



Ivanhoe Estate Redevelopment Stage 1, Modification 2

Modifications to Building C1
State Significant Development Modification Assessment
(SSD 8903 MOD 2)

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Title: Ivanhoe Estate Redevelopment Stage 1 Modification 2

Subtitle: Modifications to Building C1 to State Significant Development Modification Assessment (SSD 8903 MOD 2)

Cover image: Visualisation of the approved Ivanhoe Estate redevelopment concept plan

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Glossary

Abbreviation	Definition
Applicant	NSW Land and Housing Corporation
Council	City of Ryde
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
The site	Ivanhoe Estate, Macquarie Park

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1 Introduction

This report provides an assessment of an application seeking to modify the State significant development (SSD) approval (SSD 8903) for Stage 1 of the Ivanhoe Estate redevelopment.

The application was lodged by the NSW Land and Housing Corporation (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposal seeks approval to convert 105 market units into 130 affordable units, resulting in the provision of 25 additional apartments within Building C1. This would increase the total number of apartments within Building C1 from 471 to 496.

The increase in apartments is proposed due to the Applicant seeking to provide additional affordable housing apartments as part of Stage 1, rather than as part of Stage 6 as originally proposed. There would be no change to the approved 259 social housing apartments within Building C1. In addition, the total number of apartments approved across the Ivanhoe Estate would remain unchanged.

The proposed modification also includes associated internal and external design changes and an additional 24 basement car parking spaces.

No other changes are proposed to the approved use of the land, to Building A1 or to the roads and public domain areas.

1.1 Background

The Ivanhoe Estate (the site) is located within Macquarie Park, within the City of Ryde local government area. The site has a total area of 8.2 hectares and is located on the south-eastern corner of the intersection of Epping Road and Herring Road (**Figures 1 and 2**). The site also incorporates adjoining land, being a portion of Shrimptons Creek and 2-4 Lyonpark Road.

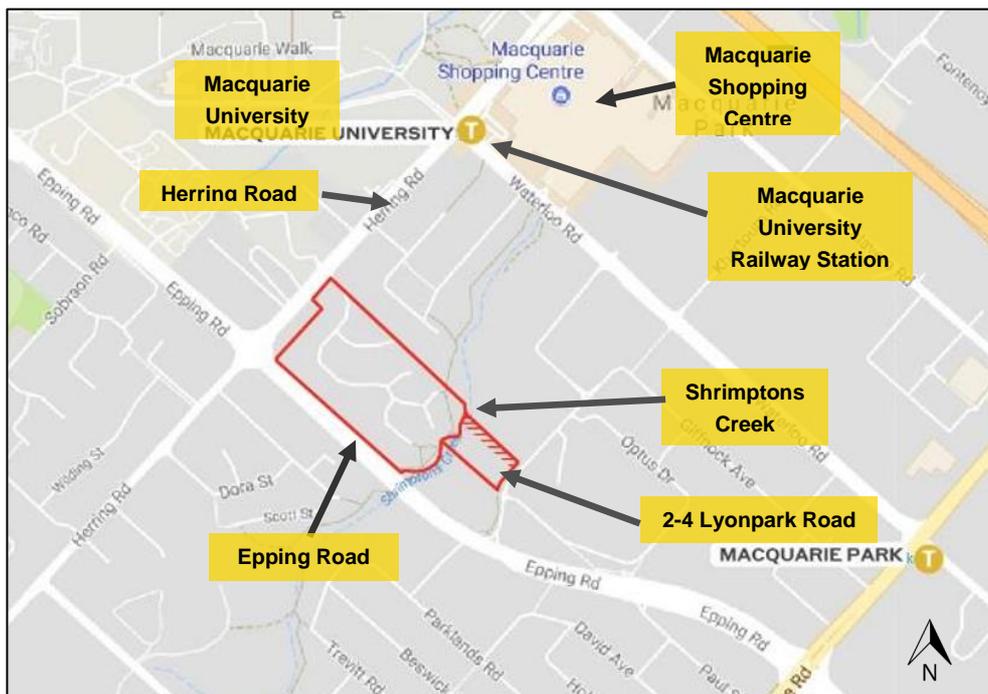


Figure 1 | Site location (highlighted in red) (Source: Department's SSD 8707/8903 Assessment Report)



