



# Modification Report

SSD-68939460

242 -244 BEECROFT ROAD, EPPING

DECEMBER 2025



## QUALITY ASSURANCE

<b>Project:</b>	Modification to SSD Application
<b>Address:</b>	242 -244 Beecroft Road, Epping
<b>Consent Authority:</b>	Department of Planning, Housing and Infrastructure
<b>Author:</b>	Think Planners

## Integrated Development (under S4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Coal Mines Subsidence Compensation Act 2017	No
Fisheries Management Act 1994	No
Heritage Act 1977	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No

## Concurrence

SEPP (Industry and Employment) 2021	No
SEPP (Resilience and Hazards) 2021	No
SEPP (Transport and Infrastructure) 2021	No
SEPP (Planning Systems) 2021	No
SEPP (Precincts—Central River City) 2021	No
SEPP (Precincts—Eastern Harbour City) 2021	No
SEPP (Precincts—Regional) 2021	No
SEPP (Precincts—Western Parkland City) 2021	No
SEPP (Biodiversity and Conservation) 2021	No

Date	Purpose of Issue	Rev	Reviewed	Authorised
22 December 2025	Co-Ordination	A	BD	AB
24 December 2025	Final Issue	B	BD	AB

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# 1 INTRODUCTION

This Modification Report to SSD-68939460 has been prepared by Think Planners on behalf of Dasco Property Development Services for the approved development at 242 -244 Beecroft Road, Epping. The subject site is legally described as Lots 220 and 222 in DP1251471

This report has been prepared in accordance with the *State Significant Development Guidelines – Preparing an Amendment Report (Appendix D) October 2022*.

This modification is being lodged concurrently with a modification to SSD 68708456 that is a detailed design DA for the site.

## 1.1 PROPONENT DETAILS

Description	Proponent Details
Company Name	Dasco Property Development Services
Postal Address	Level 2/9 George St, North Strathfield NSW 2137

## 1.2 PROJECT BACKGROUND

SSD 68939460 is a Concept DA that was approved by the Independent Planning Commission on 10 August 2025

The amended concept development is described in the consent notice as:

Concept proposal for alterations and additions to the approved mixed use development under SSD-8784, including:

- additional building heights for podium and tower buildings
- maximum additional residential gross floor area of 11,310m<sup>2</sup>
- reduction of non-residential gross floor area to a maximum 819m<sup>2</sup>
- additional 105 apartments
- additional basement parking level
- minimum 15% of total gross floor area as affordable housing dwellings for a minimum of 15 years
- conceptual land uses for non-residential and residential floor space
- basement car parking, motorcycle parking, bicycle parking and service vehicle spaces

The revised overall development description is:

*Construction of a mixed use development with a scale of seven to 18 storeys and containing:*

- *five residential flat buildings containing 479 apartments including 81 affordable housing dwellings*
- *commercial premises*
- *basement car parking*
- *infrastructure upgrades, civil and stormwater works*
- *outdoor public plaza and through-site link*
- *stratum subdivision of the site.*

### 1.3 PROJECT OVERVIEW

This modification report is submitted to DPHI on behalf of Dasco Property Development Services support of the proposed amendments to the approved SSDA.

This application seeks to modify SSD-68939460 by making a series of minor design amendments to address compliance with the National Construction Code and as result of design refinement as construction drawings are prepared.

It is noted that the number of apartments, commercial floor space or number of parking spaces is not altered by this modifcaiton.

The Minister is the consent authority for the proposal in accordance with section 4.36(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

### 1.4 PROPOSED AMENDMENT

This application seeks to modify Concept SSD 68939460 including by:

- Revised through site link design including the provision external lift vestibules to provide improved weather protection to users and revision of ramp grades so they do not exceed 1:20 to allow for handrail free ramps with associated changes in switchbacks accommodate these new grades. This minor adjustment improves the overall design outcome as it removes obstructions in the through site link and increases visibility from Ray Road.
- Minor Modification of floor to floor heights as a result of the detailed design that increases the height of some of the buildings within the development as follows.

Building	Approved Height	Proposed Height	Change
<b>A</b>	RL 108.16 25.3m 8 storeys	RL 108.28 25.425m 8 storeys	+125mm +125mm
<b>B</b>	RL145.02 61.74m 16 storeys	RL145.08 61.8m 16 storeys	+60mm
<b>C</b>	RL 143.81 60.3m 18 storeys	RL 143.92 60.41m 18 storeys	+110mm +110mm Nil
<b>D</b>	RL 109.960 25.72m 7 storeys	RL 110.44 25.2m 7 storeys	-520mm -520mm Nil
<b>E</b>	RL142.96 59.8m	RL143.06 59.9m	+100mm +100mm

19 storeys

19 storeys

Nil

and

- Modification to Building D pool shape that decreases its size from 40.6kls to 35.6kls as a result of design refinement;

As a result of the above changes that include additional risers, changes to the basement and conversion of former plant rooms to GFA the GFA remains 49,910m<sup>2</sup>.

