



**MODIFICATION ASSESSMENT REPORT
TO SYDNEY CENTRAL CITY PLANNING PANEL**

Panel Reference	PPSSCC-9
DA Number	DA/468/2016/D
LGA	City of Parramatta Council
Proposed Development	Section 4.55(2) modification to approved 3-tower mixed use development including additional commercial floor space; minor changes to building envelope; introduction of communal roof terrace; changes to internal layout, apartment mix, communal open space, landscaping, servicing and waste management. The application will be determined by the Sydney Central City Planning Panel.
Street Address	12 - 22 Langston Place & 10 Pembroke Street, EPPING NSW 2121 (Lot 20 DP877567, Lot 5 DP249822)
Applicant	CBUS Property Langston Place Pty Ltd
Owner	CBUS Property Langston Place Pty Ltd, City of Parramatta Council
Date of DA lodgement	23 May 2019
Number of Submissions	None
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Pursuant to Clause 21 of State Environmental Planning Policy (State and Regional Development) 2011, the proposal is a Section 4.55(2) modification to an application with a capital investment value of more than \$20 million (criteria at time of lodgement).
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979 and Regulations 2000• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development & Apartment Design Guide (ADG)• Hornsby Local Environmental Plan 2013• Hornsby Development Control Plan 2013
List all documents submitted with report	Attachment 1 – Draft Modified Conditions of Consent Attachment 2 – Architectural Drawings Attachment 3 – Landscaping Drawings
Report prepared by	Alex McDougall
Report date	2 October 2019

1. Executive Summary

The proposal seeks various modifications to the development consent for 3 mixed use towers at 12-22 Langston Place, Epping under Section 4.55(2) of the Environmental Planning and Assessment Act 1979.

The revisions primarily seek to make more efficient use of existing floorplates and improve communal facilities to allow Towers 1 and 2 to be operated by a 'build-to-rent' model. Build-to-rent is a residential model in which a holding company owns a number of units, usually an entire residential flat building, and rents the units out individually on a long-term basis.

The revisions would have negligible amenity impacts on adjoining/nearby properties and the public domain. As such, the proposed modification are considered to be acceptable and approval is recommended subject to modified conditions.

2. Key Issues

Hornsby LEP 2013

- Clause 4.3 'Height of Buildings' - The proposal includes minor increases in the height of Towers 1 and 2 to allow for redesigned lift overruns. Tower 1 (as amended) would comply with the height limit. Tower 2 (approved above the height limit) would further breach the limit by 1.1m. As the breach is confined to the centre of the tower floorplate it will not have any appreciable impacts on bulk, overshadowing or the like.
- Clause 4.4 'Floor Space Ratio' – The proposal includes a new commercial mezzanine, conversion of residential floor space to a co-work space, and rectification of internal layout inefficiencies resulting in 837m² of additional floor space and a breach of the FSR control by 2.1%. As the additional floor space is all commercial, and the relevant planning objectives and Council's commercial studies stress the importance of commercial floor space within the centre, the breach is considered to be acceptable.

Hornsby DCP 2013

- Clause 4.6.4(b) 'Floorplate' – The proposal would result in the floorplate GFA of Tower 2 increasing from 765m² to 782m² on levels 2 - 7, exceeding the 700m² control by a further 17m². However, the external envelope of the building on these levels would increase by only 5m² and as such is considered to have negligible bulk impact.

3. Site Description, Location and Context

3.1 Site

The subject site is located on the north-eastern corner of the intersection of Epping Road and Langston Place, Epping. The irregular shaped allotment has an area of approximately 6,899m², with multiple frontages to Epping Road, Langston Place, Pembroke Street and Chambers Court.

The site is zoned B2 Local Centre and surrounding properties are zoned B2 Local Centre and R4 High Density Residential.

Until recently, the site accommodated a commercial office building and an ancillary car parking facility. These structures have recently been demolished to make way for the existing approved development.



