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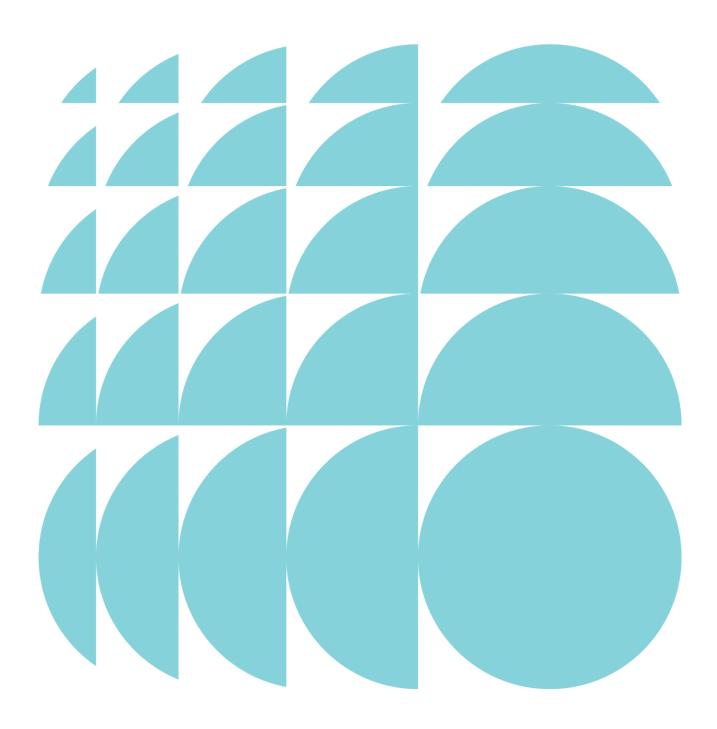
Section 4.55(1A) Modification Report

2-6 Hassall Street, Parramatta SSD-9670 MOD 4 - WSU Innovation Hub

Submitted to Department of Planning, Industry and Environment

On behalf of Western Sydney University

15 October 2020 | 218990



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15 October 2020

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1.0 Introduction

On behalf of Western Sydney University, we hereby submit an application pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify SSD-9670, which relates to the Western Sydney University Innovation Hub at 2-6 Hassall Street, Parramatta.

This modification application (known as MOD 4) proposes the following:

- Condition A2 to be amended to reflect the detailed design development of the building. The changes to architectural plans include the following:
 - Amendments to the layout of the retail, amenities and end of trip uses components at the Ground Floor;
 - Addition of a trafficable retail rooftop at Level 1, including paving, landscaping and new lift and stair access;
 - Minor consequential amendments to the public domain and landscape design at Ground Floor;
 - Refinements to the design of the main building entries/doorways;
 - Removal of 1 car parking space within the Basement to accommodate required mechanical plant and other minor basement back-of-house adjustments; and
 - Minor design development adjustments to the amphitheatre stairs at the Basement and Ground Floor levels.

This modification application is submitted to the Department of Planning, Industry and Environment (DPIE), and identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in Sections 4.55(1A) and 4.15(1) of the EP&A Act.

It should be read in conjunction with the original Environmental Impact Statement (EIS) prepared by Ethos Urban dated 8 May 2019, Response to Submissions dated 22 August 2019 and subsequent Section 4.55(1A) modifications known as MOD 1-MOD3.

This modification application (MOD 4) is accompanied by:

- Amended Architectural Drawings prepared by Tzannes + Blight Rayner (Appendix A);
- MOD4 Design Report prepared by Tzannes + Blight Rayner (Appendix B);
- Amended Landscape Plans prepared by Aspect Studios (Appendix C);
- Design Integrity Panel Endorsement by the NSW Government Architect's Design Integrity Panel (Appendix D);
- Accessibility Statement prepared by Morris Goding (Appendix E);
- BCA Compliance Statement prepared by Steve Watson Partners (Appendix F); and
- Building Services Design Statement prepared by Floth (Appendix G).

2.0 Background

Development consent SSD 18_9670 was granted by the DPIE under delegation on 21 November 2019 for the development of the Western Sydney University Innovation Hub. This approval granted consent for the following:

- Construction of a 19 storey mixed use development, including:
 - Tertiary education, commercial and retail uses.
 - A single level basement containing car and bicycle parking, vehicular servicing areas and waste storage areas.
 - Amphitheatre/exhibition space.
 - Landscaping and public domain works.
 - Plant and equipment.
 - Installation of utilities and infrastructure works.

