

the consent authority is satisfied that appropriate measures will be taken to ensure that the relevant noise levels are not exceeded.

Under the provisions of Clause 101 – *Development with frontage to classified road* and Clause 102 – *Impact of road noise or vibration on non-road development*, the proposal cannot compromise the effective and ongoing operation of the classified road (Beecroft Road) and appropriate measures will be taken to ensure noise and vibration levels are not exceeded for residential accommodation in or adjacent to the road corridor.

The application is supported by a *Noise and Vibration Assessment* submitted with the EIS which provides assessment of noise and vibration impacts associated with the site against the relevant criteria of the following:

- State Environmental Planning Policy (Infrastructure) 2007
- Development Near Rail Corridors and Busy Roads - Interim Guideline 2008
- Environment Protection Authority – Noise Policy for Industry
- Environment Protection Authority - NSW Road Noise Policy

The Department is satisfied that the proposal can meet the relevant acoustic criteria subject to recommendations of the *Noise and Vibration Assessment* being adopted in detailed design application.

The development constitutes traffic-generating development under Clause 104 – *Traffic-generating development* as it involves residential accommodation of 75 or more dwellings, 50 or more ancillary car parking spaces, or shops over 500 m². The proposal is required to be referred to RMS. However, RMS did not comment on the proposal on the grounds of traffic generation.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX encourages sustainable residential development across NSW by setting targets that measure the efficiency of buildings in relation to water, energy and thermal comfort. BASIX requires all new dwellings to meet sustainable targets of a 20% reduction in energy use (building size dependent) and 40% reduction in potable water.

The application is for a Concept proposal which provides only indicative schematic floor plans of the dwellings. As such an assessment of the proposal's compliance against the BASIX requirements is not required at this stage of the development. Notwithstanding, the Ecologically Sustainable Development Report accompanying the EIS identifies that the development will be required to achieve the relevant BASIX targets in the detailed development application.

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a contamination assessment for the site which concludes that no significant contamination impacts have been identified that would preclude redevelopment of the site for the proposed land uses. This is subject to further consideration and management of anticipated ecological impacts relating to the asbestos in fill material and nickel in soil concentrations found on the site.

The Department is satisfied that the site is suitable for the proposed uses subject to the recommendations of the contamination assessment report being adopted in the development. The

Department recommends conditions to ensure measures are in place should any unanticipated contamination be found during works.

Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department has published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant
- categorise remediation work based on the scale, risk and complexity of the work
- require environmental management plans relating to post-remediation management or ongoing management of on-site to be provided to Council.

The new SEPP will not include any strategic planning objectives or provisions. Strategic planning matters will instead be dealt with through a direction under Section 117 of the EP&A Act.

The Department considers the development is consistent with the draft Remediation SEPP subject to the recommended conditions discussed above.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)

SEPP 65 seeks to improve the design quality of residential developments and encourage innovative design. The Apartment Design Guide (ADG) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential developments. The Department is satisfied that the proposal achieves the objectives of SEPP 65 as detailed in the table below.

Design Principle	Department's Consideration
1. Context and Neighbourhood Character	The proposal is consistent with the desired future character for the area and consistent with the development standards of the Hornsby Local Environmental Plan 2013 (HLEP 2013).
2. Built Form and Scale	The proposal results in a suitable built form and scale consistent with the development standards of the HLEP 2013. The Department considers the built form of the proposal acceptable having regard to its location north the Epping station and town centre and exemplifying the principles of transit-oriented development.
3. Density	The development has a maximum height of 48 m, consistent with the maximum height permitted under the HLEP 2013 and achieves the design outcomes of the Apartment Design Guide (ADG). The development achieves an acceptable density.

4. Sustainability	The development proposes ESD principles and sustainability measures as detailed in Section 4.3.3 of this report.
5. Landscape	The proposal incorporates a range of landscaped and open space areas including deep soil, communal and private open space areas. A through-site pedestrian link will provide access to the ground floor communal open space areas from Beecroft Road and Ray Road. The proposal acknowledges the creek corridor to the rear of the site with appropriate landscape treatment proposed at this interface.
6. Amenity	The proposal achieves good amenity by providing a built form which results in appropriate solar access to residential dwellings, communal and private open spaces, and adjoining land. It has negligible privacy impacts and promotes high density residential living with convenient access to the high frequency rail services and services and facilities in Epping.
7. Safety	The proposal promotes the principles of Crime Prevention Through Environmental Design through appropriate design which promotes opportunities for passive surveillance of common areas from residential apartments, the activation of spaces by locating mixed uses on the ground floor, and a thorough-site pedestrian link which provides accessible links to Epping station for residents, workers and visitors to the site.
8. Housing Diversity and Social Interaction	The proposal promotes housing diversity with a range of housing options including studio, 1, 2 and 3 bedroom apartments of different sizes and layouts and the provision of 5% of dwellings as affordable housing. The provision of communal open space areas encourages social interaction amongst residents and visitors to the site.
9. Aesthetics	The concept proposal is designed to provide an urban form and scale at a masterplan scale. The Applicant, in consultation with GANSW, has prepared a Design Excellence Strategy and Design Guidelines for the proposal. The Strategy will set the framework to deliver design excellence throughout the project and the detailed design application.