This modification is supported by:

- Revised Architectural Plans by Turner
- Shadowing letter by Turner

## 2 STRATEGIC JUSTIFICATION

This section outlines how the modified proposal remains consistent with the strategic planning priorities relevant to the subject site.

### 2.1 PROJECT JUSTIFICATION

#### 2.1.1 Greater Sydney Region Plan: The Metropolis of Three Cities

This plan was released in March 2018 and is the first Regional Plan prepared by the Greater Sydney Commission. It encompasses a global metropolis of three cities where it is envisioned people of Greater Sydney will live within 30 minutes of their jobs, education and health facilities, services and great facilities. The three cities are the Western Parkland City, the Central River City and the Eastern Harbour City.

This site is located within the Central River City in the Central City District. The Plan sets a housing target of 53,500 new dwellings within the Central City District over 5 years. It also sets a 20-year strategic housing target of 207,500 new dwellings for the Central City District.

The proposed modification remains consistent with all the objectives outlined within the EIS. The proposed modification will facilitate increased amenity for a shop top housing development under construction in Epping.

#### 2.1.2 Our Greater Sydney 2056: Central City District Plan

The site is located within the Epping Town Centre, which is identified as a District Centre by the Plan for Growing Sydney, A Metropolis of Three Cities- Greater Sydney Region Plan-Central City District Plan.

The Central City District Plan sets out the priorities and actions for this District and these are structured around 3 key themes of: a Productive City, a Liveable City and a Sustainable City. The importance of the Epping Town Centre and growing this centre in terms of both jobs and housing are continually emphasised in the District Plan. Particularly with reference to the 30-minute city.

This development seeks to deliver both additional housing and employment within a 30-minute city scenario, and therefore, fulfills the needs outlined by the Plan for Growing Sydney. Furthermore, the development continues to provide affordable and market housing a, providing high quality units and amenities that will add diversity and choice to the Sydney housing market and remains consistent with the objectives outlined within the EIS.

The proposed modification will facilitate the continued construction of the development within the Epping Town Centre and within key transport catchment areas and is aligned with the objectives of the Central City District Plan.

### **2.1.3 Future transport strategy**

The Future Transport Strategy 2056 a 40-year long term transport strategy that is supported by plans and strategies for Regional NSW and Greater Sydney, that have been prepared to achieve a long-term vision for the NSW transport system as an 'enabler of economic and social activity and contributes to long term economic, social and environmental outcomes.

The proposed modification remains consistent with all six outcomes of the Future Transport Strategy 2056 outlined within the EIS.

### **2.1.4 Parramatta Local Strategic Planning Statement**

The Parramatta Local Strategic Planning Statement came into effect on 31 March 2020 and this document sets out the 20-year vision for land use planning for the City of Parramatta. The LSPS contains 16 planning priorities under 4 key themes which are:

- Local planning priorities.
- Liveability planning priorities.
- Productivity planning priorities.
- Sustainability planning priorities.

The modified development continues to deliver new housing and non-residential floor space within the Epping Town Centre which is entirely aligned with the LSPS. The development will continue to assist with growing the economy of Parramatta, enhancing liveability and housing diversity.

### **2.1.5 Parramatta Local Housing Strategy**

The Local Housing Strategy (LHS) seeks to provide direction at the local level about when and where future housing growth will occur.

This modified development will continue to assist in delivering Planning Priority C9 of the LHS by providing a nuanced form of housing that is within the 30-minute city scenario, being located within the Epping Town Centre. The housing will have access to existing and planned infrastructure including the; Epping Train Station, Epping Bus Exchange, the Epping Metro Station The modified development will facilitate the ongoing construction of the development within a key transport catchment areas.

## 2.2 KEY FEATURES OF SITE AND SURROUNDS

The subject site is legally described as Lots 220 and 222 in DP 1251471, though more commonly known as 242 -244 Beecroft Road, Epping

The subject site is in a highly visible site with frontages to both Beecroft Road and Ray Road. The site is located adjacent to the north western edge of the Epping Town Centre and is within 280m walking distance of Epping Station and Bus Interchange. The site is within proximity to the Epping retail and commercial precinct, recreational activities, educational establishments and employment opportunities.