Figure 2 | Aerial view of the site. Location of approved Stage 1 buildings shown circled red (Base source: Department's SSD 8707/8903 Assessment Report)

1.2 Approval history

On 30 April 2020, the Minister for Planning and Public Spaces approved SSD 8707 and SSD 8903 for the Ivanhoe Estate redevelopment concept plan and Stage 1 respectively.

The concept approval for redevelopment of the site included:

- approximately 3,300 residential dwellings, including approximately 950 social and 128 affordable housing dwellings, and 273 seniors housing units (private and social independent living)
- a 120-bed residential aged care facility (RACF)
- a primary school (approximately 430 places)
- community centres
- 960 m² of retail tenancies intended for convenience retail and cafés
- office premises to accommodate Mission Australia
- two childcare centres (approximately 75 places each)
- roads, public and communal open space.

The Stage 1 approval included:

- construction of buildings A1 (25-storeys and 269 apartments) and C1 (14 to 20 storeys and 471 apartments, including 259 social housing apartments)
- a 75-place childcare centre within Building A1
- removal of 343 trees, demolition of the existing road network, bulk earthworks, remediation works and provision of utilities and service infrastructure across the site
- construction of the new estate road network, including new road bridge across Shrimptons Creek
- amalgamation, subdivision and stratum subdivision.

Figure 3 illustrates the approved concept plan, including the location of Buildings A1 and C1 and the approved road network and bridge. Construction works are anticipated to commence in October 2020. The Stage 1 development consent was previously modified in November 2020 to modify conditions of consent.