Three modification applications have been approved in relation to this development. Modification 1 (MOD 1) was approved on 04 March 2020, including modifications to correct the approved numbers of bicycle parking, wind tunnel testing mitigation measures and an extension of approved construction hours.

On 06 May 2020 Modification 2 (MOD 2) was approved for minor design refinements including the introduction of glass to the roof parapet, reduction in the parapet height and reduction of pre-cast building core panel height.

On 28 August 2020 Modification 3 (MOD 3) was approved for the replacement of approved architectural drawings under condition A2 to include signage zones that were unintentionally omitted from the plans submitted with the Response to Submissions (RtS) for the original SSD application, and an adjustment to Condition B23 to facilitate an alternative stormwater infrastructure design.

The subject modification application is therefore the fourth modification to the approved consent.

3.0 Proposed Modifications to Consent

3.1 Proposed Modifications to Development

This modification application (known as MOD 4) proposes the following modifications to the approved conditions of consent:

- Condition A2 to be amended to reflect the detailed design development of the building. The changes to architectural plans include the following:
 - Amendments to the layout of the retail, amenities and end of trip uses components at the Ground Floor;
 - Addition of a trafficable retail rooftop at Level 1, including paving, landscaping and new lift and stair access;
 - Minor consequential amendments to the public domain and landscape design at Ground Floor;
 - Refinements to the design of the main building entries/doorways;
 - Removal of 1 car parking space within the Basement to accommodate required mechanical plant and other minor basement back-of-house adjustments; and
 - Minor design development adjustments to the amphitheatre stairs at the Basement and Ground Floor levels.

Notably, all these proposed changes to the approved development have been endorsed by the project's Design Integrity Panel which is chaired by the NSW Government Architect's Office (see **Appendix D**), refer to **Section 5.4** for further discussion.

A detailed floor by floor account of the proposed modifications at each level is provided in **Table 1**, with further description provided throughout this section. The proposed changes are clouded on Architectural Plans at **Appendix A** and explained in the Design Report provided at **Appendix B**.

Table 1 Level by level description of the proposed modification

Level	Description of Proposed Modifications
Basement Level	Removal of 1 car parking space to accommodate required mechanical plant space associated with the building's fit-out.
	Amendments to the shuttle lift connecting the Basement to Ground Floor in terms of providing enhanced access and manoeuvring space
	Amendments to the layout and augmentation of the amenities serving the Basement uses.
Ground Floor	Amendment to the layout of the retail tenancies, associated amenities and end of trip facilities building.
	 Addition of access from the public domain to a new trafficable Level 1 retail rooftop via lift and stairs.
	 Corresponding amendments to the public domain design including alterations to the rear landscape planters to accommodate the proposed stairs.
	 Amendments to the proposed main entry doors, including the provision of one revolving door to Hassall Street commercial lobby and refinement to the door poral to the WSU lobby.
	 Minor layout amendments to the internal amphitheatre stairs leading to the basement to ensure coordination to the proposed WSU fit-out.
Level 1	Revisions to the retail building rooftop to make it accessible from the public domain at the Ground Floor.
	Expansion to the landscaped planter areas within the rooftop area.
	New lift and stair access connecting to the Ground Floor.
	 Provision of future capability to connect with the Lancer Barracks by way of a conceptual ramp to the north (concept only, not sought for approval)

3.1.1 Retail Building Refinement

As a result of ongoing design development by the proponent and the project team, the Ground Floor retail building is proposed to be significantly enhanced and optimised. The result of the process is revisions to the layout and extent of the Ground Floor retail component set within the public domain space, with the primary driver behind the changes to facilitate access by the general public to a new rooftop space overlooking the building entry, amphitheatre, streetscape and the Lancer Barracks.

The proposal necessitates slight amendments to the retail tenancy layouts, amenities and back-of-house spaces such as end-of-trip facilities, which will enable the introduction of a new lift servicing Level 1 and to incorporate stair access at the northern end of the public domain. Corresponding changes include revisions to the landscaping design and the previously approved decked seating area adjacent to the northern boundary.

The intent behind the proposed changes are to facilitate an increase in useable and high-amenity civic style spaces within the development, which are easily accessible from the public domain areas. The amendments to the design have been brought about through further analysis of the expected usage of the public domain and to provide greater space for the building's future occupants.