Figure 1: Site location highlighted in red (Source: nearmap)

3.2 Surroundings Development

- North – Commercial/Retail
- East – Park/Public Library
- South – Epping Road
- West – Epping Station

3.3 Site History

Application	Status	Details
DA/468/2016	Approved as deferred commencement, satisfied 21.08.18	Construction of 3 mixed use towers (19, 24 and 29 storeys) comprising 463 residential units, 1681sqm of retail floor space and 4 basement levels containing space for 529 cars, 388 bicycles, 35 motorcycles, storage, refuse and servicing; public domain upgrades including 2-way vehicular lane between towers 2 and 3, pedestrian through-site links, and public open spaces; following demolition of existing building and car park. The application was determined by the Sydney West Joint Regional Planning Panel.
DA/468/2016/A	Approved 08/01/2018	Section 96 (1A) modification to approved 3 tower mixed-use development. Specifically, minor internal alterations and balcony alterations to units in Towers 1 and 2.
DA/468/2016/B	Approved 17/12/2018	Section 4.55 (1a) modification to DA468/2016. Modifications include reduction in footprint of basement carpark and amend schedule 2, conditions 1, 2(a) and 4(b).
DA/468/2016/C	Approved 07/03/2019	Section 4.55(1A) modification to approved 3-tower mixed use development, specifically reduction in basement car park footprint and reduction in car parking provision from 529 to 459 spaces.

Table 1. Applications relevant to the proposal.

3.4 Statutory Context

The Epping CBD is undergoing significant redevelopment, transitioning from its historic low-medium rise commercial development to high rise mixed use development.

4. The Proposal

4.1 Summary of Proposal

The modifications are primarily proposed to achieve the following:

- Enable towers 1 and 2 to be used as a build-to-rent residential model. This does not constitute a change of use in planning terms.
- Provide a commercial units and servicing layout more conducive to securing a supermarket tenant.

The application seeks approval for the following modifications:

- Ground Plan
 - Revised layout of commercial units, consolidation of plant and vehicular servicing, relocation of commercial waste room from basement to ground floor (+322.14m² commercial)
 - Introduction of mezzanine to ground floor of tower 3 (+166.54m² commercial)
 - Revised residential lobbies (+78.04m² residential)
- First Floor
 - Introduction of 'co-work' commercial space, revised communal amenity rooms for residential units and consolidation of plant in tower 2 (+356.14m² commercial, -307.3m² residential)
 - Revised communal open space landscaping including addition of swimming pool.
- Towers
 - Revised dwelling mix resulting in 1 additional unit, consolidation of plant, revised envelopes and revised cores to towers 1, 2 & 3 (+439.85m² residential)
 - Introduction of communal terrace at Level 22 of tower 2 (-218.11m² residential).

Totals GFA revisions: +844.82m² commercial -7.52m² residential = +837.3m² total.