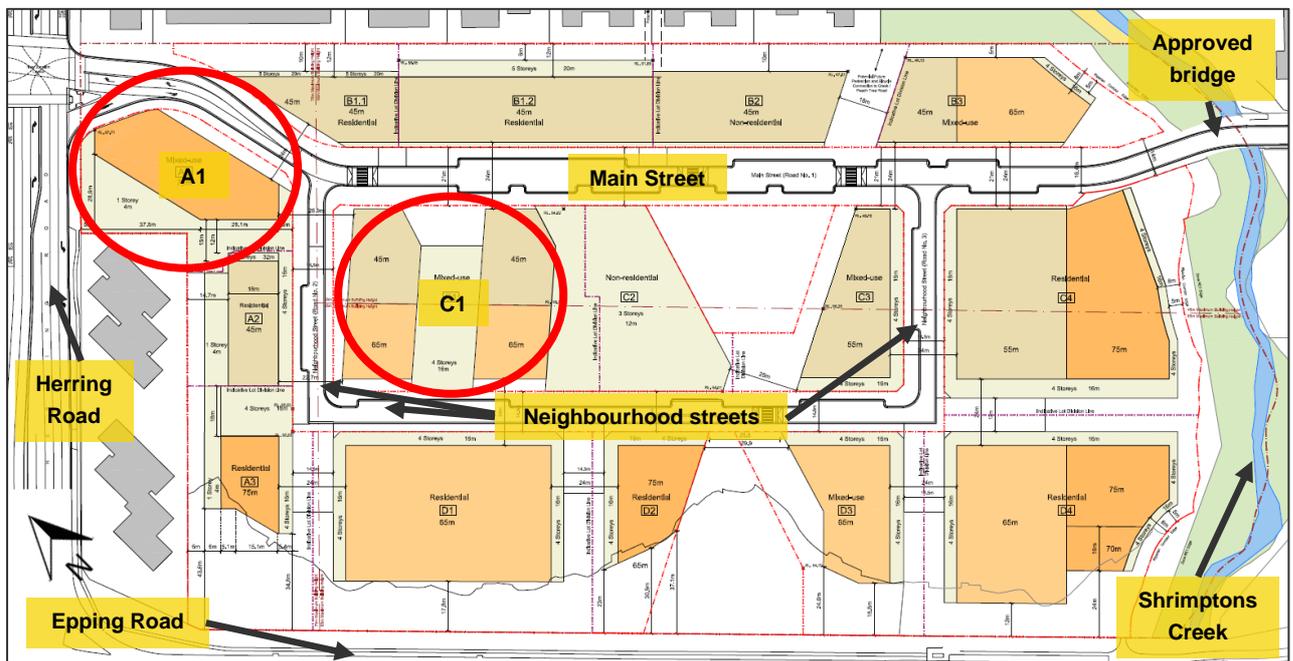


Figure 3 | Approved Ivanhoe Estate Masterplan. Location of approved Stage 1 buildings shown circled red (Base source: Department’s SSD 8707/8903 Assessment Report)

2 Proposed modification

2.1 Proposed modified conditions

On 12 March 2021, the Applicant lodged a modification application (SSD 8903 MOD 2) seeking approval, under section 4.55(1A) of the EP&A Act, to amend Building C1 as follows:

- increase the number of apartments by 25 from 471 to 496. This change involves replacing 105 approved market apartments with 130 affordable housing apartments.
- reconfigure the apartment mix and internal design changes, including reducing gross floor area (GFA) by 116 m² from 33,596 m² to 33,480 m²
- external design changes to facades to facilitate the internal design changes
- increase the height of the lift overrun screening in two locations
- increase the number of basement car parking spaces by 24 (from 346 to 370 spaces)
- extend the lot boundary to the east to accommodate provision of community facilities car spaces and car share spaces.

The proposed modification also includes associated changes to conditions as follows:

- Condition A2 to reflect the revised architectural plans
- Conditions B66 and D12 to reflect the updated BASIX Certificate for Building C1
- Conditions B78 and B81 to reflect the revised number of car and bicycle parking spaces within Building C1.

The proposed modifications to Building C1 would not result in any changes to Building A1 or any civil works associated with Stage 1. Further, the proposal does not seek to change the overall number of dwellings approved under the Concept Approval given the affordable housing would be brought forward from Stage 6 into Stage 1. It is also noted that there would be no change to the 259 social housing apartments within Building C1.

3 Statutory context

3.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved; and
- is substantially the same development as originally approved.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. An assessment of the proposed modification application against the requirements of section 4.55(1A) of the EP&A Act is provided in **Appendix B**.

Accordingly, the Department considers that the application should be assessed and determined under section 4.55 (1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, in accordance with the Minister's delegation, the Director, Key Sites Assessments, may determine this application as:

- a political disclosure statement has not been made
- there are less than 15 public submissions in the nature of objections
- Council has not made a submission by way of objection.

3.3 Mandatory matters for consideration

The following are relevant mandatory matters for consideration:

- section 4.55(1A) of the EP&A Act, including environmental planning instruments or proposed instruments;
- EP&A regulation;
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts;
- suitability of the site;
- any submissions;
- the public interest; and
- the reasons for granting approval for the original application.

The Department has considered all of these matters in its assessment of the proposal. The Department has also given consideration to the relevant matters in **Section 5** and **Appendix B** of the report.

4 Engagement

4.1 Department's engagement

Section 4.55(1A) modifications are not required to be notified under the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). However, the modification application was made publicly available on the Department's website and referred to City of Ryde Council (Council).

4.2 Summary of submissions

On 31 March 2021, Council confirmed it would not be making a submission on the proposal.

No public submissions were received.

5 Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Assessment and conditions of approval for the original application
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act and Regulation.

The Department considers the key assessment issues associated with each element of the proposed modification below.

5.1 Increase in the number of apartments

The Applicant seeks to increase in the number of apartments within Building C1 by 25 apartments (from a total of 471 to 496). The Applicant contends this is in order to provide 130 affordable housing apartments as part of Stage 1, rather than as part of Stage 6 as originally proposed. This would reduce the number of approved market apartments within Building C1 from 212 to 107.

