

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	2018SWC053
<b>DA Number</b>	DA/333/2016/C  (a Section 4.55(1A) to Hornsby Council DA/681/2015)
<b>LGA</b>	City of Parramatta Council
<b>Proposed Development</b>	<p>Section 4.55(1A) modification to (Hornsby Council) DA/681/2015</p> <p><i>A modification to an approved 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 966m<sup>2</sup> and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars.</i></p> <p>The Section 4.55(1A) modifications seeks (1) modifications to plans to reflect imposed conditions of consent (2) modification to BASIX Certificate and plans (3) correct error of mis-description to read 501 apartments and (4) Crime Risk report</p>
<b>Street Address</b>	Lot 1 DP 1205413. 20-28 Cambridge Street, EPPING
<b>Applicant/Owner</b>	Applicant - Ganellen Pty Ltd Owner – Poly (Australia) Real Estate Development Pty Ltd
<b>Date of DA lodgement</b>	6 March 2018
<b>Number of Submissions</b>	No submissions – The application did not require notification under Hornsby DCP 2013.
<b>Recommendation</b>	Approval
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)</b>	<p>Section 4.55(1A) modification to DA/681/2015 –</p> <p>Approved by (former) Sydney West Joint Regional Planning Panel with a Capital Investment Value &gt; \$20 M and lodged before 1 march 2018.</p>
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act and Regulations;</li> <li>• State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development);</li> <li>• State Environmental Planning Policy (Building and Sustainable Index: BASIX) 2004;</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011;</li> <li>• State Environmental Planning Policy (Vegetation in non-rural areas) 2017;</li> <li>• Hornsby Local Environmental Plan 2013;</li> <li>• Hornsby Development Control Plan 2013; and</li> <li>• Parramatta Section 94 Contributions Plan (Former Hornsby LGA Land and Epping Town Centre).</li> </ul>
<b>List all documents submitted with this report for the Panel's</b>	<ul style="list-style-type: none"> <li>• Architectural plans;</li> <li>• Architectural BASIX stamped plans;</li> <li>• BASIX cover letter</li> </ul>

<b>consideration</b>	<ul style="list-style-type: none"> <li>• BASIX Certificate;</li> <li>• Cover letter (SEE report); and</li> <li>• Crime and Risk report.</li> </ul>
<b>Report prepared by</b>	Catherine Watkins
<b>Report date</b>	8 May 2018

#### Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

#### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**  
*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

#### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

#### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **Not Applicable**  
*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

#### Conditions

Have draft conditions been provided to the applicant for comment? **Yes**  
*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

## EXECUTIVE SUMMARY

- The application involves a Section 4.55 (1A) modification to Hornsby Council DA/681/2015 as modified (City of Parramatta DA/333/2016) to an approval for the *Demolition of existing structures and construction of two x 22 storey buildings and one x 7storey building, each comprising ground floor retail/business tenancies totalling 966m<sup>2</sup> and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars*, that seek modifications to (1) plans to reflect imposed conditions of consent (2) modification to BASIX Certificate and plans (3) correct error of mis-description to read 501 apartments and (4) amended Crime Risk report.
- The site is identified as Nos. 20-28 Cambridge Street, Epping being Lot 1 DP 1205413. The site has an area of 8,314m<sup>2</sup> and is irregular in shape with a frontage to Cambridge Street to the west and Chester Street to the north.
- The Sydney West Joint Regional Planning Panel, at its meeting on 24 February 2016 resolved to grant deferred commencement approval to the mixed use development (DA/681/2015 under Hornsby Council) on 24 February 2016.

- A letter from Hornsby Shire Council was issued on 22 April 2016 confirming that the deferred commencement condition (Part A, Condition 1) had been achieved.
- A modification to development consent (DA/333/2016) was issued by City of Parramatta on 4 October 2016 which included 1) Rearrangement of car parking bays in basement 2) Internal layout changes, 3) Changes to balcony alignment and 4) Changes to the number of adaptable apartments 75.

- The proposed modifications under DA/333/2016/C include the following matters:

*(1) plans to reflect imposed conditions of consent*

Condition No. 2 under DA/681/2015 (as modified under DA/333/2016) required changes to landscaping, provision of a through-site link adjacent to the southern boundary, and removal of a substation. The submitted modification plans reflect the imposed conditions.

