open space of 51m².
- Amendments are proposed to the central courtyard including provision of glass balustrades in place of perforated metal panels and refinements to the lift shaft cladding fins.
- Minor amendments are proposed to the internal layout of apartments across the building.
- Conversion of a 3-bedroom apartment to a 4-bedroom apartment at level 13.
- Amendments to the plant and stair layout at the level 15 and roof level.

- The position of the mega columns which provides support from basement to L09 (tower) has been revised to maintain structural alignment without transferring.
- Structural changes to levels 9-roof including the thickening of concrete slab heights by at each level which results in a 0.7m overall increase in the building height.

The proposed modifications have generally arisen from detailed design of the proposal.

The Minister for Planning and Public Spaces is the consent authority for the proposal in accordance with section 4.5 (a) of the EP&A Act. Accordingly, this Modification Application is being lodged with DPIE for assessment.

2. STRATEGIC CONTEXT

This section describes the way in which the modified proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project, each of which are addressed in further detail in **Section 6** of this EIS.

2.1. PROJECT JUSTIFICATION

The proposed development remains aligned with the State, district and local strategic plans and policies applying to the site as outlined below.

2.1.1. NSW State Priorities

NSW State Priorities is the State Government's plan to guide policy and decision making across the State. The proposed redevelopment at the site is consistent with key objectives contained within the plan, including:

- **Greening our city:** increase tree canopy and green cover across Greater Sydney by planting one million trees by 2022

The proposal, as modified, will continue provide generous deep soil planting and landscaping.

Overall, it is considered that the proposal, as modified, is consistent with the goals and objectives set out within the NSW State Priorities.

2.1.2. Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan provides the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities - the Western Parkland City, Central River City and Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, 817,000 new jobs and a requirement of 725,000 new homes by 2036.

The Plan includes objectives and strategies for infrastructure and collaboration, liveability, productivity and sustainability. Specifically, the proposal, as modified, is consistent with the following objective of the GSRP:

The Eastern, GPOP and Western Economic Corridors are better connected and more competitive

The Sydney Olympic Park Lifestyle super precinct is a precinct within the Greater Parramatta and the Olympic Peninsula (GPOP) collaboration area. The aims of this precinct are to reinvent Sydney Olympic Park and surrounds as a place that inspires a lifestyle of wellbeing, healthy activity and celebration in a unique setting that attracts allied and like-minded business.

The proposal, as modified, will directly contribute to creating this level of urban amenity via its walkability and connection surrounding recreation areas, including Brickpit park.

2.1.3. Our Greater Sydney: Central City District Plan

The Central City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the district.

The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Region Plan at the district-level. The Structure Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

Sydney Olympic Park is characterised as a Strategic Centre under the plan and is identified as a major arts and cultural area. The following planning priorities and actions are deemed essential to the development of Sydney Olympic Park:

Delivering a more connected and competitive GPOP Economic Corridor

The GPOP Economic Corridor includes the precincts of Westmead, North Parramatta, Parramatta CBD, Rydalmer, Camellia, Silverwater, Auburn, Granville and Sydney Olympic Park. A potential opportunity for

SOP under the GPOP is the activation of SOP strategic centre via the co-location of in health, education and community facilities. The proposal, as modified, will contribute to the activation of this precinct by supporting the growth of the Parkview precinct, allowing people to access the services within reach of the increased services of the strategic centre.

Delivering integrated land use and transport planning and a 30-minute city

The '30- minute city' concept aims to increase the range of jobs and services and other opportunities that people can get to within 30 minutes. This will provide equitable access to health, open space and community and cultural infrastructure, improve the ability to walk to local services and amenities and encourage residents to access local services and employment generating facilities.

The proposal, as modified, is proximate to the major entertainment and recreation infrastructure within Sydney Olympic Park and as such consistent with the priority for a 30-minute city.

2.1.4. Parramatta Local Strategic Planning Statement

The City Plan 2036 - Parramatta Local Strategic Planning Statement (LSPS) provides strategic direction on how the City of Parramatta is planning for the next 20 years. The Statement draws together the needs and aspirations of the community and identifies priorities for jobs, homes and infrastructure. The Statement looks at the role of Parramatta as part of Greater Sydney and seeks to achieve a future which is sustainable, liveable and productive.

The LSPS identifies Sydney Olympic Park's role as a lifestyle precinct, will continue to offer a mix of living, recreation and entertainment options activated by business and educational establishments. The Proposal, as modified, will continue to contribute to this vision though the establishment of future residential development within an emerging precinct.

2.1.5. Sydney Olympic Park Master Plan 2030 (2018 Review)

The Sydney Olympic Park Master Plan 2030 (SOP Masterplan) came into effect in March 2010 and provides a comprehensive approach to the long-term development of Sydney Olympic Park. The Masterplan was updated in August 2018 (2018 Review) to incorporate the updated planning strategy for the area guided by the GSRP, Central City District Plan, and Future Transport 2056.

The Site is identified as being within the Parkview Precinct, which is one of nine precincts within Sydney Olympic Park (refer **Figure 2**).

The SOP Master Plan (2018 Review) seeks to bring about the following changes to the Precinct:

- Increasing the connectivity and walkability through new service streets
- Strengthening commercial uses along Dawn Fraser Avenue and Murray Rose Avenue East to secure commercial space
- Increasing residential densities to ensure highest and best use of high amenity sites
- Increasing building heights towards the northern and western edges of the precinct and maintaining a lower scale development profile for areas immediately adjacent to the Parklands
- Increasing FSR to allow towers at some sites and more block edge development.

The SOP Masterplan (2018 Review) identifies the site as part Nos. 1 & 2 Murray Rose Avenue. They form a part of a wider site known as 1-5 Murray Rose Avenue (With an original address of 7 Parkview Drive).

The 1-5 Murray Rose Avenue site largely forms the site referred to as 'Site 60A' and part of 'Site 60B' in the SOP Masterplan (2018 Review). Under the Master Plan, Nos. 3, 4 and 5 Murray Rose Avenue are identified for commercial use, whilst Nos.1 and 2 Murray Rose Avenue are identified for residential use.

The proposal, as modified, will continue to provide a high-density residential development, contributing to housing affordability and choice within the area, as envisaged by the SOP Masterplan 2018.

Figure 2 Sydney Olympic Park Precincts



Source: *Sydney Olympic Park Review 2018*

Figure 3 Sydney Olympic Park and Context



Source: SOPA Master Plan Review 2018

2.2. KEY FEATURES OF SITE AND SURROUNDS

The site comprises two allotments including 1 Murray Rose Avenue (3,931m²) and 2 Murray Rose Avenue (2,522m²). The site forms two blocks of land situated in the Parkview Precinct, in the north-eastern part of the Sydney Olympic Park, located at Nos. 1 & 2 Murray Rose Avenue. Murray Road Avenue bisects the two sites, with both blocks also fronting onto Bennelong Parkway.

The site is located within the Sydney Olympic Park, which is a strategic centre located within the Greater Parramatta to Olympic Peninsula (GPOP) as identified within the GSRP. This area stretches from Westmead, through Parramatta CBD, Silverwater and Sydney Olympic Park, and includes a number of precincts that will experience significant change into the future.

Sydney Olympic Park is located 14 kilometres west of Sydney CBD and 8 kilometres east of the Parramatta CBD. Sydney Olympic Park covers 640ha of land extending from the Parramatta River in the north to the M4

Motorway and Parramatta Road in the south (refer Figure 2 below). The Sydney Olympic Park site includes 430 ha of parkland and a 210 ha Town Centre, which includes the Olympic Park Train Station. The Town Centre is generally bound by Hill Road, Pondage Link and Kevin Coombs Avenue to the north, Homebush Bay Drive and the M4 Motorway to the south, Australia Avenue and Bennelong Parkway to the east and the Carter Street Priority Precinct to the west.

2.3. AGREEMENTS WITH OTHER PARTIES

The proponent has entered into a Project Delivery Agreement with Sydney Olympic Park Authority, which includes a Planning Agreement. The Planning Agreement provides for payments to be made to Sydney Olympic Park Authority including a contribution under the Infrastructure Contributions Framework 2030.