The site is located on the western side of Beecroft Road and the eastern side of Ray Road and is located approximately 55m north of the intersection of Ray Road and Carlingford Road.

The site itself is as an irregular shaped land parcel with a frontage to Beecroft Road of 134.66m, a frontage to Ray Road of 84.08m and an overall site area of 10,137m<sup>2</sup>.

The immediate locality is characterised by a mix of land uses and built form comprising the following:

- South: Part one and part two storey Seven Eleven Service Station with a mechanical repair workshop and associated hand car wash with frontage to Beecroft Road, Ray Road and Carlingford Road;
- East: Beecroft Road that contains four lanes, then the above ground elevated Northern Rail Line and beyond this the high density Epping CBD that contains numerous recently constructed 15 -29 storey mixed commercial and residential; station
- North: Devlin's Creek reserve which is channelised creek with associated vegetation as well as the Sydney Metro Epping Services Facility which provides fresh air ventilation to the Northwest metro tunnel;
- West: is dominated by older style 3 -4 storey residential flat buildings on the adjacent side of Ray Road and beyond this more recently constructed 5 storey residential flat buildings.

The wider precinct is undergoing a significant amount of urban regeneration with various high density apartments, mixed use buildings and commercial developments recently constructed or currently under construction. The location is undergoing a dramatic period of change which will create a new and vibrant revitalised community.

Furthermore, the land is located adjacent to the Epping CBD which has a variety of retail, and commercial premises including a Coles full service supermarket, The Epping Club, Epping Hotel, numerous retail outlets, commercial buildings and community services including a library.

An aerial extract of the site is provided below as well as a wider aerial photograph on the immediate precinct.

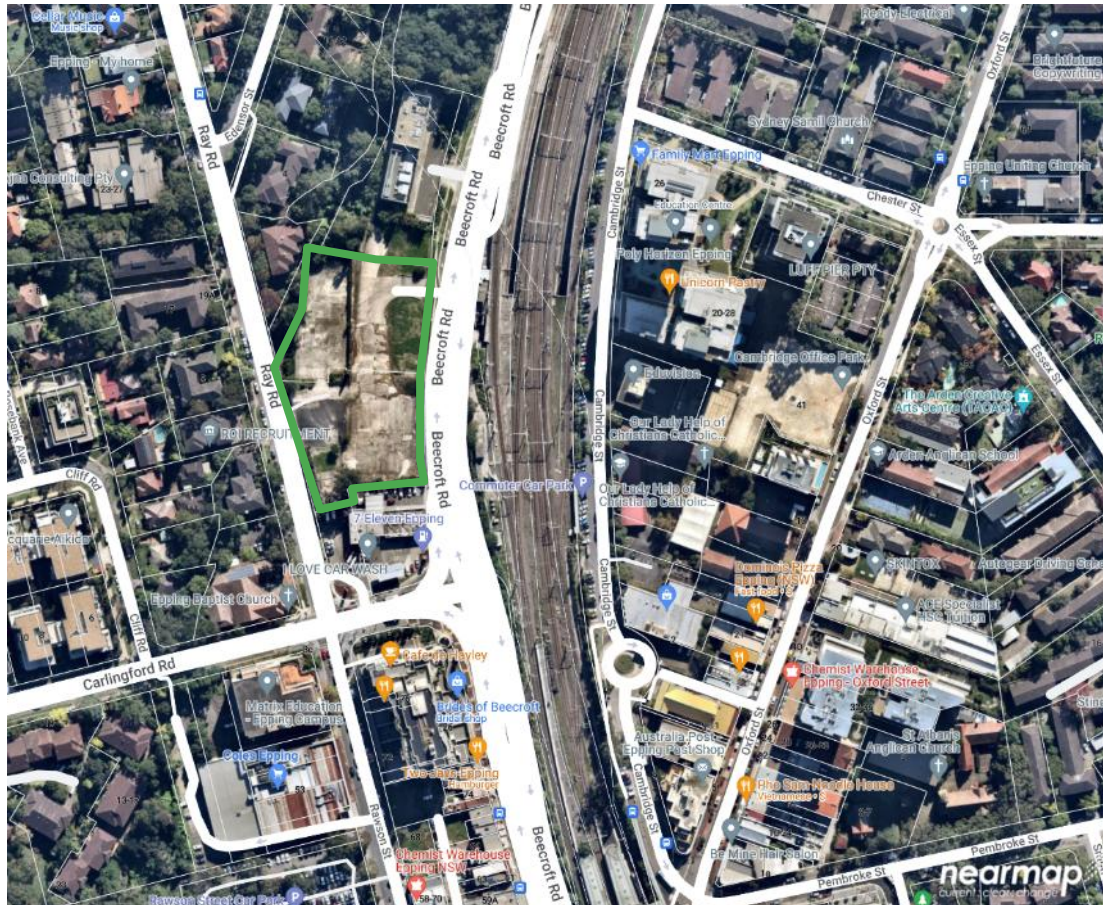
**Figure 3: Aerial Map Extract (Source: Near Map 2025)**



 Development Site

As illustrated by the aerial map extract below, the site is located adjacent to the north western edge of the Epping Town and is within 280m walking distance of Epping Station and Bus Interchange.