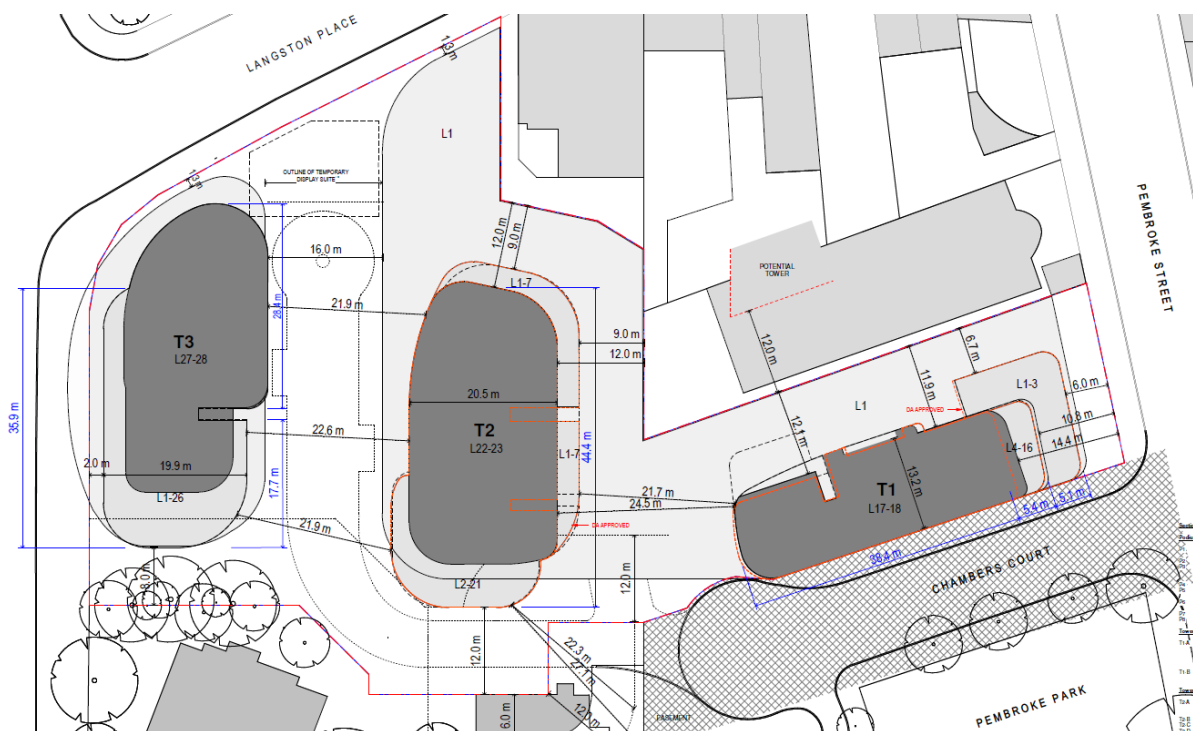


Figure 1. Site plan showing location of towers 1, 2 & 3 (T1, T2, T3) including separation distances.

4.2 Summary of Amendments Since Lodgement

During the course of assessment the applicant submitted revised drawings with the following changes in response to feedback from Council officers and the Sydney Central City Planning Panel:

- Revised the height of the proposed mezzanine in Retail Unit 7.
- Deleted the residential waste storage room from the ground level.
- Revised area of retail unit 6 to comply with condition 68 of consent.
- Adjusted the approved slot windows in Towers 2 and 3.
- Revised the ground floor southern elevation of Tower 3 to include additional activation.

5. Referrals

The following referrals were undertaken during the assessment process:

5.1 Sydney Central City Planning Panel Briefing (07/08/2019)

The matters raised by the Panel at its Briefing meeting are addressed below:

Issues Raised	Comment
See merit in additional commercial	Agreed. The proposal includes additional commercial.
See no merit in additional residential;	Agreed. The proposal does not include additional residential.
Further define the mezzanine floor use, concern regarding low ceiling height	The applicant has revised the mezzanine ceiling heights to the satisfaction of Council officers. See further discussion under Section 6.2 below.
Co-working space acceptable subject to management plan	Agreed. A condition is included to this effect.
Note – build to rent residential model – no planning use change	Agreed.
Additional height increase of concern	The applicant has demonstrated, to the satisfaction of Council officers, that the additional height of the lift overrun will not have an unacceptable impact on the amenity of any existing or proposed residential units and will have minimal visibility from the public domain.

Table 2. SCCPP briefing notes and response.

5.2 Internal

Authority	Comment
Development Engineer	Acceptable subject to existing conditions.
Traffic & Transport Engineer	Acceptable subject to existing conditions.
Waste	Acceptable subject to existing conditions.
Social Outcomes	Support build-to-rent model. Requested Social Impact Statement (SIA). SIA not considered to be necessary given no formal change of use.
Strategic Planning	Council resolved, at its meeting of 9 July 2018, to not support: <ul style="list-style-type: none">• planning proposals and preliminary planning proposals that seek additional density than what can be achieved under existing controls; and• development applications seeking increases in residential density via Clause 4.6. Exception to this position is additional commercial floor space...based on the resolved position of Council the increase in commercial floor space is supported.
Trees & Landscaping	Acceptable subject to existing conditions.

Authority	Comment
Environmental Health – Acoustic	Acceptable subject to revised acoustic report submitted with application and additional conditions. Condition updated accordingly.
Sustainability	Raised concern regarding thermal modelling and all-glazed façade. However, as the modifications do not specifically change the approved façade design, it is not considered to be reasonable to revisit these issues.
Urban Design	<ul style="list-style-type: none"> • No objection to additional commercial floor space if no additional bulk. • Additional height is minor and will have minimal visual impact/overshadowing. • Support reconfiguration of units. • Support reconfiguration of retail to accommodate small supermarket.

Table 3. Internal Referral Responses.

A design verification statement from the original architect accompanies the application. As per cl. 115 of the Environment Planning and Assessment Regulation 2000 the assessment does not require re-referral to Council's Design Excellence Advisory Panel.

5.3 External

None

6. Environmental Planning and Assessment Act 1979

The sections of this Act which require consideration are addressed below:

6.1 Section 4.55(2): Evaluation

The development consent has not expired and as such can seek to benefit from Section 4.55(2) 'Other Modifications' of the EPAA Act 1979 subject to the following requirements:

Section 4.55(2)(a) - Substantially the same development

The proposal is considered to be substantially the same development in that the function, location, scale and form of the building would not materially change.

Section 4.55(2)(b) – Consultation with Authorities

The original application was not Integrated Development. Concurrence was required from Sydney Metro. However, the proposed changes do not result in any changes to the basement of the building. As such no further consultation is considered necessary.