3. DESCRIPTION OF MODIFICATIONS

This section of the report describes the proposed modifications, including the project description and relevant conditions. It includes a comparative analysis of the original development and the proposed modifications, justifying the lodgement of the application in accordance with section 4.55 (1A) of the EPA Act 1979.

3.1. OVERVIEW AND COMPARATIVE ANALYSIS

The proposed modifications to the development as originally granted development consent relate to Site 2 (2 Murray Rose Avenue) and are listed and briefly described below:

- Amendments to the parking layout of basement levels 2, 1 and level 00, resulting in no change to the overall parking provision.
- Amendments to the plant and storage space layout at basement level 1.
- Amendments to the garbage holding area layout at basement level 1.
- Amendments to the lobby space layout including the provision of a manager room.
- Provision of a gym community room at the Level 8 roof level of and minor amendments to the rooftop landscaping layout resulting in a minor decrease in communal open space of 51m²
- Amendments are proposed to the central courtyard including provision of glass balustrades in place of perforated metal panels and refinements to the lift shaft cladding fins.
- Minor amendments are proposed to the internal layout of apartments across the building.
- Conversion of a 3-bedroom apartment to a 4-bedroom apartment at level 13. The amended proposal includes a total of 125 apartments (1 less than originally proposed).
- Amendments to the plant and stair layout at the level 15 and roof level.
- The position of the mega columns which provides support from basement to L09 (tower) has been revised to maintain structural alignment without transferring.
- Structural changes to levels 9-roof including the thickening of concrete slab heights by at each level which results in a 0.7m overall increase in the building height.

The updated architectural drawings are attached as **Appendix D**. Proposed changes to specific conditions of consent

A comparative analysis has been undertaken of the proposed changes to the approved development in accordance with the relevant criteria listed in section 4.2.2 of the DPIE Guidelines and as shown in the following table.

Table 2 Detailed Comparative Analysis

Element	Original Development	Modified Proposal
	Site 2	Site 2
GFA	11,194.2m ²	No change
Site Area	2,522m ²	No change
Floor Space Ratio	4.44:1	No change
Building Height	57.6	58.3 (+0.7m)
Built Form (East)	8 storeys	No change
Built Form (West)	15 storeys	No change

Element	Original Development	Modified Proposal
	Site 2	Site 2
Residential Mix	<p>126 total comprising:</p> <ul style="list-style-type: none"> ▪ 33 x 1 bed ▪ 72 x 2 bed ▪ 20 x 3 bed ▪ 1 x 4 bed 	<p>125 total (-1 bed) comprising:</p> <ul style="list-style-type: none"> ▪ 32 x 1 bed (-1 x 1 bed) ▪ 72 x 2 bed ▪ 19 x 3 bed (-1 x 3 bed) ▪ 2 x 4 bed (+1 x 4 bed)
Communal Open Space	1,269m ²	1,218m ² (-51m ²)
Car Parking	<p>B3</p> <ul style="list-style-type: none"> ▪ Standard: 58 spaces ▪ Accessible: 0 spaces ▪ Total: 58 spaces <p>B2</p> <ul style="list-style-type: none"> ▪ Standard: 38 spaces ▪ Accessible: 10 spaces ▪ Total: 48 spaces <p>B1</p> <ul style="list-style-type: none"> ▪ Standard: 3 spaces ▪ Accessible: 3 spaces ▪ Total: 6 spaces <p>Level 00:</p> <ul style="list-style-type: none"> ▪ Standard: 12 spaces ▪ Accessible: 1 spaces ▪ Total: 13 spaces <p>Total:</p> <ul style="list-style-type: none"> ▪ Standard: 111 spaces ▪ Accessible: 14 spaces ▪ Total: 125 spaces 	<p>B3</p> <ul style="list-style-type: none"> ▪ Standard: 58 spaces ▪ Accessible: 0 spaces ▪ Total: 58 spaces <p>B2</p> <ul style="list-style-type: none"> ▪ Standard: 36 spaces (-2 spaces) ▪ Accessible: 11 spaces (+ 1 space) ▪ Total: 47 spaces (- 1 space) <p>B1:</p> <ul style="list-style-type: none"> ▪ Standard: 6 spaces (+3 spaces) ▪ Accessible: 1 space (- 2 spaces) ▪ Total: 7 spaces (+ 1 space) <p>Level 00:</p> <ul style="list-style-type: none"> ▪ Standard: 11 spaces (- 1 space) ▪ Accessible: 2 spaces (+ 1 space) ▪ Total: 13 spaces <p>Total:</p> <ul style="list-style-type: none"> ▪ Standard: 111 spaces ▪ Accessible: 14 spaces ▪ Total: 125 spaces
Bicycle Parking	184 spaces	No change

Based on the above, it is considered the proposal is substantially the same development as originally granted consent, and therefore, the amendments are lodged under section 4.55(1A) of the EPA Act 1979.

3.2. DESIGN CHANGES

This Section 4.55(1A) modification seeks minor modifications to the internal layout and structure design of Site 2 (2 Murray Rose Avenue, Sydney Olympic Park). A full set of amended architectural plans are attached at **Appendix D**. The amended plans include clouding with an accompanying legend to clearly identify each amendment proposed.

The changes are described in further detail in the following section. Reference should be made to the amended architectural plans for further details of the proposed amendments to the approved scheme.

3.2.1. Basement Car Park

Minor amendments are proposed to the basement car park summarised as follows:

Basement Level 3 (refer Figure 4)

- Modification to the layout of car parking spaces
- Realignment of courtyard lift.
- Fire egress and core revised.
- Storage updated.
- Additional mirror.
- Serviced amended.
- Revised column location.

Basement Level 2 (refer Figure 5)

- Modification to the layout of car parking spaces including the removal of 2 standard spaces and the inclusion of an additional accessible space
- Provision of a rainwater pump and booster.
- Realignment of courtyard lift.
- Amended services, core configuration, column location, mirror location, storage layout.

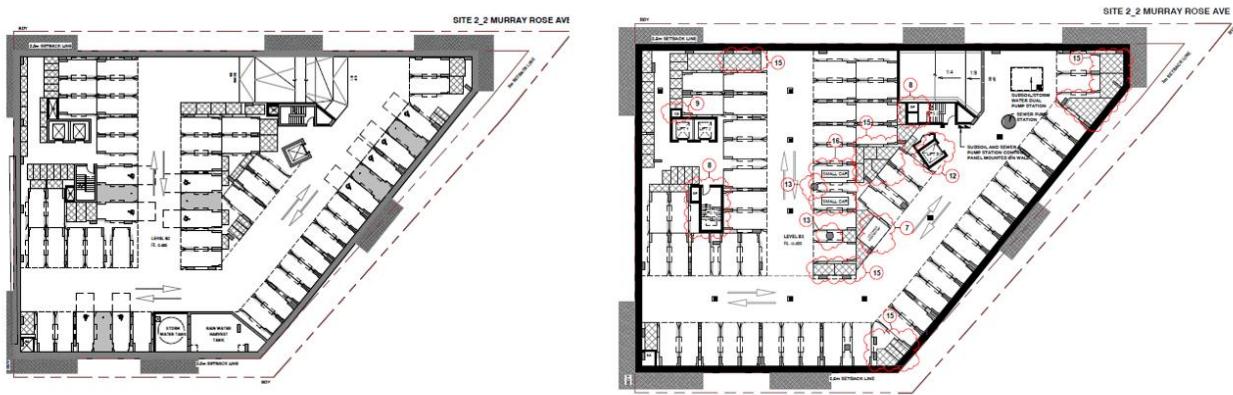
Basement Level 1 (refer Figure 6)

- Modification to the layout of car parking spaces including the addition of 3 standard parking spaces and the removal of 2 accessible spaces.
- Re-alignment of the wall to the fire/hydrant pump room.
- Modification to the layout of the waste holding area.
- Minor relocation of the central core stair to the south.
- Relocation of the storage room and bathroom into the area formally occupied by the main switch room.
- Relocation of the main switch room into the area formally occupied by the storage space.