**Figure 4: Aerial Map Extract (Source: Near Maps 2023)**



 Development Site

### 3 DESCRIPTION OF AMENDMENTS

#### 3.1 MODIFICATION

This application seeks to modify Concept SSD 68939460 including by:

- Revised through site link design including the provision external lift vestibules to provide improved weather protection to users and revision of ramp grades so they do not exceed 1:20 to allow for handrail free ramps with associated changes in switchbacks accommodate these new grades. This minor adjustment improves the overall design outcome as it removes obstructions in the through site link and increases visibility from Ray Road.
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C	RL 143.81	RL 143.92	+110mm
	60.3m	60.41m	+110mm
	18 storeys	18 storeys	Nil
D	RL 109.960	RL 110.44	-520mm
	25.72m	25.2m	-520mm
	7 storeys	7 storeys	Nil
E	RL142.96	RL143.06	+100mm
	59.8m	59.9m	+100mm
	19 storeys	19 storeys	Nil

and

- Modification to Building D pool shape that decreases its size from 40.6kls to 35.6kls as a result of design refinement;

As a result of the above changes that include additional risers, changes to the basement and conversion of former plant rooms to GFA the GFA remains 49,910m<sup>2</sup>.

This modification is supported by:

- Revised Architectural Plans by Turner
- Shadowing letter by Turner

As noted previously, the proposed modification is to facilitate the ongoing construction of this shop top housing development.

### 3.2 S.4.55(1A) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 SUBSTANTIALLY THE SAME DEVELOPMENT

Pursuant to Section 4.55 (1A) of the Act, the Department may consider an application to amend a development consent provided that it is substantially the same development and of minimal environmental impact.

An extract of Section 4.55 (1A) is provided below:

*(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*

*(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*

*(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.*

*Subsections (1), (2) and (5) do not apply to such a modification.*

The application is of minimal environmental impact particularly noting that building footprints are only marginally altered by the modification, is substantially the same as the approved development, with the minor refinement of the concept scheme predominantly to facilitate compliance with the National Construction Code. . The

minor changes to the plans are reasonably and appropriately considered 'substantially the same development' when having regard to case law set down by the Land and Environment Court

Section 4.55(3) of the Act is also relevant and states:

*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.*

This SEE addresses the requirements of section 4.15(1) of the EP& A Act. The reasons for approval by the Independent Planning Commission were:

*Based on its consideration of the Material, the Commission finds that both the Modification and SSD Applications should be approved subject to conditions of consent for the following reasons:*

- *the Project is consistent with the existing strategic planning framework as it will deliver additional housing with excellent access to public transport connections, employment centres, services and amenity;*
- *the proposed 923m<sup>2</sup> of commercial floor space is consistent with the Concept Approval and the R4 zoning of the Site;*
- *the proposed variation to the height of building standard and approved building envelopes are acceptable;*
- *additional architectural and landscape treatments at Residential Lobby A would enhance the interface of the Project with Ray Road and would also ensure the privacy and amenity for the occupants of Apartment AB101;*
- *the Project is able to achieve acceptable levels of residential amenity in accordance with the objectives of the ADG and SEPP 65;*
- *the design of the through-site link is satisfactory given it is consistent with the Concept Approval and ADG, improves overall accessibility, and contributes to the amenity of the Site;*
- *the landscaping proposed for the Site and the proposed tree planting along Beecroft Road are acceptable;*
- *the Applicant's commitment to relocate one substation and increase the setback of the two-remaining substations would improve Site access and reduce visual impacts from the public domain;*
- *the Project has acceptable traffic impacts;*
- *the proposed car parking and bicycle rates are consistent with the Concept Approval;*
- *the Project meets the design excellence requirements of the HLEP 2013;*
- *the Project would provide 19 well located affordable dwellings for a period of 15 years;*
- *the Project is in accordance with the Objects of the EP&A Act; and*
- *the Project is in the public interest.*

The proposed modifications do not undermine the reasons for the approval and the modified development is considered to be consistent with them.

