

31 October 2022

17156

Michael Cassel
Secretary
Department of Planning and Environment
12 Darcy Street,
Parramatta NSW 2150

Attn: Rodger Roppolo

SECTION 4.55(1A) MODIFICATION APPLICATION - SSD 8903
Stage 1 of Ivanhoe Estate (Midtown), Macquarie Park

This application has been prepared by Ethos Urban on behalf of Frasers Property Australia pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify SSD-8903 relating to the Ivanhoe Estate (the site).

The modification relates to design modifications to the approved development as a result of ongoing design development. These include:

- Amendments to the internal configuration of residential apartments in Building C1.
- Reconfiguration and amendments to the design of Basement 1.
- Relocation of the communal lift from Building C1 to Building C2.
- Amendment to the material on the terrace façade of Building C1.
- Relocation of Building C1 carpark exhaust locations and amendments to the plant room layouts.
- Adjustment of adaptable units in Building C1.
- Provision of access from Building C1 to Building C2.
- Detailed Fit out of the community room in Building C1.

A comprehensive list of proposed modifications is provided at **Section 3.1** below.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in section 4.55(1A) of the EP&A Act. This application is accompanied by:

- Amended Architectural Drawings prepared by Crone Architects (stamped by Candalepas Associates) (**Attachment A**).
- Amended Stratum Subdivision Plans prepared by Beveridge Williams (**Attachment B**).
- Amended Staged Subdivision Plans prepared by Beveridge Williams (**Attachment C**).
- Updated Access Statement prepared by Morris Goding Consulting (**Attachment D**).

1.0 Background to the Consent

Development consent was granted by the (then) Minister for Planning and Public Spaces on 30 April 2020 for State Significant Development (SSD-8903) for Stage 1 of the Ivanhoe Estate development in Macquarie Park. The development is pursuant to the approved Ivanhoe Estate Masterplan (SSD-8707) and comprises:

- Site preparation works, including removal of trees, demolition, bulk earthworks and excavation.
- Construction of new roads, bridge over Shrimptons Creek and new road connection to Lyonpark Road.
- Construction of two residential apartment buildings (Building A1 and Building C1) with basement car parking.
- Landscaping and public domain works.
- Amalgamation and subdivision.

The consent has been previously modified on four (4) previous occasions, comprising:

- Section 4.55(1a) - MOD 1 - amendments to a number of conditions of consent to clarify specific requirements, timings, and nominated personnel or issues; approved on 10 November 2020.
- Section 4.55(2) - MOD 2 - detailed design changes to Building C1; approved on 7 May 2021.
- Section 4.55(1a) – MOD 3 – for the removal of three (3) trees that were approved for retention and retain two (2) trees that were approved for removal; approved 21 December 2021.
- Section 4.55(1a) – MOD 4 – for the removal of seven (7) that were approved for retention due to the structure of a crib wall and the location of structural roots; approved 5 August 2022.

1.1 Relationship to Stage 2 (SSD 15822622)

Stage 2 (SSD 15822622) of the Ivanhoe Estate redevelopment was lodged to the Department of Planning, and Environment on 26 August 2021 and publicly exhibited between Tuesday 19 October 2021 and Monday 15 November 2021. The SSDA seeks consent for the detailed design and construction of Stage 2 of the Ivanhoe Estate redevelopment comprising the construction of Block C2 (community centre, pool, gym and open space), Block C3 (mixed use residential and retail), and Block C4 (market and social housing apartments).

As a result of ongoing design development to the Estate as a whole, certain components of Building C1 have been moved or incorporated into Building C2 as outlined **Section 3.1**.

2.0 Strategic context

The strategic context of the approved development has not materially changed since the Minister for Planning and Public Spaces granted consent to the Stage 1 SSDA on 30 April 2020, and the subsequent four (4) Modification Applications. DPE considered when granting consent to the Stage 1 SSDA that this first stage of physical works to deliver the Ivanhoe Estate Masterplan was appropriate for the site given it was consistent with the relevant strategic plans of the State.

3.0 Description of modifications

3.1 Modification to the development

The proposed modification relates to a range of minor amendments to the design of Building C1 to incorporate pending the approval of C2. The proposed modifications are detailed in the amended Architectural Drawings prepared by Crone Architects at **Attachment A**. Amended subdivision and staged subdivision plans have been prepared by Beveridge Williams to align with the amended Architectural Plans and are provided at **Attachments B and C** respectively.

