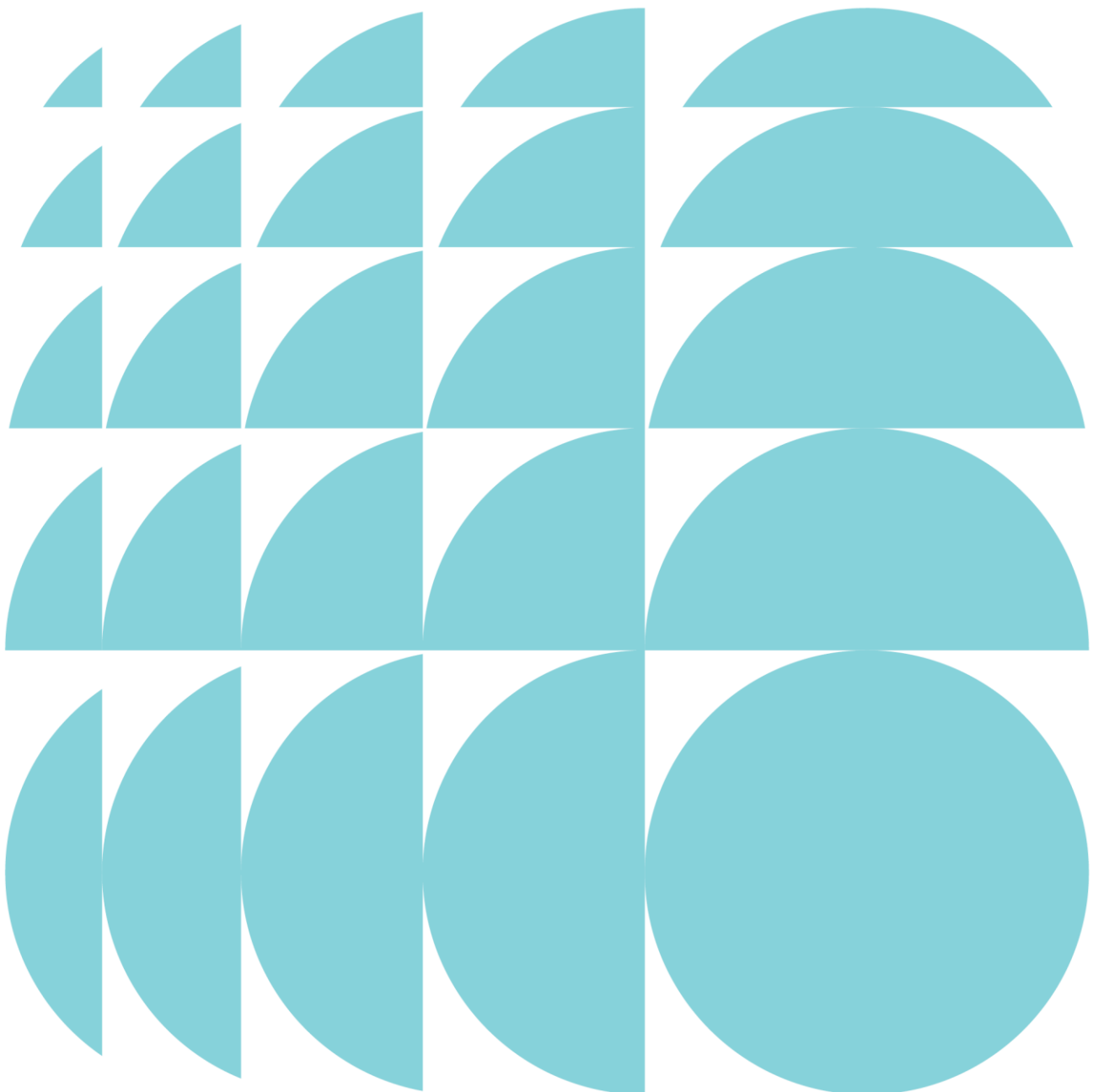


Statement of Environmental Effects

Ivanhoe Estate
Section 4.55(1A) Modification Application

Submitted to Department of Planning, Industry
and Environment
On behalf of Frasers Property Australia

11 March 2021 | 17156



CONTACT

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This document has been prepared by:



Costa Dimitriadis

11 March 2021

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James McBride

March 2021

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VERSION NO. 2

DATE OF ISSUE- 11 MARCH 2021

REVISION BY CD

APPROVED BY JMC

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1.0 Introduction

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 key amendments relate to:

- The conversion of a portion of market dwellings to affordable housing dwellings in Building C1 resulting in amendments to apartment mix and overall yield. The amendment will result in an additional 25 dwellings however will not result in any significant material changes to the approved built form or GFA.
- Reconfiguration of the basement car park across all levels resulting in an additional 24 car parking spaces.
- Extension of the lot boundary to accommodate the provision of parking for community uses and car share spaces.

The fundamental reason for the modification is due to the brief of the Community Housing Provider which required the provision of all affordable housing dwellings approved with the Concept DA pursuant to SSD 8707 to be delivered in Stage 1. This effectively means that all 130 affordable housing dwellings will be bought forward from Stage 6 into Stage 1, resulting in the early delivery of affordable housing by approximately 4 years than originally planned along with the provision of both social and market dwellings.

This application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 4.55(1A) of the EP&A Act. It is based on the Architectural Plans provided by Candalepas Associates (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

2.0 Concept Approval

Development consent was granted by the Minister for Planning and Public Spaces for State Significant Development (SSD-8707), for the Ivanhoe Estate Masterplan, on 30 April 2020. The concept approval comprises:

- Approximately 3,300 residential dwellings including approximately 950 social and 128 affordable housing dwellings, and 273 seniors housing comprising of private and social independent living;
- A 120 bed residential aged care facility (RACF);
- A school accommodating approximately 430 places;
- Community uses including community centres, community rooms, meeting rooms and fitness areas;
- Minor retail development;
- maximum building heights and GFA for each development block;
- public domain landscape concept, including parks, streets and pedestrian connections;
- provision of the Ivanhoe Estate Design Guidelines to guide the detailed design of the future buildings; and
- vehicular and intersection upgrades.