Section 4.55(2)(c) and (d) – Notification/Submissions

See Section 11 below.

Section 4.55(3) – Relevant Considerations

Under Section 4.55(3) of the EP&A Act 1979 in determining an application for modification, in addition to relevant matters under section 4.15 (see Section 6.2 below), 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. The reasons for granting approval to the original development application as stated by the (then) Sydney West Central Planning Panel are assessed below:

Reason for Approval	Consistency
1. The proposal is consistent with applicable development standard and guidelines, with the exception of the maximum building height, but this variation is considered to have merit for the reasons given in the point 7 below.	The proposal results in a negligible increase to the height of Towers 1 and 2. The justifications for the variation are not compromised by the modifications.
2. The proposed development is well designed providing a good balance of tall, slim towers and ground level public domain. The towers are generously spaced and the tallest one is to the south and removed from existing lower buildings to the north.	The proposal results in negligible changes to the envelope of Towers 1 and 2.
3. The proposal provide a density of development consistent with that planned for the Epping Activation precinct and the inclusion of commercial space will provide a significant number of local jobs. Also, given its proximity to the rail station and bus stops it will promote transit oriented development.	While the proposal includes 1 additional residential unit, the proposal would result in a slight decrease in residential floor space and the revised unit mix is likely to result in a lower overall rate of residential occupancy. The additional commercial space is considered to be consistent with this reason as it will provide additional jobs.
4. The proposal's impact on neighbouring and nearby properties will be acceptable, as will its impacts on the local road network and other infrastructure. In addition, it will not infringe on the library and adjoining park land.	The proposed amendments to the proposal are not considered to have unacceptable impacts on the amenity of adjoining and nearby properties, the public domain or the traffic network for the reasons outlined in Section 6.2 of this report.
5. The proposal will add substantially to the stock and variety of housing available in the locality. It will then improve housing choice and affordability.	The proposal, to prepare Towers 1 and 2 for a 'build-to-rent' model of residents units, will provide a new type of housing choice. The dwelling mix is in keeping with the DCP requirements. As such the proposed amendments are considered to be consistent in this regard.
6. Sydney Trains has requested further details of geotechnical conditions and structural works to be undertaken in the new basement. A deferred commencement condition has been imposed to satisfy this request.	The applicant satisfied Sydney Trains of the deferred commencement requirements and the application was made operational on 21/08/2018. The proposal does not affect the approved basement.
7. The proposal includes a request to vary the height of buildings standard by approximately 20m. The request is considered to be well founded and satisfactory. The height of buildings proposed will be consistent with the objectives of the standard and will enable development that is consistent with the zone objectives. As such, compliance with the standard is considered to be unnecessary. The variation will provide substantial environmental planning benefits being development that is compatible with the context will still meeting the planning density for this important town centre site.	The additional height is negligible and will not result in any amenity impacts for the reasons outlined in Section 6.2 of this report.

Table 4. Assessment of modification application's consistency with Sydney West Central Planning Panel's Reasons for Approval of DA/468/2016.

6.2 Section 4.15: Evaluation of Proposed Modifications

Hornsby LEP 2013

4.3 Height

The site has a height limit of 72m. Towers 2 and 3 were approved with height variations. The proposal results in modifications to lift overruns which results in the following changes to the heights of the buildings:

	Approved	Proposed	Difference	Comply
Height (RL)				
• Tower 1	62.4m	62.45m	+0.05m (~0%)	Yes
• Tower 2	77.3m	78.4m	+1.1m (+1.4%)	No (8.9% total breach)
• Tower 3	92.9m	92.9m	No change	N/A

The increase in height of towers 2 and 3 is considered to be acceptable as the increase is confined to the lift overruns. The lift overruns are contained to the centre of the respective floorplates and as such will not be visible from close views and will not increase overshadowing.

4.4 Floor Space Ratio

The site has an allowable FSR of 6:1. Based on a site area of 6,899m², the allowable GFA is 41,394m². The proposal would result in a breach of the FSR standard of 854.1m² or 2.1%.

	Approved	Proposed	Difference
FSR	6.006:1 (mod /A)	6.12:1	+0.12 (+2.0%)
GFA			
• Residential	39,757.08m ²	39,749.56m ²	-7.52m ² (+0%)
• Commercial	1,681.13m ²	2,525.95m ²	+844.82m ² (+50%)
• Total	41,438.21m ²	42,275.51m ²	+837.3m ² (+2.0%)

The additional commercial floor space is considered to be acceptable for the following reasons:

- City of Parramatta Council officers and the SCCPP have consistently sought to retain and/or provide additional commercial floor space in the Epping Town Centre to ensure the objectives of the zoning are achieved.