In summary, the proposed modifications are addressed in **Table 1** below:

Table 1 *List of proposed modification*

Level	Proposed Modification
Basement 3	<ul style="list-style-type: none"> Relocation of Building C1 carpark exhaust locations into Building C2 (subject to the approval of SSD 15822622) Reduction of one car parking space (reducing community parking from 50 to 49) Provision of future access to Building C2
Basement 2	<ul style="list-style-type: none"> Relocation of the communal lift from Building C1 to Building C2
Basement 1	<ul style="list-style-type: none"> Amendments to the design of Basement 1 to show storage beneath the terraces and stair zone. Reconfiguration of Unit B1.01 in Building C1, amending the layout of the bathroom, bedroom, living, dining and kitchen within the unit.
Lower Ground	<ul style="list-style-type: none"> Reconfiguration of Unit LG.02 in Building C1 amending the layout of the unit to ensure carpark exhaust requirements are met Reconfiguration of the fire control room, cold water pump room and plant room to ensure better utilisation of the space and conformance to the relevant standards.
Upper Ground	<ul style="list-style-type: none"> Reconfiguration of the terraced area for Unit UG/03
Upper Ground – Level 12	<ul style="list-style-type: none"> Addition of a storage cupboard to the rear of the waste room in Unit 0.4
Community Room	<ul style="list-style-type: none"> Fit out of the community room from cold shell
External	<ul style="list-style-type: none"> Amendment to the pre-cast concrete façade to the terrace façade on Building C1 to incorporate a patterned finish in lieu of a plain finish.
Subdivision	<ul style="list-style-type: none"> Minor amendments to the stratum subdivision plans to reflect the above changes.

Further descriptions of key aspects of the modifications are detailed below

3.1.1 Carparking changes

The modification proposes to remove 1 car parking space within Basement 3 as a result of design modifications of the Pool and Gym in Building C2. Originally the Pool and Gym facility were estimated to have a total area of approximately 1300m² equating to 13 parking spaces required. As a result of design development, and the incorporation of Building C2 the Pool and Gym facility has been reduced in size to approximately 1200m² therefore resulting in the reduction of a carparking space to 12.

This therefore reduces the total community parking spaces from 50 car parking spaces to 49 car parking spaces.

3.1.2 Connection to Building C2

The modification proposes to align with the plans currently under assessment by the Department as part of SSD-15822622.

The modifications to Building C1 include the relocation of the car park exhaust and lift into the C2 building footprint area and the provision of openings from the C2 lower ground floor plan to the car parking area which is provided as part of the C1 building footprint, but services the C2 gymnasium, pool and community facilities. The amendments including the deletion of the lift and change in arrangement of the exhaust plant on Basement 3 are demonstrated at **Figures 1** and **2** below. The provision of openings to the C2 building on Basement 3 are demonstrated at **Figures 3** and **4** and the stage 2 C2 plans currently under assessment by the Department are provided at **Figure 5**. Note that amendments surrounding the exhaust are also proposed up to the ground floor plan.