The Department notes the proposed modification would result in the affordable housing component of the Ivanhoe Estate redevelopment being provided four years earlier than if completed as part of Stage 6. The Department supports the provision of affordable housing at an earlier stage of the development and notes there would be no change to the approved 259 social housing apartments being delivered within Building C1.

The Department also notes there would be no change to the overall approved number of dwellings within the Ivanhoe Estate, being approximately 3,300. Therefore, the Department is satisfied the proposal would not increase demand for services or infrastructure and it would not result in any significant traffic impacts beyond those already assessed and approved

The Department's assessment therefore concludes the proposed increase in apartment numbers within Building C1 is acceptable.

5.2 Changes to apartment mix and internal design changes

The provision of additional affordable housing within Building C1 and the associated reduction in the number of market apartments results in a change to the mix and to the internal design of the apartments. The Applicant contends the changes will not materially alter the approved building and the affordable housing apartments satisfy the Affordable Rental Housing State Environmental Planning Policy (ARH SEPP) requirements for dwelling size and solar access, which are generally consistent with the recommendations of the Apartment Design Guide (ADG).

The Department has reviewed the proposed apartments against the relevant recommendations of the ARH SEPP and ADG below.

ARH SEPP

- Solar access: 70% of affordable housing dwellings would receive a minimum of two hours solar access between 9am and 3pm in midwinter, consistent with the ARH SEPP
- Car parking: The proposed 65 car parking spaces allocated to the 130 affordable housing apartments complies with the minimum rates in the ARH SEPP (**Section 5.4**).

ADG

- Solar access: a minimum of 70% of apartments would continue to receive a minimum of two hours direct sunlight between 9 am and 3 pm in midwinter, in accordance with the ADG. The number of apartments receiving no solar access would remain at 21%.
- Natural ventilation: a minimum of 60% of apartments would continue to receive cross ventilation in the first nine storeys, in accordance with the ADG.
- Apartment size and layout: The proposed new and modified minimum apartment sizes would satisfy the minimum ADG recommendations.
- Private open space and balconies: As per the original approval, some revised/new balconies within Building C1 would have an irregular shape and include portions that vary the recommended minimum balcony depth recommended in the ADG. However, the Department considers the variations would be minor and the balconies would be functional.
- Common circulation and spaces: The ADG recommends that for buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40. Building C1 was approved with four lift cores containing two lifts, equalling one lift per 59 apartments. This variation was approved on the basis of lift traffic analysis that demonstrates efficiencies achieved when multiple lifts act as a group i.e. two lifts in a core provide a greater level of service compared to two separate lifts serving a smaller number of apartments. The proposed modification would increase the total number of apartments in Building C1 by 5% and would increase the number of apartments served per lift to one lift per 65 apartments. The Department notes that updated Vertical Transportation Advice has been provided which concludes the lift arrangement continues to satisfy international design criteria and the design of similar buildings. The Department therefore considers the proposed lift arrangement acceptable.
- Storage: The revised plans include storage for all apartments located both internally within the apartments and within individual storage cages within the basement. These areas satisfy the minimum volume rates recommended by the ADG.
- Apartment mix: The approved building will continue to provide a range of apartment types and sizes consistent with the ADG.
- Facades: The facades of Building C1 will continue to provide visual interest.
- Universal design: All social apartments incorporate the Livable Housing Guideline's silver level universal design features and 5% of market and affordable apartments are designed to be wheelchair adaptable consistent with the ADG.

The Department considers the revised apartment mix and layouts within Building C1 satisfy ARH SEPP requirements and the recommendations of the ADG and the building would continue to provide a good level of amenity to future residents. In addition, the Department notes Building C1 will continue to achieve a tenure blind mix of apartments.

The Department further considers the proposed reduction in the overall GFA of Building C1 by 116 m² from 33,596 m² to 33,480 m² is acceptable.