The B2 Local Centre zone includes the following relevant objectives:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

The Panel, for example, provided the following comment in response to being briefed on the original application, “*The Panel seeks re-examination of the configuration to see if [any] commercial space can be regained through modification of the proposed design*”.

- The additional commercial floor space results in only minor increases to the envelope of the building and as such has negligible amenity impacts on adjoining/nearby properties.

- The additional traffic demand is considered to be minimal given the high public transport accessibility of the area and the fact that no additional commercial parking is proposed.

Hornsby DCP 2013

Floorplate

Clause 4.6.4(b) of the Hornsby DCP 2013 limits residential floorplates to 700m² GFA. The proposal results in a minor increase in the GFA of the buildings:

Tower	Widest Point	Approved	Proposed	Difference	Compliance
Tower 1	Levels 4 – 16	364m ²	395m ²	+31m ² (+9%)	Yes
Tower 2	Levels 2 – 7	765m ²	782m ²	+17m ² (+2%)	No (11.7% breach)
Tower 3	Levels 19 – 22	668m ²	668m ²	N/A	N/A

However, the primary objective of the control is to limit the bulk of buildings. The average external area floorplate changes are as follows:

	Average External Floorplate Change per Level
Tower 1	+46.1m ²
Tower 2	+4.7m ²
Tower 3	+0m ²

While Tower 1 would be noticeably larger, it would still comply with the GFA control. While the Tower 2 floorplate already exceeds the allowable floorplate, the increase would be imperceptible. As such the revised envelopes are considered to be acceptable.

Dwelling Mix

The Hornsby DCP 2013 recommends a minimum of 10% each of 1, 2 and 3 bed units. The revised unit mix achieves this criteria (see table below).

	Control	Approved	Proposed	Difference	Comply
1 bed	>10%	142 (31%)	164 (35%)	+22 (+15%)	Yes
2 bed	>10%	271 (59%)	253 (55%)	-18 (-7%)	Yes
3+ bed	>10%	50 (11%)	47 (10%)	-3 (-6%)	Yes
Total		463	464	+1 (+0.2%)	

As such, the revised dwelling mix is considered to be acceptable

Parking

The proposal includes no change to the approved car parking. The revised dwelling mix results in the following parking requirements (as per the recently adopted revised parking controls):

	DCP Rate Approved Mix	DCP Rate Proposed Mix	Parking Spaces (Mod /C)	Comply
Residential Occupant Spaces	<307	<300	371	No
Residential Visitor Spaces	>67	>67	46	No

However, recently approved modification DA/468/2016/C included a significant reduction in the originally approved parking, introduced significant car share parking, introduced a high quality green travel plan, and restricted occupants from participating in any future Council on-street resident parking permit scheme. As the proposal does not result in a significant change

to the approved residential density it is not considered there is sufficient nexus to require a reduction in the approved car parking. As such, the existing approved parking figures are considered to be acceptable.

As the commercial car parking control is a maximum, no additional commercial car parking is required. No additional commercial car parking is proposed.

Active Frontages

The proposal includes replacement of the art wall to the ground floor Epping Road frontage on Tower 3 with servicing and windows to the associated retail units. The proposal also replaces the fire booster and emergency egress door to the Langston Place frontage on Tower 2 with windows to the associated retail units.

The Hornsby DCP requires semi-active podiums along Langston Place and Epping Road. A semi-active frontage is defined as greater than 30% of the frontage being shop windows, office windows or building entrances at street level.

The approved scheme had a 65% activation rate and the proposed modifications would result in an 80% activation rate. As such the modifications are considered to be an improvement to the approved scheme.

Apartment Design Guide

The proposal includes one additional unit as well as revisions to the approved unit mix. Assessment against the relevant provisions of the ADG is provided at Appendix 1. Discussion on key controls or those for which a variation is sought is provided below:

Overshadowing

The additional bulk is located such that it would primarily only overshadow the subject development. Additional overshadowing of adjoining/nearby properties and the public domain would be negligible.