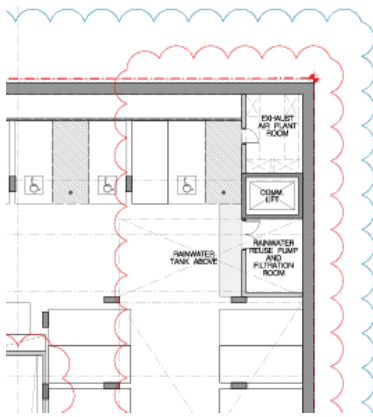


Figure 1 Approved car park exhaust and lift location

Source: Candalepas Associates

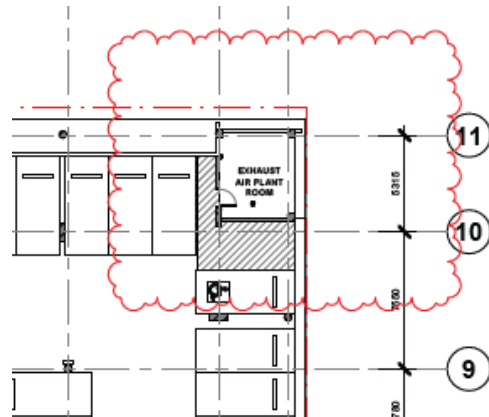


Figure 2 Proposed car park exhaust and lift location

Source: Crone Architects

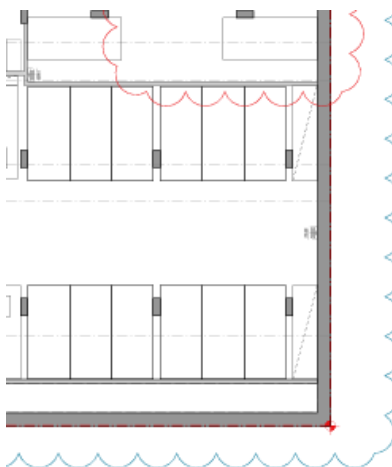


Figure 3 Approved B3 arrangement

Source: Candalepas Associates

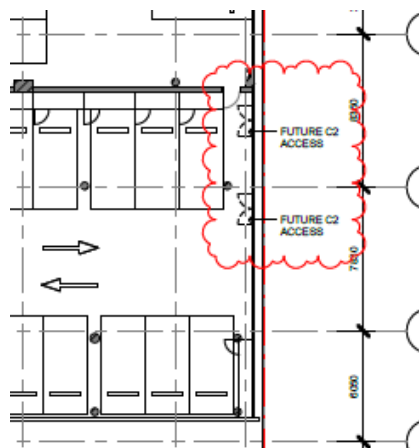


Figure 4 Proposed B3 arrangement with connection to C2

Source: Crone Architects

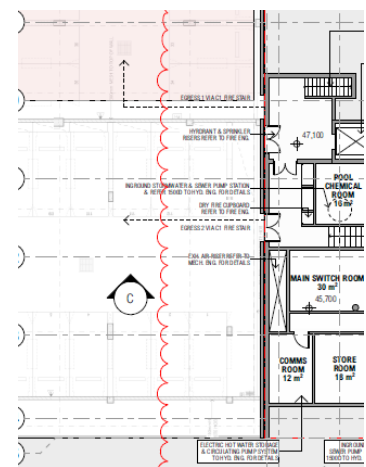


Figure 5 Stage 2 SSD-15822622 Basement Plan

Source: Chrofi

3.1.3 Internal Apartment Layout Refinements

It is proposed to reconfigure the internal layout and amend minor design specifications of several apartments, within Building C1 due to design development.

Firstly, it is proposed that the layout of Unit 4 on Upper Ground to Level 12 is to amended to provide the waste chutes in a cupboard arrangement rather than a separate room which results in the creation of extra space at what would have been the rear of the cupboard. This amendment then allows for the provision of an additional storage cupboard to each unit in what was the area of the chutes. **Figure 6** and **7** demonstrate the proposed residential change.

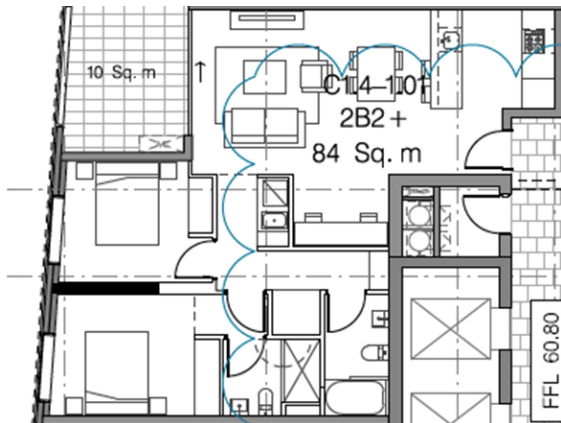


Figure 6 Approved unit layout plan (Unit C.14 – 1.01)

Source: Candalepas Associates

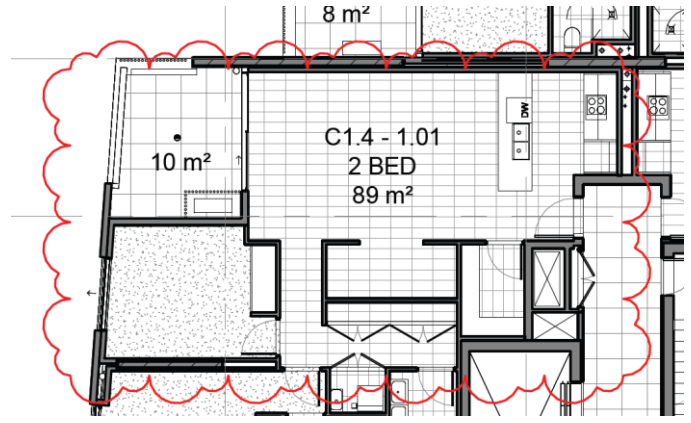


Figure 7 Proposed Unit layout plan (Unit C.14 – 1.01)

Source: Crone Architects

Secondly, Unit B1.01 layout design is proposed to be amended as a result of design development for better use of space within the apartment. Layout changes have resulted in the bathroom, bedroom, living, dining & kitchen to be relocated for the better use of space and access to open area.