The concept approval is currently the subject of a Section 4.55(1A) modification to amend Condition A30 relating to development contributions. This modification also anticipates amendments the subject of this application.

3.0 Consent proposed to be modified

Development consent was granted by the Minister for Planning and Public Spaces for State Significant Development (SSD-8903), Stage 1 of the Ivanhoe Estate development in Macquarie Park, on 30 April 2020. The development is pursuant to the 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:
 - Building A1 with 269 apartments, 233 car parking spaces and a child centre
 - Building C1 with 471 apartments and 346 car parking spaces
- Landscaping and public domain works
- Amalgamation and subdivision

The consent has previously been modified to facilitate amendments to a number of conditions of consent to clarify specific requirements, timings, nominated personnel or address errors. The Section 4.55(1A) modification was approved on 10 November 2020. Therefore, the subject modification constitutes MOD 2 of SSD-8903.

4.0 Site Analysis

4.1 Site location and context

The site is located in Macquarie Park near the corner of Herring Road and Epping Road within the City of Ryde Council Local Government Area (LGA). It is located on the southern fringe of Macquarie Park, and is within approximately 500 metres of both Macquarie Shopping Centre and Macquarie University. The surrounding area is characterised by a mix of commercial and education uses, as well as student accommodation and residential dwellings. The site's locational context is shown at **Figure 1**.

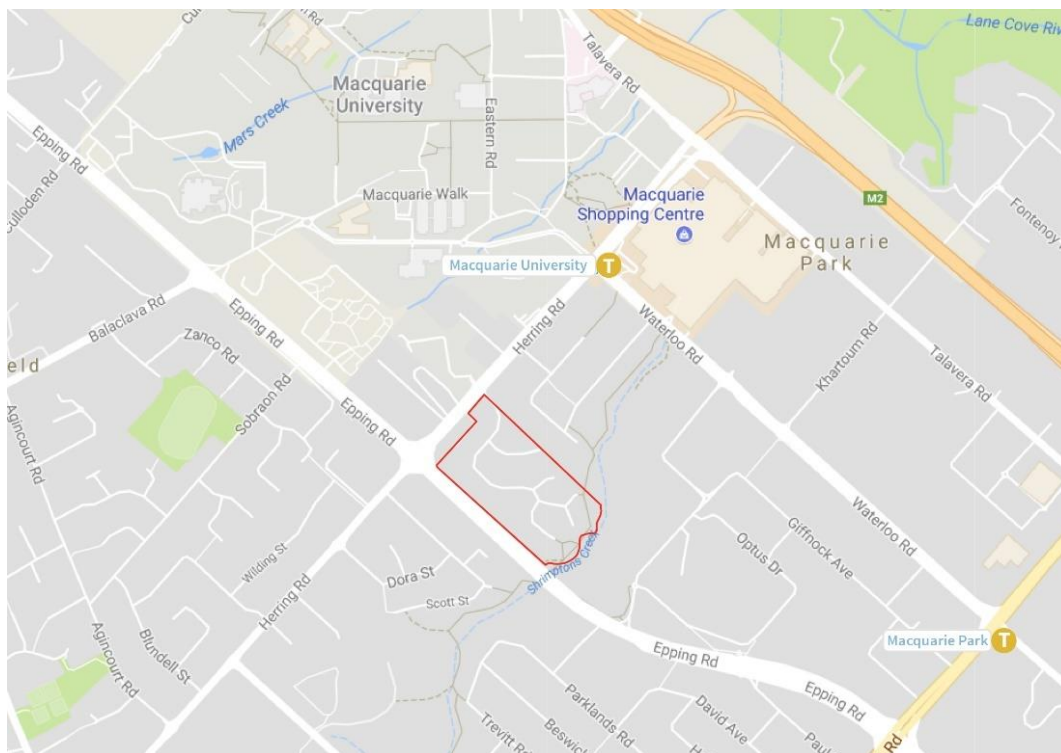


Figure 1 Locational context of Ivanhoe Estate (outlined in red)

Source: Google Maps & Ethos Urban

4.2 Site description

The Ivanhoe Estate site is approximately 8.2 hectares in area and comprises one consolidated allotment. The entire Ivanhoe Estate site, including all the internal roads, is owned and managed by LAHC. As noted above, the Masterplan site also incorporates adjoining land, being a portion of Shrimptons Creek and Lot 1 DP 859537 (2-4 Lyon Park Road). 2-4 Lyonpark Road is owned by LIF Pty Ltd as trustee for Local Government Super and the owners of Shrimptons Creek is currently being determined by NSW Land and Property Information. In the interim, land ownership for Shrimptons Creek is established in accordance with the *ad medium filum* legal precedent, whereby the owner of a lot adjacent to a creek also owns a portion of the creek up to the centre point.

An aerial photo of the site is included at **Figure 2** below. An image identifying the surrounding development is included at **Figure 3**.



The Site
 To facilitate road extension to Lyonpark Road

Figure 2 Aerial image of the site

Source: Nearmap & Ethos Urban

5.0 Proposed modifications to the consent

5.1 Modifications to the development

The proposed modifications seek to modify the development consent to facilitate the following changes to Building C1:

- Reduction in market dwellings from 212 to 107 apartments (reduction of 105 apartments);
- Provision of an additional 130 affordable housing apartments representing a net increase of 25 additional apartments in C1 from 471 to 496 apartments.
- Reduction in proposed gross floor area (GFA), with a proposal to deliver 33,480m² of GFA (reduction of 116m²);
- Reconfiguration of the apartment mix as follows:
 - Studio apartments: 96
 - 1 bedroom apartments: 198
 - 2 bedroom apartments: 186
 - 3 bedroom apartments: 12
 - 4 bedroom apartments: 4
- Increase in car parking provision from 346 to 375 car spaces in line with the approved car parking rates.
- Extension of the lot boundary to the east to accommodate provision of community car spaces, pool and gym car spaces, car share and associated access.
- External design changes to the façades to facilitate internal reconfiguration of the apartment layouts.