### 3.3 PROPOSED AMENDMENT TO CONDITIONS OF CONSENT

This application seeks to modify Concept SSD 68939460 by modifying:

- Condition A1 to reflect the revised plans and documentation;

### 3.4 SUBSTANTIALLY THE SAME DEVELOPMENT

As clarified above the development continues to be classified as substantially the same development to the originally approved development as required by Section 4.55(1A) of the Act. The proposed modification does not alter the key principles of the development and continues to deliver a mixed-use development within Epping.

The proposal remains consistent to the approved SSD-68708456 as per below.

- The proposal continues to be for a mixed use development;
- The development is and will remain consistent with objectives of the R4 High Density Residential Use zone under the Parramatta LEP 2023 ;
- The development maintains the through site link;
- The scale and built form remain consistent with what was approved, with no change in GFA or height as a result of the modification; and
- No adverse environmental impact is perceived from the modification and continues to comply;

### 3.5 MINIMAL ENVIRONMENTAL IMPACT

The proposed modification will have minimal if any, environmental impacts as outlined below:

- **Built Form:** There are minimal changes to the approved built form as a result of the modification. The minor increase in Building Height does not result in a perceptible change to the overall built form and no increased impact to neighbouring properties.
- **Landscaping:** There are minor changes to the approved landscaping that will improve amenity for future residents as a result of the additional BBQ facility;
- **ESD** -There will be no change to the ESD measures incorporated in the development;

As described above the proposed amendments will only have minimal, if any environmental impact and will not result in an intensification of impacts. The modification is considered substantially the same development.

## 4 STATUTORY CONTEXT

This section describes all the relevant statutory controls which applies to the site.

The relevant Statutory Planning Controls include: -

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulations 2021;
- State Environmental Planning Policy (Planning Systems) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental planning Policy (Biodiversity and conservation) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- Parramatta Local Environmental Plan 2023
- NSW Biodiversity Conservation Act 2016

As set out in the SSD Guidelines, the following sections contain three separate tables that deal with the Statutory Requirements; Pre Condition Requirements; and Mandatory Considerations.

## 4.1 STATUTORY REQUIREMENTS

Table 1 Statutory Requirements Table

Category	Action required	Consistency with Approved Development
<b>Power to grant approval</b>	<p>The <i>Environmental Planning &amp; Assessment Act 1979</i> provides a legal framework for assessment and to grant approval for all developments within NSW.</p> <p>The <i>Environmental Planning &amp; Assessment Regulation 2021</i>, providing a legislative framework identifying processes and requirements for development applications.</p> <p>The modified development continues to have an estimated development cost that exceeds \$30 million.</p> <p>As the cost of works exceed \$30 million the proposal is classified as State Significant Development under the State Environmental Planning Policy (Planning Systems) 2021 (Schedule 1 – Clause 19(2)).</p> <p>Hence the consent authority for this state significant development is the Minister for Planning.</p>	<p>The modified development will remain consistent with the SEPP and remains characterised as SSD</p>
<b>Permissibility</b>	<p>The site is zoned R4 High Density Residential under the <i>Parramatta Local Environmental Plan 2023</i>, under which 'residential flat buildings' are permitted with consent.</p> <p>In the R4 High Density zone "Commercial premises" are prohibited however clause 4.38(3) of the Environmental Planning and Assessment Act allows partially prohibited developments to be approved with development consent, and this part of the development is consistent with the definition of Commercial Premises provided in the LEP:</p>	<p>The modification does not alter the use of the site.</p>
<b>Other approvals</b>	<p><b>NSW Road Act 1973</b></p> <p>Any proposed works on public roads and reserved will require consent of TfNSW. No works are proposed on public reserves however we note TfNSW may be notified regarding traffic during construction and has already been notified during initial consultation stage.</p>	<p>Remains consistent as approved.</p>

