



Panel Briefing Meeting Sydney West Region

Time & Date:	2:30pm on 20 July 2016
Meeting Location:	Department of Planning and Environment 10 Valentine Avenue, Parramatta
Project & DA No:	2015SYW179 – DA/1381/2015 (Lodged 22 October 2015) Demolition of existing structures, retention of a heritage item and construction of a seventeen storey mixed-use development comprising ground floor retail over basement carpark and shop-top housing comprising 254 units in two residential towers
Panel Members:	Mary-Lynne Taylor – Chair Bruce McDonald – Panel Member Paul Mitchell – Panel Member
Hornsby Council Staff:	Rod Pickles (Manager Development Assessment) Aditi Coomar (Senior Town Planner)
Declarations of interest:	None
Key Issues:	

Amendment of Conditions

The applicant submitted a letter dated 18 July 2016 requesting deletion and amendment of a number of conditions (copy attached). The request is discussed as follows:

Condition 1 – Deletion of this condition is not supported.

Existing allotments at Lots 1A and 1B DP 102387 and Lot A DP 354692 (Nos. 30 – 38 Oxford Street) do not currently have rights to drain over the property at No. 14 Essex Street. Accordingly, it is considered appropriate that a deferred commencement approval be granted requiring the creation and registration of an easement to drain water from the above properties over the downstream property at No. 14 Essex Street, Epping.

Condition 2 – Amendment to the condition is supported.

The condition is to be reworded to include the correct list of plans as follows:

Plan No.	Issue	Plan Title	Drawn by	Dated
DA-1.04	H	Ground Floor Plan	Marchese Partners	02/06/2016
DA-2.03	E	North Elevations	Marchese Partners	02/06/2016
DA-2.04	D	South Elevations	Marchese Partners	03/05/2016
DA-7.02	B	Heritage Façade Detail 02	Marchese Partners	03/05/2016
DA-8.00	B	External Finishes	Marchese Partners	03/05/2016
LA01	D	Landscape Elements	Taylor Brammer	24/06/2016
LA02	G	Landscape Concept Plan	Taylor Brammer	24/06/2016
LA03	D	Landscape Ground Level Planting Plan	Taylor Brammer	24/06/2016
LA04	D	Landscape Site Sections	Taylor Brammer	24/06/2016

Approved Plans

Supporting Documents

No.	Issue	Plan/Document Title	Prepared by	Dated
DA-0.02	B	Survey Plan	Marchese Partners	20/04/2016
DA-6.01	B	Perspective Views	Marchese Partners	03/05/2016
DA-6.02	B	Perspective Views	Marchese Partners	03/05/2016
1611S0062000	-	Transport Impact Assessment	GTA Consultants	2/10/2015 and 4/05/2016
-	-	Statement of Heritage Impact	Graham Brooked and Associates	21/10/2015

Condition No 3(a) and Condition 32 – Amendments to the conditions are not supported.

The tree numbering in the conditions are as marked in the Survey Plan attached to the Planning report and listed in Condition 2 of the development consent. The tree numberings in the Survey Plan match the numbering in the Tree Location Plan within the Arborist Report. Therefore no further amendments are warranted in this instance.

Condition 5(b)(c) – Amendment to the condition is not supported.

The intent of Section 3F of the *Apartment Design Guideline (ADG)* is to ensure that a building setback of 12m to the boundary be provided at the 9th storey which is generally 25m above the natural ground level, to ensure adequate visual privacy between residential flat buildings at this level. The *ADG* does not specify whether the height relates to finished floor level of a building or the roof level. In the current circumstance, a section of the building would be marginally below the natural ground level due to the proposed cut. Therefore, the finished floor level of the 9th storey would be below 25m. It is not considered that this should result in any relaxation to the visual privacy requirements of the *ADG* at the 9th storey.

There are 3 x 2-bd units at this level within Tower B facing the northern boundary. The balcony areas for all the three units would comply with the minimum area requirements in the *ADG*. A minor non-compliance is noted regarding the balcony depth for Unit 2L.01. However, this would be acceptable given that the deletion of the balconies would result in a better development outcome for the site. As such, the deletion of the encroachments to the terraces would not result in any unreasonable impact on the built form or the living areas of the buildings.

Condition 6(b)(c)(d) – Amendments to the conditions are not supported.

The condition is a standard requirement in all development consents issued by Hornsby Shire Council. A Private Certifier cannot issue a Construction Certificate for works on public road or to connect to Council's stormwater system.