The proposed modifications to Building C1 will not result in any changes to Building A1 or any civil works associated with Stage 1. Further, the proposal will not modify the overall dwelling yield pursuant to the Concept Approval given that the affordable housing dwellings have been brought forward from Stage 6 into Stage 1. However, it is noted that the total yield in Stage 1 will be increased from 740 to 765 dwellings.

The proposed changes are illustrated in the revised Architectural Plans prepared by Candelapas (**Appendix A**) and the revised Landscape Plans (**Appendix B**) and are discussed further below.



Figure 3 Perspective of Building C1

Source: Doug & Wolf

5.2 Design modifications

5.2.1 Provision of Affordable Housing

The modification proposes to bring forward the delivery of all 128 of the affordable housing dwellings approved with the Concept DA. To facilitate the provision of 130 affordable housing dwellings, there will be a reduction of market dwellings from 212 to 107 apartments. In total, the modification will marginally increase the dwelling yield within Building C1 from 471 to 496 apartments.

The provision of affordable housing dwellings have been achieved through the reduction of market dwellings and the reconfiguration of the internal building layout to Building C1.2. The provision of affordable housing dwellings has had the effect of revising the approved apartment mix however will not materially alter the approved building envelope and will ultimately result in the reduction of gross floor area in the order of 116m².

Figures 5 to 8 depicts the approved and proposed floor plans from Architectural Plans prepared by Candalepas and Associates.



Figure 4 Approved Upper Ground Floor Plan

Source/Notes: Candalepas Associates



Figure 5 Proposed Upper Ground Floor Plan

Source: Candalepas Associates

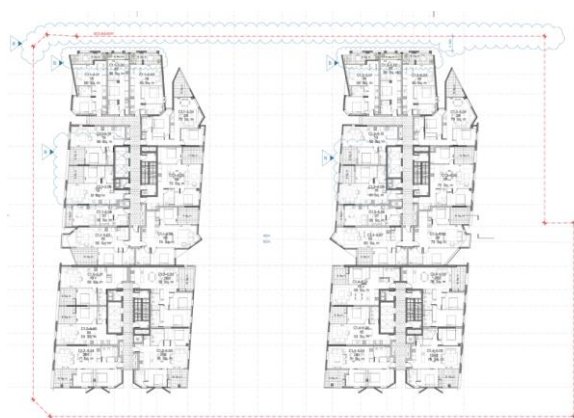


Figure 6 Approved Level 5-12 Plan

Source: Candalepas Associates

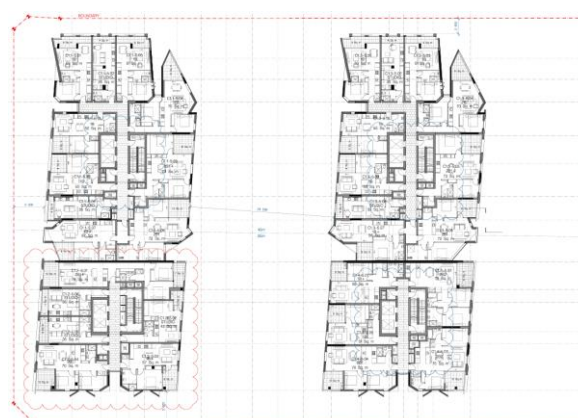


Figure 7 Proposed Level 5-12 Plan

Source/Notes: Candalepas Associates

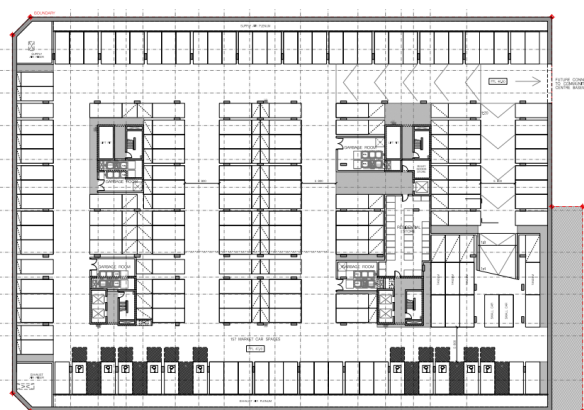
5.2.2 Reconfiguration of Basement Design and Car Parking Provision

The basement design and car parking provision has been amended to account for the changes to the housing tenure of Building C1 and to facilitate car parking for the future community centre, pool and gym facilities in addition to car share spaces as required by the Concept Plan and Stage 1 consent. In total, the car park provision has been summarised in **Table 1**.

Table 1 Proposed Car Parking Provision – Building C1

Housing Tenure / Use	Proposed Allocation
Residential	325 (including 17 visitor spaces)
Community Uses	20
Car Share	30
Total	375

The layout of the car park has been amended to enhance circulation including the provision of a direct ramp from ground level to Basement Level 3 for car parking associated with the future community centre. This enables patrons of the community centre to access parking without traversing the residential car park. Other refinements to the basement design have also been incorporated to improve access and circulation. **Figures 9 and 10** depict the approved and proposed Basement Level 3 Plan from the Architectural Plans prepared by Candalepas and Associates.