Communal Open Space

The revised communal open space (including addition of an outdoor pool at first floor level and introduction of communal open space on floor 22 of Tower 2) is considered to be acceptable for the following reasons:

- The revised communal open space and addition of communal indoor space will increase the amenity of residents, consistent with Objective 3D-2 of the ADG.
- The revised open space and pool are not considered likely to have an unacceptable impact on the amenity of any adjoining or nearby properties. While the pool is adjacent to the site boundary, the adjoining sites are commercial or have approval for matching communal open spaces.
- The high level terrace space would not have close views of any adjoining private open space or residential units. The space is sufficiently separated from, and oriented away from, nearby high rise uses and as such is not likely to result in unacceptable noise impacts.
- The revised proposal continues to satisfy the area requirements for communal open space contained in Section 3D of the ADG.

Mezzanine

The mezzanine of retail unit 7 results in a floor to ceiling height of 3.0m (ground floor) and 2.4m (mezzanine floor). The ADG recommends that commercial ground floors have floor to ceiling heights of 3.3m and that non-habitable levels have a minimum ceiling height of 2.4m. While the ground level is slightly lower than recommended, the mezzanine does not cover the entire unit and as such the proposal is considered to be acceptable in this instance.

The revised apartment layouts are considered to be acceptable as the dimensions and amenity of the units are generally consistent with the requirements of the Apartment Design Guide.

7. Planning Agreements

The subject application is not subject to a planning agreement.

8. The Regulations

The proposed modifications would not impact on the relevant regulations, compliance with which is conditioned in the original consent.

9. The Likely Impacts of the Development

As outlined in this report, the modified development is not considered to result in any unacceptable impacts.

10. Site Suitability

The proposed modifications results in no changes to the original assessment that the proposed site is suitable for the proposed use.

11. Submissions

The application was advertised and notified in accordance with Section 1B.5 of Hornsby DCP 2013 for a 14-day period between 10 and 24 July 2019. No submissions were received.

12. Public Interest

The proposed modifications result in no issues which are contrary to the public interest.

13. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

14. Development Contributions

The site is subject to a s7.11 developer contributions plan which bases the total contribution on the number/type of units. As outlined above, the modification results in changes to the number and type of units. The revised cost, based on the contributions plan in place at the time of original determination, is as follows:

Contribution Type	Amount
Local Roads	\$ 370,028.77
Local Open Space and Recreation	\$ 4,811,797.29
Local Community Facilities	\$ 1,849,800.25
Plan Preparation and Administration	\$ 13,052.39
Total	\$ 7,044,678.70

The applicant has already made a contributions payment based on the original unit mix, a total of \$6,870,435.35. As such an additional payment of \$174,243.35 is required. Condition 71 has been updated to refer to the revised total.

15. Summary and Conclusion

The application has been assessed relative to Sections 4.15 and 4.55(2) of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. It is considered that the proposal as modified would be substantially the same development, satisfy the relevant planning controls and be consistent with the reasons for approval of the original application. The proposal modification would not have a substantive impact on the amenity of any adjoining/nearby properties or the public domain. As such, approval is recommended subject to modified conditions of consent.

16. Recommendation

1. That, pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, the Sydney Central City Planning Panel, as the consent authority, grant consent to modify Consent Reference DA/468/2016 (as amended) at 12 - 22 Langston Place & 10 Pembroke Street, EPPING NSW 2121 (Lot 20 DP877567, Lot 5 DP249822) as outlined in the draft modified consent at Attachment 1.