Further detail relating to these proposed changes is provided in the Architectural Plans by Tzannes Blight Rayner which accompany this modification application at **Appendix A** and the Design Report at **Appendix B**. Revised Landscape Plans by Aspect in accordance with these proposed amendments are included at **Appendix C**.

3D visualisations of the proposed Level 1 retail rooftop design viewed in both a northerly and southerly direction are illustrated at **Figures 1** and **2.** A comparison of the approved design and the proposed design is provided at **Figures 3** and **4**.

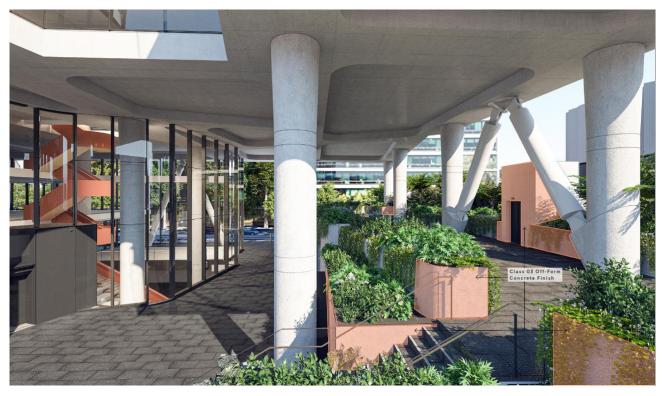


Figure 1 Visualisation of the accessible roof and landscaping facing south



Figure 2 Visualisation of the accessible roof and landscaping facing north

Source: Tzannes + Blight Rayner

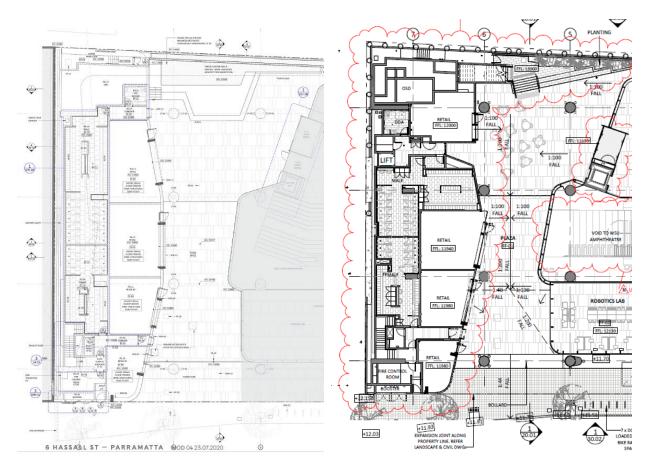


Figure 3 Approved ground floor plan (left), Proposed ground floor plan (right)

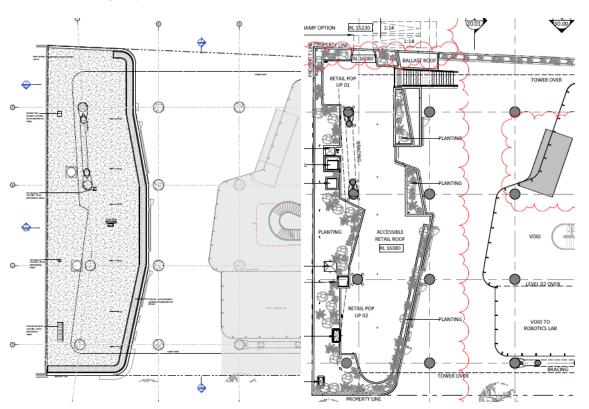


Figure 4 Approved Level 1 Plan (left), Proposed Level 1 Plan (right)