Category	Action required	Consistency with Approved Development
Pre-conditions to exercising the power to grant approval	Pre-conditions will be addressed in a table under section 4.2 below	
Mandatory Considerations	Mandatory Considerations are addressed in table under section 4.3 below	
Pre-conditions to exercising the power to grant approval	<p><b>Parramatta LEP 2023</b> Satisfactory arrangements in relation to infrastructure.</p> <p><b>State Environmental Planning Policy (Resilience and Hazards) 2021</b> State Environmental Planning Policy (Resilience and Hazards) 2021 requires the consent authority to consider if the subject site applicable to the development application is contaminated. Especially chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm. The development application is accompanied by a DSI report which confirms the contamination to be unlikely be an issue. Contamination is addressed as part of the report and it has concluded the site is suitable for 'BTR'.</p>	<p>Remains consistent as approved.</p> <p>No amendments are required.</p>
Mandatory matters for consideration	<p><b>Biodiversity Conservation Act 2016</b> Biodiversity Conservation Act 2016 under section 7.9 requires a preparation of a biodiversity development assessment for SSD assessed under part 4 of the EP&amp;A Act.</p> <p>As this development will be assessed under Part 4 of the EP&amp; A Act it will require a biodiversity development assessment report. However, as this development is unlikely to have significant impact on any biodiversity values, exemption is granted under section 7.9(2) of the BC Act 2016 .</p> <p>Biodiversity Development Assessment (BDAR) waiver is included in this submission.</p> <p><b>State Environmental Planning Policy (Biodiversity and Conservation)</b></p>	Remains consistent as approved.

Category	Action required	Consistency with Approved Development
	<p>Chapter 2 seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation. The site is currently void of vegetation. The application is accompanied by a BDAR Waiver (Appendix 19).</p> <p>The subject site is subject to the broad planning principles contained within the chapter 10. The Sydney Harbour Catchment Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment. The relevant principles include:</p> <p><i>Protect and improve hydrological, ecological and geomorphologic processes;</i></p> <p><i>Consider cumulative impacts of development within the catchment;</i></p> <p><i>Improve water quality of urban runoff and reduce quantity and frequency of urban runoff; and</i></p> <p><i>Protect and rehabilitate riparian corridors and remnant vegetation.</i></p> <p>The proposed development does not detract from the above listed principles given the nature of the development and the environmental safeguards proposed, including the detailed drainage concept and erosion and sediment controls that will be in place throughout the construction phase of the development.</p>	<p>Remains consistent as approved.</p>
	<p><b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b></p> <p>The proposed development identified as a traffic generating development under Clause 2.121.</p>	<p>Remains consistent as approved noting no additional apartments or commercial floorspace proposed.</p>

Category	Action required	Consistency with Approved Development
	<p><b>State Environmental Planning Policy (Housing): Chapter 4 Design of Residential Apartment Development</b></p> <p>Clause 147 of the SEPP requires the consent authority to consider the 9 principles for apartment design.</p> <p>The parent development requires a Design Verification Statement from a registered architect</p>	<p>Remains consistent as approved.</p> <p>Remains consistent as approved, noting that a revised verification statement is not required for a 1A modification.</p>

## 4.2 PRE-CONDITIONS

Table 2 describes the pre-condition to exercising the power to grant approval which applies to the proposed development.

Table 2 Pre-Condition Table

Statutory Reference	Pre-condition	Consistency with Approved Development	Section in Report
State Environmental Planning Policy (Resilience and Hazard) 2021			
<b>Section 4.6 – Contamination and remediation to be considered in determining development application</b>	<p><i>(1) A consent authority must not consent to the carrying out of any development on land unless—</i></p> <p><i>(a) it has considered whether the land is contaminated, and</i></p> <p><i>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i></p> <p><i>(c) if the land requires remediation to be made suitable for the purpose for which the</i></p>	<p>The parent development application was accompanied by a Remediation Letter which confirmed the approved Remediation Action Plan for the site remains relevant and ensures that the site is suitable for the development following remediation.</p> <p>The modification does not alter this and remains consistent as approved.</p>	N/A

Statutory Reference	Pre-condition	Consistency with Approved Development	Section in Report
<p><i>development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i></p>			
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>			
<p><b>Clause 2.99 Rail Infrastructure</b></p>	<p>(2) Before determining a development application for development to which this section applies, the consent authority must—</p> <p>(a) within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and</p> <p>(b) take into consideration—</p> <p>(i) any response to the notice that is received within 21 days after the notice is given, and</p> <p>(ii) any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.</p>	<p>There are no changes to the development that impact this clause. This issue was considered as part of the parent development and found to be satisfactory.</p>	<p>N/A</p>
<p><b>Clause 2.122 – Traffic-generating development</b></p>	<p><i>A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies that this Chapter provides may be carried out without consent unless the authority or person has—</i></p> <p>(a) <i>given written notice of the intention to carry out the development to</i></p>	<p>The modification does not alter this and remains consistent as approved.</p>	

Statutory Reference	Pre-condition	Consistency with Approved Development	Section in Report
	<i>TfNSW in relation to the development, and (b) taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.</i>		

### 4.3 MANDATORY CONSIDERATIONS

The following table identifies all relevant mandatory considerations to exercising the power to grant approval.