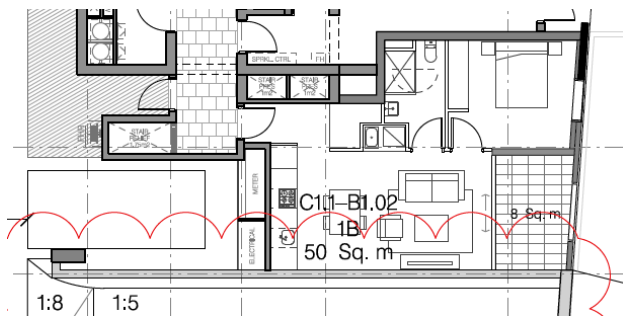


Figure 8 Approved unit layout plan (Unit C.1 - B1.02)

Source: Candalepas Associates

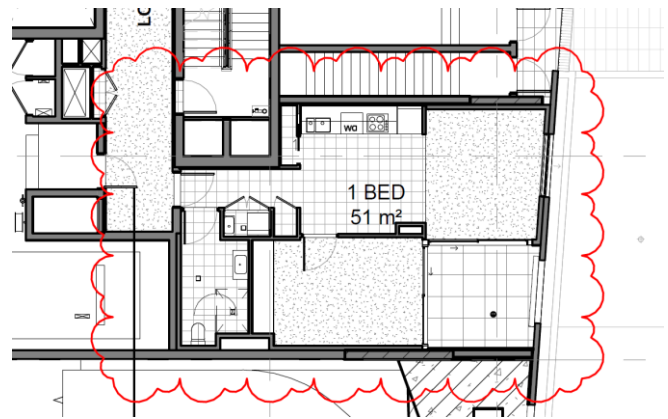


Figure 9 Proposed unit layout plan (Unit C.1 - B1.02)

Source: Crone Architects

Thirdly, Unit LG.02 in Building C1 is proposed to be amended to provide additional storage opportunities and due to the change of size of the exhaust plenum. The amendment to the layout of the unit is demonstrated at **Figure 10** and **11**.

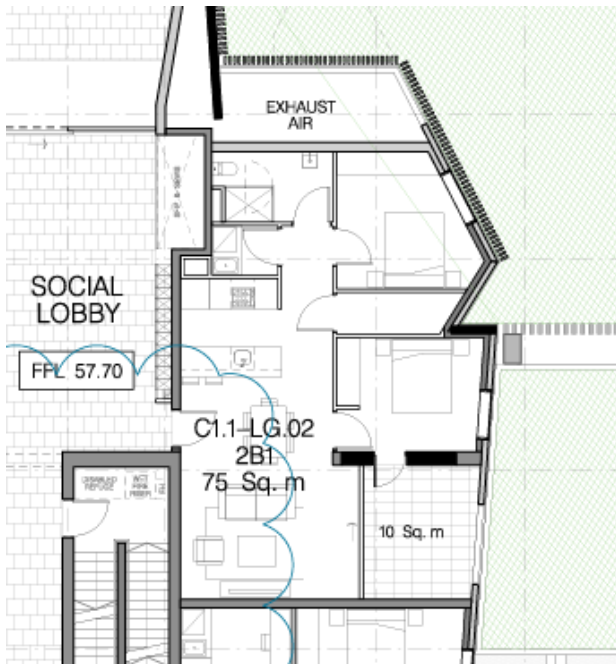


Figure 10 Approved unit layout plan (Unit C.1.1-LG.02)

Source: Candalepas Associates

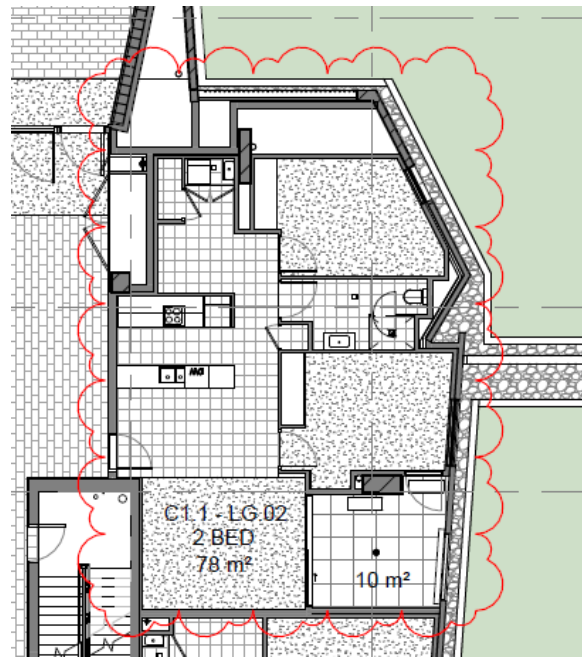


Figure 11 Proposed unit layout plan (Unit C.1.1-LG.02)

Source: Crone Architects

3.1.4 Amendments to exterior facades

Through design development a minor change to the terrace of C1 has been proposed, being a change from a smooth pre-cast concrete finish to a patterned (reiki) pre-cast concrete finish. The changes do not significantly alter the aesthetic of the building and will not undermine the design integrity of the approved design which will continue to adopt pre-cast coloured concrete and off-form concrete with aluminium louvres to ensure a variety of colours and textures are maintained on all facades.