Apartment Design Guide (ADG)

An assessment of the proposal against the ADG best practice design principles is provided in the table below. The concept proposal was prepared at the scale of a masterplan and the proposal has been assessed against the relevant Design Criteria relevant to a masterplan scale.

Relevant Criteria

Department's Consideration

2E Building Depth

- Use a range of building depth of 12-18 m from glass line to glass line
- Where greater depths are proposed demonstrate layouts can achieve acceptable amenity

The indicative floor plans of the apartments show that a building depth of less than 12-18 m can be achieved. Most building depths indicated are 10 m.

3B Orientation

- Building type/layouts respond to streetscape, optimising solar access.
- Overshadowing of neighbouring properties is minimised

The proposal has been designed to respond to the streetscape with varying heights of 6 - 15 storeys which reflects the varying scale of development in the surrounding area. This includes dwelling houses, residential apartment buildings, and mixed-use developments, including an existing nine storey development immediately to the south of the site on the opposite side of Carlingford Road and potential 15 storey development immediately south at the service station site.

The buildings allow for appropriate solar access to the proposed residential dwellings, communal open space and adjoining sites.

The orientation of the buildings allows for reduced noise and privacy impacts between apartments and residential and non-residential uses.

The proposal has been tested for compliance with the solar access provisions of the ADG and it achieves appropriate solar access.

Additional information provided in the RtS confirms that a future residential development of the adjoining property at 246 Beecroft Road would still be able to be meet the ADG solar access requirements if the proposed development was to occur

3C Public Domain Interface

- Transition between public/private without compromising security
- Amenity of public domain is retained and enhanced

There is an appropriate transition between public and private areas. Entry points to the buildings are distributed throughout the site, adjoining internal open space areas or on the Beecroft Road façade. Private circulation areas such as courtyards are located internal to the buildings which restrict public access. Residential entry points and courtyards within front setback areas can be delineated through use of appropriate materials.

Several residential entry points are located adjoining the common open space area with the through-site pedestrian link. These entry areas can be clearly defined and provide appropriate reciprocal surveillance between the pedestrian link and the buildings without compromising access, use, and circulation.

3D Communal and Public Open Space

- minimum 25% of the site
- minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm in mid-winter

Communal open space areas are provided on the ground floor or as roof top terraces with totalling 28.7% of the site area. More than 50% of the communal open space areas receive direct sunlight for minimum 2 hours in mid-winter.

3E Deep Soil Zones

For sites greater than 1,500 m² a minimum of 7% to 15% of the site should provide for deep soil zone(s). Site area is 10,121 m².

Deep soil zones are provided throughout the proposal on the perimeter of the site and within the ground floor open space areas.

3F Visual Privacy

Minimum separation distance from building to side boundary:

Height	Habitable rooms and balconies	Non-habitable rooms
Up to 12m (4 storeys)	6 m	3 m
Up to 25m (5-8 storeys)	9 m	4.5 m
Over 25m (9+ storeys)	12 m	6 m

The proposal achieves separation distances that meet or exceed the minimum requirements for the buildings within the site and the adjoining 7-Eleven service station development at 246 - 250 Beecroft Road.

3G Pedestrian Access to Entries

- Building entries and pedestrian access connects to and addresses the public domain
- Access, entries and pathways are accessible and easy to identify
- Large sites provide pedestrian links for access to streets and connection to destinations

Building entry points are located within the site adjoining common open space areas or on the Beecroft Road façade. The entry points will be visible, accessible and allow for reciprocal surveillance between the entry points and the buildings and street.

A through-site pedestrian link is provided within the site which provides a direct visual and physical link to the non-residential uses on the ground floor.

3H Vehicle Access

Vehicle access points are to be designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.

One vehicle access point is provided to the development from Beecroft Road and from Ray Road which minimises potential conflicts with vehicles, pedestrians and cyclists.