The Department's assessment therefore concludes the revised apartment mix and internal design amendments are acceptable.

5.3 External design changes

The internal reconfiguration of apartments has resulted in some minor changes to the exterior facades on the north-western, south-eastern and south-western elevations of Building C1 (**Figure 4**), including changes to fenestration and associated balconies. The Applicant also seeks approval to increase the height of the lift overrun screening by 800 mm in two roof locations (shown circled red in **Figure 4**) but

these elements will still comply with the maximum height controls for Building C1 stated in Condition B28.

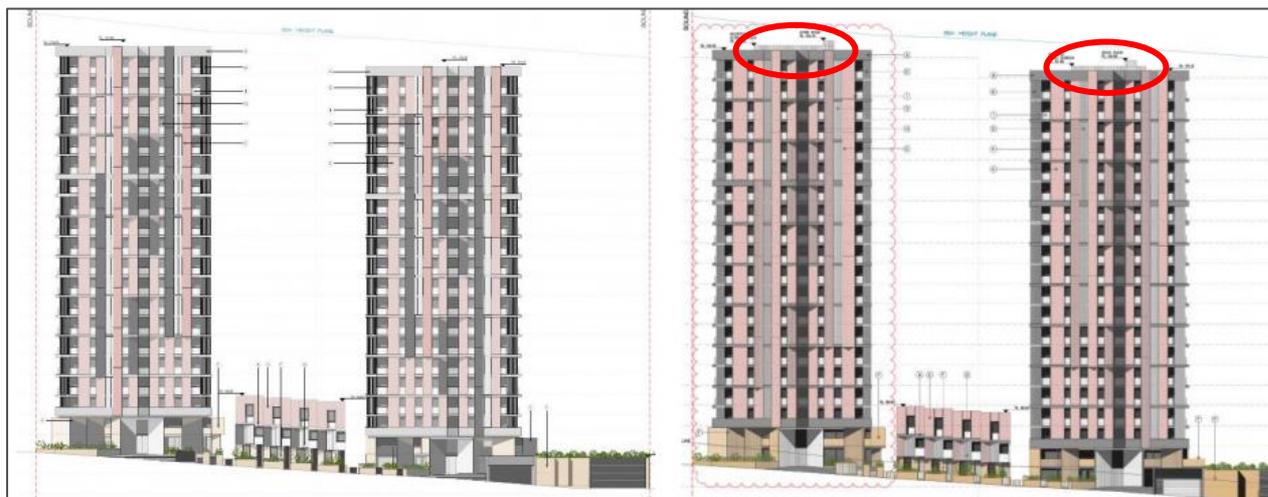


Figure 4 | Approved south-western elevation (left) and proposed south-western elevation (right). Location of proposed lift overrun screening height increase (shown circled red) (Source: Applicant's SEE)

The Department notes the proposed amendments would not alter the height, bulk or scale of the approved building, with changes limited to adjustments to the fenestration and balconies. Setbacks to future neighbouring buildings would remain unchanged and the amendments would not result in any additional privacy impacts or any adverse impacts to the overall design and appearance of the building. Materials would also be largely unchanged with the use of pre-cast coloured concrete and off-form concrete together with aluminium louvres.

The Department also considers the proposed 800 mm increase to the height of lift overrun screening in two locations to be minor with no adverse impacts on the overall height, scale and appearance of the building. In addition, the Department notes the proposed RLs will still comply with the maximum RL provisions of Condition B28.

The Department's assessment therefore concludes the proposed external design amendments are acceptable.

5.4 Changes to basement car parking and bicycle parking

Condition B78 of the Stage 1 consent specifies a maximum of 328 residential, 15 visitor and three staff car parking spaces (total of 346) be provided within the basement of Building C1. Condition B79 states a minimum of 12 car share spaces must also be provided within the Stage 1 site.

