

DATE OF DETERMINATION	Wednesday, 19 October 2016
PANEL MEMBERS	Bruce McDonald (Chair), Stuart McDonald, Richard Thorp and David Ryan
APOLOGIES	Mary-Lynne Taylor
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre, 316 Victoria Road, Rydalmere on Wednesday, 19 October 2016, opened at 2:00 pm and closed at 2:35 pm.

MATTER DETERMINED

2015SYW188 – Parramatta – DA/1266/2015 (Hornsby LEP) AT 22, 24, 26, 26A & 26B Essex Street, Epping (AS DESCRIBED IN SCHEDULE 1)

4.3

PANEL CONSIDERATION AND DECISION

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.

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*. The decision was Unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The proposed development will add to the future supply and choice of housing within the Metropolitan North Subregion and the City of Parramatta in a location specifically zoned for high density residential development of this scale and with ready access to metropolitan transport service available from Epping Railway Station and the amenities and services available within Epping Town Centre
2. The Panel has considered the applicant's request to vary the development standard contained in Hornsby LEP 2013 Cl. 4.3 relating to height of buildings and is satisfied that it has adequately addressed the matters to be demonstrated by Clause 4.6 (3). The Panel considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation responds to the sloping characteristic of the site, will not result in development inconsistent with that planned for this locality and the development remains consistent with the underlying intent of the standard and the objectives of the zone.
3. The proposed development adequately satisfies the relevant State legislation and State Environmental Planning Policies, including Water Management Act 2000, SEPP 55 – Remediation of Land, SEPP (Infrastructure) 2007 and SEPP 65 – Design Quality of Apartment Development and its associated Apartment Design Guide.
4. The proposal adequately satisfies the provisions and objectives of Hornsby LEP 2013 and Hornsby DCP 2013.
5. 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, the operation of the local road system.
6. In consideration of conclusions 1-5 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 of consent recommended by Council, amended at the meeting as follows:

1. Addition of Condition No. 19A as follows:

19A. 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 southern 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; and
- d) The delivery times and vehicular movements related to demolition, excavation and construction works must be restricted to the construction hours only.
- e) Crane operation not to occur over the child care centre site at No. 28 Essex Street, Epping.

2. With regard to above Condition No. 19A b) replacement of Condition No. 35 with new Condition No. 35 is recommended as follows:

35. 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 in writing by Council due to extenuating circumstances). No work is to be undertaken on Sundays or public holidays.

3. Addition of Condition No. 62A as follows:

62A. Installation of Privacy Devices

The following device(s) must be installed to maintain an element of privacy.

- a) Privacy screens must be sliding stackable louvered metal screens extendable to the full width of the balconies and must be fitted to private open space areas of Units 206, 207, 213 and 214 at the southern elevation;
- b) All glass balustrades must be translucent glass;
- c) Outdoor clothes drying area must be screened from view of publicly accessible areas.
- d) The private open space terrace areas at the southern elevation of Units 403, 404, 407 and 408 must include edge planter boxes of design to minimise direct overlooking of the adjoining child care centre.

4. Revision of Condition No. 1 in accordance with the City of Parramatta Supplementary Council Assessment Report uploaded to the JRPP web site on 11 October 2016 (Refer Attached). Condition No.1 is revised as follows:

4.1 Plan No. A100 Rev E – Ground Floor Plan dated 06.06.16 is replaced with Plan No. A100 Ground Floor Plan rev F dated June 2016.

4.2 Plan No. A130 Rev C – Adaptable Units 1 dated 13.04.16 is replaced with Plan No. A130 Adaptable Units 1 Rev F dated June 2016



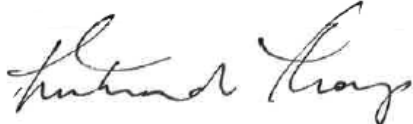

4.3 Plan No. A132 Rev C – Adaptable Units 3 dated 13.04.16 is replaced with Plan No. A132 Adaptable Units 3 Rev F dated June 2016

4.4 Plan No. A203 Rev C – Building B – West Elevation dated 13.04.16 is replaced with Plan No. A203 West Building B Rev F dated June 2016

4.5 Plan No. A205 Rev C – South Elevation dated 13.04.16 is replaced with Plan No. A205 South Elevation Rev F dated June 2016

4.6 Plan No. A301 Rev E – Section B dated 06.06.16 is replaced with Plan No. A301 Section B Rev F dated June 2016

4.7 Plan No. A320 Rev E – Overland Flow Section dated 06.06.16 is replaced with Plan No. A320 Overland Flow Section Rev F dated June 2016

PANEL MEMBERS	
 Bruce McDonald (Chair)	 Stuart McDonald
 Richard Thorp	 David Ryan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW188 – City of Parramatta – DA/1266/2015
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of 2 x 5 storey residential flat buildings containing 64 units and basement car park
3	STREET ADDRESS	22-26B Essex Street, Epping
4	APPLICANT/OWNER	Yue Hao Land Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Water Management Act 2000 • State Environmental Planning Policy No. 65 – Design Quality Apartment Development • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Hornsby Local Environmental Plan 2013 • Clause 4.6 application • Hornsby Development Control Plan • Hornsby Section 94 Contributions Plan • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report dated 26 August 2016 • Written submissions during public exhibition: one • Verbal submissions at the panel meeting: <ul style="list-style-type: none"> ○ With a requested change to the conditions of consent: Kathy Ware ○ On behalf of the applicant: Tony Owen
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting on Wednesday 24 February 2016 • Site visit on Wednesday 19 October 2016 • Final briefing meeting on Wednesday 19 October 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report