**Figure 8 Approved Basement Level 3 Plan**

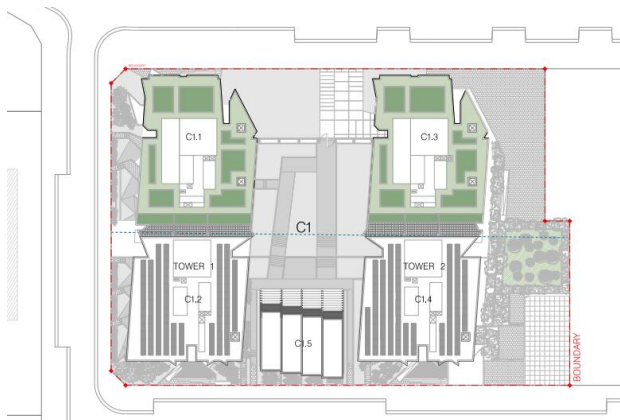
Source: Candalepas Associates

**Figure 9 Proposed Basement Level 3 Plan**

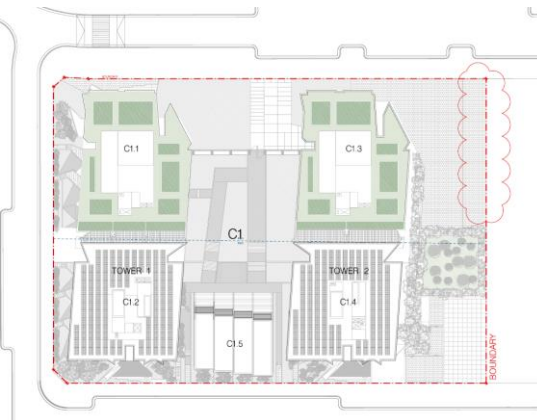
Source: Candalepas Associates

5.2.3 Amendment to Lot Boundary

The lot geometry for block C1 has been revised to square off the eastern boundary. The amendment is required to facilitate car parking for the future community centre and associated access to the car parking area via a lift located on the ground plane adjacent to Main Street. The location of the lift core will enable efficient access to the future community centre and pool via the car park located within the basement of Building C1. **Figure 11 and 12** depict the approved and proposed change to the lot boundary.

**Figure 10 Approved Site Plan showing lot boundary**

Source: Candalepas Associates

**Figure 11 Proposed Site Plan with revised lot boundary**

Source: Candalepas Associates

5.2.4 Roof Plant Configuration

The configuration and layout of rooftop plant and equipment has been modified to account for detailed design development and additional servicing requirements. Additionally, the screening devices for the lift overruns will have a height of 1500mm with finished RLs provided on the Architectural Plans in **Attachment A**. It is noted that the additional height is limited to the lift overrun and that the proposal will comply with the maximum height of building standard of 45 and 65 metres respectively pursuant to the LEP and as prescribed by Condition B28 and D1.

5.2.5 Amendments to the Exterior Façades

The internal reconfiguration of apartments and associated balconies has consequently resulted in negligible changes to the exterior facades of Building C1.2 and C1.4. The changes relate to the north west, south east and south west elevations of Building C1. 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.

The modification does not seek to increase the screening for the lift overruns. The extent has increased to cover the plant equipment on the roof. The Architectural Plans at **Attachment A** identify the finished RL of the lift overrun screens which will not exceed the maximum height of the lift overruns.

Figure 13 and **14** illustrate the approved and proposed South West Elevation Plans.



Figure 12 Approved South West Elevation

Source: Candalepas Associates

Lift overrun screens



Figure 13 Proposed South West Elevation

Source: Candalepas Associates

5.3 Modifications to conditions

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:

- a) *In compliance with the conditions of this consent;*
- b) *In accordance with all written directions of the Planning Secretary;*
- c) *In accordance with the EIS, Response to Submissions and additional information;*
- d) *In accordance with the management and mitigation measures.*

Architectural Drawings prepared by Candalepas Associates (Building C1)			
Drawing No.	Revision	Name of Plan	Date
DAS4.55 -1050	B	Site Plan	16/09/19 09/12/20
DAS4.55 -1102	B C	Basement 3	16/09/19 10/03/21
DAS4.55 -1103	B C	Basement 2	16/09/19 10/03/21
DAS4.55 -1104	B C	Basement 1	16/09/19 10/03/21
DAS4.55 -1105	B	Lower Ground Floor	16/09/19 09/12/20
DAS4.55 -1106	B	Upper Ground Floor	16/09/19 09/12/20
DAS4.55 -1107	B	Level 1	16/09/19 09/12/20
DAS4.55 -1108	B	Level 2	16/09/19 09/12/20
DAS4.55 -1109	B	Level 3-4	16/09/19 09/12/20
DAS4.55 -1110	B	Level 5-12	16/09/19 09/12/20
DAS4.55 -1111	B C	Level 13	16/09/19 24/02/21
DAS4.55 -1112	B	Level 14-19	16/09/19 09/12/20
DAS4.55 -1113	B C	Roof Plan	16/09/19 24/02/21
DAS4.55 -1150	B	Adaptable Units Floor Plans	16/09/19 09/12/20
DAS4.55 -1200	A C	Section A	26/11/18 24/02/21
DAS4.55 -1201	B C	Section B	16/09/19 24/02/21
DAS4.55 -1202	B	Section C	16/09/19 09/12/20
DAS4.55 -1300	A C	North East Elevation	26/11/18 24/02/21
DAS4.55 -1301	B C	North West Elevation	16/09/19 24/02/21
DAS4.55 -1302	B C	North West Internal Elevation	16/09/19 24/02/21
DAS4.55 -1303	B C	South East Elevation	16/09/19 24/02/21
DAS4.55 -1304	B C	South East Internal Elevation	16/09/19 24/02/21
DAS4.55 -1305	A C	South West Elevation	26/11/18 24/02/21
Landscape Drawings prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
L1-1102	J K	General Arrangement (2 of 8)	02/09/19 16/12/20
L1-1103	I J	General Arrangement (3 of 8)	05/11/19 05/12/20
L1-1802	I J	C1 Roof Plan	05/11/19 15/12/20