*(2) modification to BASIX Certificate and plans*

The BASIX Certificate modifications relate to ventilation, heating and cooling requirements for the dwellings. The BASIX Certificate has been updated to reflect the apartment floor areas as approved and does not result in exterior building design changes.

*(3) correct error of mis-description to read 501 apartments*

The error of description, which described the proposal as consisting of 500 apartments was included under DA/333/2016 (during the transfer of the site from the Hornsby local government area to City of Parramatta), contrary to the approved Hornsby Council DA/681/2015 which describes the development (including associated plans and documents) as consisting of 501 apartments.

*(4) amended Crime Risk report.*

The amended Crime Risk report relates to podium level management measures, including the removal of after-hours barriers to restrict access to the southern part of the podium. The imposed conditions under DA/681/2015 required creation of a through-site link, providing increased surveillance for this area, decreasing opportunities for crime and the requirement to provide barriers to limit the access to this area of the site.

*Deferred commencement:*

It is proposed to add a note following Part A: Deferred commencement of DA/681/2015 as modified) to provide clarity that operational consent was provided by Hornsby Council.

- The proposed modification is substantially the same development as approved pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* and is generally in compliance with the *State Environmental Planning Policy No. 65, Apartment Design Guide, Hornsby Local Environmental Plan 2013* and *Hornsby Development Control Plan 2013*.
- The modifications relate to modified sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report. The modifications result in minor changes to built form at the podium

level of the development. The built form, building height and apartment mix remains consistent with that approved, providing an overall apartment quantity of 501 apartments.

- No submissions have been received in respect of the application.
- It is recommended that the application be approved.

## **RECOMMENDATION**

**That** the Sydney Central City Planning Panel as the determining authority approve development consent to Development Application No. DA/333/2016/C (a Section 4.55 (1A) to Hornsby Council DA/681/2015) for the modifications to (1) plans to reflect imposed conditions of consent (2) modification to BASIX Certificate and plans (3) correct error of mis-description to read 501 apartments and (4) amended Crime Risk report at 20-28 Cambridge Street, Epping.



**ASSESSMENT REPORT – MODIFICATION OF CONSENTS**  
**Environmental Planning & Assessment Act 1979**

## **SUMMARY**

### **Application details**

DA No:	DA/333/2016/C
Assessment Officer:	Catherine Watkins
Property:	Lot 1 DP 1205413, 20-28 Cambridge Street, EPPING NSW 2121
Proposal:	<p>Section 4.55(1A) modification to consent DA/681/2015 (Hornsby Council) as modified, to an approved Mixed Use development containing 501 Units and retail tenancies. The modification includes: (1) modifications to plans to reflect imposed conditions of consent (2) modification to BASIX Certificate and plans (3) correct error of misdescription to read 501 apartments (4) crime risk report.</p> <p>Modification to DA/681/2015 (Hornsby Council) as modified (DA/333/2016/A) (City of Parramatta Council).</p>
Date of receipt:	6 March 2018
Applicant:	Ganellen Pty Ltd
Owner:	Epping 048 Service Pty Ltd
Submissions received:	A Section 4.55(1A) does not require notification pursuant to Section 1B.5.2(b) of Hornsby DCP 2013
Conciliation Conference Held:	No
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Recommendation:	Approval

## Legislative requirements

Zoning	<b>B2 Local Centre</b>
Permissible under:	Hornsby Local Environmental Plan 2013
Relevant legislation/policies	SEPP No. 65 – Design Quality Residential Flat Development; SEPP (BASIX) 2004; SEPP Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; Hornsby Section 94 contributions Plan 2014-2024 SEPP 55 – Remediation of Land; State Environmental Planning Policy (Vegetation in non-rural areas) 2017 Hornsby Development Control Plan 2013 Parramatta Section 94 Contributions plan (Former Hornsby LGA Land and Epping Town Centre)
	City of Parramatta Policy for the Handling of Unclear insufficient and amended development applications
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Integrated development	No
Clause 4.6 variation	No
Delegation	SCCPP

### BACKGROUND

The Sydney West Joint Regional Planning Panel, at its meeting on 24 February 2016 resolved to grant deferred commencement approval to Development Application No. 681/2015 for *Mixed use development for two 22 storey buildings and a six storey building and comprising 501 residential units, retail and commercial tenancies and basement car parking* at 20-28 Cambridge Street, Epping being determined by the JRPP for General Development with a cost of over \$20 Million.