Level 00 (refer Figure 7)

- Modification to the layout of car parking spaces including the converting a standard space to an accessible space.
- Re-alignment of the wall to the fire/hydrant pump room.
- Modification to the layout of the garbage holding area.
- Minor relocation of the central core stair to the south.
- Relocation of the storage room and bathroom into the area formally occupied by the main switch room.
- Relocation of the main switch room into the area formally occupied by the storage space.

Figure 4 Proposed Amendments – Basement Level 3

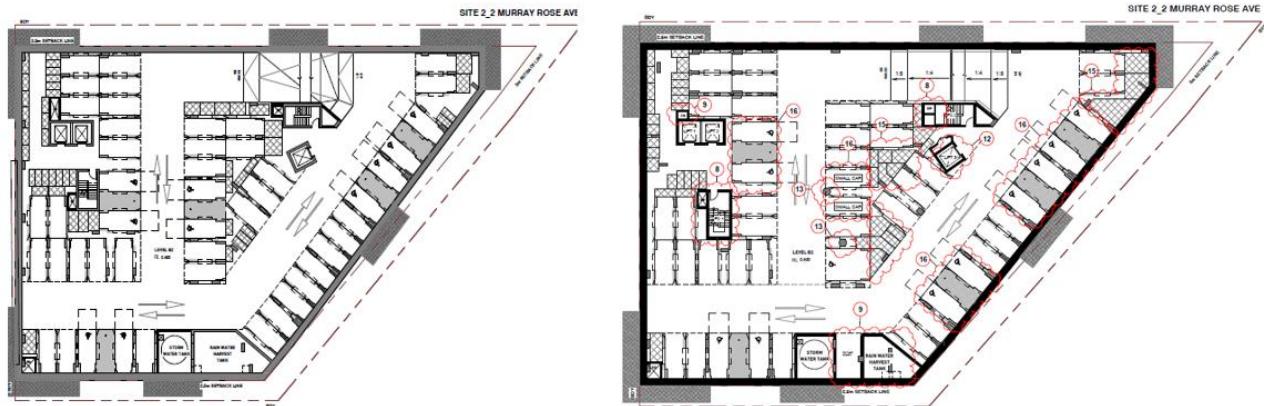


DA APPROVED

PROPOSED AMENDMENT

Source: PTW

Figure 5 Proposed Amendments – Basement Level 2



DA APPROVED

PROPOSED AMENDMENT

Source: PTW

Figure 6 Proposed Amendments – Basement Level 1



Source: PTW

Figure 7 Proposed Amendments – Level 00



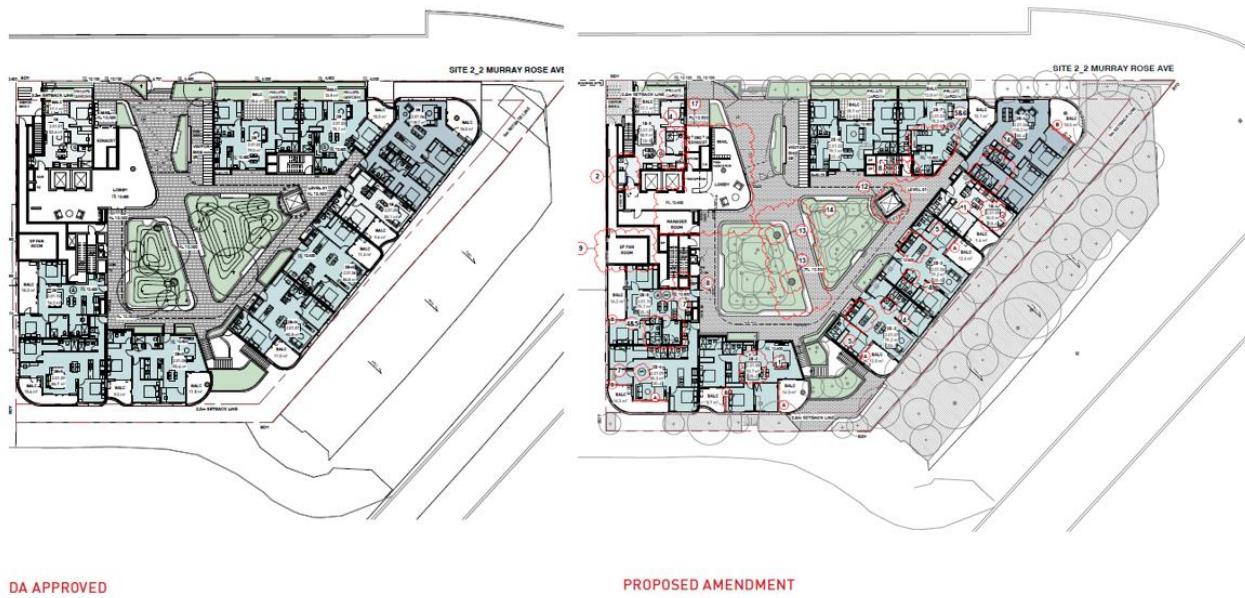
Source: PTW

3.2.2. Level 1

The following amendments are proposed to level 1 (refer **Figure 8**):

- Provision of a manager room within the space formally occupied by the southern area of the lobby
- Provision of a mail area within the space formally occupied by the northern area of the lobby
- Provision of a lobby desk
- Minor amendments to the layout of the plant space adjoining the lobby

Figure 8 Proposed Amendments – Level 1



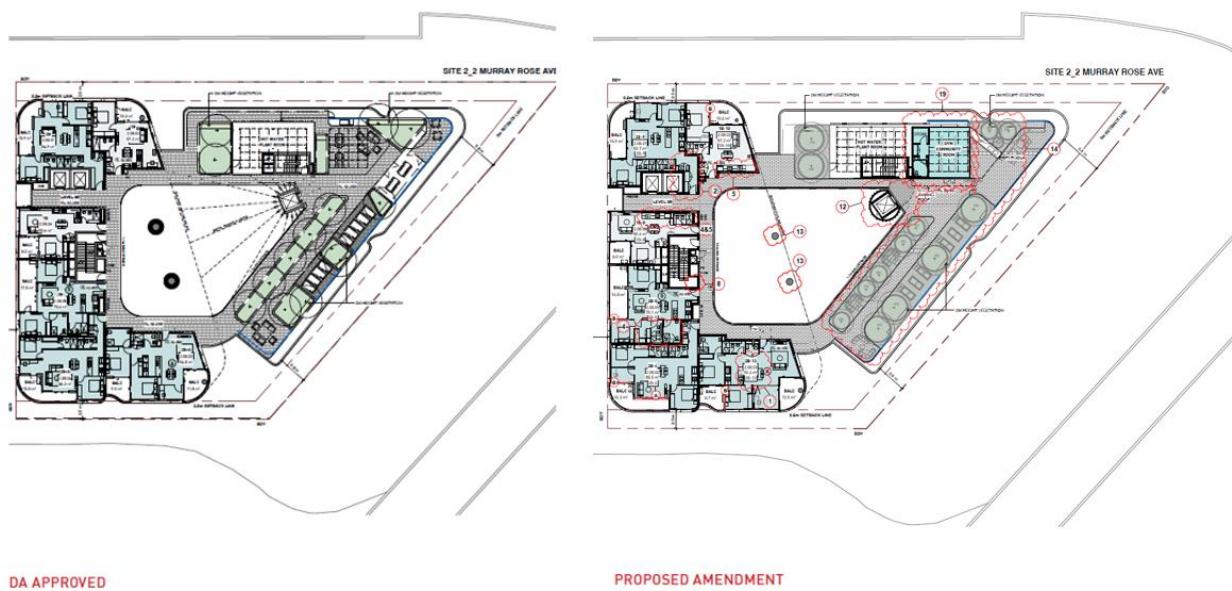
Source: PTW

3.2.3. Level 8

The following amendments are proposed to level 8 (refer **Figure 9**):

