



1 Burroway Road, Wentworth Point

Section 96 Planning Statement  
(SSD 14\_6387)

# Section 96 Planning Statement

## 1 Burroway Road, Wenworth Point

Amendments to apartment configuration and building resolution for mixed use development comprising 3 buildings containing residential apartments above podium level commercial uses (SSD 14\_6387)

**May 2015**

Prepared under instructions from  
[Payce Communities Wentworth Point Pty Limited & SH FWT Development Pty Limited](#)

by

[Aaron Sutherland](#)  
B Town Planning UNSW

[aaron@sutherlandplanning.com.au](mailto:aaron@sutherlandplanning.com.au)

Tel: (02) 9894 2474

PO BOX 6332 BAULKHAM HILLS BC NSW 2153

1.0 INTRODUCTION ..... 4

2.0 SITE DESCRIPTION AND LOCATION..... 6

    2.1. Locality Description

    2.2. Site Description

    2.3. Surrounding Development

3.0 BACKGROUND ..... 12

    3.1. SSD 2014\_6387

4.0 PROPOSED MODIFICATIONS..... 13

    4.1. Description of Amendments

        4.1.1. Apartments

        4.1.2. Commercial

        4.1.3. Facade

    4.2. Gross Floor Area and Height

    4.3. Apartment Mix

    4.4. Amenity

    4.5. Introduction of studies

5.0 STATUTORY PLANNING FRAMEWORK ..... 15

    5.1. Section 96(1A)

    5.2. Environmental Planning Instruments

    5.3. State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

    5.4. State Environmental Planning Policy (Major Development) 2005

        5.4.1. Building Height

        5.4.2. Floor Space Ratio

        5.4.3. Remaining Provisions

    5.5. Sydney Olympic Park Masterplan 2030 and the Sydney Olympic Park Wentworth Point Precinct Masterplan 2030

        5.5.1. Access and Parking

6.0 ENVIRONMENTAL ASSESSMENT ..... 20

7.0 CONCLUSION ..... 21

APPENDIX A  
 Stanisic Architects  
 ARCHITECTURAL PACKAGE

## 1.0 INTRODUCTION

This Planning Statement has been prepared as supporting documentation for an application made pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979* on behalf of Payce Communities Wentworth Point Pty Limited & SH FWT Development Pty Limited to modify the State Significant Development Application 14\_6387 for the construction of three 8-storey residential buildings above ground floor retail/commercial podiums and a three level basement structure and associated public domain works at 1 Burroway Road, Wentworth Point.

The application seeks consent for a range of minor amendments to the buildings as a result of design refinement including a conversion of eight 2 bedroom apartments to 3 bedroom apartment buildings. The amendments are described in greater detail in this report and result in a reduction in gross floor area by 175 square metres.

The proposed amendments to the configuration of the building are detailed on architectural plans prepared by Stanisis Architects which accompany this application.

Consultation with the Sydney Olympic Park Authority has been undertaken in relation to the proposed amendments and land owners consent has been provided by Sydney Olympic Park Authority for the lodgement of the subject Section 96(1A) application.

This Statement has been prepared pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979*. The Statement provides an assessment of the development proposal having regard to the relevant legislative context, social economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The Statement details the proposed amendments against applicable environmental planning instruments and development control plans including:

- NSW 2021
- Draft Metropolitan Strategy for Sydney 2031
- Draft West Central Subregional Strategy
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Olympic Park Masterplan 2030
- Sydney Olympic Park Wentworth Point Precinct Masterplan 2030
- Sydney Olympic Park Access Guidelines 2011
- Sydney Olympic Park Major Event Impact Assessment Guidelines
- Sydney Olympic Park Urban Elements Design Manual
- Sydney Olympic Park Environmental Guidelines
- Sydney Olympic Park Stormwater and Water Sensitive Urban Design Policy

## 1.0 INTRODUCTION

Having regard to the applicable legislative framework, the proposed amendments to the approved development are such that the development retains the same fundamental characteristics and is therefore substantially the same development. The amended development remains consistent with the aims and objectives of the relevant environmental planning instruments and policies whilst remaining compatible with the emerging character of the locality.