Figure 3 Approved terrace finish

Source: Candalepas Associates



Figure 4 Proposed terrace finish

Source: Crone Architects

3.1.5 Fitout of the community room

The proposed modification seeks to fit out the community room in Building C1. As approved the community room was approved as a cold shell, this modification proposes to fit out the community room to include a kitchen, office space, meeting rooms, an accessible bathroom and a flexible space.

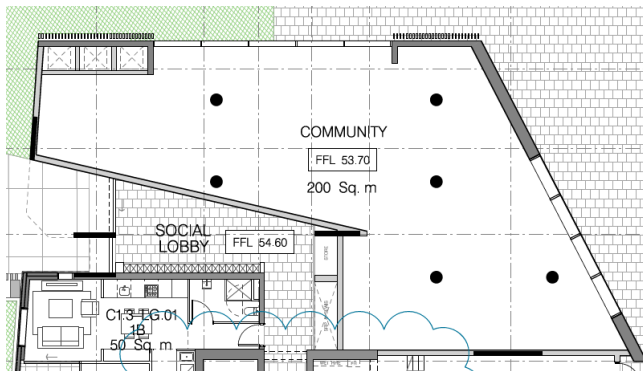


Figure 5 Approved cold shell of Community room

Source: Candalepas Associates



Figure 6 Proposed fitout of community room.

Source: Crone Architects

3.1.6 Basement 1 storage

The modification seeks to amend the design of Basement 1 to amend the layout of the storage area to stretch beneath the terraces and stair zone and introduce a separate storeroom and bathroom in this space.

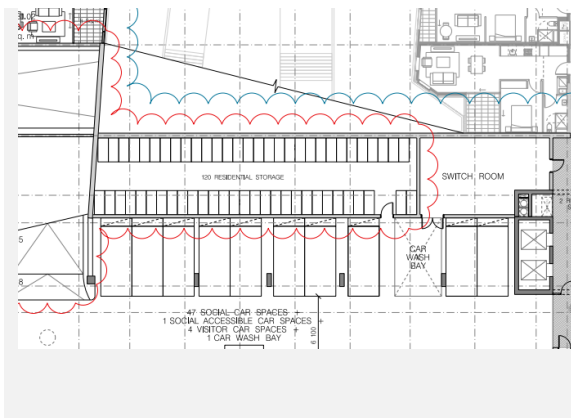


Figure 7 Approved B1 layout

Source: Candalepas Associates

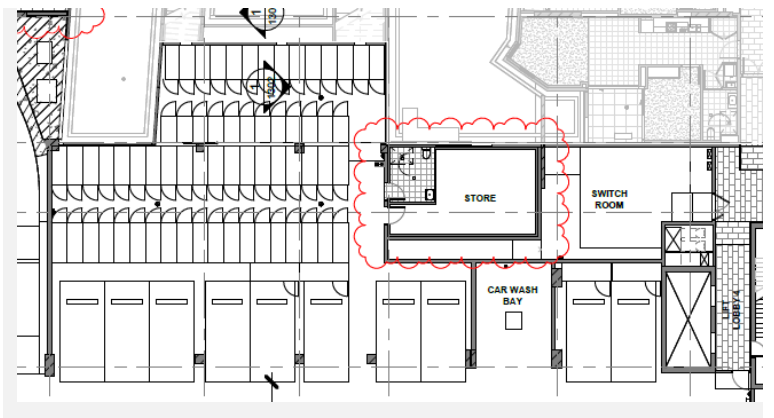


Figure 8 Proposed B1 layout

Source: Crone Architects

3.1.7 C1.4 Terrace amendment

The modification includes slight adjustments to the design of the C1.4 terrace area as demonstrated at **Figure 9** and **Figure 10** below. The modification results in an increase in the area of the terrace from 19m² as approved to 26m². In addition to being slightly larger, the proposed design provides a more regular shaped area and allows the bedroom to open to the terrace area rather than a small garden.