- Provision of a gym community room within the space formally occupied by rooftop seating
- Amendments to the rooftop landscaping along the eastern boundary of the rooftop

Figure 9 Proposed Amendments – Level 8



Source: PTW

Figure 10 Proposed Amendments – Level 8



APPROVED DA SCHEME



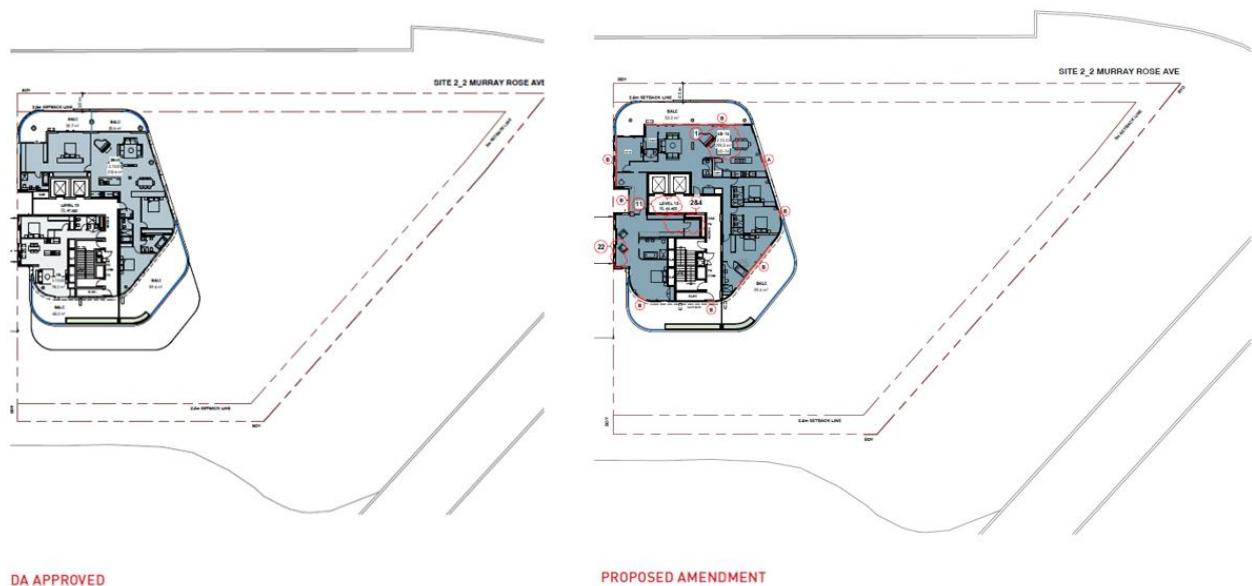
SECTION 4.55 SCHEME

Source: PTW

3.2.4. Level 13

It is proposed to convert the existing 3-bedroom and 1-bedroom apartment at level 13 to a single 4-bedroom apartment (refer **Figure 11**).

Figure 11 Proposed Amendments – Level 13



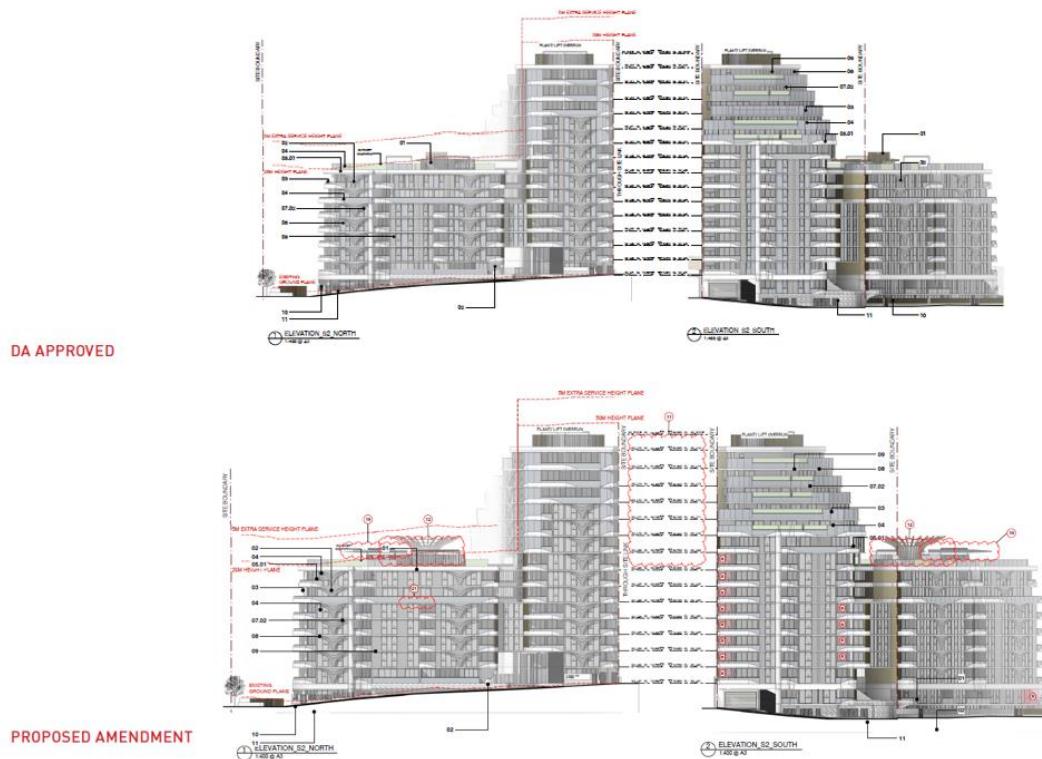
Source: PTW

3.2.5. Structural Design and Building Height

The proposal seeks structural changes to levels 9 - roof level including the thickening of concrete slab heights by at each level. Position of the Mega columns which provides support from basement to L09 (tower) has been revised to maintain structural alignment without significant transfers.

These amendments result height increase from RL 57.6 to RL 58.3 equating to a 0.7m overall increase in the building height (refer **Figure 12** and **Figure 13**).

Figure 12 Proposed Amendments – North and South Elevation



Source: PTW

Figure 13 Proposed Amendments – Sections



Source: PTW

3.2.6. Central Courtyard

Minor amendments are proposed to central courtyard design including (refer **Figure 14**):

- Replacing the perforated metal panel to the balustrade to glass panels to improve safety, weather protection, and easier maintenance
- The lift shaft design has been modified to spread out the top of the shaft instead of crossing over the entire courtyard. Planting pods have been added to the top of the shaft to create a better integrity with the courtyard landscape.