Source: Tzannes + Blight Rayner

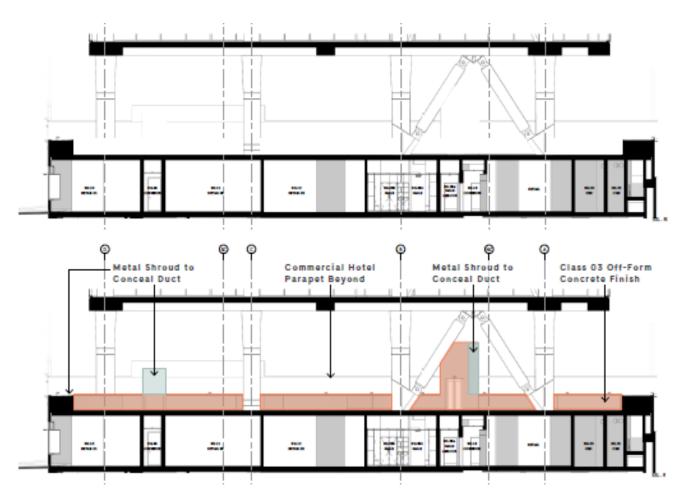


Figure 5 Approved Section Looking West (top), Proposed Section Looking West (bottom)

3.1.2 Lobby Entry Doorway Amendments

It is proposed to alter the portal entry door along Hassall Street to be a revolving type door. This will provide an enhanced lobby arrival experience for the commercial levels and is response to detailed design requirements of potential tenants. In addition, it is proposed to rationalise the WSU lobby entrance by reducing the width (by removing a separate swing door which is no longer required) and by increasing the height of the portal.

Refer to the Architectural Drawings at **Appendix A** for further details and for further information including comparison images, refer to the Design Report at **Appendix B**.

3.1.3 Amendments to Basement

As a result of the detailed design process which has been coordinated with the WSU tenancy fitout, a number of minor amendments are required within the Basement Level. It is proposed to remove one (1) approved car space in order to accommodate for additional mechanical plant equipment requirements.

In addition, it is also proposed to make minor amendments to the layout and specifications to the amenities in order to augment facilities and make them more convenient for the needs of basement occupants, without having to travel to use other amenities at the Ground Floor. In addition, further minor amendments have been made to the basement to facilitate more convenient access and to enhance manoeuvring around the Ground Floor shuttle lift.

For further details, refer to the Architectural Drawings provided at **Appendix A**.

3.2 Proposed Modifications to Conditions

The proposed modifications described above necessitate an amendment to Condition D1 which is outlined below. Words proposed to be deleted are shown in **bold strike through** and words to be inserted are shown in **bold italics**.

A2 - Terms of Consent

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) generally in accordance with the EIS and Response to Submissions; and the Western Sydney University Innovation Hub Statement of Environmental Effects Section 4.55(1A) Modification and accompanying documents, prepared by Ethos Urban, dated December 2019, and in accordance with the Section 4.55(1A) Modification and accompanying documents, prepared by Ethos Urban, dated October 2020;
- (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by Tzannes Blight Rayner					
Dwg No.	Rev	Name of Plan	Date		
10.00	M N	Basement	27.11.2019 27.08.2020		
10.01	L M	Ground Level	09.08.2019 27.08.2020		
10.02	L M	Level 01	09.08.2019 27.08.2020		
18.00	L M	GFA Diagrams – Midrise	09.08.2019 27.08.2020		
18.03	Α	GFA Drawings – Retail	27.08.2020		
20.00	M N	Section A	24.03.2020 27.08.2020		
20.01	M N	Section B	24.03.2020 27.08.2020		
20.10	M N	Podium Section A	09.08.2019 27.08.2020		
20.11	L M	Podium Section B	09.08.2019 27.08.2020		
20.20	A	Potential Future Through Site Link	27.08.2020		
30.00	M N	North Elevation	24.03.2020 27.08.2020		
30.02	N O	South Elevation	24.06.2020 27.08.2020		
Landscape Drawings and Public Domain Plan prepared by Aspect Studios					
Dwg No.	Rev	Name of Plan	Date		
6HS-ASPL01.01	D 1	Cover Sheet	30.07.2019 13/08/2020		
6HS-ASPL01.02	D 1	Legend	30.07.2019 13/08/2020		
6HS-ASPL01.03	D 1	Reference Plans	30.07.2019 13/08/2020		
6HS-ASPL01.04	D	Plans – Hassall Street Public Domain	30.07.2019		
6HS-ASPL01.05	D 1	Plans Planting Plan - Ground Level and Level 1	30.07.2019 13/08/2020		
6HS-ASPL01.06	D 1	Setout and Planting Plan - Level 10 & 12	30.07.2019 13/08/2020		
6HS-ASPL01.07	D 1	Details - Hassall Street Public Domain Paving & Hardworks	30.07.2019 13/08/2020		
6HS-ASPL01.08	Đ	Details - Ground Level	30.07.2019		
6HS-ASPL01.09	A 1	Details - Ground Level Tree Pit	30.07.2019 13/08/2020		
LS-ASP-L01.10	1	Details – Furniture & Fixtures	13/08/2020		
LS-ASP-L01.11	1	Details - Softworks	13/08/2020		

4.0 Substantially the Same Development

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

The development, as proposed to be modified, is substantially the same development as that originally approved in that it the proposed modifications relate only to minor matters, including minor design changes to the retail component at the Ground Floor, addition of enhanced landscaping and accessibility to Level 1 and other minor items including revisions to doorways and other internal changes within the Basement.