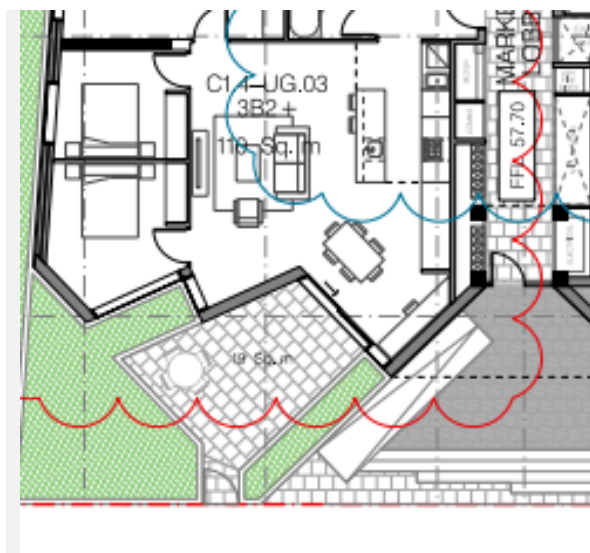


Figure 9 Approved C1.4 terrace

Source: Candalepas Associates

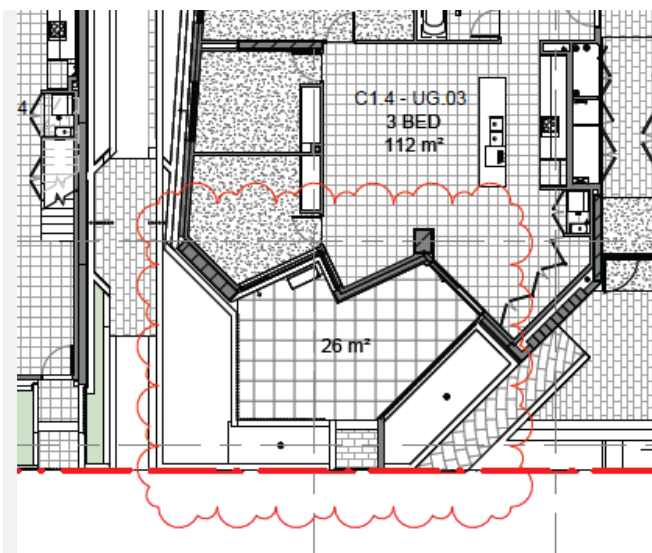


Figure 10 Proposed C1.4 Terrace

Source: Crone Architects

3.2 Modification to the conditions of consent

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

TERMS OF CONSENT

- A2. *The development may only be carried out:*
- In compliance with the conditions of this consent;*
 - In accordance with all written directions of the Planning Secretary;*
 - In accordance with the EIS, Response to Submissions and additional information;*
 - In accordance with the management and mitigation measures.*

Architectural Drawings prepared by Candalepas Associates (Building C1)

Drawing No.	Revision	Name of Plan	Date
S4.55-1050	<i>BE</i>	Site Plan	<i>09/12/20-24/8/22</i>
S4.55-1102	<i>BE</i>	Basement 3	<i>09/12/20-24/8/22</i>
S4.55-1103	<i>BE</i>	Basement 2	<i>09/12/20-24/8/22</i>
S4.55-1104	<i>BE</i>	Basement 1	<i>09/12/20-24/8/22</i>
S4.55-1105	<i>BE</i>	Lower Ground Floor	<i>09/12/20-24/8/22</i>
S4.55-1106	<i>BE</i>	Upper Ground Floor	<i>09/12/20-24/8/22</i>
S4.55-1107	<i>BE</i>	Level 1	<i>09/12/20-24/8/22</i>
S4.55-1108	<i>BE</i>	Level 2	<i>09/12/20-24/8/22</i>
S4.55-1109	<i>BE</i>	Level 3-4	<i>09/12/20-24/8/22</i>
S4.55-1110	<i>BE</i>	Level 5-12	<i>09/12/20-24/8/22</i>
S4.55-1111	<i>BE</i>	Level 13	<i>09/12/20-24/8/22</i>
S4.55-1112	<i>BE</i>	Level 14-19	<i>09/12/2024/8/22</i>

S4.55-1113	B E	Roof Plan	09/12/20 24/8/22
S4.55-1150	B F	Adaptable Units Floor Plans	09/12/20 8/9/22
S4.55-1200	B E	Section A	09/12/20 24/8/22
S4.55-1201	B E	Section B	09/12/20 24/8/22
S4.55-1202	B E	Section C	09/12/20 24/8/22
S4.55-1300	B E	North East Elevation	09/12/20 24/8/22
S4.55-1301	B E	North West Elevation	09/12/20 24/8/22
S4.55-1302	B F	North West Internal Elevation	09/12/20 23/9/22
S4.55-1303	B E	South East Elevation	09/12/20 24/8/22
S4.55-1304	B F	South East Internal Elevation	09/12/20 23/9/22
S4.55-1305	B F	South West Elevation	09/12/20 23/9/22
S4.55-1600	E	Solar & Vent Calculations - Sheet 1	24/8/22
S4.55-1601	E	Solar & Vent Calculations - Sheet 2	24/8/22
S4.55-1602	E	Solar & Vent Calculations - Sheet 3	24/8/22
S4.55-1850	D	Area Calculations	24/8/22
S4.55-1851	E	Apartment Storage Area Calculations	24/8/22