Subdivision Plans prepared by Beveridge Williams			
Drawing No.	Revision	Name of Plan	Date
Sheet 1 of 9	10	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	28/01/20 14/12/20
Sheet 2 of 9	10	Stage 2 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 14/12/20
Sheet 3 of 9	10	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	28/01/20 14/12/20
Sheet 4 of 9	10	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	28/01/20
Sheet 5 of 9	10	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	28/01/20 14/12/20
Sheet 6 of 9	10	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	28/01/20 14/12/20
Sheet 7 of 9	10	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	28/01/20 14/12/20
Sheet 8 of 9	10	Stage 8 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 14/12/20
Sheet 9 of 9	10	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
Sheet 1 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 2 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 3 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 4 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 5 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 6 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 7 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 8 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 9 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 10 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 11 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 12 of 13 12	8 10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19 2/12/20
Sheet 13 of 13	10	Plan of Proposed Stratum Subdivision of Lot 12	17/09/19

BASIX CERTIFICATION

B66. The development must be implemented and all BASIX commitments thereafter maintained in accordance with:

- Building A1: BASIX Certificate No. 893728M_02
- Building C1.1-C1.4: BASIX Certificate No. ~~919971M_02~~ 919971M_03
- Building C1.5: BASIX Certificate No. 896458M_02

An updated certificate must be issued if amendments are made.

The BASIX Certificate must be submitted to the Certifier with all commitments clearly shown on the Crown Building Works Certificate plans for each building.

NUMBER OF CAR PARKING SPACES

B78. A maximum of ~~328~~ **308** residential car parking spaces, ~~15~~ **17** visitor car parking spaces, and ~~three staff car parking spaces~~ **20 community, pool and gym car parking spaces** are to be provided for Building C1. Details demonstrating compliance must be submitted to the Certifier prior to the issue of the relevant Crown Building Works Certificate.

B81. The minimum number of bicycle parking spaces to be provided for the development shall comply with the table below. Details confirming the bicycle parking numbers must be submitted to the Certifier prior to the issue of the relevant Crown Building Works Certificate.

Bicycle parking allocation: Building C1	Number
Residential	474 496
Visitors	19 25

ENVIRONMENTAL PERFORMANCE

D12. Prior to the occupation or use of each building, the Applicant shall implement the commitments outlined in:

- Building A1: BASIX Certificate No. 893728M_02
- Building C1.1-C1.4: BASIX Certificate No. ~~919971M_02~~ **919971M_03**
- Building C1.5: BASIX Certificate No. 896458M_02

An updated certificate must be issued if amendments are made.

The BASIX Certificate must be submitted to the Certifier with all commitments clearly shown on the Crown Building Works Certificate plans for each building.

6.0 Substantially the same development

Section 4.55(1A) (b) 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 consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- No change is proposed to the use of land, comprising of residential land uses.
- No change is proposed to the capacity of the site, with the modifications largely contained within the approved building envelope.
- The proposed development will continue to provide an amenable and high quality residential development for a variety of households.
- The minor external design changes are driven by the reconfiguration of the internal layout and utilise the approved pallet of materials and finishes, ensuring a high-quality finish which keeps the original design intact.
- The qualitatively essential parts of the approved development also all remain largely intact, including the overall built form and scale, the impacts on surrounding development, traffic and parking, public domain, and amenity.

Table 2 Comparison between the proposed, as modified development and the original approval

Element	Approved	Proposed	Difference
Height	Building C1.1 - 44.3m (RL 102.45)	Building C1.1 - 44.3m (RL 102.45)	-
	Building C1.2 – 63.4m (RL 124.25)	Building C1.2 – 63.4m (RL 124.25)	-
	Building C1.3 – 44.7m (RL 99.35)	Building C1.3 – 44.7m (RL 99.35)	-
	Building C1.4 – 63.4m (RL 121.15)	Building C1.4 – 63.4m (RL 121.15)	-
GFA	33,596m ²	33,480m ²	-116m ²
Parking	346	375	+24
Apartment Yield	471	495	+25

7.0 Planning assessment

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 EIS submitted with the original SSDA addressed compliance with the following relevant strategic and statutory plans and development control plans:

- NSW Premier’s Priorities
- A Plan for Growing Sydney
- Towards Our Greater Sydney 2056
- Draft Greater Sydney Region Plan
- Draft North District Plan/North District Plan
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000
- Biodiversity Conservation Act 2016
- Threatened Species Conservation Act 1995
- Roads Act 1993
- SEPP 55 – Remediation of Land
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017
- Draft SEPP – Environment
- Environment Protection and Biodiversity Conservation Act 1999
- Guide to Traffic Generating Developments
- Ryde 2025 Community Strategic Plan
- Development Near Rail Corridors and Busy Roads – Interim Guideline
- City of Ryde Section 94 Development Contributions Plan 2007 (Interim Update 2014)
- Sydney’s Bus Future 2013
- Sydney’s Walking Future 2013
- Sydney’s Cycling Future 2013
- NSW Planning Guidelines for Walking and Cycling
- NSW Long Term Transport Master Plan
- EIS Guidelines – Road and Related Facilities
- Guide to Traffic Management – Part 12: Traffic Impacts of Development (AUSTROADS)
- Future Directions for Social Housing in NSW
- School Assets Strategic Plan

The EIS submitted with the original SSDA assessed the following environmental impacts of the proposed development:

- analysis of alternatives;
- ecologically sustainable development;

- visual and view impacts;
- wind;
- safety;
- contamination;
- child care centre;
- air quality and odour;
- geotechnical;
- contributions;
- public domain and public access;
- flora and fauna assessment;
- flooding;
- heritage and archaeology;
- design excellence;
- noise and vibration;
- utilities;
- fire safety; and
- staging.

The proposed modifications do not alter the approved development's compliance with the abovementioned statutory plans and instruments, nor does it introduce any additional environmental impacts beyond those mentioned above. As such, the following assessment considers only the matters relevant to the proposed modification under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

7.1 Compliance with environmental planning instruments

An assessment of the proposed modified development's compliance with relevant environmental planning instruments is contained within **Table 3** below.