3J Bicycle and Car Parking

- Minimum parking requirement as set out in the Guide to Traffic Generating Developments or local Council requirement, whichever is the less
- Parking is available for other modes of transport
- Car parking design access is safe and secure
- Visual and environmental impacts of underground, at grade or above ground car parking are minimised

- Car parking for residents, resident visitors, motorcycles and bicycles will be provided in accordance with the RMS Guide to Traffic Generating Developments or the Hornsby DCP
- Car spaces for the non-residential uses will be provided at a reduced rate as discussed in **Section 6.3**
- One vehicle access point is provided from Beecroft Road and one from Ray Road. The location of the vehicle access points minimises pedestrian and bicycle conflicts.

4A Solar and Daylight Access

- Minimum of 70% of apartments' living rooms and private open spaces receive 2hrs direct sunlight between 9am-3pm in mid-winter in the Sydney Metropolitan Area
- Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter
- Shading and glare control are provided
- 78% of apartments receive 2hrs direct sunlight between 9am-3pm in mid-winter
- 10% of apartments have no direct sunlight between 9am-3pm in mid-winter
- Shading and glare control can be provided as required in the detailed design stage of the development

4B Natural Ventilation

- At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated)
- Overall depth of a cross-over or cross-through apartment does not exceed 18 m
- 67% of apartments are cross ventilated
- overall depth of any cross-over or cross-through apartment does not exceed 18 m

4C Ceiling Heights

- Measured from finished floor level to finished ceiling level, minimum ceiling heights for residential are:
 - Habitable rooms = 2.7 m
 - Non-habitable rooms = 2.4 m
- Mixed uses area = 3.3 m for ground floor and first floor to promote future flexibility of use

Appropriate ceiling heights can be achieved for the residential uses as demonstrated in the building cross sections provided with the proposal

The concept proposal has been amended to ensure the floor to ceiling height for non-residential uses on the ground floor is a minimum of 3.3 metres. This has been achieved by lowering the ground floor level of the development.

4D Apartment Size and Layout

- Minimum apartment sizes
 - Studio 35 sqm
 - 1 bedroom 50 sqm
 - 2 bedroom 70 sqm
 - 3 bedroom 90 sqm

The application is for a concept proposal which provides only indicative schematic floor plans of the dwellings. As such an assessment of the proposal's compliance against the detailed outcomes of the ADG cannot be undertaken.

The proposal will include studio, 1, 2, and 3 bedroom apartments. The schematic floor plans submitted indicate that the proposal can achieve the minimum apartment size and layout requirements of the ADG.

- Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms
- Habitable room depths are limited to 2.5 x the ceiling height
- In open plan layouts the maximum habitable room depth is 8 m from a window
- Master bedroom have a minimum area of 10 m² and other bedrooms have 9 m²
- Bedrooms have a minimum dimension of 3 m (excluding wardrobes)
- Living rooms have a minimum width of:
 - 3.6 m for studio and one bed
 - 4 m for 2 and 3 bed
- The width of cross-over or cross-through apartments are at least 4 m internally.

4E Private Open Space and Balconies

- Primary balconies are provided to all apartments providing for:
 - Studios apartments min area 4 m²
 - 1 bedroom min area 8 m² min depth 2 m
 - 2 bedroom min area 10 m² min depth 2 m
 - 3 bedroom min area 12 m² min depth 2.5 m
- For apartments at ground floor level or similar, private open space must have a minimum area of 15 m² and depth of 3 m²

The schematic floor plans submitted indicate that the proposal can achieve the minimum private open space requirements of the ADG.

- Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building
- Primary open space and balconies maximises safety

4F Common Circulation and Spaces

- Maximum number of apartments off a circulation core is 8 – where this cannot be achieved, no more than 12 apartments should be provided off a single circulation core.
- For buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40
- Natural ventilation is provided to all common circulation spaces where possible
- Common circulation spaces provide for interaction between residents
- Longer corridors are articulated

The concept proposal identifies that the maximum number of apartments off a circulation core will be 8 apartments.

4G Storage

The following storage is required (with at least 50% located within the apartment):

- Studio apartments 4 m³
- 1 bedroom apartments 6 m³
- 2 bedroom apartments 8 m³

3 bedroom apartments 10 m³

Storage is to be incorporated at the detailed design stage of the development for each apartment.

4H Acoustic Privacy and 4J Noise and Pollution

- Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution.

A *Noise and Vibration Assessment* accompanies the application. The report assesses potential noise and vibration sources and recommends acoustic treatments to achieve the required noise levels. The treatments include noise suppressing building façade

Noise impacts are mitigated through internal apartment layout and acoustic treatments

materials, upgraded glazing to windows, and appropriate provision of mechanical ventilation.