A letter from Hornsby Shire Council was issued on 22 April 2016 confirming that the deferred commencement condition (Part A, Condition 1) has been achieved and the 'the applicant can now act on this consent' (DA/681/2015).

Local Government (City of Parramatta and Cumberland) Proclamation 2016, property now part of the City of Parramatta.

### Site History:

4 October 2016 (DA/333/2016)	A modification to development consent DA/681/2015 issued by City of Parramatta including:  Section 96 (1A) modification to an approved Mixed Use development containing 500 Units and retail tenancies. The modification includes: 1.)
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	Rearrangement of car parking bays in basement 2.) Internal layout changes, 3.) Changes to balcony alignment and 4.) Changes to the number of adaptable apartments 75.
DA/333/2016/A	Refused – construction hours
DA/333/2016/B	Withdrawn
Current application - DA/333/2016/C modification to Hornsby DA/681/2015.	The modification included: 1.) Rearrangement of car parking bays in basement 2.) Internal layout changes, 3.) Changes to balcony alignment and 4.) Changes to the number of adaptable apartments 75.
Associated applications:	
DA/1275/2016 18 April 2017	Change of use, fitout and signage for a childcare centre containing 57 places located on ground floor of Tower B;
DA/20/2017 17 May 2017	Facilitating Stratum subdivision of Lot 1 DP 1205413 to create five (5) Stratum Lots.

## SITE DESCRIPTION AND CONDITIONS

The site is identified as Nos. 20-28 Cambridge Street, Epping being Lot 1 DP 1205413. The site has an area of 8,314m<sup>2</sup> and is irregular in shape with a frontage to Cambridge Street to the west and Chester Street to the north. The site has a slope of approximately 3% from the north-eastern corner of the site to the south-west (Cambridge Street).

The site is located to the east of the Epping Chatswood Railway Corridor and approximately 300 metres from Epping Railway Station, within the Epping Town Centre Urban Activation Precinct. This area is undergoing redevelopment to include a mix of residential, retail, commercial and recreational facilities around the Epping Town Centre.





**Figure 1 – Location Map (Aerial Photograph) (March 2018)**

The development (DA/681/2015) as modified (DA/333/2016) is currently under construction.

The site is zoned B2 Local Centre under Hornsby Local Environmental Plan 2013.  
The surrounding properties are zoned a mix of R4 High Density Residential, B2 Local Centre and SP2 Rail infrastructure.

The site was inspected on 22 March 2018.



**Chester Street**





Cambridge Street



Podium level - Rear of childcare area looking to east

## ASSESSMENT UNDER SECTION 4.55

### THE PROPOSAL

#### Background

**DA/681/2015** issued by Hornsby Council in February 2016 provided development approval for:

- Demolition of existing structures;
- Erection of two x 22 storey buildings and one x 7 storey building comprising ground floor retail uses;
- 501 residential apartments and
- Basement car parking for 519 cars;

## THE PROPOSAL

### The modifications

Consent is sought to modify the approved *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 966m<sup>2</sup> and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars* as follows:

#### **DA/333/2016/C (Modifications to DA/681/2015) proposes modifications relating to:**

- 1) Changes to the description of the development (to correct a mis-description) to the number of residential apartments to 501
- 2) Update to DA Set of Architectural Drawings
- 3) Update to BASIX Certificate
- 4) Update to Crime Risk Report

The details of the proposed modification are outlined as follows:

#### **(1) correct error of misdescription to read 501 apartments.**

**Planners Comment:** The error of description, which described the proposal as consisting of 500 apartments was included under DA/333/2016 (during the transfer of the site from the Hornsby local government area to City of Parramatta), contrary to the approved Hornsby Council DA/681/2015 which describes the development (including associated plans and documents) as consisting of 501 apartments, namely:

*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 966m<sup>2</sup> and the upper levels containing a total of 501 residential units, with combined basement car parking for 519 cars.*

There is no objection to the modification of the description of the development to reflect the description as approved by Hornsby Council under DA/681/2015, which reflects the site layout and configuration illustrated within the approval documents.