Table 3 Summary of consistency with relevant strategies, EPIs, policies and guidelines

Instrument	Comments	
SEPP (Affordable Rental Housing) 2009	The proposed modification involves the provision of an additional 130 affordable housing units on the site, which have been designed to be consistent with the design criteria set out in Division 1 and Division 5 of the SEPP. A detailed assessment of these dwellings against the Affordable Rental Housing SEPP is detailed at Section 7.1.1 below.	
SEPP (BASIX) 2004	A BASIX Report (Appendix C) has been issued for the proposed modified development.	
SEPP 65 (Design Quality of Residential Flat Development)	A detailed SEPP 65 assessment has been completed by Candalepas Associates for the residential components of building C1, demonstrating that the proposed modified development will continue to comply with the design criteria contained within the Apartment Design Guide (see Appendix D). Compliance with SEPP 65 is discussed in further detail in Section 7.4 .	
Ryde LEP 2014	Cl. 2.2 – Zones	The proposed modification does not include any alterations to the approved land uses and therefore remains permissible with consent.
	Cl. 4.3 – Height of Buildings	The proposed modification does not include any alterations to the overall building height of Building C1 and will remain compliant with the height of building standard of 45 and 65m respectively.
	Cl. 4.4 – Floor Space Ratio	The proposed modified development includes a GFA of 33,480m, which constitutes a 116m ² reduction to the development's GFA. Therefore, this does not impact the development's compliance with the Concept Plan.
	Cl. 6.4 – Stormwater Management	A Stormwater Management Plan has been prepared for the site (see Appendix E and Section 7.9) and details how the proposed modified development is consistent with the measures proposed in the Concept Plan including Water Sensitive Urban Design (WSUD) measures, on-site stormwater detention, and water cycle quality and quantity measures.

Instrument	Comments
Ryde DCP 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 (ie: 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>

7.1.1 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (the ARH SEPP) sets out the standard for the development and maintenance of affordable rental housing in NSW.

Division 1 of the ARH SEPP applies to development that is permitted with consent under an environmental planning instrument, is located on a site that does not contain a heritage item and where all or part of the development is within an accessible area. The proposed development is permissible with consent under the Ryde LEP 2014 in the B4 Mixed Use zone, is not affected by a heritage item and is located within 500 metres of Macquarie University Station. Clause 13 of the SEPP permits an FSR bonus if at least 20% of the GFA of the development is to be used for affordable housing. Under the SEPP the term 'affordable housing' includes social housing. The key provisions of the ARH SEPP have been considered in the preparation of the SSDA and are addressed in **Table 4** below.

Table 4 Assessment against the ARH SEPP

Provision	Assessment
Division 1 – In-fill affordable housing	
Clause 13 – Floor space ratio	The Ivanhoe Estate Masterplan nominates a GFA cap for certain development on the site, which includes a specific breakdown of affordable and social housing and the respective FSR bonus that would apply. The Masterplan allows for the provision of a minimum of 128 affordable housing dwellings and a total of 76,497m ² of all social housing types. The proposed modification to the development is consistent with the terms of the Masterplan in this respect, as there is 130 affordable housing dwellings proposed, resulting in a total of 7,740m ² in addition to 17,005m ² of social housing which remains within the permitted GFA of 76,497m ² of social and affordable housing. It is noted that overall, there is a reduction of 116m ² in GFA for Building C1 when compared to the original consent.
Clause 14 – Standards that cannot be used to refuse consent	The following standards set minimums that the consent authority cannot be used to refuse consent. It is noted that not achieving the standard is not a non-compliance.
1(b) If the site's area is at least 450m ²	The Estate is 8.2 hectares, and the block area for C1 is approximately 5,896m ²
1(c) at least 30% of the site is landscaped.	When the public communal open space is considered as per the Masterplan Design Guidelines (including the Neighbourhood Garden facing Main Street and Town Square), a total of 1716m ² of communal open space is provided. This equates to 28% of the site area.
1(d) 15% of the site is provided as a deep soil zone with a minimum dimension of 3 metres and (if practicable) at least two thirds of the deep	Deep soil zones are provided in alternative locations around the Masterplan site to meet sitewide requirements. 15% of the Estate will be provided as a deep soil zone, with a minimum dimension of 3 metres or more.

Provision	Assessment
soil zone is located at the rear of the site.	
1(e) 70% of living rooms and private open space receive at least 3 hours of direct sunlight between 9am and 3pm in mid-winter.	The analysis accompanying the Concept proposal demonstrates that Building C1 is capable of achieving at least 70% of dwellings with 2 hours of solar access in mid-winter, consistent with Design Criteria in the SEPP 65 Apartment Design Guide.
2(a) car parking (minimum rates) 1 bedroom – 0.4 space 2 bedrooms – 0.5 space 3 bedrooms – 1 space	As the application is made on behalf of Land and Housing Corporation and the proposed affordable housing will be managed by Mission Australia Housing, the car parking rates set out in 2(a) are relevant. The car parking provided in the shared basement for C1 is greater than the minimum parking required under this provision for the proposed mix of affordable housing.
2(b) dwelling size	The Architectural Plans at Appendix A demonstrate that the proposed affordable housing dwellings achieve the required dwelling sizes, which are generally consistent with the provisions of the Apartment Design Guide.
Clause 16 – Continued application of SEPP 65	SEPP 65 applies to the proposed development as it is development for the purpose of a residential apartment building. Compliance with SEPP 65 is set out in Section 7.4 and Appendix D .
Clause 16A	The existing Ivanhoe Estate site has been used as social and affordable housing for approximately 30 years. The proposed redevelopment of the site is permissible with consent under the Ryde LEP and is consistent with the strategic vision for the Macquarie Park Priority Precinct, where homes are located in close proximity to employment and public transport.
Clause 17 – Must be used for affordable housing for 10 years	The affordable housing component of the development will be used as such for at least 10 years.