## 2.0 SITE DESCRIPTION AND LOCATION

### 2.1. Locality Description

The site is known as 'Dock' 1 Burroway Road, Wentworth Point and is located at the northern end of a new residential and mixed use suburb known as Wentworth Point.

The site is located immediately adjacent to the Sydney Olympic Park Ferry Wharf, approximately 2.8 kilometres from Sydney Olympic Park train station to the south, and approximately 3.7 kilometres from the M4 motorway also to the south. A shared pedestrian path and cycleway along the Parramatta River adjacent to the west of the site provides access to the Millennium Parklands and also the Armory Wharf Cafe.

The Wentworth Point precinct is located on reclaimed land which has historically been occupied by industrial activities, which are being replaced with new residential development. The initial redevelopment of the majority of the precinct was guided by the 2004 Homebush Bay Development Control Plan, however, as time progressed the Homebush Bay West Development Control Plan was prepared by the Urban Design Advisory Service for the majority of the precinct to guide the future development of the peninsula.

Wentworth Point is bounded by the Parramatta River along its eastern and northern boundaries, Sydney Olympic Park to the south and Millennium Parklands to the west across Hill Road. The Millennium Parklands contain the 'Millennium Marker' which is located to the south-east of the subject site.

The context of the site has been undergoing urban renewal with the redevelopment of large brownfield sites in the area and predominantly to the south-west including The Waterfront at Wentworth Point, Sydney Olympic Park and Newington.

The location of the site is illustrated in Figure 1 below.



Figure 1:

Site location (Source: Google Maps 2013)

## 2.0 SITE DESCRIPTION AND LOCATION

### 2.2. Site Description

The site comprises a portion of Lot 1 in DP 859608 and is known as 1 Burroway Road, Wentworth Point. The site is located on the northern side of Burroway Road at the junction of Hill Road. An aerial image of the sites is shown in Figure 2.

The site is currently in the ownership of the Sydney Olympic Park Authority and contains the Sydney Olympic Park Ferry Wharf, an internal loop road which provides access to the ferry terminal, a small car park, as well as a large grassed area adjacent to Burroway Road which occupies the majority of the site and is bordered by a line of trees along each side.

The current site will be subdivided by the Sydney Olympic Park Authority to create the development site, which is approximately the location of the existing large grassed area. The notional site is rectangular in shape and has an area of 10,430 square metres. The south-western boundary of the site adjacent to Burroway Road is approximately 100 metres in length and the site is currently relatively level.



Figure 2:

Site (Source: Six Maps, Department of Lands 2014)



Photograph 1:

The existing entry to the site from the end of Hill Road

## 2.0 SITE DESCRIPTION AND LOCATION



Photograph 2:

The grass area which is the development site as viewed from the existing internal road facing east

Photograph 3:

The grass area which is the development site as viewed from Burroway Road facing south-east



Photograph 4:

The grass area which is the development site, from within the site and facing west

## 2.0 SITE DESCRIPTION AND LOCATION



Photograph 5:

The existing ferry wharf and circulation road on the site

### 2.3. Surrounding Development

The context of the site is rapidly changing from its industrial origins into a vibrant mixed use community with a considerable proportion of the buildings along Hill Road now comprising residential development.

Immediately adjacent to the north-east is the Parramatta River, whilst the sites to the north-east and the south-west currently contain industrial buildings which will be shortly redeveloped for predominantly residential accommodation and a school to the south-east. Opposite the site to the south-west across Burroway Road is another industrial building.

Photograph 6:

The Parramatta River adjacent to the north-east



## 2.0 SITE DESCRIPTION AND LOCATION



Photograph 7:

The existing industrial site to the north-west

Photograph 8:

The industrial building opposite to the south-west across Burroway Road



Photograph 9:

Hill Road facing south as viewed from the subject site

## 2.0 SITE DESCRIPTION AND LOCATION



Photograph 10:

The existing industrial site to the south-east

Photograph 11:

Recently completed development along Hill Road to the south of the site



## 3.0 BACKGROUND

### 3.1. SSD 2014\_6387

On 1 December 2014, the Department of Planning & Environment granted development consent to State Significant Development Application 2014\_6387 for the construction of three 8 storey residential buildings above ground floor retail/commercial podiums and a three level basement structure and associated public domain works at 1 Burroway Road, Wentworth Point.