Figure 14 Proposed Amendments – Central Courtyard



APPROVED DA SCHEME



SECTION 4.55 SCHEME

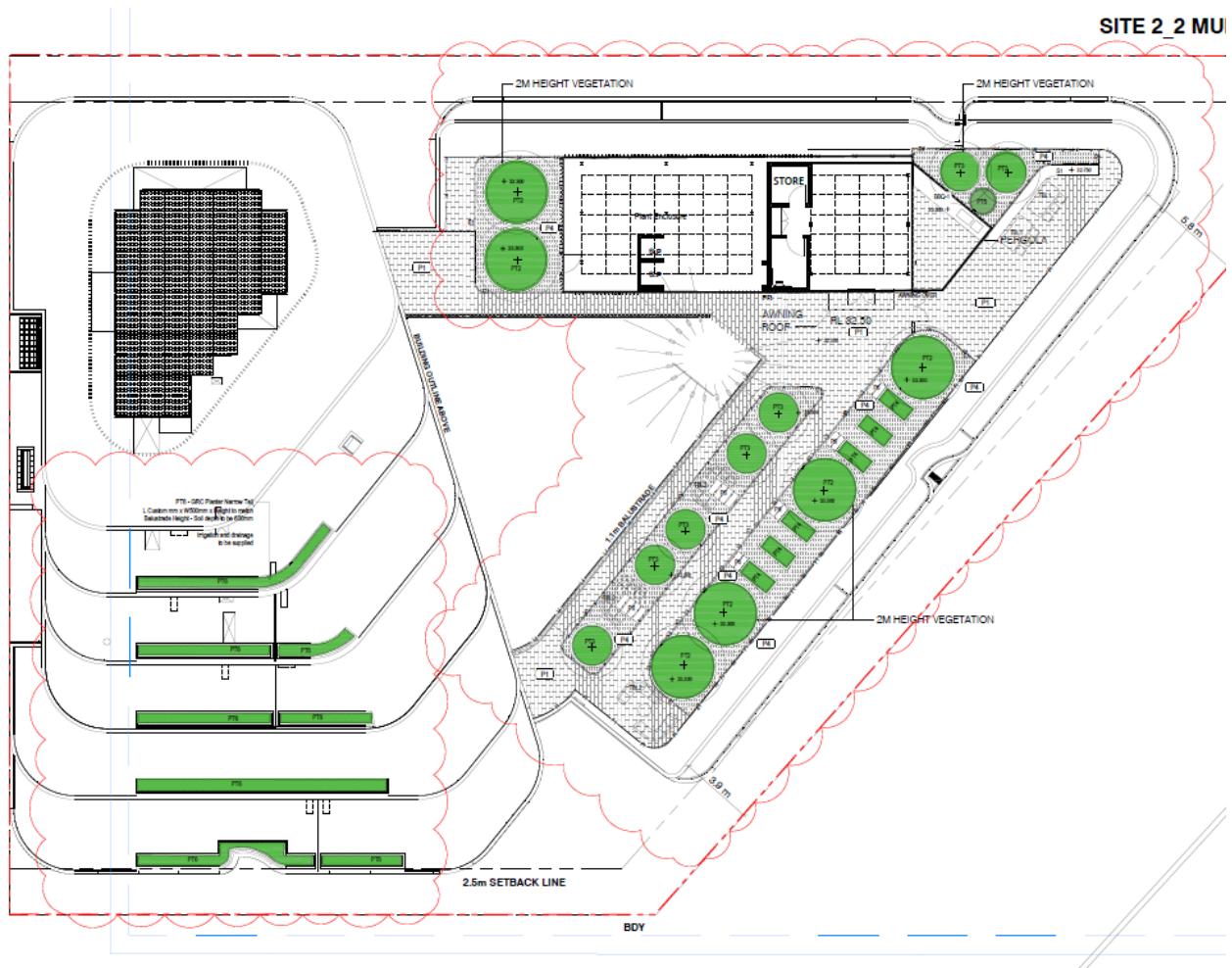
Source: PTW

3.2.7. Landscaping

An amended set of landscape plans accompany the modification at **Appendix F**. Minor amendments are required to the landscaping strategy on the level 8 rooftop to reflect the provision of a gym community room within the space formally occupied by rooftop seating (refer **Figure 15**).

In addition, minor amendments are proposed to the landscaping strategy within the central courtyard to

Figure 15 Proposed Amendments – Rooftop



Source: RPS

3.3. PROPOSED CHANGES TO CONDITIONS OF CONSENT

The following changes are proposed to the conditions of consent granted on 14 August 2019 for SSD-9403 to reflect the proposed changes.

~~Strikethrough text~~ has been used to demonstrate the proposed deletions to the conditions, with **red text** highlighting the proposed inclusions.

3.3.1. Condition A2 (Terms of Consent)

TERMS OF CONSENT

A2. *The development may only be carried out:*

- (a) *In compliance with the conditions of this consent;*
- (b) *In accordance with all written directions of the Planning Secretary;*
- (c) *In accordance with the EIS, Response to Submissions and additional information;*
- (d) *In accordance with the approval plans in the table below:*

Architectural Drawings prepared by PTW Architects

Drawing No.	Revision	Name of Plan	Date
DA-00-0200	A	Site Plan	12/10/18
DA-00-0400	A	Demolition Plan	12/10/18
DA-00-0500	A B	Architectural Site Plan	19/03/19 3.11.21
DA-10-1700	B	S1 Level B3	24/01/19
DA-10-1800	B	S1 Level B2	24/01/19
DA-10-1900	D	S1 Level B1	17/05/19
DA-10-2000	E	S1 Level 00	04/06/19
DA-10-2100	D	S1 Level 01	17/05/19
DA-10-2200	C	S1 Level 02	17/05/19
DA-10-2300	B	S1 Level 03-05	17/05/19
DA-10-2400	B	S1 Level 06	17/05/19
DA-10-2500	B	S1 Level 07	17/05/19
DA-10-2600	D	S1 Level 08	17/05/19
DA-10-2700	D	S1 Level 09	17/05/19
DA-10-2800	D	S1 Level 10	17/05/19
DA-10-2900	D	S1 Level 11	17/05/19
DA-10-3000	A	S1 Level 12	12/10/18
DA-10-3100	A	S1 Roof	12/10/18
DA-10-4700	C D	S2 Level B3	19/03/19 3.11.21
DA-10-4800	C D	S2 Level B2	19/03/19 3.11.21
DA-10-4900	D E	S2 Level B1	04/06/19 3.11.21
DA-10-5000	C D	S2 Level 00	19/03/19 3.11.21

Architectural Drawings prepared by PTW Architects

DA-10-5100	D E	S2 Level 01	17/05/19 3.11.21
DA-10-5200	C D	S2 Level 02	17/05/19 3.11.21
DA-10-5300	C D	S2 Level 03-05	17/05/19 3.11.21
DA-10-5400	C D	S2 Level 06	17/05/19 3.11.21
DA-10-5500	C D	S2 Level 07	17/05/19 3.11.21
DA-10-5600	D E	S2 Level 08	17/05/19 3.11.21
DA-10-5700	C D	S2 Level 09	17/05/19 3.11.21
DA-10-5800	D E	S2 Level 10	17/05/19 3.11.21
DA-10-5900	D E	S2 Level 11	17/05/19 3.11.21
DA-10-6000	D E	S2 Level 12	17/05/19 3.11.21
DA-10-6100	D E	S2 Level 13	17/05/19 3.11.21
DA-10-6200	D E	S2 Level 14	17/05/19 3.11.21
DA-10-6300	A B	S2 Level 15	12/10/18 3.11.21
DA-10-6400	A B	S2 Roof	12/10/18 3.11.21
DA-20-0000	C	<i>Elevations S1</i>	19/03/19

Architectural Drawings prepared by PTW Architects

DA-20-0100	C	<i>Elevations S1</i>	19/03/19
DA-20-0200	C	<i>Elevations S1</i>	19/03/19
DA-20-0300	C D	<i>Elevations S2</i>	19/03/19 3.11.21
DA-20-0400	C D	<i>Elevations S2</i>	19/03/19 3.11.21
DA-20-0500	C D	<i>Elevations S2</i>	19/03/19 3.11.21
DA-20-0600	C D	<i>Elevations Bennelong Parkway Road</i>	19/03/19 3.11.21
DA-30-0000	C	<i>Sections-S1</i>	19/03/19
DA-30-0010	A	<i>Sections-S1</i>	19/03/19
DA-30-0100	C D	<i>Sections-S2</i>	19/03/19 3.11.21
DA-30-0200	C D	<i>Sections-S2</i>	19/03/19 3.11.21
DA-30-0300	A B	<i>Sections-S2</i>	17/05/19 3.11.21
DA-40-0000	B	<i>Façade Finish Schedule-S1</i>	12/10/18
DA-40-0100	B C	<i>Façade Finish Schedule-S2</i>	24/01/19 3.11.21
DA-40-0200	A B	<i>Façade Finish Schedule-S2 Central Courtyard</i>	12/10/18 3.11.21
DA-50-1000	A	<i>Adaptable Units-S1</i>	12/10/18
DA-50-1001	A	<i>Adaptable Units-S1</i>	12/10/18
DA-50-1100	A	<i>Silver Livable Units-S1</i>	12/10/18
DA-50-1200	B	<i>Visitable Units-S1</i>	19/03/19
DA-50-2000	A B	<i>Adaptable Units-S2</i>	12/10/18 3.11.21