Appendix 1 – ADG Compliance Table

Standard	Requirement	Proposal	Compliance
Part 3			
3B-1: Orientation	Orientation of the development remains relatively unchanged from the previous approvals.		
3B-2: Overshadowing	<p>The development has been designed to provide adequate solar access to 70.26% of living rooms and private open space within the development, achieving two hours of direct sunlight at mid-winter.</p> <p>The neighbouring dwellings and private and public open spaces all receive adequate solar access in excess of two hours on the winter solstice (21st June).</p> <p>Due to the fact that this modification is largely internal and there is minimal change of height and bulk the overshadowing impacts will be negligible from those approved.</p>		
3C: Public Domain Interface	<p>The public domain interface is considered to positively contribute to the streetscape by providing high quality materials, distinct access to residential use foyers and retail premises, and linking Langston Place, Chambers Court, Epping Library and Epping Road.</p> <p>Planting is provided to the public spaces, including a significant landscape buffer to Epping Road, which is considered to be an acceptable approach.</p> <p>The active frontage of Tower 2 and 3 to Langston Place and Epping Road increase as a result of the proposed modifications which is considered to be a positive outcome.</p>		
3D: Communal & Public Open Space	Min. 25% of site area (1725m ²)	2104m ² – Level 1 140m ² – Level 22 2244m ² - Total	Yes
	Min. 50% direct sunlight to main communal open space for minimum two (2) hours 9:00am & 3:00pm, June 21 st (863m ²)	The first floor residential communal open space receives sunlight between 11:00 and 15:00 (4 hours).	Yes
	<p>The proposal includes private communal open space for the residential apartments on the top of the podium at Level 1 as well as on level 22 of tower 2.</p> <p>The landscape plan outlines a variety of seating, shading structures, soft and hard landscaping, and planting in these areas that will ensure they are of good amenity as well as a communal garden.</p>		
3E: Deep Soil	Min. 7% with min. dimensions of 6m for sites of 1500m ² or greater (483m ²)	262m ² = 3.8% of true deep soil planting provided	No (no change from approved)
3F: Visual Privacy	0-4 Storeys: • 3m (non-habitable) • 6m (habitable)	Tower 2 – 24-36 Langston Pl. • Floor 2 = 12.2m	Yes
	5–8 Storeys: • 4.5m (non-habitable) • 9m (habitable)	Tower 2 – 2 Pembroke St • Floor 2 = 12.2m	Yes
	9+ Storeys: • 6m (non-habitable) • 12m (habitable)	Tower 1 – 2 Pembroke Street • Floor 2 = 9.6m • Floors 3 – 4 = 6.1m • Floors 5+ = 12m	Yes Yes Yes
		Tower 1 – Tower 2 • Floor 2 = 26.0m	Yes

Standard	Requirement	Proposal	Compliance
		<ul style="list-style-type: none">Floors 3 – 4 = 20.9mFloors 5 – 8 = 21.5mFloors 9+ = 24.5m Tower 2 – Tower 3 <ul style="list-style-type: none">All Floors = No change	Yes Yes Yes Yes
	The design includes careful positioning of openings to minimise privacy impacts. There is minimal change to the visual privacy impacts under this modification.		
3G: Pedestrian Access and Entries	Each of the three towers has a residential lobby entrance located on the ground floor, fronting the extended Chambers Court. Retail units provide activation to all frontages except Epping Road, which is considered a hostile environment, and is suitably landscaped as an alternative. Separate entries have been provided for pedestrians and vehicles.		
Part 4			
4A: Daylight / Solar Access	Min. 2hr for 70% of apartments living & POS 9am & 3pm mid-winter; (>325)	326/464 apartments = 70.26%	Yes
	Max 15% apartments receiving no direct sunlight 9am & 3pm mid-winter (<70)	49/464 apartments = 10.56%	Yes
	The proposed development complies with the solar access requirements of the ADG		
4B: Natural Ventilation	Min. 60% of apartments below 9 storeys naturally ventilated (>98)	104/163 apartments = 63.8%	Yes
	The proposed development complies with the ADG natural ventilation requirement for the first nine (9) levels.		
4C: Ceiling heights	Min. 2.7m habitable	2.7m	Yes
	Min 2.4m non-habitable	2.4m	Yes
	Min 3.3m for mixed use	Generally: 6m Retail Unit 7: 3.0m / 2.4m	Yes No
4D: Apartment size & layout	1B – Min 50m ²	50m ² – 62m ²	Yes
	2B – Min 75m ² (2 baths)	76m ² – 98m ²	Yes
	3B – Min 95m ² (2 baths)	100m ² – 112m ²	Yes
	4B – Min 102m ²	119m ² – 240m ²	Yes
	All rooms to have a window in an external wall with a total minimum glass area not less than 10% of the floor area of the room.	Façade is primarily composed of glazing	Yes
	Habitable room depths max. 2.5 x ceiling height (6.75m)	6.2m	Yes
	Max. habitable room depth from window for open plan layouts: 8m.	Generally satisfactory however some apartments have depths up to 9m (T2 L8)	Partial (minor)
	Min. internal areas:		
	Master Bed - 10m ²	8.8m ² – Generally found in 1 bedroom apartments	No
	Other Bed - 9m ²	8.8m ²	Partial (minor)
	Min. 3m dimension for bedrooms (excl. wardrobe space).	3m minimum apartment dimension	Yes
	Cross-through: 4m		
Min. width living/dining:			