The proposal does not substantially alter any major design elements of the building and the vast majority of the development will continue unchanged. Moreover, these minor proposed alterations to the building design have been endorsed by the NSW Government Architect's Design Integrity Panel. Additionally, the proposed modifications will not alter the function and operation of the development, with the approved uses to remain identical to the current approval.

Accordingly, the proposal is considered substantially the same development and is capable of being categorised under Section 4.55(1A) of the EP&A Act.

5.0 Assessment of Environmental Impacts

Section 4.55(3) of the EP&A Act requires a consent authority to take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application and the reasons given by the consent authority for the grant of the original consent.

The original application considered a range of potential environmental impacts. The following are unchanged as a result of the proposed modifications:

- · Design excellence;
- · Built form and urban design;
- · Overshadowing;
- Visual impact;
- · Privacy;
- Transport and accessibility;
- Heritage and archaeology;
- Noise and vibration;
- Infrastructure and utilities;
- Biodiversity;
- · Contamination and hazardous material;
- Water cycle management;
- Waste management;
- Construction impact;
- · Geotechnical impact and structural adequacy;
- · Crime and public safety;
- BCA and accessibility;
- Lighting; and
- · Social and economic impact.

The proposed modifications are minor and do not substantially alter the approved development's compliance with the abovementioned statutory plans and instruments or introduce notable additional environmental impacts beyond those mentioned above. As such, the following assessment considers only the matters relevant to the proposed modification under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

5.1 Reasons given for granting consent

The following reasons were originally given for the granting of consent to the subject SSD application:

- The development provides an appropriate and contextual response in height, bulk and scale to the existing and
 future development on the adjoining properties and will not adversely affect the heritage significance of the
 adjacent heritage items.
- The development will deliver an architecturally distinct building that has been subject to a competitive design
 process and will achieve design excellence and recommended conditions will ensure the design integrity is
 maintained during the detailed design phase.
- The urban design and landscaping arrangements will make a strong contribution to the public domain by providing activation along the street and an accessible public plaza within the site incorporating flexibility for a future pedestrian connection to the Lancer Barracks.

- The proposal will improve the pedestrian environment in and around the site for students and the general public.
- To ensure that the building is ecologically sustainable, conditions are recommended to require the proposed building achieve a 5 Star Green Star rating.
- Recommended conditions will mitigate and manage potential impacts in relation to construction impacts and operational noise.
- The proposal will have acceptable amenity impacts to the surrounding land uses in terms of overshadowing and privacy.

The development, as proposed to be modified, remains consistent with the reasons for granting consent. The modifications do not substantially alter the built form, nor does it change the land use or intensive of activities within the site. Consistency with the SSDA conditions of consent and the relevant Environmental Planning Instruments is maintained.

5.2 Retail Roof Activation

The proposed modification primarily involves the amendment of the approved retail building design at Ground Floor and Level 1, alongside other minor design development revisions to the remainder of the development. The proposed revisions were primarily driven by the desire by the joint developers to provide a more functional and enhanced 'civic' space offering – which will allow greater space for visitors/occupants of the development to enjoy space for sitting, passive recreation or as space for tables and chairs associated with the retail / food and beverage premises located below.

The proposed amendments additionally seek to facilitate a number of improvements, as described below:

- Greater retail presence and improvements The angle and presentation of the retail facade is more readily
 apparent to pedestrians along Hassall Street.
- Retail usability and alignment for future operators Retail tenancies are of a more commercially desirable size and dimension, improving viability for tenancy operators in the future.
- Enhances public through site link The proposed design creates more usable and active space outside of the WSU lobby space and removes an inactive and awkward corner adjacent a column.
- Engineering on show Greater appreciation and connection with the Level 3 expressed soffit.
- Overlooking and activation Enhanced visual connection with Levels 1-3 of the WSU floorspace, including oblique views into the lower amphitheatre spaces.