4K Apartment Mix

- Provision of a range of apartment types and sizes
- Apartment mix is distributed to suitable locations within the building.

The concept proposal will include studio, 1, 2, and 3-bedroom apartments and adaptable apartments that will be distributed throughout the buildings. The concept proposal also nominates minimum 5% of dwellings as affordable housing.

4L Ground Floor Apartments

- Street frontage activity is maximised where ground floor apartments are located
- Design of ground floor apartments delivers amenity and safety for residents

Apartments and non-residential uses will be located on the ground floor of the concept proposal

The ground floor apartments will have frontage to a street or courtyard area. This provides a good interface between the apartments and the street or courtyard, increases activity at the street frontage, and provides opportunities for casual surveillance of these areas.

4M Facades

- Building facades provide visual interest along the street while respecting the character of the local area

Building functions are expressed by the facade

Building façade details will be determined at the detailed design stage of the application. The proposal has street frontage to Beecroft Road and Ray Road which provides opportunities for articulation and visual interest to the facades.

4N Roof Design

- Roof treatments are integrated into the building design and positively respond to the street
- Opportunities to use roof space for accommodation and open space is maximised

Roof design includes sustainability features

Roof design will be determined at the detailed design stage of the development however the concept proposal includes communal open space areas on the roof consistent with the provisions of the ADG.

4O Landscape Design and 4P Planting on Structures

- Landscape design is viable and sustainable
- Landscape design contributes to streetscape and amenity
- Appropriate soil profiles are provided and plant growth is maximised (selection/maintenance)
- Plant growth is optimised with appropriate selection and maintenance

Building design includes opportunity for planting on structure

4Q Universal Design

- The universal guidelines are adopted in the design of apartments
- A variety of apartments with adaptable designs are provided

Apartment layouts are flexible and accommodate a range of lifestyle needs

4S Mixed Use

- Mixed use developments are provided in appropriate locations and provide street activation and encourage pedestrian movement

Residential levels are integrated within the development, safety and amenity is maximised.

The Design Report accompanying the application identifies the design principles for landscaping in communal open space areas, residential courtyards, roof top open space areas, and private open space for ground floor apartments.

The landscape design will be finalised at the detailed design application stage. The proposed deep soil and open space areas are consistent with the provisions of the ADG.

The Universal Design Guidelines can be adopted at the detailed design stage of the development.

Non-residential uses will be provided on the ground floor of the proposal, strategically located adjoining street frontages, common open space areas and the through-site pedestrian link. This encourages good street level activity through pedestrian movements and reciprocal surveillance of public and private areas

There is appropriate separation of residential uses with separate entry areas, minimal ground level interface with non-residential uses, and location of active public areas away from residential open space areas.

4T Awning and Signage

- Awnings are well located and complement and integrate with the building

Signage responds to the context and design streetscape character

Awning and signage design will be determined at the detailed design stage of the development. There are opportunities to integrate appropriate awnings and signage to the proposed buildings for weather protection and as a design feature.

4U Energy Efficiency

- Development incorporates passive environmental and solar design

Adequate natural ventilation minimises the need for mechanical ventilation

The *Ecological Sustainable Development Report* identifies minimum targets to be included in the developer's requirements to ensure high environmental performance.

The proposal achieves natural ventilation above the minimum requirements of the ADG.

4V Water Management and Conservation

- Potable water use is minimised
- Urban stormwater is treated on site before being discharged to receiving waters

Flood management systems are integrated into the site design

The *Ecologically Sustainable Development Report* accompanying the application identifies minimum requirements to achieve best practice water sensitive principles and conservation of potable water. These are to be included in the developer's requirements.

4W Waste Management

- Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity

Domestic waste is minimised by providing safe and convenient source separation and recycling

Waste management facilities will be determined at the detailed design stage. The concept proposal identifies one access point for Beecroft Road and Ray Road.

4X Building Maintenance

- Building design detail provides protection from weathering
- Systems and access enable ease of maintenance

Material selection reduced ongoing maintenance cost

The selection of building materials and finishes will be determined at the detailed design stage of the development. The materials and finishes to be selected should be long lasting, low maintenance, have low embodied energy, with potential reuse and recycling.

Draft State Environmental Planning Policy (Environment) 2017 (draft Environment SEPP)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

The draft SEPP (Environment) promotes the protection and improvement of environmental assets for their intrinsic, social and economic value. The site has a Biodiversity Development Assessment Report (BDAR) waiver as the proposal is not likely to have any significant impact on biodiversity values.