Table 3 Mandatory considerations table

Statutory Reference	Mandatory Consideration	Section in Modification Report
Consideration under the EP&A Act and Regulations		
<b>Section 1.3</b>	Relevant objects of the EP&A Act	Section 3 and 4
<b>Section 4.15</b>	<u>Relevant environmental planning instruments</u>	Section 4
	Planning Systems SEPP	Table 1
	Resilience and Hazard SEPP	Table 1
	Transport and Infrastructure SEPP	Table 2
	Biodiversity and Conservation SEPP	Table 2
	State Environmental Planning Policy (Housing): Chapter 4 Design of Residential Apartment Development	Section 4.4
	Parramatta Local Environmental Plan 2023 (PLEP 2023)	Table 1
	<u>Relevant draft environmental planning instruments.</u> N/A	N/A
	<u>Relevant planning agreement or draft planning agreement:</u>	N/A
	<u>Development Control Plans:</u> Parramatta Development Control Plan 2023 (PDCP 2023)	N/A

Statutory Reference	Mandatory Consideration	Section in Modification Report
	The likely impacts of that development, including environmental Impacts on both the natural and built environments, and social and economic impacts in the locality.	Section 6
	The suitability of the site for the development	Section 7
	The public interest	Section 7
Mandatory relevant consideration under EPIs		
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021 requires the consent authority to consider if the subject site applicable to the development application is contaminated. Especially chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm. The development application is accompanied by a DSI, PSI, SSI, Groundwater, ASS Assessment and Remedial Action Plan. Contamination is addressed and the site is suitable for 'Build-to-rent'.	N/A – No changes proposed as part of this development.
State Environmental Planning Policy (Housing): Chapter 4 Design of Residential Apartment Development	The development proposes a shop top housing development, which provides residential accommodation	The proposed modified development continues to comply with Chapter 4 Design of Residential Apartment development.
Transport and Infrastructure SEPP	Under Schedule 3 of this SEPP (Schedule 3 Traffic-generating development to be referred to Transport for NSW), Residential accommodation containing 300 or more dwellings is classified as Traffic Generating Development. The development proposes a total of 438 units and therefore is classified as Traffic Generating Development. This modification will require referral to Transport for NSW for their concurrence	Table 2
Parramatta LEP 2023	The proposed development is zoned R4 -High Density Residential.	Table 1
Consideration under other legislation		
Biodiversity Conservation Act 2016 (BC Act) – Section 7.14	BDAR waiver request	N/A – No changes proposed as part of this development.

Statutory Reference	Mandatory Consideration	Section in Modification Report
Development Control Plans		
Parramatta Development Control Plan 2023	As specified under Clause 2.10 of the Planning Systems SEPP, development control plans do not apply to SSD. As such, there is no requirement for the development to be assessed against the PDCP for this SSDA and is therefore not a mandatory consideration.	N/A
Development Contributions Plan		
Parramatta Contributions Plan 2022		N/A – No changes proposed as part of this development.

## 5 ENGAGEMENT

### 5.1 ENGAGEMENT WITH THE DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE

Limited discussions have occurred with planning officers from the Department of Planning, Housing and Infrastructure about this proposed modification.

### 5.2 COMMUNITY ENGAGEMENT

It is understood that this modification will be placed on public exhibition and any submission received will be considered through the assessment of the application.

## **6 ASSESSMENT OF IMPACTS**

### **6.1 BUILT FORM**

The proposed amendments to the built form predominantly relate to the intent to improve constructability, and improving amenity for future residents. The changes have resulted in no changes to the overall GFA and a minor increase of building height by up to 125mm. These proposed modifications are considered negligible and will not significantly alter the approved built form.

As mentioned above the modified façade design is to improve buildability and to assist with building efficiency. The proposed changes to the façade will not have any adverse impacts on the locality.

### **6.2 STRUCTURAL**

The modified development does alter the structural columns due to service and structural coordination. The minor changes ensure the development complies with the NCC and is structurally sound,

### **6.3 TRAFFIC**

Minor changes are proposed to the carparking layout. The revised layout has been reviewed by traffic engineers and there are no perceived adverse impacts expected from this modification.

## 7 JUSTIFICATION OF MODIFICATIONS

This section outlines a comprehensive evaluation of social, biophysical and economic impacts, including the principles of ecologically sustainable development.

It will assess the potential benefits and impacts of the proposed development through consideration of specialist's reports and compliance with relevant policies and strategic frameworks.

### 7.1 PROJECT DESIGN

The proposed modification is minor in nature and has resulted from the design development and construction detailing. The amended design will enable improved efficiency and facilitate the construction of additional housing adjacent to the Epping Town Centre.

