

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Wednesday 24 February 2016 at 5.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce Clarke, Bruce McDonald, Michael Smart and David White

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW116 – Hornsby Shire Council, DA/681/2015, Demolition of existing structures and construction of two x 22 storey buildings and one x 7 storey building, each comprising ground floor retail/business tenancies totalling 966 m² and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars, 20-28 Cambridge Street, Epping.

Date of determination: 24 February 2016

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 as addressed in the Council Assessment Report, the material listed at item 7 the matters presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing within the North Metropolitan Subregion and the Hornsby local government area in a location with ready access to the current and planned metropolitan transport services at Epping Rail Station and the services and amenities available within Epping Town Centre.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 32 Urban Consolidation (Redevelopment of Urban Land), SEPP 65 (Design Quality of Residential Flat Development) and its associated Residential Flat Design Code, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the provisions and objectives of Hornsby LEP2013 in particular the first and third objectives of the B2 Zone. In this regard the Panel while noting that development of the site as proposed will result in a substantial net loss commercial floor space recognises that the proposed development is consistent in type and scale and with the pattern of development anticipated and planned for the Epping Town Centre Urban Activation Precinct in which this site is located. The Panel also notes the legal advice provided which confirms the proposed development is classified as "Shop Top Housing", which is a permitted use within the B2 Local Centre Zone. The proposal is also considered to adequately satisfy the provisions of the Hornsby DCP.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises, nearby school, nearby heritage item or the operation of the local road system. In this regard the Panel notes the arrangement for road improvements within the precinct by state funding provisions and council's section 94 plans.
5. In consideration of conclusions 1-4 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

The Panel notes the agreement by the applicant to enter into meaningful discussion with the neighbouring school to install a process for monitoring and responding to concerns relating to construction impacts.

Conditions: The development application was approved subject to the conditions in the Council Assessment Report with a new condition relating to a Plan of Management for the communal open space.

New Condition - Plan of Management for the communal open space areas






A Plan of Management (POM) is required to be prepared and submitted to the satisfaction of Council prior to the issue of the occupation certificate. The POM is to address the management of the communal open space areas **and, at a**

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minimum, the following:

- a) Accessibility by the community and residents of the development;
- b) Security and crime prevention;
- c) Safety;
- d) Maintenance and fencing; and
- e) Delineation of the public and private domain

Panel members:

		
Mary-Lynne Taylor	Bruce Clarke	Bruce McDonald
		
David White	Michael Smart	

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SCHEDULE 1

1	JRPP Reference – 2015SYW116, LGA – Hornsby Shire Council, DA/681/2015
2	Proposed development: Demolition of existing structures and construction of two x 22 storey buildings and one x 7 storey building, each comprising ground floor retail/business tenancies totalling 966 m ² and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars.
3	Street address: 20-28 Cambridge Street, Epping.
4	Applicant: Epping 048 Service Pty Ltd Owner: Epping 048 Service Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ Hornsby Shire Local Environmental Plan 2013 ◦ State Environmental Planning Policy No. 32 – Urban Consolidation ◦ State Environmental Planning Policy No. 55 – Remediation of Land ◦ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development ◦ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development (Amendment No. 3) ◦ State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 ◦ State Environmental Planning Policy - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Hornsby Development Control Plan 2013 • Planning agreements: Section 94 Contributions Plan 2014 - 2024 • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report with conditions, Location & Site Plan, Site Analysis Plan, Basement Levels 1-3, Podium/Ground Floor Plan, level 1 Floor Plan, Typical Floor Plan, Mid Zone Floor Plan, High Zone Plan, Penthouse Floor Plan, Roof Plan, Elevations, Sections, Shadow Impact Analysis, Photomontages and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • John Amos • Craig Wesker (on behalf of Our Lady of Help Christian School) • Tony Hackett • Andrew Halmarick On behalf of the Applicant: <ul style="list-style-type: none"> • Melanie Krzus from City Plan Strategy and Development - Applicant's Town Planner • Stephen San Lorenzo from APP - Applicant's Project Manager • Simon Parsons from PTW Architects - Applicant's architect • Michael Lee
8	Meetings and site inspections by the panel: 2 September 2015 – Site Inspection 24 February 2016 - Final Briefing Meeting.
9	Council recommendation: Deferred Commencement Approval
10	Conditions: Attached to council assessment report