Standard	Requirement	Proposal	Compliance
	• 1B – 3.6m	Minimum 3.7m	Yes
	• 2B – 4m	Minimum 4m	Yes
	• 3B – 4m	Minimum 4m	Yes
	<p>The units generally meet the minimum internal dimension requirements, with some minor non-compliances with the maximum room depth for open plan layouts. The maximum non-compliance is up to 1m, which is deemed acceptable as a variation, and will not compromise the amenity of future occupants.</p> <p>Some of the bedrooms do not meet the minimum area requirements with some master bedrooms and secondary bedrooms 8.8m in size which is a 1.2m² and 0.2m respective departure from the controls. While this is not considered to be ideal, it would not have a major impact on the amenity of the future occupants.</p>		
<i>4E: Private open space & balconies</i>	Min. area/depth:		
	1B - 8m ² /2m	8m/2m	Yes
	2B - 10m ² /2m	10m/2m	Yes
	3B - 12m ² /2.4m	12m/2m	Partial (minor)
<i>4F: Common circulation & spaces</i>	Max. apartments –off circulation core on single level: 8-12	T1 – 7	Yes
		T2 – 9	Yes
		T3 – 8	Yes
	10 storeys or over, max. apartments sharing single lift: 40	Multiple lifts per tower	Yes
	Corridors >12m length from lift core to be articulated.	Corridors articulated	Yes
<i>4G: Storage</i>	1B – Min 6m ³ (x164)	1B – 6m ³	Yes
	2B – Min 8m ³ (x253)	2B – 8m ³	Yes
	3B+ – Min 10m ³ (x47) Including 4 bedroom apartments Total – 3478m ³	3B – 10m ³	Yes
	Min. 50% required in Apartment (m ³)	At least 50% of storage is located within the apartments.	Yes
	A detailed breakdown of the allocation of storage is not provided. A condition in the original consent requires provision of the required storage.		
<i>4H: Acoustic Privacy</i>	The proposal has been designed so that like-use areas of the apartments are grouped to avoid acoustic disturbance where possible. Noisier areas such as kitchens and laundries are designed to be located away from bedrooms where possible.		
<i>4J: Noise and pollution</i>	The application includes an acoustic report which recommends construction methods/materials/treatments to be used to meet the criteria for the site, given both internal and external noise sources, and the proximity to Epping Railway Station, Epping Road, and Langston Place. A condition is included requiring the implementation of the report's recommendations.		
<i>4K: Apartment Mix</i>	<p>The development has the following bedroom mix:</p> <ul style="list-style-type: none"> • 164 x 1 bedroom apartments (35.3%) • 253 x 2 bedroom apartments (54.5%) • 42 x 3 bedroom apartments (9%) • 5 x 4 bedroom apartments (1%) <p>These units vary in size, amenity, orientation and outlook to provide a mix for future residents. A variety of apartments are provided across all levels of the apartment building.</p>		
<i>4N: Roof design</i>	Rooftop plant and lift overrun are suitably concealed and consolidated ensuring they are not visible from the street.		
<i>4O: Landscape Design</i>	The application includes a landscape plan, which demonstrates that the proposed development will be adequately landscaped. The plan is supported by Council's Landscape Assessment Officer.		

Standard	Requirement	Proposal	Compliance
	The proposal includes landscaping at levels 1 & 22, providing high quality communal open spaces for future residents. Ground level landscaping will contribute to the local canopy.		
<i>4P: Planting on structures</i>	The landscape drawings outline that planting on structures would have adequate soil depth to accommodate good quality planting.		
<i>4Q: Universal Design</i>	20% Liveable Housing Guidelines Silver Level design features (>93)	97 proposed	Yes
	<p>The site is considered to be appropriately barrier free and wheelchair accessible.</p> <p>An Access Report has been included as part of the DA package confirming that the proposed development is capable of meeting the requirement of SEPP 65, and Part 4Q of the ADG.</p> <p>Further design detail of specific elements will be required as the development progresses through to the construction phase to ensure compliance.</p>		
<i>4U: Energy Efficiency</i>	The revised BASIX Certificate demonstrates the modified development achieves the pass mark for energy efficiency.		
<i>4V: Water management</i>	The revised BASIX Certificate demonstrates the modified development achieves the pass mark for water conservation.		
<i>4W: Waste management</i>	<p>Waste areas have been located in convenient locations in the ground floor and basement levels. Waste collection will occur within the ground floor loading dock via the service and waste lifts.</p> <p>A construction waste management plan has been prepared by a qualified waste consultant, adhering to council's waste controls. All residential and commercial units are to be provided with sufficient areas to store waste/recyclables, and a condition to this effect has been included.</p>		