Due to the proposed changes to the apartment mix and the provision of community facilities car parking for the future adjacent Building C2 within the Building C1 basement (**Section 5.5**), the Applicant proposes to increase the number of basement car parking spaces by 29 from a maximum of 346 to a maximum of 375. Accordingly, Condition B78 is proposed to be modified to provide a maximum of 308 residential, 17 visitor and 20 community facilities car parking spaces (**Table 1**).

Furthermore, the Applicant also seeks to provide 30 car share parking spaces within the Building C1 basement which would exceed the minimum of 12 car share spaces required by Condition B79.

The design of the basement car park has also been revised to allow for a direct access ramp from ground level to basement level 3 which will contain the 20 car parking spaces for the community facilities plus the car share spaces.

The Applicant also proposes to continue to provide one bicycle parking space per apartment and therefore seeks to amend Condition B81 to provide a minimum of 496 bicycle parking spaces together with a requisite increase in visitor bicycle parking spaces from 19 to 25 (5% of dwelling yield).

Table 1 | Approved and proposed car parking for Building C1

Concept approval car parking rate (SSD 8707)	Approved car parking (SSD 8903)	Proposed car parking (SSD 8903 Mod 2)
Residential		
Market and social: 0.6 spaces to 1.4 spaces per apartment depending on number of bedrooms	Total of 328	Total of 252
Affordable: Minimum of 0.5. spaces per apartment (65 required)	0	65
Visitor: 1 space per 20 apartments	15 (1 per 32)*	17 (1 per 30)
Staff	3	0
Community use: 1 space per 100 m ² GFA (based on future 2,000 m ²)	0	20
Car share: 1 space per 100 parking space and minimum of 50 spaces	0	30
Total	346	370

* Note: Variation to concept rate due to no requirement for visitor car parking for social housing apartments

As identified in **Table 1**, the proposed 65 affordable housing car parking spaces would be consistent with Condition A18(k) of the concept plan approval which specifies a minimum car parking rate of 0.5 spaces per affordable housing apartment (130 apartments = 65 car parking spaces). The Applicant confirms 65 spaces are to be allocated to the affordable housing apartments.

With regard to visitor car parking, Condition A18 (d) of the concept approval specifies 1 visitor car parking space must be provided per 20 apartments. This would require the provision of 25 visitor car parking spaces.

The number of visitor parking spaces is proposed to be increased from 15 to 17 spaces for the proposed 496 apartments (a rate of 1 space per 30 apartments). The Department considers this acceptable noting:

- the ARH SEPP does not require visitor parking for social or affordable housing
- the overall objective of the Ivanhoe Estate redevelopment to minimise car parking and dependence on private car use given the site's excellent level of accessibility to public transport

- it represents an improvement to the approved provision of visitor parking for Building C1 (1 space per 32 apartments).

The Department also considers the location of 30 car share spaces within the basement of Building C1 acceptable given the spaces will be accessed by a separate driveway and will have separate, direct lift access to Main Street.

The proposed 20 community facility car parking spaces are also considered to be acceptable as this is consistent with the approved concept parking rate of one parking space per 100 m² of community facilities GFA to be contained within the future Building C2 (based on a future provision of 2,000 m² of community GFA). As with the proposed car share spaces, the community facility spaces would be accessed by a separate driveway and will have separate, direct lift access to Main Street.

The Department supports the proposed changes to the basement car park design, noting the revisions will enhance circulation, including the provision of a direct ramp from ground level to Basement Level 3 for car parking associated with the future community facilities and car share spaces. This enables these spaces to be quickly accessed without traversing the residential car park and will improve car park security for future residents.

The submitted Traffic Statement concludes the modified proposal would generate 16 additional trips in the respective AM and PM peak hours compared to the approved development and that this would result in negligible traffic generation impacts. The Department considers the additional number of vehicle movements to be minor and the overall number of dwellings within the Ivanhoe redevelopment will not increase. As such, the Department is satisfied the proposal would not result in any significant increase in traffic compared to the approved concept plan.

The Department further supports the proposed increase in bicycle parking spaces consistent with the proposed increase in the number of apartments.