These revisions further facilitate future DDA pedestrian access to Lancer Barracks, with the provision of an additional shuttle lift connecting Ground Floor to Level 1, providing future direct ramp access to Lancer Barracks if desirable to all stakeholders.

Accordingly, the proposed amendments to the design provide an enhanced offering to users of the development and strive to create a 'civic' focal point within close proximity to the busy Parramatta Transport Interchange. The proposed amendments also bring to life the concept to activate the Level 1 rooftop, which was originally presented by architects Tzannes Blight Rayner during the SSDA architectural design competition process.

5.2.1 Safety and Crime Prevention

The proposed design additionally takes the principles of Crime Prevention Through Environmental Design (CPTED) into consideration, maximising passive surveillance on the stairs leading to the retail rooftop. The retail rooftop already benefits from significant passive surveillance opportunities, presenting surveillance opportunities from all directions, including the Level 1 of the main building and surrounding streets. The proposed landscape design has been designed to limit the height of vegetation, ensuring surveillance opportunities are maintained.

Given the proposed lighting arrangement within the Level 1 rooftop space is unable to comply with the requirements of AS/NZS 1158.3.1 (refer **Appendix G**) it is proposed to implement suitable management regimes to ensure compliant temporary lighting is in place for booked usage of the space after hours, or physical access control barriers will be provided to preclude access to the roof area after 5pm to ensure requirements of CPTED are met. Refer **Section 5.7** for further assessment of the lighting design and management regime.

5.2.2 Gross Floor Area

The proposed amendments result in minor modifications to the GFA relating the retail and public domain part of the development, as described in **Table 2** below. The proposed minor reduction in GFA within the retail component is predominantly as a result of detail coordination with services and provision of vertical access to the new rooftop space.

Table 2 Retail Component GFA Comparison

Туре	Approved GFA	Proposed GFA
Retail	192 m²	171.7 m ²
End of Trip	139 m²	140.4 m ²
WC	7 m ²	8.9 m ²
Circulation	20 m ²	31.8 m ²
Total	358 m²	352.8 m ²

Source: Tzannes + Bright Rayner

5.3 Landscape Design

A revised landscape design has been prepared by Aspect Studios in accordance with the proposed amendments to the retail building (see **Appendix C**). The amended plans have been coordinated between softscape elements (Aspect) such as planting, fixed furniture and hardscape elements such as paving and fixed planters (Tzannes Blight Rayner, **Appendix A**).

The proposed landscape design provides a high quality of landscape presence, incorporated within the design of the retail tenancies, stairs and on the retail rooftop. It is intended that the planting will be capable of overflowing to soften the parapet of the retail tenancy and has also been selected with appropriate species to provide an attractive visual backdrop and buffer to the adjoining heritage-listed Commercial Hotel to the west of the site and as a screening for plant exhaust equipment / discharges. Refer to **Figures 1** and **2** for a visual representation to explain the general intent behind the proposed planting design and 3D model extracts within the Design Report at **Appendix C**.

5.4 Design Integrity Panel Endorsement

In accordance with Condition A32 of the development consent for the development, it is required that: "Any changes to the design must be referred to the Design Integrity Panel for endorsement."

Accordingly, the proposed modification has been endorsed by the project's Design Integrity Panel, chaired by a representative of the Government Architect of NSW, with this endorsement accompanying the application at **Appendix D**.

5.5 Accessibility

The proposed design incorporates a new lift and stair access from the Ground Floor to the new Level 1 accessible retail rooftop. An Accessibility Statement has been prepared by Morris Goding and is included at **Appendix E** in relation to the proposed design. Morris Goding confirm that the proposed design of the revised Ground Floor public domain and addition of the Level 1 retail rooftop will allow for compliance in accordance with the following:

- Disability Access to Premises Standards 2010 (including DDA Access Code);
- · Building Code of Australia 2016 Part D3; and
- AS 1428.1: 2009 General Requirements of Access.

The proposed designs takes into consideration the 850mm height difference between the retail roof and Lancer Barracks. This level change has the potential to be altered in future through the installation of a ramp to ensure a complaint continuous accessible path of travel between the two sites when required in the future. Refer to the Architectural Plans at **Appendix A** and Design Report at **Appendix B** for further explanation. An extract of a section explaining the possible future integration of ramp access through to the Lancer Barracks is provided at **Figure 6**.