Architectural Drawings prepared by PTW Architects

DA-50-2001	A B	Adaptable Units-S2	42/10/18 3.11.21
DA-50-2100	A B	Silver Livable Units-S2	42/10/18 3.11.21
DA-50-2200	A B	Visitable Units-S2	42/10/18 3.11.21
DA-70-0000	A	Storage Schedule_S1	19/03/19
DA-70-0100	A B	Storage Schedule_S2	19/03/19 3.11.21
DA-91-0000	C D	GFA Diagrams	19/03/19 3.11.21
DA-91-0100	C D	GFA Diagrams	19/03/19 3.11.21

Landscape Drawings prepared by RPS

Drawing No.	Revision	Name of Plan	Date
L.00	F G	Coversheet	04/07/19 15/11/2021
L.01	F G	Deep Soil Plan	04/07/19 15/11/2021
L.1.01	G	External Works	04/07/19
L.1.02	G	External Works	04/07/19
L.1.03	G H	External Works	04/07/19 15/11/2021
L.1.04	G H	External Works	04/07/19 15/11/2021
L.1.05	G H	External Works	04/07/19 15/11/2021
L.1.06	G H	External Works	04/07/19 15/11/2021

Architectural Drawings prepared by PTW Architects

L1.07	E	External Works - Roof	04/07/19
L1.08	E	External Works	04/07/19
	F		15/11/2021
L3.01	G	Details	04/07/19
L3.01	G	Details	04/07/19

Justification:

The approved plans are to be replaced by amended plans at **Appendix D** to this report.

Further justification and assessment of the design changes are provided at **Section 5** of this report.

4. STATUTORY CONTEXT

This section of the report provides an overview of the key statutory requirements relevant to the site and the project as proposed to be modified. It identifies the key statutory matters which are addressed in detail within **Section 6**, including the power to grant consent, permissibility, other approvals, pre-conditions and mandatory considerations.

4.1. STATUTORY CONTROLS

The environmental planning instruments and planning controls relevant to the site and the modified proposal include:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning Assessment Regulation 2000.*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (State Significant Precincts) 2005*
- *Sydney Olympic Master Plan (2018 Review)*
- *State Environmental Planning No. 55 – Remediation of Land*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*

The relevance of the above matters is addressed in detail within **Section 6**. A detailed statutory compliance table is attached as **Appendix B**.

4.2. STATUTORY REQUIREMENTS

The following table categorises and summarises the relevant requirements in accordance with the DPIE guidelines, including section references identifying where each matter is addressed within this report.

Table 3 Statutory Requirements

Statutory Reference	Requirement	Report Section
Power to grant consent		
<i>Environmental Planning and Assessment Act 1979</i>	<p>The proposed modifications are lodged in accordance with Section 4.55(1A) of the EP&A Act and seek changes to the development consent granted on 14 August 2019 for SSD-9403.</p> <p>The Minister for Planning and Public Spaces is the consent authority for the proposal in accordance with section 4.5 (a) of the EP&A Act.</p>	Section 3
Permissibility		
<i>State Environmental Planning Policy (State Significant Precincts) 2005</i>	<p>The site is zoned B4 Mixed Use under Part 23, Schedule 3 of SEPP State Significant Precincts. The proposal, as modified development is entirely consistent with objectives of the B4 Mixed Use zone.</p> <p>The proposal, as modified, does not seek to introduce any new uses those approved and therefore remains permitted with consent in accordance with the LEP.</p>	Section 6.3

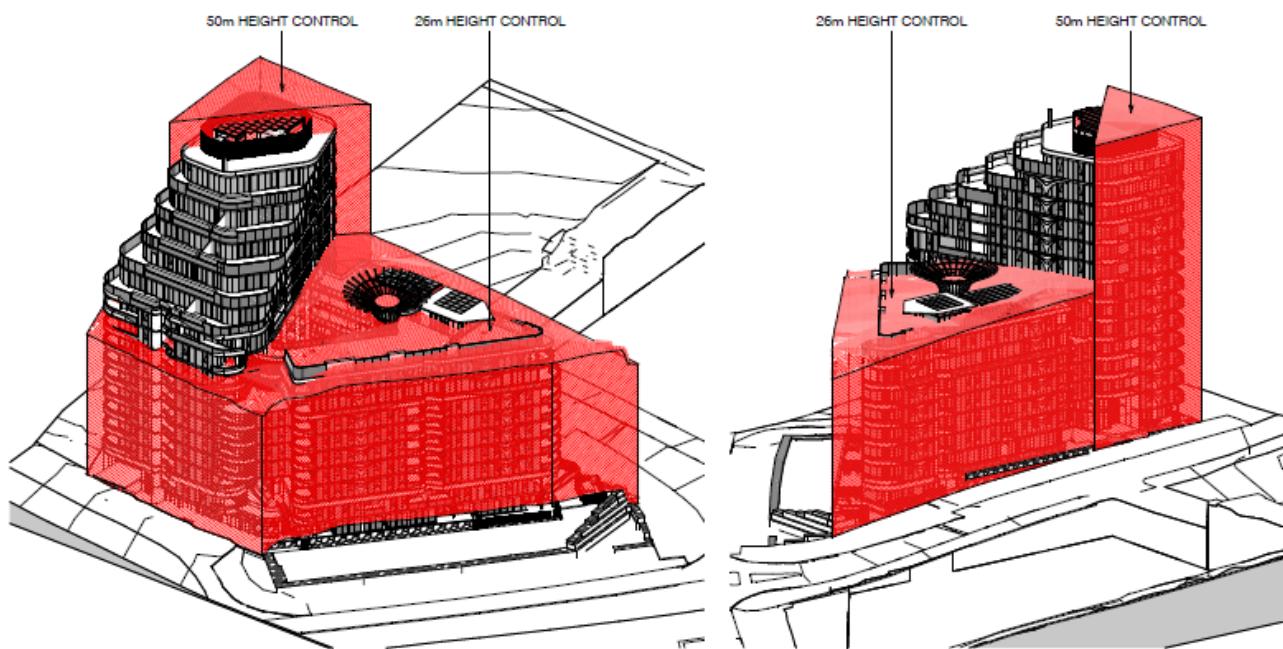
Statutory Reference	Requirement	Report Section
Mandatory Considerations		
<i>Environmental Planning and Assessment Act 1979</i>	The appropriateness of the proposed modifications has been assessed in accordance with the relevant matters for consideration in section 4.15, including compliance with the relevant planning controls, the potential impacts of the development and the ongoing suitability of the site.	Section 6.3
Section 1.3	Relevant objects of the EP&A Act	
Section 4.15	<p>Relevant environmental planning instruments</p> <ul style="list-style-type: none"> <li data-bbox="393 669 1208 736">▪ <i>State Environmental Planning Policy (State Significant Precincts) 2005</i> <li data-bbox="393 765 1017 799">▪ <i>Sydney Olympic Park Master Plan (2018 Review)</i> <li data-bbox="393 828 1156 862">▪ <i>State Environmental Planning No. 55 – Remediation of Land</i> <li data-bbox="393 891 1192 959">▪ <i>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</i> 	Appendix B
	<p>Relevant draft environmental planning instruments</p> <p>No draft instruments are relevant to the proposal, as modified.</p> <p>It is noted that the Draft Sydney Metro Olympic Park Master Plan 20130 (Metro Review) is on public exhibition until 15 December 2021. Notwithstanding this, the amendments only relate to the central precinct and as such no changes are sought to the existing controls applicable to the site.</p>	N/A
	<p>Development Control Plans</p> <p>Pursuant to Clause 11 of <i>State Environmental Planning Policy (State and Regional Development) 2011</i>, development control plans do not apply to State significant development.</p>	N/A
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Section 5
	The suitability of the site for the development	Section 6.3.7
	The public interest	Section 6.3.9
Mandatory relevant considerations under EPIs		
<i>State Environmental Planning Policy (State</i>	Clause 23, 24, 25, 26, 29, 30, Part 23 of Appendix 11	Appendix B

Statutory Reference	Requirement	Report Section
<i>Significant Precincts) 2005</i>		
<i>State Environmental Planning No. 55 – Remediation of Land</i>	Clause 7(1) – Contamination and remediation to be considered in determining development application	Appendix B
<i>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</i>	Clause 28 – Determination of development applications	Appendix E

4.2.1. Building Height

As detailed in the amended architectural plans at **Appendix D**, the proposal seeks structural changes to levels 9-roof including the thickening of concrete slab heights by at each level which results in a 0.7m overall increase in the building height. This results in an overall building height of 58.3m. **Figure 16** provides a height control analysis of the amended proposal.