The development specifically involves the erection of a two ground level commercial podiums, above three common basement levels, which are separated by a central open air plaza. The larger western podium contains a small supermarket and speciality retail stores, above which are two residential buildings. The smaller eastern podium also contains speciality retail stores as well as a cafe, above which is located one residential building.

The two lower basement levels provide parking for residents, whilst the upper basement level provides parking for retail customers.

The three residential buildings which rise above the podium level are crafted as three thin blades along a north-south axis. As each building rises it begins to step back from the northern boundary which provides relief when viewed from the River and generates a high level of modulation and articulation to the buildings which take on a sculptural form.

The development also involves the construction of the public domain surrounding the site comprising a new road parallel to the Parramatta River between the proposed development and the existing ferry wharf, and also a new service street along the south-eastern boundary of the site.

## 4.0 PROPOSED MODIFICATIONS

### 4.1. Description of Amendments

#### 4.1.1. Apartments

The apartments have been amended as follows:

- Re-configuration to convert apartments 254, 354, 454, 554, 650, 750, 850, and 950 from being 2 bedroom apartments into 3 bedroom apartments;
- Re-configuration of apartments 241, 341, 441, 541, 641, 741, 841, and 941 including pushing bedroom 2 out towards the courtyard to improve internal amenity and increase the amount of glazing and outlook from the apartment;
- Internal re-configuration of apartments 208 and 308 to provide improved internal amenity;
- Internal re-configuration to provide an additional bathroom for apartments 626 and 726;
- Increase in balcony depth along foreshore and internal area increased for apartments 745, 746, 825, 826, 845, 846, 925, 926, 945, and 946;
- The balconies facing New Road have been rationalised to prevent overlooking of neighbouring apartments;
- The adaptable apartment layouts have been updated to meet the relevant statutory controls;
- Studies added to the following apartments: Building A: 201, 202, 206, 209, 301, 302, 306, 309, 401, 402, 406, 409, 501, 502, 506, 509, 601, 602, 605, 608, 701, 702, 705, 708, 801, 802, 805, 808, 901, 902, 905, 908; Building B: 221, 222, 223, 224, 225, 226, 231, 232, 233, 321, 322, 323, 324, 325, 326, 331, 332, 333, 421, 422, 423, 424, 425, 426, 431, 432, 433, 521, 522, 523, 524, 525, 526, 531, 532, 533, 621, 622, 623, 624, 625, 628, 630, 721, 722, 723, 724, 725, 728, 730, 821, 822, 823, 824, 825, 828, 830, 921, 922, 923, 924, 925, 928, 930; Building C: 242, 244, 251, 252, 253, 342, 344, 351, 352, 353, 442, 444, 451, 452, 453, 542, 544, 551, 552, 553, 642, 644, 647, 648, 742, 744, 747, 748, 842, 844, 847, 848, 942, 944, 947, 948.
- General amendments to unit layouts to improve the internal amenity and to meet market demand including:
  - Robes reconfigured
  - Additional windows added
  - Areas of glazing consolidated
  - Living areas and kitchens replanned to improve furniture placement
  - Spas and BBQs added to some balconies/ terraces along foreshore
  - Skylights added to apartments 906, 907, 908, 928, 929, 930, 948, 949, and 950.

#### 4.1.2. Commercial

The commercial component has been amended as follows:

- The parking provision for the child care centre has increased from 8 to 10 spaces to meet the requirements for a 45 children capacity;
- Retail storage added to basement 1;
- Retail amenities re-configured at level 1 (ground podium) to meet retail design guidelines; and
- Loading dock re-configured to accommodate a heavy rigid vehicle.

## 4.0 PROPOSED MODIFICATIONS

### 4.1.3. Facade

The facade has been amended as follows:

- Awning added to retail tenancies along Ferry Walk (grid 9A + J1);
- Facade screening and grooved precast concrete panels rationalised;
- Highlight glazing to retail tenancies along the Foreshore + Ferry Walk replaced with perforated metal screens; and
- External materials, finishes + colour selections updated.