The Department concludes the proposed modification and associated changes to Conditions B78 and B81 are acceptable. However, it is recommended Condition B78 is further modified to secure 65 car parking spaces to the proposed affordable housing apartments and for the allocation of 20 community facility parking spaces and 30 car share parking spaces.

5.5 Extension of lot boundary

The Applicant proposes to amend the boundary of the lot along the north-eastern corner of the site (**Figure 5**) to facilitate the location of car parking within basement level 3 of Building C1, specifically for use of the future community facilities (community centre, pool and gymnasium) to be constructed immediately to the east of the site. Separate driveway and ramp access will be provided to these spaces and a dedicated lift will be provided for users of these spaces, providing direct access to Main Street adjacent to the community facilities. A revised stratum subdivision plan has also been submitted accordingly.

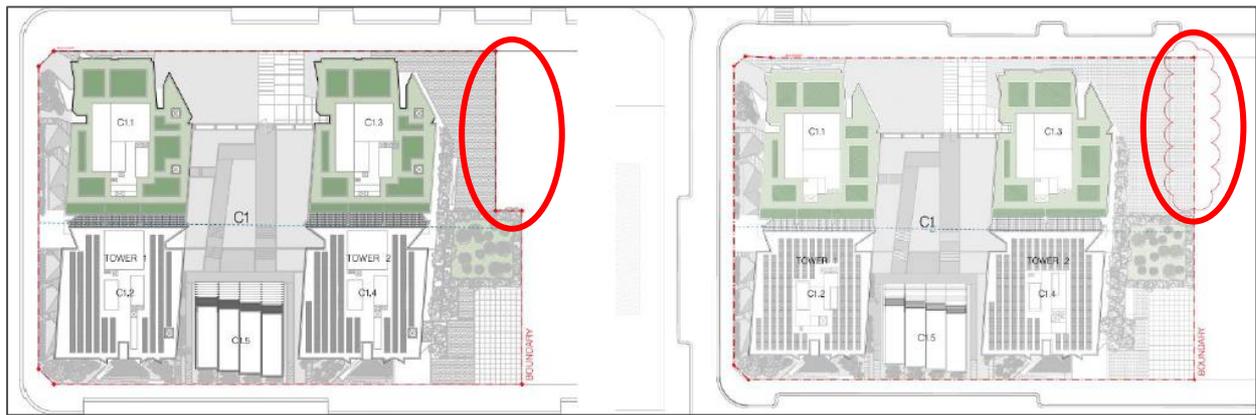


Figure 5 | Approved site plan (left) and proposed site plan (right). Location of change shown circled red (Source: Applicant’s SEE)

The Department notes the approved basement level 3 plans included a future connection to the community centre basement and that the proposed revision to the lot boundary and Building C1 parking will negate the need to construct an adjacent basement beneath the community facilities on Block C2 to the east of Building C1. The Department considers the proposed revisions to the lot boundary and related stratum subdivision plan is acceptable and would facilitate the provision of required parking/access to the future community facilities whilst also reducing the extent of excavation required on the adjacent community centre site.

The Department is therefore satisfied that the proposed revision to the Building C1 lot boundary is reasonable and acceptable.

5.6 Updated conditions

The Department considers the proposed revisions to Conditions A2 (references updated to revised plans), B66 and D12 (reference updated to revised BASIX Certificate number) are consistent with the proposed amendments to Building C1 and are acceptable.

New conditions E23 and E24 are also recommended regarding the provision of 24-hour public access to the community lift from Main Street to the community facility and car share spaces located on Basement Level 3 and for the provision of associated signage.

6 Evaluation

The Department has reviewed the proposed modification and assessed the merits of the application.

The Department is satisfied the proposed modifications to the Building C1 are minor and would result in substantially the same development as that approved under SSD 8903.

Notably, the modification will provide 130 affordable housing apartments as part of Stage 1, rather than as part of Stage 6 as originally proposed. There would be no change to Building A1 or to the 259 social housing apartments approved within Building C1. In addition, the total number of apartments approved across the Ivanhoe Estate would remain unchanged.