Figure 16 Height Control Analysis – Amended Proposal



Source: PTW

Clause 22, Appendix 11 of SEPP (State Significant Precincts) 2005, allows the consent authority to grant consent for development even though the development contravenes a development standard imposed by

the environmental planning instrument. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for the development.

In their assessment of the original application DPIE found that the request to vary the building height development standard adequately addresses the matters required to be considered by the SEPP. It is submitted that the proposed minor increase in height resulting from structural changes to the building is reasonable and supportable for the following reasons:

- The proposed development, as modified, continues to demonstrate consistency with the height and approved building forms within the Sydney Olympic Park Town Centre in that no additional building levels are proposed.
- The proposed, development, as modified, maintains the key architectural and urban design principles that were originally established as part of the Design Excellence Competition winning scheme and the approved scheme.
- The proposal, as modified, continues to demonstrate a high level of consistency with the objectives of the B4 Mixed use zone in that it will deliver a high-quality residential development in the Sydney Olympic Park Precinct.
- Overall, the additional overshadowing resulting from the modification is restricted to 2pm-3pm during mid-winter and is minor in nature and is unlikely to result in any discernible additional impact on the adjoining Badu Mangrove Wetlands. The Shadow diagrams prepared by PTW at **Appendix D** demonstrate that the majority of the shadowing caused by the proposed development will fall within the shadow location which is derived from the compliant SEPP envelope.
- The proposal, as modified, retains the corner element of site No.2 which has been accepted by the Competition Jury and Design Review Panel as an important element of the design; signifying the gateway character of the Olympic Park Town Centre to the south-west.

For the reasons set out above it is considered that strict compliance with the maximum height of building control contained within clause 22 of the SEPP is unreasonable and unnecessary in the circumstances of the case. Further, there are sufficient environmental planning grounds to justify the proposed variation and it is in the public interest to do so.

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 modifications 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 C**.

5.1. DETAILED ASSESSMENT IMPACTS

The proposed changes to the original development are minor and are expected to be of minimal environmental impact with no additional mitigation measures beyond the works detailed on the updated architectural drawings at **Appendix D**.

Accordingly, a detailed assessment of impacts is not required for this Modification Application in accordance with the DPIE guidelines.

5.2. STANDARD ASSESSMENT IMPACTS

This section of the report addresses the matters which require a standard assessment. It outlines the findings of the assessment and the key mitigation measures used to ensure compliance with the relevant standards or performance measures.

5.2.1. Design Excellence and Built Form

An addendum Architectural Design Report accompanies the modification at **Appendix E**. The report confirms that the proposal, as modified maintains the key architectural and urban design principles that were originally established as part of the Design Excellence Competition winning scheme and the approved scheme.

The structural changes proposed to site 2 levels 9-roof results in a minor increase in the overall building height of the proposal of 0.7m. This represents a minor increase in height that will result in a negligible impact in terms of bulk and scale.

The amendments proposed to the internal courtyard design are minor in nature and generally relate to selection of more appropriate cladding materials for weather protection and ease of maintenance, along with improvements to the overall structural stability of the building.

Overall, the proposed modification maintains the design integrity and design principles of the original approved scheme.

5.2.2. Overshadowing

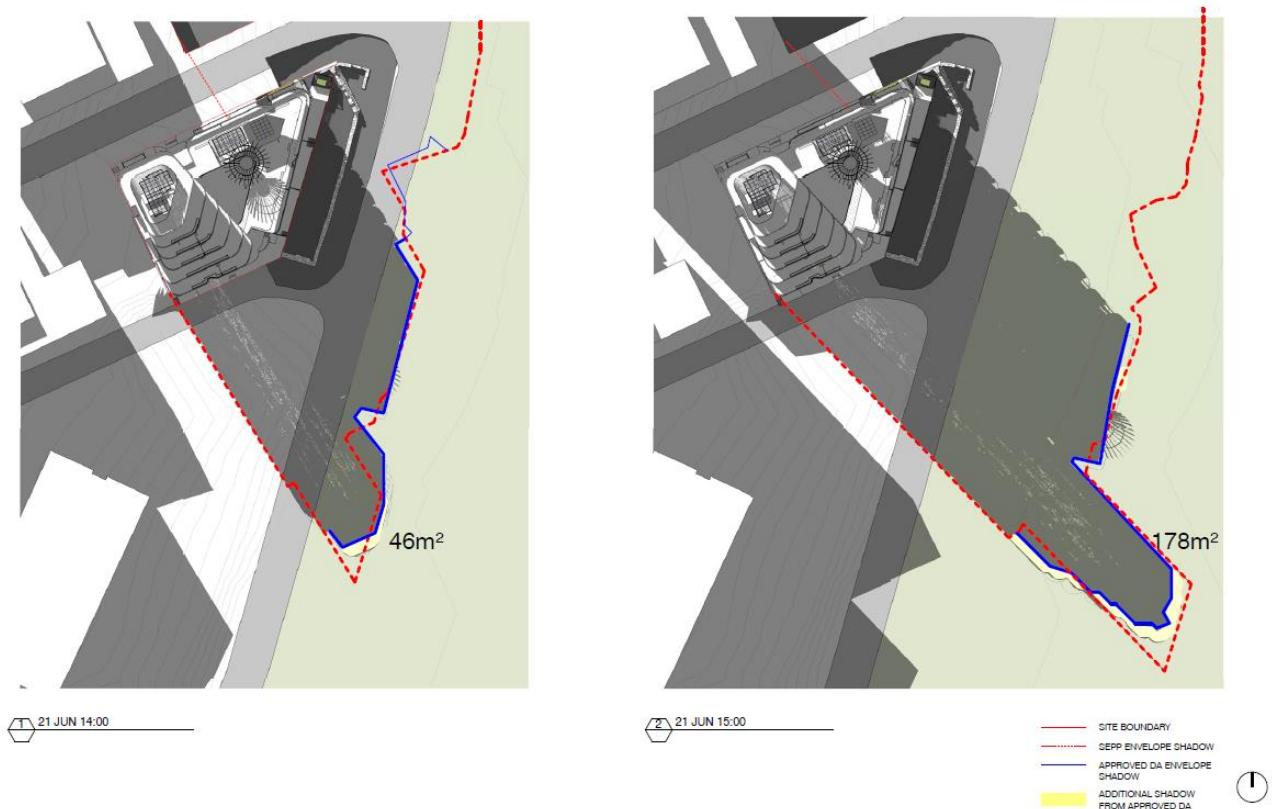
An updated shadow study accompanies the modification at **Appendix D**.

The study demonstrates the majority of the shadowing caused by the proposed development, as modified, will fall within the shadow location which is derived from the compliant SEPP envelope.

As detailed in **Figure 17** below, the minor increase in height proposed results in additional overshadowing during mid-winter (21 June) at 2pm and 3pm. Notwithstanding this, the majority of this 46m² increase (2pm) and 178m² increase (3pm) sits within the SEPP shadow envelope, with some minor exceedance outside the envelope.

Overall, the additional overshadowing resulting from the modification is minor in nature and is unlikely to result in any discernible additional impact on the adjoining Badu Mangrove Wetland.