### 4.2. Gross Floor Area and Height

The proposed amendments have resulted in a 175 square metres reduction of the approved gross floor area from the approved 27,272 square metres (2.615:1 FSR) to 27,447 square metres (2.63:1 FSR). The proposed amendments are contained within the existing building envelope and, do not result in any change to the approved building height.

### 4.3. Apartment Mix

The proposed amended residential accommodation has resulted in a decrease in the percentage of 2 bedroom apartments and a corresponding increase in the percentage of 3 bedroom apartments as follows:

Apartments	Approved	Proposed
1 bedroom	58 (22.6%)	58 (22.6%)
2 bedroom	179 (69.9%)	171 (66.8%)
3 bedroom	19 (7.5%)	27 (10.6%)
Total	256	256

### 4.4. Amenity

The proposed amendments to the apartments has resulted in the following change to the solar access and cross ventilation figures for the development:

Approved		Proposed	
Cross-flow	Solar Access	Cross-flow	Solar Access
70%	70%	69%	70%

### 4.5. Introduction of studies

The proposed amendments to the apartments includes the addition of a study to 132 of the apartments. The studies are generally small in size and the majority of the studies do not contain a window and are therefore not capable of being converted into a bedroom. The feature of a study within apartments has become a valuable component of modern day living and significantly contributes to the functionality and amenity within the apartments.

## 5.0 STATUTORY PLANNING FRAMEWORK

### 5.1. Section 96(1A)

Section 96(1A) of the *Environmental Planning and Assessment Act 1979* empowers Council to modify a development consent, as follows:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) 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), and

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

In accordance with section 96(1A)(a) the proposed modification is considered to result in only a minor environmental impact for the following reasons:

- The application results in only minor material changes to the approved development when considered within the context of the overall approved development as a result of design refinement to the development and retains the fundamental components of the approved layout and spatial characteristics of the development.
- The overall configuration of the development is unchanged, the number of apartments are identical, there is a minor reduction in gross floor area, and no change to the height of the development.
- The modification will not result in any impact on the amenity of the adjoining properties or the locality generally beyond that which has already been approved.
- The amendments are such that they do not require any further detailed consideration of built form or further analysis of the development.

For these reasons the development is considered to be of minimal environmental impact and can therefore be considered under section 96(1A) of the *Environmental Planning and Assessment Act 1979*.

## 5.0 STATUTORY PLANNING FRAMEWORK

The proposed amendments do not result in any change to the fundamental characteristics of the development which will retain the essential character and elements of the approved development such that the amended proposal could not reasonably be considered a substantially different development. On this basis the proposal is appropriately categorised as being “substantially the same” as required by Section 96(1A) of the *Environmental Planning and Assessment Act 1979*.

### 5.2. Environmental Planning Instruments

In accordance with Section 96(3) of the *Environmental Planning and Assessment Act 1979* in determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C(1) as are of relevance to the development the subject of the application.

The Environmental Impact Statement submitted with the original State Significant Development application addressed the proposed development’s level of compliance against the relevant planning instruments, including:

- NSW 2021
- Draft Metropolitan Strategy for Sydney 2031
- Draft West Central Subregional Strategy
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Olympic Park Masterplan 2030
- Sydney Olympic Park Wentworth Point Precinct Masterplan 2030
- Sydney Olympic Park Access Guidelines 2011
- Sydney Olympic Park Major Event Impact Assessment Guidelines
- Sydney Olympic Park Urban Elements Design Manual
- Sydney Olympic Park Environmental Guidelines
- Sydney Olympic Park Stormwater and Water Sensitive Urban Design Policy

The proposed modifications do not affect the proposed development’s level of compliance with the majority of the relevant planning instruments. The relevant matters are considered below:

### 5.3. State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes.

In order to satisfy these aims and improve the design quality of residential flat buildings in the State, the plan sets design principles in relation to context, scale, built form, density, resources, energy and water efficiency, landscaping, amenity, safety and security, social dimensions and aesthetics.