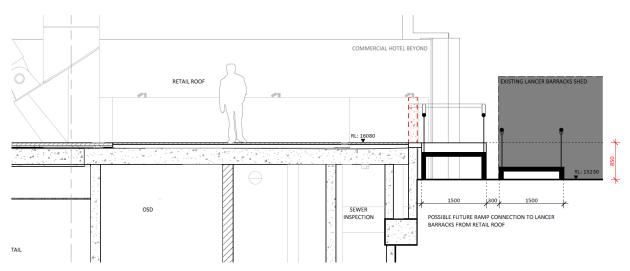


Figure 6 Proposed Section showing potential future connection to Lancer Barracks

5.6 Building Code of Australia

The amended design has been considered for compliance with the Building Code of Australia within BCA Statement prepared by Steve Watson Partners and is provided at **Appendix F**. This statement confirms that compliance with the relevant Deemed-to-Satisfy (DtS) provisions of Building Code of Australia (BCA) 2019 Amendment 1 is capable of being achieved.

5.7 Building Services

The proposal requires an amendment to the design of building services to support the addition of the trafficable retail rooftop space. A Building Services Design Statement in support of the proposal has been prepared by Floth and is provided at **Appendix G**.

The Design Statement confirm that the building services to the proposed trafficable roof area will be designed to comply with the National Construction Code and other relevant Australian Standards, including the use of performance solutions where appropriate. The following specific design compliance strategies are utilised:

Mechanical exhaust ventilation

The mechanical exhaust ventilation discharges above the trafficable roof will comply with the requirements of AS 1668.2 with regard to discharge volumes, height, orientation, and separation from supply air intakes and the adjoining boundary. While the carpark exhaust discharge is within the prescriptive limits set out in AS 1668.2, this discharge has been as assessed to comply with the performance requirements of AS 1668.2.

Lighting design

The lighting design to the trafficable roof will provide sufficient light during day times which is intended to be the vast majority usage, however it has been designed not comply with the requirements of AS/NZS 1158.3.1 at night time.

It is intended that the rooftop space will be bookable for use by future tenants of the building for special purposes and events, through the building management. If booked the building management will ensure appropriate portable lighting to the space is provided in accordance with an ongoing management plan. Should the space not be occupied with temporary lighting in place, physical access control barriers will be provided to preclude access to the roof area after 5pm to ensure compliance with the requirements of AS/NZS 1158.3.1 and CPTED (Section 5.2.1).

5.8 Parking

Although the proposed amendments seek to remove 1 car space from the basement, the development will continue to provide 15 car spaces for use during operation of the development and designed in accordance with the latest version of AS 2890.1 and AS 2890.6. Therefore, the development will continue to satisfy Condition B29 of the development consent and no further assessment is required.

5.9 Minimal Environmental Impact

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

We consider that the proposed modifications are of minimal environmental impact, for the following reasons:

- The proposal relates to minor design changes and refinements and will not culminate in any significant amendments to the overall form, operation, function and use of the approved development;
- The proposed revision to the building design has been endorsed by the project's Design Integrity Panel, chaired by a representative of the Government Architect of NSW; and
- The environmental impacts of the modified development are substantially the same as the approved development and are capable of being managed through suitable conditions of consent.

6.0 Conclusion

The proposed modifications to SSD 9670 sought under this application relate only to minor matters, including minor design changes to the podium elevations, retail tenancies and internal layout amendments within the basement and ground level. The proposed amendments result in improved public domain, activation and disability access outcomes for the development.

No changes are proposed to the approved operation and uses contained within the development. It has also been demonstrated in this statement that the proposed minor physical modifications will not result in any unacceptable impacts.

In accordance with Section 4.55(1A) of the EP&A Act, the DPIE may modify the consent given that:

- · The proposed modifications are of minimal environmental impact; and
- The development to which the consent as proposed to be modified relates is substantially the same development for which the consent was originally granted.

In light of the merits of the proposed development and in the absence of any significant environmental impacts, it is without hesitation that we respectfully recommend this application for development consent.

We trust that this information is sufficient to enable assessment of the proposed modification application. Should you have any queries regarding this matter, please do not hesitate to contact the undersigned.

Yours sincerely,

Prugya Maini Urbanist

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