Hornsby Local Environmental Plan (HLEP) 2013

The HLEP 2013 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents. The HLEP 2013 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the HLEP 2013 and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the HLEP 2013. Consideration of the relevant clauses of the HLEP 2013 is provided in the table below.

HLEP Clause	Department's Consideration
1.2 – Aims of the Plan The Plan aims to: (a) to facilitate development that creates: (i) progressive town centres, thriving rural areas and abundant recreation spaces connected by efficient infrastructure and transport systems, and (ii) a well-planned area with managed growth to provide for the needs of future generations and people enriched by diversity of cultures, the beauty of the environment and a strong economy (b) to guide the orderly and sustainable development of Hornsby, balancing its economic, environmental and social needs	The proposal is in keeping with the aims of the Plan in that the land use is compatible with the future desired character of Epping.

- (c) to permit a mix of housing types that provide for the future housing needs of the community near employment centres, transport nodes and services
- (d) to permit business and industrial development that meets the needs of the community near housing, transport and services, and is consistent with and reinforces the role of centres within the sub regional commercial centres hierarchy
- (e) to maintain and protect rural activities, resource lands, rural landscapes and biodiversity values of rural areas
- (f) to provide a range of quality passive and active recreational areas and facilities that meet the leisure needs of both the local and regional community
- (g) to facilitate the equitable provision of community services and cultural opportunities to promote the wellbeing of the population of Hornsby
- (h) to protect and enhance the scenic and biodiversity values of environmentally sensitive land, including bushland, river settlements, river catchments, wetlands and waterways
- (i) to protect and enhance the heritage of Hornsby, including places of historic, aesthetic, architectural, natural, cultural and Aboriginal significance
- (j) to minimise risk to the community in areas subject to environmental hazards, including flooding and bush fires.

2.1 – Land use zones

The site is within the R4 High Density Residential Zone. The objectives of the R4 Zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal is consistent with the objectives of the zone.

The proposal seeks consent for residential and non-residential uses. The range of non-residential uses, which are to be confirmed at the detailed design phase, may include office premises, business premises, food and drink premises, medical centre and shops which are prohibited uses in the zone. However, the Minister may grant consent to State Significant Development despite the development being partly prohibited.

4.3 – Height of buildings

The height of a building on any land is not to exceed the maximum height shown on the *Height of Buildings Map*. The map identifies the height standards for the site as 48 m

The proposal has a maximum height of 48m.

4.4 – Floor space ratio

The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the *Floor Space Ratio Map*. In this case, there is no FSR standard applying to the site.

The proposal is not subject to any FSR standard.

5.6 – Architectural roof features

Development consent can be granted to development that includes an architectural roof feature.

The proposed building envelope does not include specific details of architectural roof features. Details of the roof features can be considered at the detailed design stage of the development.

5.10 – Heritage conservation

The consent authority must consider the effect of the proposed development on the heritage significance of a heritage item or conservation area.

The consent authority may require a heritage assessment before granting consent to any development on land that is within the vicinity of a heritage item or conservation area

The site does not contain any known artefacts or other evidence of Aboriginal archaeological sites. The proposal is not considered to have an adverse impact on the heritage items in the vicinity of the site as major views to these items will not be impeded.

6.8 – Design Excellence

1. The objective of this clause is to deliver the highest standard of architectural and urban design
2. This clause applies to development involving the erection of a new building or external alterations to an existing building, which will result in a building with a height of more than 29.6 m
3. Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence
4. In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved

The Applicant, in consultation with GANSW has provided a Design Excellence Strategy to accompany Urban Design Guidelines for the proposal. The Strategy will set the framework to deliver design excellence throughout the project and the detailed design application.

The Department finds the Concept proposal exhibits design excellence having regard to the matters for consideration in sub-clause

4. The following is noted:

- the proposal is capable of delivering a detailed design with a high standard of architectural design, materials and detailing
- the form and appearance from a quality and amenity perspective from the public domain will be a vast improvement from the previous development

- (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain
 - (c) whether the development detrimentally impacts on view corridors
 - (d) whether the development achieves transit-oriented design principles, including the need to ensure direct, efficient and safe pedestrian and cycle access to nearby transit nodes
 - (e) the requirements of the Hornsby Development Control Plan
 - (f) how the development addresses the following matters:
 - (i) suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts and factors such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind, reflectivity, water and energy efficiency and water sensitive urban design,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements,
 - (x) the impact on, and any proposed improvements to, the public domain,
 - (xi) achieving appropriate interfaces at ground level between the development and the public domain,
 - (xii) integration of landscape design, including the configuration and design of communal access and communal recreation areas, to incorporate exemplary and innovative treatments and to promote an effective social atmosphere.
- the proposal does not detrimentally affect any view corridors
 - the proposal achieves transit-oriented development principles with excellent access to public transport, pedestrian link and reduced car parking provision
 - the Hornsby DCP is considered and the Department finds the proposal acceptable
 - the development addresses each of the matters under (f)(i) through (xii). The proposed building envelopes are an appropriate site and context response.