Subdivision Plans by Beverage Williams

Sheet 1 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 2 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 3 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 4 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 5 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 6 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 7 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 8 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 9 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 10 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 11 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 12 of 13	10	Lot 12 - Stratum	2/12/20 16/2/22
Sheet 13 of 13	10	Lot 12 - Stratum	17/09/19 16/2/22
Sheet 1 of 15	13	Stage 0 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 2 of 15	13	Stage 0A Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22

Sheet 3 of 15	13	Stage 0B Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 1 of 9 4 of 15	10 13	Stage 1 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 5 of 15	13	Stage 1A Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 6 of 15	13	Stage 2A Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 7 of 15	13	Stage 2B Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 8 of 15	13	Stage 2C Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 9 of 15	13	Stage 2D-Stage 2E Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	12/11/22
Sheet 3 of 9 10 of 15	10 13	Stage 3 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 4 of 9 11 of 15	10 13	Stage 4 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 5 of 9 12 of 15	10 13	Stage 5 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 6 of 9 13 of 15	10 13	Stage 6 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 7 of 9 13 of 15	10 13	Stage 7 Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	14/12/20 12/11/22
Sheet 9 of 9 13 of 15	10 13	Easement Summary Plan of Proposed Subdivision of Lot 1 DP859537, Lots 6-8, 10-20 DP861433, Lot 5 DP740753, Lot 100 DP1223787 and Lot 101 DP1247443	28/01/20 12/11/22

Reason: The above plans have been amended as a result of design development.

PUBLIC LIFT ACCESS

~~E22: 24 hours per day, seven days per week public access must be maintained in perpetuity to the community lift providing access to the car share basement parking area.~~

Reason: The public lift has been relocated from Building C1 to Building C2 and therefore this consent condition will be provided within the approval of SSD 15822622

4.0 Statutory Context

4.1 Section 4.55 of the EP&A Act

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:

- The proposed modifications are minor and relate to design refinements associated with the detailed design process;
- The proposed modifications do not alter key components of the approved development, being a residential tower;
- The proposed modifications continue to achieve a high level of design excellence;
- The changes to both the internal layouts and external finishes and design will have no adverse environmental impacts;
- The public benefits delivered by the development remain unchanged;
- The environmental impacts of the modified development remain substantially the same as the approved development; and
- The proposed minor modifications do not give rise to any new matters and are of minimal environmental impact.

Based on the above, our view is that the development as modified remains substantially the same as the development as originally approved. The potential environmental impacts considered individually and cumulatively, are considered minor and will have no significant impacts beyond those considered during the assessment of the Stage 1 approval.

Environmental impacts

Section 4.55(1A) of the EP&A Act also 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 to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The planning assessment of the proposed modified development remains generally unchanged with respect to these matters, with further assessment provided at **Section 5.0** below.

4.2 Section 4.22 of the EP&A Act

Under Section 4.24 of the EP&A Act, while a Concept Proposal remains in force, any further detailed application cannot be inconsistent with the consent for the Concept Proposal.

The modified development remains consistent with the Ivanhoe Estate Masterplan. The proposed modifications are minor and will not result in any adverse or significant new environmental impacts, as majority of the proposed modifications are internal, and will increase amenity across the site.

No consultation has been completed for this application outside of that undertaken as part of the preparation and refinement of the Stage 1 SSDA. The scale of the proposed changes, and associated environmental impacts, are shown to be minor and as such are not considered to warrant further consultation.

5.0 Assessment of impacts

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 to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The Environmental Impact Statement submitted with the original SSD 8903 application addressed a range of environmental impacts. Given the nature of the proposed modifications, the planning assessment of the proposed modifications therefore remains unchanged with respect to those matters.

5.1 Compliance with environmental planning instruments

An assessment of the proposed modified development's compliance with relevant environmental planning instruments is contained within **Table 2** below.

Table 2 Summary of consistency with relevant strategies, EPIs, policies and guidelines.

