

# SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Wednesday 1 July 2015 at 4.30 pm**

Panel Members: Bruce McDonald (Acting Chair), Bruce Clarke, Lindsay Fletcher, Michael Smart and David White

**Apologies:** None

**Declarations of Interest:** None

## Determination and Statement of Reasons

**2015SYW035 – Hornsby Shire Council, DA/136/2015**, Demolition of existing structures and construction of a fifteen storey residential flat building comprising 119 units with four levels of basement car park accommodating 124 car spaces and associated landscaping works, Lot 3 DP 621462 (Nos. 2-4) Chester Street, Epping.

**Date of determination:** 1 July 2015

### Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

### Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

### Reasons for the panel decision:

1. The proposed facility will add to the supply and choice of housing within the Metropolitan North Subregion and the Hornsby local government area in a location planned for this purpose and with access to metropolitan transport services including Epping Railway Station and access to the amenities and services offered by Epping town centre.
2. The Panel has considered the applicant's request to vary the development contained in Clause 4.3 Height of Buildings Hornsby LEP 2013 and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the additional height will not result in a building that is inconsistent with the scale of buildings planned for this central urban precinct and the development remains consistent with the objectives of the standard and the applicable R4 (High Density Residential) Zone.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 23 Urban Consolidation (Redevelopment of Urban Land) SEPP 65 Design Quality of Residential Flat Development and associated Residential Flat Design Code, SEPP (Infrastructure) 2007, SEPP 55 Remediation of Land.
4. The proposal adequately satisfies the objectives and provisions of Hornsby LEP 2013 and adequately satisfies the provisions of Hornsby DCP 2013.
5. The proposal is consistent with the scale and character of anticipated development in the locality as determined by the lands inclusion in the Epping Urban Activation Precinct.
6. The proposed development will have no significant adverse impacts on the natural or built environments.
7. In consideration of the points in 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

**Conditions:** The development application was approved subject to the conditions detailed in Schedule 1 of the Council's Assessment Report with the following amendments:

### Condition 22. Traffic Control Plan and Construction Management Plan

#### a. Traffic Control Plan

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the *Roads & Traffic Authority's Traffic Control at Worksites Manual 1998* and *Australian Standard 1742.3* for all work on a public road. The Traffic Management Plan must be submitted and approved by Council's Manager, Traffic and Road Safety, prior to the issue of a construction certificate. The TCP must detail the following:

- a) Arrangements for public notification of the works.
- b) Temporary construction signage.
- c) Permanent post-construction signage.
- d) Vehicle movement plans.

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- e) Traffic management plans.
- f) Pedestrian and cyclist access/safety.
- g) Restricting access of all construction vehicles to the western end of the site.

The Traffic Control Plan is to be submitted to Council for approval prior to the issue of the construction certificate.

### b. Construction Management Plan

A Construction Management Plan (CMP), prepared by a suitably qualified consultant, must be submitted for approval by Council. The CMP must include, but not be limited to, details of the following:

- a) Noise attenuation measures be implemented along the eastern boundary of the site including a hoarding height not less than 3m from the existing ground level;
- b) During excavation works, rock removal must be undertaken by sawing instead of rock hammering, wherever practicable;
- c) The construction works must be undertaken in accordance with the "Interim Construction Noise Guidelines – 2009" published by DECCW and achieve compliance with the relevant noise levels;
- d) The delivery times and vehicular movements related to demolition, excavation and construction works must be restricted to the construction hours only.

### Condition No. 31 Construction Work Hours






All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday (unless otherwise approved by Council due to extenuating circumstances). No work is to be undertaken on Sundays or public holidays.

### Condition No. 54 Council Verge – Chester Street

The applicant is to undertake and complete construction works to the Chester Street verge in front of the development site in accordance with Council's *Epping Town Centre Public Domain Guidelines*.

The street tree plantings must include two **3** x *Tristanopsis laurina* Luscious (Water Gum). Trees are to be installed at minimum 200 Litre pot size and are to be located to ensure sight lines for cars leaving driveway are safe.

#### Panel members:

 <p><b>Bruce McDonald</b></p>	 <p><b>Lindsay Fletcher</b></p>	 <p><b>Bruce Clarke</b></p>
 <p><b>David White</b></p>	 <p><b>Michael Smart</b></p>	

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## SCHEDULE 1

1	<b>JRPP Reference – 2015SYW035, LGA – Hornsby Shire Council, DA/136/2015</b>
2	<b>Proposed development:</b> Demolition of existing structures and construction of a fifteen storey residential flat building comprising 119 units with four levels of basement car park accommodating 124 car spaces and associated landscaping works.
3	<b>Street address:</b> Lot 3 DP 621462 (Nos. 2-4) Chester Street, Epping
4	<b>Applicant and Owner:</b> Applicant – B1 Group Pty Ltd, Owner – Br Group Pty Ltd
5	<b>Type of Regional development:</b> Capital Investment Value > \$20M
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>◦ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development</li> <li>◦ State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004</li> <li>◦ State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban land)</li> <li>◦ State Environmental Planning Policy - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>◦ Hornsby Local Environmental Plan 2013 – R4 High Density Residential Zone</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Hornsby Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Section 94 Contributions Plan 2012 - 2021</li> <li>• Regulations: <ul style="list-style-type: none"> <li>◦ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report with conditions, Locality plan, Architectural plans, Landscape plan and stormwater plans, Schedule of finishes, Shadow diagrams and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• Owen Judge</li> <li>• David Ryan</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 3 June 2015 – Briefing Meeting; 1 July 2015 - Site Inspection and Final Briefing Meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report