The Department recommends the Minister be satisfied the proposed exhibits design excellence by adopting the assessment set out in this report.

Appendix F – Response to Council Submissions

Council submission at EIS stage

Issues Raised	Applicant's Response	Department's Assessment
Commercial Floorspace		
<p>The proposal is inconsistent with the findings and recommendations of Council's Commercial Floor Space Study (SGS, 2017). The study supports retention and growth of commercial floor space in Epping given the forecasted population growth and infrastructure investment in the area. Council's recommends that the concept proposal be amended to provide a minimum of 1:1 commercial FSR. This would ensure that sufficient jobs are delivered in keeping with Epping's nomination as a strategic centre under the Central District Plan.</p>	<p>Landcom engaged Hill PDA to undertake a review of the viability of additional commercial / office floor space in Epping Town Centre. The review concludes that there is an overall low demand for commercial space, particularly office floor space for the following reasons:</p> <ul style="list-style-type: none"> • Competition from other nearby higher order centres such as Macquarie Park and Chatswood. • Low demand / interest from large companies and institutions that would generally require large floor plate offices. • The site is located outside the Epping Town Centre • Additional traffic impacts <p>The Hill PDA assessment also concludes that a small-scale retail and commercial offer on the subject site would lack the critical mass to attract a strong retail or commercial mix particularly given the site's fringe location and competitive disadvantages.</p> <p>The Hill PDA assessment advises the proposed smaller offering of non-residential floor space is considered appropriate to service the onsite population.</p> <p>The amended scheme redistributes the small format retail offerings along Beecroft Road and the internal pedestrian link frontage to maximise visibility and attract patronage.</p>	<p>Refer to Section 6.1 of the Assessment Report.</p> <p>The Department is satisfied that the proposed amount of non-residential floorspace is acceptable. Refer to Section 6.1 of this report for the Department's detailed analysis.</p>

Traffic, Parking and Vehicle Entries

<p>Traffic Management – Provide a link road between Ray Road and Beecroft Road.</p>	<p>Landcom has considered the provision for a link road but concludes no sustainable public benefit would be achieved.</p>	<p>Refer to Section 6.2 of this Report.</p> <p>The Department concludes that provision of the link road is not considered to appropriately alleviate traffic conditions.</p>
<p>Car Parking – Council does not support the higher car parking rates applied in accordance with the RMS' Guide to Traffic Generating Developments (298 residential and 45 visitor spaces). Council's preference is to adopt rates sets out in the Hornsby DCP 2013:</p>	<p>Landcom has updated the proposal to provide a maximum of 342 spaces (270 residential and 62 visitor parking spaces), which is below the maximum parking required under the HDCP 2013 and the PDCP 2011. The proposal also provides 3 car share spaces, 14 motorcycle spaces and 476 bicycle spaces.</p>	<p>Refer to Section 6.2.3 of the Assessment Report.</p> <p>Overall number of residential car spaces proposed on the site has been reduced.</p> <p>The Department's traffic consultant advises that preparing the Green Travel Plan at the detailed design stage is appropriate (Condition B8).</p>
<ul style="list-style-type: none"> • 297 residential and a minimum of 64 visitor spaces. • Off Street parking for the non-residential component of the development • Adequate bicycle, motor cycle parking and car share parking spaces • Provide a green travel plan 	<p>A rate of 1 parking spaces per 75 m² of GFA is proposed for the non-residential component of the development, which is lower than the DCP.</p> <p>The EIS commits to a Green Travel Plan and provides principles and guidance.</p>	
<p>Car Park Entries – The slip road on Beecroft Road narrows the footpath and restricts access into the two lobbies on Beecroft Road.</p>	<p>RTS scheme was revised to widen the access pathway into the lobby and redistribute commercial floorspace so that previous residential entries were removed along this frontage.</p>	<p>Matter resolved.</p>

Developer Contributions

<p>Council acknowledges and supports the applicant's commitment to pay development contributions for future detailed development applications in accordance with Council's contribution policy.</p>	<p>Noted.</p>	<p>Appropriate conditions of consent to this end will be included as part of any future consent for the detailed development.</p>
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Urban Design, Access and Circulation

Circulation – Council The updated scheme provides a wider and accessible pedestrian connection link. Design amended to generally respond to Council's issues.