Instrument	Comments
Ryde Local Environmental Plan 2014	Clause 2.2 – Land Use Zone The proposed modification does not include any alterations to the approved land uses and therefore remains permissible with consent.
	Clause 4.3 – Height of Buildings The proposed modification does not include any alterations to the overall building height of Building C1 and C2 and will remain compliant with the height of building standard of 45 and 65m respectively.
	Clause 4.4 – Floor Space Ratio The proposed modification does not result in any change to the gross floor area proposed and approved as part of Mod 2 and remains compliant with bonus provisions under the Housing SEPP.
Ryde Development Control Plan 2014	<p>As a State Significant Development, the Ryde Development Control Plan 2014 (Ryde DCP) does not apply to Stage 1 of the Ivanhoe Estate Masterplan. The Ivanhoe Estate Masterplan and associated Urban Design Guidelines set the new vision for the site and have the same effect and purpose of a site-specific DCP. Together, they establish the parameters for future development in the form of building envelopes and apply detailed objectives and design principles to shape the design development of buildings.</p> <p>This approach is in accordance with Section 4.22 of the EP&A Act that confirms that a Staged DA may be made setting out concept proposals (i.e.: the Masterplan) for the development of a site to which separate and future detailed proposals (i.e., the Stage 1 DA) are pursuant. A concept proposal may also be undertaken in lieu of the preparation of a site-specific DCP in accordance with Section 4.23 of the EP&A Act.</p> <p>Further, it is noted that SSD applications are treated differently to regular 'local' and 'regional' developments, with a range of other legislation not applying (Section 4.41 and 4.46 of the EP&A Act) and other legislation needing to be applied consistently with the terms of any SSD consent (Section 4.42 of the EP&A Act). Accordingly, in this instance development control plans are specifically excluded from being applicable to SSD applications per Clause 11 of the State Environmental Planning Policy (State and Regional Development) 2011.</p>

5.2 Consistency with the concept DA

Under Section 4.24 of the EP&A Act there is a requirement for the development to be consistent with the consent for the Concept Proposal. This modification application has been made with reference to the Ivanhoe Estate Masterplan and is consistent with, and pursuant to, the Masterplan (as amended). An assessment against the key features of the Masterplan has been provided in **Table 2** below.

Table 3 Consistency with the Concept Plan (Ivanhoe Estate Masterplan)

Component	Discussion
Land Use	The proposed modification does not include any alterations to the approved land uses.
Gross Floor Area and Floor Space Ratio	33,480m ² – as per the previous approved GFA for C1. No additional floor space is sought as part of this modification.
Built Form	Building C1 will continue to fit within the building envelope established under the Masterplan and will be consistent with the Ivanhoe Estate Design Guidelines. Further discussion regarding the proposed amendments to the built form of the development is provided in Section 3.
Building Heights	No modifications are proposed to the building height of the development. The building heights will remain between 45m to 65m, which is below the maximum building heights nominated in the Masterplan.
Access Arrangements	No change is proposed to the access arrangements.
Public Domain	No change is proposed to the landscaping arrangements.
ESD	The proposed modification does not alter the development's achievement of sustainability targets.
Development Staging	The delivery of Building C1 is consistent with the indicative staging plan contained in the Masterplan, ensuring that social housing is provided concurrently with market housing.

5.3 Built form and urban design

5.3.1 Building façade design

The proposed modified development includes minor changes to the façade design. This involves the change of the façade from a smooth coloured precast finish to a patterned (rekli) finish in the same colour as approved. It is noted that this change is similar to the approved finish, and doesn't alter the colour palette or the design of the development substantially. In turn, the development will continue to exhibit a design which responds to the principles of scale, proportion and composition, offering a positive contribution to the desired future character of the area.

5.4 BCA

A letter has been prepared by Morris Golding Access Consultant (MGAC) and is included at **Attachment D**. This letter addresses the proposed modifications compliance with the relevant performance requirements of the Building Code of Australia (BCA) and Australian Standards on access and mobility.

MGAC found that all proposed modifications of the building including the fit out of the Community space are capable of complying with the relevant BCA Standards. The letter notes that the proposed drawings do not require any further additional supporting information or analysis at this stage of design, and that compliant with the DDA Premises Standards and Australian Standards can be achieved.

Reasons given for granting consent

The proposed modification does not alter the development insofar as the matters identified by the Minister as the reasons for granting the original development consent.

6.0 Justification

This Modification Application seeks to several minor design modifications to the approved development as a result of ongoing design development. The project as a whole and as modified is considered to be appropriate and supportable with regard to social, economic, and environmental impacts.

In accordance with section 4.55(1A) of the EP&A Act, DPE may modify the consent as:

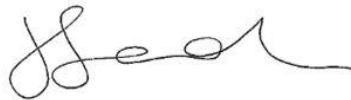
- the proposed modification is of minimal environmental impact.
- the proposed development remains consistent with the Ivanhoe Masterplan.
- is substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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