## 5.0 STATUTORY PLANNING FRAMEWORK

SEPP 65 applies to new residential flat buildings, the substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

Residential flat building means a building that comprises or includes:

- a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and
- b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a class 1a building or a class 1b building under the Building Code of Australia.

The development meets the definition of a residential flat building. As such the provisions of SEPP 65 are applicable to the proposed development.

SEPP 65 requires any development application for residential flat development to be assessed against the 10 principles contained in clauses 9-18 of SEPP 65 and the matters contained in the Residential Flat Design Code (RFDC).

The proposed reconfiguration of apartments within the development remains acceptable having regard to SEPP 65 and the Residential Flat Design Code for the following reasons:

- The internal area of all apartments comfortably exceed the internal areas of 50 square metres for 1 bedroom apartments, 70 square metres for 2 bedroom apartments and 95 square metres for 3 bedroom apartments rules of thumb in the RFDC;
- The proposed amendments still result in a satisfactory level of environmental performance with 70% of apartments enjoying at least 2 hours solar access on 21 June between 9am and 3pm, and 69% receiving cross-flow ventilation which are both compliant with the minimum 70% requirement for solar access and 60% requirement for cross flow ventilation provided in the RFDC.
- The proposed amendments are predominantly contained within the approved envelopes therefore do not generate the need for any further consideration of separation distances, privacy, common open space or deep soil.
- The proposed amendments result in an improvement to the approved apartment mix by reducing the number of 2 bedroom apartments and increasing the number of 3 bedroom apartments.
- The proposed amendments do not result in any significant change to the aesthetics of the development and the relationship of the development to its context remains predominantly unaffected by the amended proposal.

The amended proposal remains satisfactory with respect of the 10 design principles in the SEPP and the matters contained in the RFDC.

## 5.0 STATUTORY PLANNING FRAMEWORK

### 5.4. State Environmental Planning Policy (Major Development) 2005

#### 5.4.1. Building Height

The SEPP provides a maximum height for the site 30 metres. The approved development marginally exceeds the 30 metre height limit by between 0.55 metres and 1.15 metres. The proposed amendments do not result in any change to the approved height of the development.

#### 5.4.2. Floor Space Ratio

The SEPP suggests a maximum floor space ratio (FSR) for the site of 2.25:1. The approved development marginally exceeded the FSR control with a density 2.63:1 and a gross floor area of 27,447 square metres. The proposed amended results in a reduction of 175 square metres to a gross floor area of 27,272 square metres and an FSR of 2.615:1. Whilst the approved density was considered acceptable by the Department, the proposed amendment is bringing the development closer to conformity with the relevant FSR control.

#### 5.4.3. Remaining Provisions

The subject proposal is only for minor design amendments to the approved development and does not require any further consideration against the remaining provisions of the SEPP beyond those which were considered in the assessment of the original development application.

### 5.5. Sydney Olympic Park Masterplan 2030 and the Sydney Olympic Park Wentworth Point Precinct Masterplan 2030

A new master plan for the site was approved in 2011 and is known as the Wentworth Point Precinct Masterplan 2030. The Wentworth Point Precinct Masterplan 2030 provides that the general controls in Part 3 and 4 of the overall Sydney Olympic Park Masterplan 2030 apply to the site where relevant and the Wentworth Point Precinct Masterplan 2030 provides specific controls for the site in relation to land uses, FSR, number of storeys, vehicular and pedestrian access to site, through-site links, and setbacks.

The Masterplan contains provisions in relation to the following matters:

- Access and Parking
- Site Configuration
- Floor Space Ratio control
- Land Use control
- Building Height control
- Building Zone and Setback controls
- Event Controls (Vehicle Entry)
- Public Domain Controls

The proposed amendments are only for minor design amendments to the approved development as a result of a design refinement process and do not generate the need for any further consideration against the above matters contained within the Masterplan beyond those which were considered in the assessment of the original development application with the exception of car parking:

## 5.0 STATUTORY PLANNING FRAMEWORK

### 5.5.1. Access and Parking

Part 4 of the Sydney Olympic Park Masterplan 2030 requires the provision of car parking at the following rates for the proposal:

Use	Parking Rate	APPROVED		PROPOSED	
		Required	Provided	Required	Proposed
Child care	1 space per 4 children and suitable drop-off for visitors 1 space per 2 staff	8	8 in basement for staff and 45 newly created on-street	8	10 in basement for staff and 45 newly created on-street
Residential	58 x 1 bed - 1 space 179 x 2 bed - 1.2 spaces 9 x 3 bed - 1.5 spaces Visitor - 0.25 spaces/dwelling	58 214.8 13.5 64 350 Total	334	58 205.2 40.5 64 368 Total	334

The approved provision of residential car parking was 16 spaces less (4.5%) that the rates suggested in the Masterplan. The proposed conversion of 8 x 2 bedroom apartments into 3 bedroom apartments results in a further shortfall of 18 car parking spaces or a 9% variation to the rates suggested in the Masterplan. It is not possible to provide any further car parking within the approved basement levels.

The car parking provision of 334 spaces for the residential component is not radically different to the rates suggested in the Masterplan and is still considered to provide an acceptable quantum of car parking particularly having regard to the nature of the proposal and in particular its location adjacent to a major public transport node within the Sydney Olympic Park. The reduced provision of car parking, albeit minor, is also consistent with the Department's desire to encourage increased patronage of public transport and more sustainable travel habits. For these reasons the approved residential car parking provision for the development is considered to remain acceptable for the revised mix within the development.

## 6.0 ENVIRONMENTAL ASSESSMENT

The EIS submitted with the original SSD addressed the following Environmental Assessment matters:

- Built Form and Urban Design including height, bulk and scale as well as design quality
- Environmental Amenity including overshadowing, solar access, acoustic impacts, visual privacy and view loss, and wind impacts
- Ecologically Sustainable Development
- Noise and Vibration
- Transport and Accessibility
- Major Events
- Utilities
- Contributions
- Biodiversity
- Flooding
- Drainage and Stormwater Overland Flow Paths and Site Levels
- Water Quality
- Servicing and Waste
- Sediment, Erosion and Dust Measures
- Environmental Risk Assessment

The proposed modifications are generally within the approved envelope and retain the fundamental elements and character of the approved development which was informed by the detailed specialist technical reports. The proposed refinements to the approved development are all of a minor nature such that the findings, and conclusions of the specialist reports remain relevant to the amended proposal and do not necessitate any further specialist reports.

Overall, the proposed modifications are considered to provide an improved outcome in comparison to the approved development as the modified development achieves:

- improved amenity for the apartments due to more considered internal layout and additional internal facilities; and
- improved architectural expression with refinement to the facade treatments and external materials and finishes.

The proposed amendments do not alter the conclusions reached in relation to the above environmental assessment matters for the approved development.

## 13.0 CONCLUSION

The application seeks to amend Development Consent SSD 14\_6387 for a range of minor amendments to the buildings as a result of design refinement including a conversion of eight 2 bedroom apartments into 3 bedroom apartment buildings.

The amended proposal retains the fundamental components of the approved layout and spatial characteristics of the development. The amended proposal results in a minor reduction to the approved gross floor area and does not result in any change to the height of the development. The amended proposal retains essentially the same level of environmental performance within the development as that which was approved, however, achieves an improvement to the amenity of the apartments through the provision of a more considered internal layout. Whilst the proposal does not result in any change to the density with the same number of apartments, the proposed amended design provides an improved apartment mix with an increase in the proportion of 3 bedroom apartments.

As detailed in this submission the proposed modifications may be made by the consent authority in accordance with Section 96(1A) of the Environmental Planning and Assessment Act 1979 as the proposed amendments are of minimal environmental impact, do not radically transform the proposal or alter the overarching fundamental characteristics of the original approval, and so the amended proposal is appropriately categorised as being “substantially the same” as the approved development.

The proposed amendments remain consistent with the aims and objectives of the relevant environmental planning instruments and policies and will not result in any adverse impacts on the amenity of the locality. Accordingly, the proposed amendments are considered acceptable and therefore warrant approval.

# APPENDIX A

## ARCHITECTURAL PACKAGE

A

Stanisic Architects