Figure 17 Additional Overshadowing – 21 June - Afternoon



Source: PTW

5.2.3. Traffic and Parking

An addendum traffic and parking statement accompanies the modification at [Appendix I](#). The findings of the report can be summarised as follows:

- The proposal, as modified, will have the same traffic generation impacts to that already approved given that no change is proposed to the approved parking provision
- An assessment of the amended garbage room/loading area confirms the modified arrangement can continue to accommodate the access manoeuvre of an MRV with no undue difficulty
- Some residential parking spaces at levels B2 and B3 will incur restrictions in terms of vehicular access manoeuvres as a result of the modification. Notwithstanding this, turning assessment found that these car parking spaces, which are designated for residents only, can continue to operate with no undue inconvenience or access difficulty

Overall, the traffic and parking statement confirms that the proposed car parking layout amendments are satisfactory and meet the relevant design principles of AS2890.1:2004.

5.2.4. Building Code of Australia

A Building Code of Australia assessment accompanies the modification at [Appendix H](#). The report includes a detailed assessment of the Architectural design documentation against the Deemed-to Satisfy Provisions of the BCA. The report concludes that the proposal, as modified, is capable of compliance with applicable provisions of the BCA.

5.2.5. Waste Management

A minor amendment to the shape and orientation of the waste room is proposed to accommodate amendments to the layout of level B1. Whilst the spatial dimensions of the waste room have been slightly modified, the room can still readily accommodate the required provision of waste collection bins.

5.2.6. Sustainability

The applicant will continue to work towards achieving the 6 Star Green Star benchmark through this modified application, in line with Condition B26 of the consent.

6. EVALUATION OF MERITS

This section of the report provides a comprehensive evaluation of the modified proposal having regard to its economic, environmental and social impacts, including the principles of ecologically sustainable development.

It assesses the potential benefits and impacts of the proposed modifications, considering the interaction between the findings in the detailed assessments and the compliance of the proposal within the relevant controls and policies.

6.1. PROJECT DESIGN

The proposal, as modified maintains the key architectural and urban design principles that were originally established as part of the Design Excellence Competition winning scheme and the approved scheme. Overall, the proposed modification maintains the design integrity and design principles of the original approved scheme.

6.2. STRATEGIC CONTEXT

The proposal, as modified, continues to demonstrate a high level of consistency with relevant strategic planning policies as outlined in **Section 2** of this report. The proposal provides for the establishment of future residential development on the site as envisaged by the Sydney Olympic Park Masterplan (2018 Review).

6.3. STATUTORY CONTEXT

The proposed development has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the EP&A Act.

6.3.1. Environmental Planning Instruments

The relevant State and local environmental planning instruments are listed in **Section 4** and assessed in detail within **Appendix B**. The assessment concludes that the modified proposal generally complies with the relevant provisions within the relevant instruments, including the Sydney Olympic Park Master Plan 2030.

The proposal, as modified, results in an increase to the overall variation in the maximum building height control by 0.7m. For the reasons set out in **Section 4.2.1** of this report it is considered that strict compliance with the maximum height of building control contained within clause 22 of the State Significant Precincts SEPP is unreasonable and unnecessary in the circumstances of the case. Further, there are sufficient environmental planning grounds to justify the proposed variation and it is in the public interest to do so.

6.3.2. Draft Environmental Planning Instruments

No draft environmental planning instruments are relevant to the modified proposal.

6.3.3. Development Control Plan

As per clause 11 of the SRD SEPP, local DCPs do not apply to State significant development.

6.3.4. Planning Agreement

No planning agreements are relevant to the modified proposal.

6.3.5. Regulations

This application has been prepared in accordance with the relevant provisions of the EP&A Regulation.

6.3.6. Likely Impacts of the Proposal

The modified proposal has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment:** the proposed modifications address the principles of ecologically sustainable development (ESD) in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and as outlined below:
 - Precautionary principle: the precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. Overall, the additional overshadowing resulting from the modification is restricted to 2pm-3pm during mid-winter and is minor in nature and is unlikely to result in any discernible additional impact on the adjoining Badu Mangrove Wetlands.
 - Intergenerational equity: the needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. Overall, the additional overshadowing resulting from the modification is unlikely to result in any discernible additional impact on the adjoining Badu Mangrove Wetlands.
 - Conservation of biological diversity and ecological integrity: The proposed additional overshadowing is unlikely to impact on the biological diversity and ecological integrity of the adjoining Badu Mangrove Wetlands.
 - Improved valuation, pricing and incentive mechanisms: this requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and places a value on waste generation and environmental degradation. Due to the minor changes proposed it is not anticipated that the changes will result in any additional environmental impacts.
- **Built Environment:** the proposal, as modified maintains the key architectural and urban design principles that were originally established as part of the Design Excellence Competition winning scheme and the approved scheme. The proposed minor increase in the overall building height of the proposal of 0.7m will result in a negligible impact in terms of bulk and scale.
- Overall, the proposed modification maintains the design integrity and design principles of the original approved scheme.
- **Social:** the proposal, as modified, will continue to deliver many and varied public benefits to the local Sydney Olympic Park community, future residents of the site, and broader stakeholders. The proposal will achieve a mix of housing types, with varying layouts and sizes, which will accommodate a variety of households and meet a range of needs
- **Economic:** the proposal, as modified, will continue to result in positive economic impacts through the provision of direct and indirect employment, during both construction and operation

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail within **Section 5** of this report. No further mitigation measures are required further to those outlined and approved by way of the original application.

6.3.7. Suitability of the Site

The site is ideally located in respect to existing and planned future public transport infrastructure, employment opportunities, education, retail, open space and recreation, and community facilities and services.

6.3.8. Submissions

This Section 4.55(1A) application may be notified. Any submissions received in response to the public exhibition will be reviewed as part of the assessment process.

6.3.9. Public Interest

The development as proposed to be modified is considered in the public interest for the following reasons:

- The proposal, as modified, is consistent with objectives of the EP&A Act in that it continues to encourage the economic and orderly development of the land.
- The proposal, as modified is permissible with consent in the zone.

- No adverse environmental, social or economic impacts will result from the proposal.
- The proposal, as modified will provide many and varied public benefits to the local Sydney Olympic Park community and future residents of the site.

6.4. SUMMARY AND CONCLUSION

This Modification Report has assessed the environmental, social and economic impacts of the proposed modifications in accordance with the relevant requirements of the EP&A Act 1979.

Having regard for the environmental, economic and social considerations, including the principles of ecologically sustainable development, the proposed development is justified for the following reasons:

- It has been demonstrated the proposal generally complies with the relevant statutory requirements and remains consistent with the strategic planning policy objectives.
- It is considered that strict compliance with the maximum height of building control contained within clause 22 of the State Significant Precincts SEPP is unreasonable and unnecessary in the circumstances of the case. Further, there are sufficient environmental planning grounds to justify the proposed variation and it is in the public interest to do so.
- The additional overshadowing resulting from the modification is restricted to 2pm-3pm during mid-winter and is minor in nature and is unlikely to result in any discernible additional impact on the adjoining Badu Mangrove Wetlands.
- The proposed car parking layout amendments are satisfactory and meet the relevant design principles of AS2890.1:2004
- On balance, the impacts and benefits of the proposal are deemed to be in the public interest.

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

DISCLAIMER

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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

UPDATED PROJECT DESCRIPTION

The project includes the construction of two residential apartment buildings containing a total of 292 apartments, at 1 & 2 Murray Road Avenue, Sydney Olympic Park.

APPENDIX B STATUTORY COMPLIANCE TABLE

APPENDIX C

UPDATED MITIGATION MEASURES

No changes are proposed/required to the existing mitigation measures.

APPENDIX D AMENDED ARCHITECTURAL PLANS

APPENDIX E

ADDENDUM ARCHITECTURAL DESIGN REPORT

APPENDIX F

AMENDED LANDSCAPE PLANS

APPENDIX G

AMENDED BASIX CERTIFICATE

APPENDIX H

BCA REPORT

APPENDIX I

ADDENDUM TRAFFIC IMPACT STATEMENT

APPENDIX J

AMENDED CAPITAL INVESTMENT VALUE