7.2 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 5** below.

Table 5 Consistency with the Concept Plan (Ivanhoe Estate Masterplan)

Component	Discussion
Land Uses	The proposed modification does not include any alterations to the approved land uses.
Gross Floor Area and Floor Space Ratio	33,480m ² , which is a reduction of 116m ² from the approved GFA of 33,596 for building C1.
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 7.3 .
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	The proposed modification does not include any notable changes to the public domain.
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.

7.3 Built form and urban design

7.3.1 Height

The height of Building C1 continues to be consistent with the maximum building heights prescribed under the Ryde LEP, which ranges between 45-65m within Block C1. The height limits were established as part of the Macquarie University Station (Herring Road) Priority Precinct process and the proposal is therefore consistent with the desired and emerging built form character of the centre. **Table 6** compares the approved building heights of Building C1 with the building heights as proposed to be modified.

Table 6 Building C1 height

Maximum building height	Approved building height	Proposed building height
45 metres	Building C1.1 - 44.3m (RL 102.45)	Building C1.1 - 44.3m (RL 102.45)
	Building C1.3 - 44.7m (RL 99.35)	Building C1.3 - 44.7m (RL 99.35)
65 metres	Building C1.2 - 63.4m (RL 124.25)	Building C1.2 - 63.4m (RL 124.25)
	Building C1.4 - 63.4m (RL 121.15)	Building C1.4 - 63.4m (RL 121.15)

7.3.2 Building façade design

The proposed modified development includes minor changes to the façade design. This involves the incorporation of white metal tubes into the façade to add further articulation of the building façade, in turn heightening the visual interest of the proposed modified development. Notwithstanding, the remainder of the building retains the same warm, naturally occurring hues, consistent with the colour scheme of the approved development. 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.

7.4 Residential amenity

A revised SEPP 65 Design Statement has been prepared by Candalepas Associates in relation to the proposed modified development which assesses the proposal against the nine principles for apartment design quality contained within SEPP 65 (**Appendix D**). The SEPP 65 Design Statement confirms that the proposed modifications to the development will not impact the development's ability to exhibit the nine principles of quality apartment design.

7.5 Traffic impact

A revised Traffic Impact Statement has been prepared by Ason Group (**Appendix F**) which assesses the impact of the proposed modifications on car parking requirements, access, and traffic generation. These matters will be discussed under the following subheadings.

Car parking

The proposed modification seeks to amend the development consent to facilitate the provision of additional car parking spaces, with a total of 375 car parking spaces (including 30 car share spaces). The total of 375 car parking spaces is consistent with the maximum of 403 car parking spaces that are allowed to be accommodated within the development, pursuant with the rate of parking provision approved under SSD-8903. Specifically, the changes to car parking provision are specified in **Table 1** located in **Section 5.2.2**. The provision of car parking for social housing is consistent with the Affordable Housing SEPP's minimum parking rate of 0.5 spaces per dwelling. With respect to car parking and basement design, the following is noted:

- The proposed modification includes 17 visitor car parking spaces, which aligns with the proposed modification that seeks to amend condition B78 to allow for the provision of 17 visitor spaces within Building C1. It is prudent to note that this represents an increase of two visitor car spaces for an additional 25 dwellings when compared with the parent consent. The minor departure from the condition requirement of 20 spaces as required by

Condition A18 of the Concept Approval is considered to be satisfactory given the strategic location of the site and the provision of car share spaces within the building.

- The proposed modification includes 58 car parking spaces and seven accessible parking spaces for a total of 65 car parking spaces dedicated for affordable housing apartments.
- The provision of staff car parking spaces pursuant to Condition B78 is unclear given that there are no staff members employed to run the community centre. It is possible that this is a typographical error due to the presence of a childcare in the adjacent A1 building. These three spaces have not been removed but they have alternatively been allocated as community spaces. Within the current approval community spaces were provided at a rate of 1 per 100m² (3 spaces) pursuant to condition A18 of the Concept Plan approval. As the proposed future C2 building (subject to a future DA) will contain a further 500m² of community space to achieve the requirements of condition A30 of the Concept Plan approval (700m² of community centre), and also a pool and gym of approximately 1,300m², the community parking provision has been increased to 20 to cater for the 2,000m² of community use space.
- The proposed modified development will cater for all parking requirements for Building C2, therefore negating the need for a separate basement to be constructed for the adjacent block.

Traffic generation

The forecast traffic generation of the proposed modified development has been derived through use of RMS Guide Update trip rates. Accordingly, a comparison of the approved traffic generation and traffic generation of the proposed modified development is provided in **Table 7** below.

Table 7 Comparison of traffic generation

	Land use	Yield	AM Peak		PM Peak	
			Trip Rate	Trips/hr	Trip Rate	Trips/hr
Approved	Market dwellings	481	0.14 per unit	68	0.12 per unit	57
Approved	Social dwellings	259	0.03 per unit	8	0.05 per unit	13
Approved	Childcare	75 children	0.1 per child and 6 staff	14	0.1 per child and 6 staff	14
Approved	Ancillary retail	525m ²	1 per 100m ²	5	1 per 100m ²	5
Approved	Total trip generation			95		89
Proposed	Market dwellings	376	0.14 per unit	53	0.12 per unit	45
Proposed	Social dwellings	259	0.03 per unit	8	0.05 per unit	13
Proposed	Affordable units	130	0.12 per unit	16	0.10 per unit	13
Proposed	Community use/ancillary retail	2000m ²	1 per 100m ²	20	1 per 100m ²	20
Proposed	Childcare	75 children	0.1 per child + 6 staff	14	0.1 per child + 6 staff	14
Proposed	Total trip generation			111		105
	Difference in trip generation			+16		+16

Source: Ason Group

As demonstrated in **Table 7** above, the proposed modifications to the development will generate 16 additional trips in AM and PM peak hours compared to the approved development, which is an inconsequential increase and as such is supportable on traffic generation grounds. It is also noted that the masterplan trip rates as a whole will be unchanged as the tenure change has resulted in reduced apartments in the latter stage.