#### **(2) modifications to plans to reflect imposed conditions of consent** imposed under DA/681/2015 (as modified under DA/333/2016) (Condition No. 2):

- Revised landscaping to the exterior of the development;
- Removal of existing substation and external stair 4 construction: creation of a stairway through-site link between Cambridge Street, along the southern side boundary (imposed as a Condition of consent – No.2 Amended plans)
- Inclusive of childcare centre (Tower B Ground Floor);

**Planners Comment:** The proposed plan modifications relate primarily to podium and basement levels to incorporate the built form changes imposed by the conditions of consent under DA/681/2015 (as modified by DA/333/2016).

#### **(3) modification to BASIX Certificate and plans**

The applicant has provided the following description of the proposed changes to the built form (documentation submitted by a Sustainability Consultant) which require amended BASIX Certificate and stamped plans (the proposed modification BASIX Certificate No.

632699M-08 by Eco Certificates dated 2 May 2018):

*The BASIX commitment differences follow as below:*

- *The ventilation in all dwellings for bathrooms, kitchens and laundry has been changed from individual fans into central ducting system to individual fans dueled to roof/facade.*
- *The heating and cooling in all dwellings for bedrooms and living have reduced in star ratings.*
- *Mechanical ventilation has now been applied to all lobbies, common bathrooms and garbage areas in the development.*

**Planners Comment:**

A review of the BASIX Certificate and associated submitted plans illustrate the changes to the sustainability measures are consistent with those as outlined by the Applicant, with the proposed modification BASIX plan changes reflecting the building layout modifications identified under Point No. (2) above (imposed conditions of consent).

**(4) modification to Crime Risk Report**

The applicant has provided the following justification of the proposed changes to the Crime Risk Report:

*In amending this condition, the change will be to include the updated revision of the Crime and Risk Report and the date the updated report was issued. The Crime and Risk Report is required to be updated to include the changes to the podium area in relation to the access way from External Stair 4 on Cambridge Street along the South boundary behind Building Band C, to the small external stairs on the Eastern boundary.*

**Planners Comment:**

Conditions of consent imposed under DA/681/2015 (Hornsby Council) required installation of a public access stairway from Cambridge Street. The submitted (amended) Crime and Risk Report provides for a modification to the Podium level open space and public domain interface section of the report, which proposes the removal of temporary after-hours barriers required in the initial report on the podium level. It is considered that the imposition of the through-site pedestrian link within this area of the site provides for increased surveillance of this area of the site, decreasing opportunities for crime, and the requirement to provide barriers to limit the access to this area of the site is no longer required.

Modifications to condition of consent: (shown in '**bold**' text)

- *Condition No. 59*

*The proposed development must be in accordance with the recommended measures of the **Amended Crime and Risk Report Revision 3 Prepared by City Plan Services** and dated 10th April 2018 and must include the following elements in sub-conditions (a) to (t).*

Deferred commencement:

- **It is proposed to add a note following Part A: Deferred commencement to read:**  
*Hornsby Shire Council issued on 22 April 2016 confirmation that the deferred commencement condition (Part A, Condition 1) has been achieved and the 'the applicant can now act on this consent'*  
to provide clarity that operational consent was provided by Hornsby Council.

**Has the consent lapsed?** No

The following is an assessment of the modification against the relevant section of the Environmental Planning and Assessment Act 1979.

**Section 4.55 – 1A: Modifications involving minimal environmental impact**

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

*(a) it is satisfied that the proposed modification is of minimal environmental impact, and*

**Planners Comment:**

The proposed modification is of minimal environmental impact. The proposed modifications relate primarily to changes related to modified sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report and do not provide for unacceptable increased environmental impacts (including natural or built form changes).

*(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Planners Comment:**

The proposed development to be modified is considered to be substantially the same development as that to which the original development consent relates being a Mixed use development for two 22 storey buildings and a six storey building and comprising 501 residential units, retail and commercial tenancies and basement car parking.

The proposed changes relate to modified sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report. The built form, building height and apartment mix remains consistent with that approved, providing an overall apartment quantity of 501 apartments.