The updated scheme resolves the issues in relation to width and accessibility of the pedestrian link.

- following:-
- A 3m wide pedestrian connection link is required between Ray Road and Beecroft Road as required by the HDCP 2013.
 - Equitable Access of the proposed pedestrian link
 - Access to the buildings are not clear
 - Pedestrian link and building lobby entries are to have accessible entries.

Universal Access - the development is to meet and satisfy all relevant universal access and other access standards.

The concept plans provide a basis for the assessment of future applications for the detailed design.

The application is a concept proposal. Any future detailed design application will be required to demonstrate compliance with access standards and universal design requirements.

Diagonal Columns - the diagonal columns are problematic due to the angle of the columns. Vertical columns are preferred.

The concept plans provide a basis for the assessment of future applications for the detailed design.

The application is a concept proposal. The EIS scheme showed indicative columns. The amended RtS scheme did not have columns.

Side Setback and ADG Compliance

Side Setback - the proposed development should be setback from its northern boundary by an additional 6m. The proposed 6m setback does not comply with the minimum separation distance requirements and compromises the future development opportunity for the adjoining lot.

The EIS notes that the Epping Services Facility is directly to the north and a 6m setback is considered appropriate.

To the north is the Epping Service Facility. Although the land is zoned R4 High Density Residential, the actual use is for infrastructure that will be in place for as long as the Northwest Metro line.

To the north-west is a 3-4 storey residential flat building with a variable 5m-11m setback from the boundary. The proposed building envelope has varied setbacks at this point, with the setback increasing at Level 5 and again at Level 12 in compliance with the ADG.

The property boundary is inconsistent towards the north-west, so on average the setback complies with the ADG.

Deep Soil – current setbacks do not conform with the required front (7m), rear (7m) and side (6m) setback required for deep soil.

The Applicant's RtS includes setback diagrams and deep soil diagrams showing minor encroachments into setback zones.

However, overall deep soil area is substantial and has increased from 2,063m² to 2,200m² under the amended scheme.

Setbacks are varied across the site due to the podium articulation. However, the setbacks are generally as required and provide acceptable deep soil landscape zones suitable for mature trees to screen the development.

Front setback to Ray Road is generally 7m except for very minor encroachments.

Front setback to Beecroft Road is varied between 5.4m and 7.4m. However, deep soil is not proposed along most of Beecroft Rd. Rather, plaza space and a forecourt with a relationship with non-residential uses is proposed, which is appropriate.

There is no rear side of the site.

Side setbacks to north and south vary, with 4.4m to 7.2m to the north-west and 7.4m to 12m to the south.

ADG Compliance - the development should comply with all aspects of the ADG to ensure adequate internal amenity

Any future detailed design application will be required to demonstrate compliance with the ADG.

The application is a concept proposal. Any future detailed design application will be required to demonstrate compliance with the ADG.

Lift Entries – Council's preference is to provide at least one lift that would continue to the roof instead of a separate lift from level 15.

This application represents a concept proposal. Any future detailed design application will be required to provide consideration in relation appropriate lifting / vertical transportation strategies.

Suitable vertical transportation strategies can be developed as part of the future development application including consideration of providing lifts to the rooftops of the future buildings.

Public Domain and Landscaping

Public Domain works – Large street trees cannot be planted along Beecroft Road as RMS does not permit trees with a 60km/h speed zone.

Council's preference is to plant large trees plantings along the front setback instead of Beecroft Road, provide street furniture and

The Public Domain and Landscape Plans lodged with the RtS identify the locations of deep soil area, buffers to neighbours, terrace and forecourts.

The concept landscaping plans provide a basis for the assessment of future applications for the detailed design.

The application is a concept proposal and detailed public domain matters such as tree planting, furniture and pavement works are not subject to approval under this application. Future detailed design applications will be subject to a full assessment of these matters.

The Beecroft Road frontage has generally non-residential uses with a

undertake pavement works in accordance with Council's Public Domain Design Guidelines 2017.

paved forecourt and entry plaza around the through site link.

The application provides street section plans confirming tree planting can occur in the setback, including consideration of basement car parking being setback from the boundary.

The design of street furniture and pavement materials are matters of detailed design for assessment with the detailed development application.