Further, the proposal would not increase the overall number of apartments approved across the site and it would not result in any significant visual, amenity or traffic impacts beyond those already assessed and approved.

Consequently, the Department concludes the modification application, insofar as it relates to the supported modifications above and associated updated conditions, is in the public interest and should be approved, subject to the proposed modified and additional conditions.

7 Recommendation

It is recommended that the Director, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 8903 MOD 2 falls within the scope of section 4.55(1A) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the consent SSD 8903
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Andy Nixey
Principal Planner
Key Sites Assessments

Recommended by:



Cameron Sargent
Team Leader
Key Sites Assessments

8 Determination

The recommendation is **adopted** by:

 7 May 2021

Anthony Witherdin

Director

Key Sites Assessments

(as delegate of the Minister for Planning and Public Spaces)

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows:

Statement of Environmental Effects

<https://www.planningportal.nsw.gov.au/major-projects/project/41161>

Appendix B – Statutory Considerations

Under section 4.55(3) of the EP&A Act, the consent authority must consider the matters referred to in section 4.15(1) of relevance to the development. **Table 1** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to the proposed modification. The table represents a summary for which additional information and consideration is provided in other sections of this report, as referenced in the table.

Table 1 | Assessment of Section 4.15(1)

Section 4.15(1) Matters for consideration	The Department's assessment
(a)(i) any environmental planning instrument	The modified proposal complies with the relevant legislation as addressed in Section 3 .
(a)(ii) any proposed instrument	The modified proposal complies with the relevant legislation as addressed in Section 3 .
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the <i>Environmental Planning and Assessment Regulation 2000</i> , including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) (refer to Section 4).
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department considers the proposed changes to be minor and would not result in any adverse environmental impacts (refer to Section 5).
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Sections 3 and 5 .
(d) any submissions	No submissions were received. Refer to Sections 4 and 5 .
(e) the public interest	The Department considers the modified proposal to be in the public interest as it would facilitate the orderly and efficient redevelopment of the Ivanhoe Estate.

Table 2 | Assessment of Section 4.55(1A)

<p>That the proposed modification is of minimal environmental impact</p>	<p>The proposed modification primarily involves internal alterations to provide for the provision of 130 affordable housing apartments in lieu of 105 market apartments. Some associated changes to the façades and to car parking are also proposed. The proposal would therefore not alter any of the key components or characteristics of what was originally approved under SSD 8903 and would be of minimal environmental impact.</p>
<p>That the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all).</p>	<p>The key changes relate to minor design amendments to Building C1 and a 5.3% increase in the number of apartments from 471 to 496. As discussed in Section 5 above, the proposal would not increase the overall number of apartments approved across the site and it would not result in any significant visual, amenity or traffic impacts beyond those already assessed and approved.</p> <p>The Department is therefore satisfied the modification application would therefore result in a development that is substantially the same as the originally approved.</p>
<p>The application has been notified in accordance with the regulations.</p>	<p>Section 4 of this report demonstrates the modification application followed the consultation requirements as outlined in the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)</p>
<p>Any submission made concerning the proposed modification has been considered.</p>	<p>No submissions were received. Refer to Sections 4 and 5.</p>

Environmental Planning Instruments

The following Environmental Planning Instruments (EPIs) apply to the site:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Educational Establishments and Child Care Centres) 2017
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environment Plan (Sydney Harbour Catchment) 2005

- Draft Remediation of Land State Environmental Planning Policy
- Draft Environment State Environmental Planning Policy.
- Draft Housing Diversity State Environmental Planning Policy.

The Department has assessed the proposed modification against the relevant provisions of these instruments and considers the modification can be carried out in a manner that is consistent with their aims, objectives and provisions.

Objects under the act

The Minister or delegate must consider the objects of the EP&A act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.

Appendix C – Modification Instrument

The recommended conditions of consent can be found on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/41161>