*(c) it has notified the application in accordance with:*

*(i) the regulations, if the regulations so require, or*

*(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

*(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Planners Comment:**

In accordance with Part 1 of Hornsby DCP 2013 (18.5.2 Notification of Applications), no notification was required.

## **Section 4.55 – All Applications for Modifications**

*In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.*

*The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

### **Planners Comment:**

The proposed modifications relate primarily to changes related to modified sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report and do not provide for unacceptable increased environmental impacts (including natural or built form changes).

## **ENVIRONMENTAL PLANNING INSTRUMENTS**

### **STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND**

SEPP 55 was considered under the assessment of the original development application. The proposed modifications do not impact on SEPP No. 55 provisions.

### **STATE ENVIRONMENTAL PLANNING POLICY – BASIX**

SEPP BASIX was considered during the assessment of the original development application.

Changes proposed to the development required the lodgement of an amended BASIX Certificate. The BASIX Condition, Condition No. 1 is to be changed to reflect the amended BASIX Certificate.

The BASIX amendments relate to ventilation system types and the scope of mechanical ventilation provided within the common areas of the development, resulting in a proposal that meets the overall aims of SEPP BASIX.

### **STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**

The provisions of SEPP (Infrastructure) 2007 were considered in the assessment of the original development application.

The development was assessed against the requirements of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) under DA/681/2015 issued by Hornsby Council. The proposed modifications do not impact on the matters to be considered in relation to developments adjoining rail corridors and for developments that may potentially generate high levels of traffic.

The proposed modifications do not impact on excavation works and do not impact on the concurrence provided for Sydney Trains or impact on the conditions in relation to protecting railway assets or operations included in the Conditions of Consent.

In relation to noise and vibration, the proposed modifications do not impact on the requirement to provide noise mitigation measures for habitable rooms included in the Conditions of Consent.

The traffic generating development aspect of SEPP Infrastructure was assessed under DA/681/2015 issued by Hornsby Council and the modifications do not impact on conditions of consent which require compliance with applicable standards and controls in relation to traffic management.

## **STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017**

The removal of trees on the subject property were considered during the assessment of the original application.

- No additional tree removal is proposed as part of this modification.

## **SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (DEEMED SEPP)**

The proposal as modified does not prevent compliance with the aims of the SEPP including principles which incorporate measures to protect water quality, minimise urban runoff, conserve water and to ensure the catchment watercourse, wetlands, riparian lands and remnant vegetation are protected. The modifications do not impact on conditions of consent that require the implementation of sediment and erosion control measures and stormwater management measures during construction.

## **SEPP 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT**

The original DA/681/2015 issued by Hornsby Council was assessed under the "unamended" SEPP 65 and Residential Flat Design Code (RFDC). Subsequently, SEPP 65 was amended and the Apartment Design Guide (ADG) came into effect. Under SEPP 65, consideration of the ADG needs to be undertaken.

SEPP 65 applies to the application which proposes the construction of new buildings defined as shop top housing that are greater than 3 storeys and contains 4 or more dwellings.

The modifications relate to modified sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report, of minimal environmental impact. The key architectural design features of all buildings have been retained and a referral to the design review panel would not be warranted in this case. No changes are proposed that impact on building separation, deep soil, communal open space or unit mix.

The design quality principles (Schedule 1) were considered in assessment of the application. The proposal provides for modifications to reflect conditions of consent, including provision of a through-site pedestrian link which is considered to provide design that responds to the context and neighbourhood character. The modifications to sustainability outcomes and



crime risk management measures, are consistent with the Sustainability, Safety and Amenity Principles of SEPP 65.

### **HORNSBY LOCAL ENVIRONMENTAL PLAN 2013**

The Site is zoned B2 Local Centre (the 82 Zone) under the Hornsby Local Environmental Plan 2013 (HLEP).

The modifications do not provide for impacts on the height of buildings, floor space ratio, heritage conservation, earthworks or design excellence provisions of HLEP.