The proposed development continues to be suitable for the subject site and is located on the fringe of the Epping Town Centre with excellent access to public transport as well as to Sydney CBD. The proposal continues to contribute to the planning objectives outlined in District, region and the Parramatta Local Strategic Planning Statement.

### 7.2 STATUTORY CONTEXT

The proposed development continues to be permissible with consent and meets the requirements of the relevant statutory planning controls, including prescribed height limits, and floor space ratios, maximising the zoning potential. The compliance with the relevant provisions are as follows:

- The proposed development continues to be compliant with the relevant objectives of the EP&A Act as defined in Section 1.3 and especially in regard to S4.55 as addressed above.
- The modified development continues to be consistent with the principles of Ecological Sustainable Development specified on Schedule 2 (7)(94) of the *Environmental Planning and Assessment Regulation 2000* and will support the delivery of an Ecologically Sustainable Development.
- The proposed modification continues to have regards to the relevant matters required under the BC Act noting the original SSD application was supported by a request for BDAR waiver and initial assessment remains relevant and applicable.
- The SSDA pathways have been triggered in accordance with Schedule 1 Clause 19(2) of the *SEPP (Planning Systems) 2021* as the cost of development exceeds more than \$50 million.

- The modified development continues to comply with all the relevant SEPPs including *SEPP (Resilience and Hazard) 2021*, *SEPP (Transport and Infrastructure) 2021* and *SEPP (Housing) 2021*. The proposed modification complies with the relevant clauses of each of the SEPPs.
- The modified development continues to be compliant with the relevant clauses and controls stipulated under the Housing SEPP and Parramatta LEP 2023.

### 7.3 COMMUNITY VIEWS

No changes to community views are anticipated as part of this application, however, it is acknowledged that the modified development will be placed on public exhibition and all comments will be taken into consideration through the assessment by the Department.

### 7.4 LIKELY IMPACTS OF THE PROPOSAL

The following are the potential social, economic and environmental impacts perceived from the proposed development.

#### **Social Impacts**

- The modified development continues to include street activation works on Beecroft Road and Ray Road through new footpaths as well as commercial /retail spaces along Beecroft Road and the through site link and enhancing the pedestrian experience.
- The subject site benefits from large communal open spaces and the development will permit an increased number of people to live closer to these public benefits.
- The modified development continues to contribute to housing diversity within the Epping town Centre through the provision of multiple forms of housing and sizes that are limited in supply.

#### **Economic Impacts**

- The modified development will continue to provide significant benefits including jobs throughout the construction and operations of the building and supporting commercial floor space.
- The modified proposal will continue to provide additional retail spaces adjacent to the Epping Town Centre and will assist in supporting additional jobs.

#### **Environmental Impacts**

The modified proposed development seeks to minimise, avoid or offset impacts where possible, including by:

- Substantially complying with the Concept Building Envelope plans that were approved as part of the amended SSD concept application;
- Achieving a 5 star Green rating design for the development that ensures that the development is sustainable;
- Providing Residential Accommodation within walking distance of Epping Station to facilitate residents utilising public transport; and
- Providing Onsite services for future residents including a café, swimming pool, outdoor gym, BBQs. Communal lawns and a walking loop to promote casual social interaction;

## 7.5 SUITABILITY OF THE SITE

As described in the original application and within this report the proposed development for the subject site continues to be highly suitable for the following reasons:

- The development is permissible within the zone and is consistent with the prescribed objectives. The proposal will maximise its zoning potential for the subject site.
- The architectural design responds adequately to the site conditions
- The architectural design incorporates provides a through site link and will improve the public domain of both Beecroft Road and Ray Road through street activation.
- The proposal has addressed and is mostly compliant with State and Councils policies and objectives and controls for the subject site.
- The site is strategically located within proximity of the Epping Train and Bus Interchange and the Epping Metro. An increase in residential density within the Epping Town Centre and in close proximity to public transport has been supported through the Metropolis city, District plans and the LSPS.
- As supported by numerous specialists reports the proposed development will have minimal impacts on the surrounds and will not have any unreasonable impacts to neighbouring properties.

## 7.6 PUBLIC INTEREST

The proposed development continues to be in the public interest for the following reasons;

- The development will provide much needed upgrades on the public domain of Ray Road and Beecroft Road.
- Increase availability of housing and affordable housing within walking distances to extensive public transport.
- The proposal will provide diverse housing within the Epping Town Centre.
- The proposal will support the economic growth of the Epping Town Centre through an increase in jobs during construction and operation of the development.

## 8 CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed modified development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the modification application, subject to necessary, relevant and appropriate conditions of consent.