Private Landscape - show all area calculation such as communal open space areas. Design of the landscape areas are to be reflective of Council's DCP requirements and provide a meaningful and function open space.

RtS provides communal open space areas, comprising 2,710 m² in courtyards between the buildings and terraces at the roof tops of podiums and towers.

The concept proposal and indicative design demonstrate appropriate areas are assigned for communal open space which will have good amenity.

Affordable Housing

A minimum of 5% of dwellings are to be constructed, fitted out and dedicated to Council as affordable rental housing (include a mix of studio, 1, 2 and 3 bed units).

The quantum of affordable dwellings proposed is consistent with the 5 - 10% affordable housing requirement under the GSC's District Plan. The proposal will be managed by a Community Housing Provider and provide an appropriate dwelling mix in accordance with Landcom's Housing and Affordability and Diversity Policy.

A condition of consent is recommended to ensure that 5% of the total dwellings delivered as part of the development are managed as affordable housing and the affordable housing dwelling mix is as per the market housing.

Ecologically Sustainable Development (ESD)

Improved commitments are needed in relation to onsite renewable energy, BASIX energy, electric vehicle charging stations and UHI

The RtS advises that the nominated ESD project targets are minimum targets and that any future development proposal will have to achieve these as a baseline target.

A condition of consent is recommended to ensure that future detailed design developments meet the minimum energy targets proposed under the concept proposal.

Council submission on the RTS / Amended scheme

Council submitted an addendum submission on Landcom's Response to Submissions to provide further comment on the amended RTS scheme.

The remaining issues, identified by Council as unresolved by the RtS scheme, are discussed below.

Issues Raised	Applicant's Response	Department's Assessment
Commercial Floorspace		
<p>The proposal should provide a significant level of additional commercial (business, office, retail) floorspace to support the existing and future populations of Epping Town Centre.</p> <p>Landcom should be a leader in implementing NSW Government metropolitan planning policies, including supporting Epping as a Strategic Centre.</p>	<p>The proposal is consistent with strategic plans and policies and will support Epping by adding new dwellings in close proximity to transport, contribution to aspirations of a 30-minute city and contributing to amenity and walkability in the centre.</p> <p>Economic Analysis lodged with the RtS demonstrated there is weak demand for office space. Additional analysis considers potential uses that would succeed on site include a small format supermarket, Asian grocery, medical centre, café/restaurant or personal services.</p> <p>The Concept has been amended to allow for between 750m² and 1,000m² non-residential GFA.</p>	<p>Refer to Section 6.1 of the Assessment Report.</p> <p>The Department is satisfied that the proposed amount of non-residential floorspace is acceptable.</p>
Traffic, Parking and Vehicle Entries		
<p>Provide a link road between Ray Road and Beecroft Road.</p> <p>The traffic response contained in the application is a site focused response and does not provide adequate traffic model to support its arguments. Council requests that the link road be provided as part of the proposal.</p>	<p>The east-west road would only result in a stabilising of existing traffic and any benefit will be absorbed by growth in traffic.</p> <p>There would be no sustainable public benefit achieved by providing the road. The through site pedestrian link instead provides open space and safe walking access through the site. The pedestrian link is a positive placemaking outcome and will facilitate movement between Beecroft Road and Ray Road.</p>	<p>Refer to Section 6.2 of the Assessment Report.</p> <p>The Department concludes that provision of the link road is not considered to appropriately alleviate traffic conditions.</p>
Pedestrian Link		
<p>The pedestrian link design is to be revised to consider the following:</p> <ul style="list-style-type: none"> Potential separation of staircase and ramp will simplify the levels at landings (allowing for 	<p>The through site pedestrian link provides open space and safe walking access through the site. The pedestrian link is a positive placemaking outcome and will facilitate</p>	<p>Given the concept nature of this proposal, the Department is satisfied that the pedestrian link can be further developed as part of the future detailed design application to reduce fragmentation, align with future building entries as well as</p>

consistent ramp runs and flights), and could reduce the total length of ramps. It also may result in more consolidated landscaped area and consistency of grading for ramps;

- Further consideration of how the path of travel for the ramp will terminate in close proximity to entrances;
- Public stairs and ramps leading from footpaths to the ground floor level will require handrails to both sides of the stairs flights and ramp sides; and
- Provision of the RL plans to ensure compliant ramp design.

movement between Beecroft Road and Ray Road.

comply with necessary ramp gradients and other Access Standard provisions. The Department agrees with Council's recommendations and appropriate conditions have been recommended (Condition B2).

Appendix G – Community Views for Draft Notice of Decision

Appendix H – Recommended Instrument of Consent