### **HORNSBY DEVELOPMENT CONTROL PLAN 2013**

The HDCP has been considered in the assessment of this Section 4.55(1A) application. The proposed modifications do not alter the previous conclusions with respect to the HDCP planning controls and as such no concerns are raised in this regard. Further, it is noted that the relevant DCP is limited to the application as the modifications relate predominantly to sustainability outcomes (BASIX modifications), plan changes for consistency with consent conditions and amendments to the Crime Risk Report.

In relation to the provisions of Part 4.6.6. of the HDCP which includes Design Details and Key Development Principles relative to the Cambridge Street Epping Precinct, the proposal was considered to be consistent with the overall intent of the provisions.

## **REFERRALS**

<b>INTERNAL REFERRALS</b>	<b>COMMENT</b>
<b>No referrals required</b>	
<b>EXTERNAL REFERRALS</b>	<b>COMMENTS</b>
<b>No external referrals required.</b>	

## **PUBLIC CONSULTATION**

In accordance with Part 1 of Hornsby DCP 2013 (18.5.2 Notification of Applications), no notification was required.

**Amended Plans** Yes

Amended plans were submitted to provide for BASIX stamped plans and submission of an amended Crime Risk Report.

## **CONCILIATION CONFERENCE**

On 11 December 2017, Council resolved that:

*“If more than 7 unique submissions are received over the whole LGA in the form of an objection relating to a development application during a formal notification period, Council will host a conciliation conference at Council offices.”*

**Conciliation Conference – Not Required**

The application did not require notification and as a result a Conciliation Conference was not required to be held.

**DEVELOPMENT CONTRIBUTIONS**

*Parramatta Section 94 Contributions plan (Former Hornsby LGA Land and Epping Town Centre)*

Development contributions are payable as a condition of consent (Condition No. 5). The proposed modifications do not change the overall mix of 501 residential units or any change in retail floor areas.

## CONCLUSION

After consideration of the development against Section 4.15 and 4.55(1A) of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that the application be approved subject to the imposition of appropriate conditions.

## RECOMMENDATION

### Approval

That Sydney Central City Planning Panel as the consent authority, approved DA/333/2016/C being a modification of development consent DA/681/2016 (Hornsby Council) for Mixed use development for two 22 storey buildings and a six storey building and comprising 501 residential units, retail and commercial tenancies and basement car parking to include modifications comprising correction of a mis-description, amendments to architectural plans for consistency with consent conditions, BASIX certification and modifications to crime risk management on land at Lot 1 DP1205413 , 20-28 Cambridge Street, Epping as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the original Notice of Determination subject to the following modifications:

### Modify conditions in the following way:

- **Add a note Following Part A: Deferred commencement to read:**  
*Hornsby Shire Council issued on 22 April 2016 confirmation that the deferred commencement condition (Part A, Condition 1) has been achieved and the 'the applicant can now act on this consent'.*
- **Modify the description of development:**  
Section 4.55(1A) modification to an approved Mixed Use development (DA/681/2015 issued by Hornsby Council) containing **501** Units and retail tenancies.
- **Condition No 1:**

#### 1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below (including recommendation therein) and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

<i>Plan No.</i>	<i>Drawn by</i>	<i>Dated</i>
<b>DA-000 Rev H Cover and Drawing List</b>	<b>PTW Architects</b>	<b>7/03/2018</b>
<b>DA-001 Rev G Cover Sheet</b>	PTW Architects	<b>28/09/2016</b>

DA-003 <b>Rev K</b> Basement B3 Floor Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-004 <b>Rev N</b> Basement B2 Floor Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-005 <b>Rev M</b> Lower Ground / Basement B1 Floor Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-006 <b>Rev L</b> Podium Ground Floor Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-007 <b>Rev L</b> Level 1 Floor Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-008 <b>Rev M</b> Typical Floor Plan Tower A/ Tower B/ Tower C L2-L6	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-009 <b>Rev M</b> Typical Mid Zone Floor Plan Tower A L7-L14 / Tower B L7-L15	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-010 <b>Rev M</b> High Zone Floor Plan Tower A L15-L19 / Tower B L16-L20	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-011 <b>Rev L</b> Penthouse Floor Plan Tower A L20 / Tower B L21	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-012 <b>Rev M</b> Roof Plan	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-013 <b>Rev C</b> Adaptable Apartments	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-021 <b>Rev I</b> Elevations – North (Chester Street - Building A&B)	<b>PTW Architects</b>	<b>26/03/2018</b>
DA-022 <b>Rev K</b> Elevations – North (Buildings S&C)	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-023 <b>Rev K</b> Elevations - South	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-024 <b>Rev K</b> Elevations East	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-025 <b>Rev I</b> Elevations West (Cambridge Street)	<b>PTW Architects</b>	<b>26/03/2018</b>
DA-026 <b>Rev H</b> Elevations South (Building A) & West (Building B)	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-031 <b>Rev D</b> Section A-A	<b>PTW Architects</b>	<b>7/03/2018</b>
DA-032 <b>Rev G</b> Section B-B	<b>PTW Architects</b>	<b>7/03/2018</b>