Condition 7 – Amendment to the condition is not supported.

The condition is recommended in accordance with the requirements of Hornsby Shire Council's Section 94 Contributions Plan. The applicant has not submitted any previous documentation or requested Council regarding a "staggered plan" of payment. Accordingly, Council does not consider that an amendment to the payment timing is warranted in this instance.

Condition 23(a) – Amendment to the condition is not supported.

The condition has been recommended to reflect the requirement within the Hornsby Development Control Plan 2013 for 30% adaptable units and 10% accessible units within a residential flat building.

Condition 24(g) – Amendment to the condition is supported.

Reference to the recycling room at the each residential level is in error and has been deleted as follows:

- g) The waste facilities on each residential level must be accessible by persons with a disability.

Condition 37 – Amendment to the condition is supported.

The condition is to be reworded as follows:

37. Construction Work Hours

All works on site, including demolition and earth works, must only occur between 7am and 5pm Monday to Saturday.

No work is to be undertaken on Sundays or public holidays.

Condition 68 – Amendment to the condition is not supported.

This condition reflects the requirements of Hornsby Shire Council's Property Numbering Policy and no amendment is considered necessary. There are limitations of Council's Computer system (Pathway) to accept combinations of numbers and alphanumeric.

Condition 71 – Amended to the condition is supported.

The bullet point is in error and is to be rectified as follows:

Waste Management

The following waste management requirements must be complied with:

- a) The residential chute service rooms and the commercial bin storage room at the basement level must include water or a hose for cleaning, graded floors with drainage to sewer, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The residential bin storage room and the bin collection room must include sealed and impervious surface, adequate lighting and ventilation, a robust door, and must be lockable.
- b) A report must be prepared by an appropriately qualified person, certifying the following:
 - i) A comparison of the estimated quantities of each waste type against the actual quantities of each waste type.

Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report.

- ii) That at least 60% of the waste generated during the demolition and construction phase of the development was reused or recycled.

Note: If the 60% diversion from landfill cannot be achieved in the Construction Stage, the Report is to include the reasons why this occurred and certify that appropriate work practices were employed to implement the approved Waste Management Plan. The Report must be based on documentary evidence such as tipping dockets/receipts from recycling depots, transfer stations and landfills, audits of procedures etc. which are to be attached to the report.

- iii) All waste was taken to site(s) that were lawfully permitted to accept that waste.
- c) Each unit must be provided with an indoor waste/recycling cupboard for the interim storage of waste with two separate 20 litre containers for general waste and recyclable materials.
- d) Space must be provided for either individual compost containers for each unit or a communal compost container;
Note: The location of the compost containers should have regard for potential amenity impacts.
- e) A bulky waste storage area of at least 16m² is to be identified and marked with paint and signage.
- f) The bin carting routes must be devoid of any steps and must be no less than 1.5m wide.
Note: Ramps between different levels are acceptable.
- g) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for domestic waste collection by Council.
- h) "No parking" signs must be erected to prohibit parking in the waste collection loading bay.
- i) Motorised bin carting equipment must be provided to assist the site caretaker in the safe transfer of 1100litre garbage bins at the basement level.
- j) The waste facilities on each residential level must be accessible by persons with a disability.
- k) A survey of the finished access way (including ramp, waste collection vehicle turning area, loading bay and site entry/exit) to be used by HRV waste collection vehicle, must be carried out by a registered surveyor and submitted to the principal certifying authority. The survey is to include dimensions, gradients and vertical clearance. Written confirmation must be submitted to the Principal certifying authority from a qualified Traffic Engineer, that this survey confirms the finished access way within the waste collection vehicle turning path was designed and constructed in compliance with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for heavy rigid vehicles of 9.7 m length with 5.85 m wheelbase.
- l) The 4.5 metre clearance height within the waste collection vehicle travel path must not be reduced by ducting, lights, pipes or any other services.
- m) Site security measures implemented on the property, including electronic gates, must not prevent access to the collection point by waste removal services.



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- n) Signage with illustrated instructions on the use of the e-diverter chute system by residents for separate disposal of recycling and garbage are to be installed above or next to each chute entry hopper on each residential level.
- o) The volume handling equipment on the residential chute systems must not include compaction.
- p) The residential component and non-residential component of the development must have separate and self-contained waste management systems, including separate bin storage rooms. Commercial tenants must be prevented (via signage, locked doors and other means) from using the residential waste/recycling bins and vice versa.