Internal design

All the internal components of the proposed modified development have been designed in accordance with the relevant Australian Standards, as detailed in the Traffic Impact Statement (**Appendix F**).

7.6 Social housing

The proposed provision of affordable housing dwellings does not impact the development's ability to provide a mixture of housing, which is key to the Concept Plan vision for the site. This vision encompasses the Ivanhoe Estate Renewal facilitating the creation of a new mixed community on the site, including a range of housing tenures such as home ownership, private market rental, affordable rental housing, and social housing.

Ultimately, the proposed modification includes an additional 130 affordable housing apartments, which expedites the delivery of the affordable housing components on the site by four years and allows for the provision of a mixture of uses throughout the development. The modification will allow for the delivery of affordable housing on the site as early as September 2023, instead of the original approval which would result in affordable housing being delivered in late 2027. Therefore, the modification allows for the achievement of the Concept Plan vision.

7.7 Subdivision

The proposed stratum subdivision for Building C1 has been altered to reflect the conversion of market dwellings into affordable housing dwellings and therefore align with the design and intended operation of Building C1. The proposed modifications are illustrated in the Draft Plan of Stratum Subdivision that accompanies the modification application at **Appendix G**. The easements included in the subdivision plans demonstrate how the proposed lots can be adequately serviced and accessed.

7.8 Waste management

An amended waste management plan has been prepared by Elephants Foot Recycling Solutions (EFRS) which considers the waste generated and the waste management measures of the development (as proposed to be modified) (**Appendix H**). It includes changes to the development's waste generation which has arisen as a result of the changes in residential density, with an additional 25 dwellings proposed. Notwithstanding, the management of waste generated remains the same with residential waste and recycling to be collected by Council and retail and commercial waste collected by a private contractor.

Waste generated by the operation of the mixed use buildings will continue to be stored and collected on site, and will be the responsibility of residents and tenants to transport waste to the holding facilities, and the building managers and contractors to manage waste for pick-up and disposal. Further, the expectation remains that leasing arrangements with retail/commercial operations contain direction on waste management services and expectations, and that residents will be educated on the correct separation of garbage and recycling items and the operation of garbage chutes and holding areas.

7.9 Potable water, drainage and stormwater

A revised Stormwater Management Plan has been prepared by ADW Johnson and accompanies the application at **Appendix E** to assess the impacts of the proposed modifications on stormwater management, focussing on water quantity, water quality and potable water conservation. These matters as proposed to be modified are discussed below.

Water quantity

The City of Ryde Council's Stormwater Technical Manual requires that OSD systems are designed to ensure that the peak discharge in the post developed 100 year ARI storm event does not exceed the peak discharge in the post developed 5 year ARI storm event. Given that the proposed modifications culminate in an increase in the peak discharge leaving the site, further modelling has been undertaken to ensure the proposed tank size is adequate to service the development. Accordingly, in order to meet Council's aforementioned requirements for OSD systems, the stormwater detention tank size has been increased by 15m³.

Water quality

The nominated stormwater systems of the proposed modified development have been considered via MUSIC modelling to demonstrate compliance with Council's DCP treatment targets, as shown in **Table 8** below. This demonstrates that the proposed water quality measures will continue to meet and exceed Council's targets for Building C1.

Table 8 Compliance with water quality requirements

Pollutant	Target	Approved	Proposed	Compliance
Gross pollutant	90%	100%	100%	✓
Total suspended solids	85%	86.5%	87.9%	✓

Pollutant	Target	Approved	Proposed	Compliance
Total phosphorus	60%	65.2%	65.9%	✓
Total nitrogen	45%	56.7%	53.9%	✓

Source: ADW Johnson + Ryde DCP 2014

Potable water conservation

A water balance was formulated in the original stormwater report that was based on two key parameters being the roof catchment area and the water reuse demand. The reuse demand was derived on the basis of an irrigation rate adopted for the site's pervious areas. The proposed amendments do not impact on the pervious areas of the site. Moreover, the roof catchment area is not proposed to be altered. As such, there are no proposed changes to the water balance produced in the approved stormwater report.

7.10 Building Code of Australia compliance

The proposed modified development will continue to comply with all the relevant requirements of the Building Code of Australia (BCA) and other requirements pertaining to accessibility, as demonstrated within the following reports:

- Building Code of Australia Statement prepared by McKenzie Group (**Appendix I**); and
- Accessibility Statement prepared by Morris Goding Accessibility Consulting (**Appendix J**).

7.11 Lift provision

Vertical Transportation advice has been prepared by WSP (**Appendix K**) to justify the inclusion of a single lift to service all apartments in towers C1.1, C1.2 and C1.3.

Notwithstanding the Apartment Design Guide's recommended lift provision, WSP note that a single lift can adequately service 65 apartments, with this alternative solution being consistent with international design criteria outlined by Chartered Institute of Building Services Engineers and the design of similar buildings.

8.0 Conclusion

The proposal seeks to amend the development consent to facilitate the following modifications to the development:

- The conversion of a portion of market dwellings to affordable housing dwellings in Building C1 resulting in amendments to apartment mix and overall yield. The amendment will result in an additional 25 dwellings however will not result in any significant material changes to the approved built form or GFA.
- Reconfiguration of the basement car park across all levels resulting in an additional 24 car parking spaces.
- Extension of the lot boundary to accommodate the provision of parking for community uses.

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

- the consent, as proposed to be modified, is substantially the same development as that originally approved;
- there will not be any significant adverse environmental or social impacts; and
- the proposed development remains consistent with the Masterplan.

In light of the above, we therefore recommend that the proposed modification is supported by the Department of Planning, Industry and Environment. We trust that this information is sufficient to enable a prompt assessment of the proposed modification.