<b>Plan No.</b>	<b>Drawn by</b>	<b>Dated</b>
DA-061 <b>REV B</b> Proposed External Finishes	<b>PTW Architects</b>	<b>7/03/2018</b>
General Notes and Legend Sheet C0-02 Issue <b>A</b>	Calibre Consulting	05/06/2015

Erosion and Sediment Control Plan Sheet C1-10 Issue A	Calibre Consulting	05/06/2015
Erosion and Sediment Control Notes and Detail Sheet C1-15 Issue A	Calibre Consulting	05/06/2015
General Arrangement Plan Sheet C2-00 Issue A	Calibre Consulting	05/06/2015
Civil Works Details Sheet C3-80 Issue A	Calibre Consulting	05/06/2015
Stormwater Drainage Details Sheet C4-20 Issue A	Calibre Consulting	05/06/2015
Onsite Detention Tank Details Sheet C4-30 Issue A	Calibre Consulting	05/06/2015
Stormwater Drainage Catchment Plan Sheet C4-60 Issue A	Calibre Consulting	05/06/2015
Landscape Plans Ref. SS15-3068 Sheets 000, 001, 101, 201 and 202 Issue A (as modified by later amendments)	Site Image	04/09/2015
Landscape Sketch Ref. SS15-3068 Sheet 101 Issue E	Site Image	09/10/2015

<b><i>Document No.</i></b>	<b><i>Prepared by</i></b>	<b><i>Dated</i></b>
Design Verification Statement	PTW Architects	5 June 2015
<b>BASIX Certificate No. 632699M_08</b>	<b>Eco Certificates Pty Ltd</b>	<b>20 Feb 2018</b>
<b>BASIX</b> Assessor Certificate and Stamped Plans-Certificate No. 14620199	Manuel Basiri	06/02/2016
Traffic Impact Assessment	GTA Consultants	04/06/2015
Acoustic Report Ref. 215 037 R01 v1-4	<b>PKA</b> Acoustic Consulting	04/06/2015
BCA Capability Statement	Blackett Maguire + Goldsmith	9 June 2015
Arboricultural Impact Assessment	Jacki Brown	1 June 2015
Waste Management Plan Rev D (as modified by later amendments)	Elephants Foot	June 2015
Waste Management letter	Elephants Foot	10 September 2015

<b>Document No.</b>	<b>Prepared by</b>	<b>Dated</b>
Waste Management letter	Elephants Foot	22 October 2015
Access Review Final v5	MGAC	9 June 2015
Crime Risk Report Revision 2	City Plan Services	5 June 2015
Electrolysis Testing Advice	Corrosion Control Engineering	5 May 2015
Preliminary Site Investigation Report No. 14/0769	SMEC Testing Services	April 2014
Report on Geotechnical Assessment Ref: 28342SBprt	JK Geotechnics	8 May 2015
Flood Report	Calibre Consulting	2 June 2015
Stormwater Management Report	Calibre Consulting	9 June 2015
Construction Traffic Management Plan	GTA Consultants	16/12/15

**Modified under DA/333/2016/C**

- **Condition No. 59:**  
*The proposed development must be in accordance with the recommended measures of the **Amended Crime and Risk Report Revision 3 Prepared by City Plan Services** and dated 10th April 2018 and must include the following elements in sub-conditions (a) to (t).*

**Modified under DA/333/2016/C**

- **All other conditions of DA/681/2016 (Hornsby Council) as modified (DA/333/2016/C) remain unmodified.**