

## Greater Sydney, Place and Infrastructure

IRF19/6838

### Gateway determination report

|                                 |   |
|---------------------------------|---|
| <b>LGA</b>                      | City of Parramatta  |
| <b>PPA</b>                      | City of Parramatta Council  |
| <b>NAME</b>                     | Rosebank Avenue Heritage Conservation Area and Rezoning (60 homes, 0 jobs)                            |
| <b>NUMBER</b>                   | PP_2019_COPAR_014_00  |
| <b>LEP TO BE AMENDED</b>        | Hornsby Local Environmental Plan 2013   |
| <b>ADDRESS</b>                  | 1-7 and 2-8 Rosebank Avenue Epping  |
| <b>DESCRIPTION</b>              | Lot 6-9, 17 and 18 DP16580, and Lot 151 DP712107  |
| <b>RECEIVED</b>                 | 15/10/2019  |
| <b>FILE NO.</b>                 | IRF19/6838  |
| <b>POLITICAL DONATIONS</b>      | There are no donations or gifts to disclose and a political donation disclosure is not required       |
| <b>LOBBYIST CODE OF CONDUCT</b> | There have been no meetings or communications with registered lobbyists with respect to this proposal |

## 1. INTRODUCTION

### 1.1 Description of planning proposal

The planning proposal seeks to improve the transition between recent five to six storey apartment development and the low density scale of the Rosebank Avenue Heritage Conservation Area and heritage items.

The proposal will amend the Hornsby Local Environmental Plan (LEP) 2013 for land at 1-7 and 2-8 Rosebank Avenue Epping by:

- rezoning the site from R2 Low Density Residential to R4 High Density Residential;
- increasing the maximum building height for this site from 8.5m to 11m;
- removing the site from the heritage conservation area; and
- introducing a floor space ratio (FSR) of 0.8:1 in areas that previously had no FSR identified in the LEP.

The proposal is in response to the Epping Review Discussion Paper and the Epping Town Centre (East) Heritage Review (June 2017) (**Attachment F**). It aims to enable residential development of three-storey flat buildings on the subject sites, promoting a more sympathetic transition between the high-density development to the east, south and west, and the northern part of the Rosebank Avenue Heritage Conservation Area (HCA) which is to be retained.

The proposal also indicates associated changes to the Hornsby Development Control Plan (DCP) 2013 to promote designs which achieve better interface with heritage areas.

## 1.2 Site description

The site includes seven lots on either side of Rosebank Street, being 1-7 and 2-8 Rosebank Street, Epping. The site is approximately 8,500m<sup>2</sup>, contains low density, single story detached housing and is within the Rosebank Avenue HCA. There are wide verges fronting both sides of the street and a number of large and established trees exist.

The site is bordered to the east, south and west by five and six-storey apartments. A creek runs along the northern boundary of 6-8 Rosebank Avenue and continues along the northern boundary of 9 Rosebank Avenue, which is not subject to this proposal. The creek line forms a distinct boundary within the Rosebank Avenue HCA.

The site is shown from aerial view in Figure 1 and oblique view in Figure 2 below.

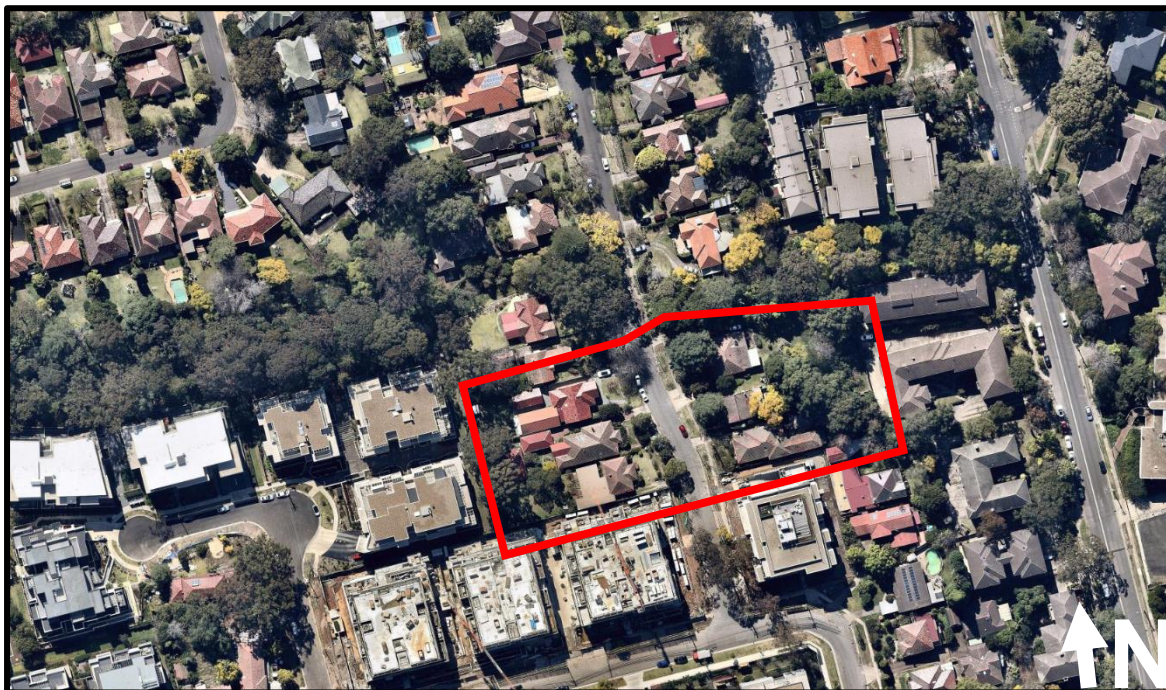


Figure 1: Site shown by red boundary – aerial view (source: nearmaps).



Figure 2: Site shown by red boundary – oblique view (source: nearmaps).

Figure 3 below depicts two items of local heritage significance: 9 Rosebank Avenue (A) and 10 Rosebank Avenue (B) which adjoin the subject site. Figure 3 also depicts two interface examples: the boundary between 1 Rosebank Avenue and apartments along Cliff Road (C) and the boundary between 2 Rosebank Avenue and the apartments along Cliff Road (D).



Figure 3: Photos taken 14 November 2019.

### 1.3 Existing planning controls

Under Hornsby LEP 2013 the current controls for the site are (Figure 4 below):

- zoned R2 Low Density Residential;
- maximum building height of 8.5m;
- situated within the Rosebank Avenue Heritage Conservation Area;
- minimum lot size of 500m<sup>2</sup>; and
- no FSR indicated.



Figure 4: Existing planning controls with site bound in blue (zoning left, height of building centre, heritage right).

## 1.4 Surrounding area

The site is approximately 600m from Epping Town Centre and Epping Station. Epping Town Centre has a variety of shops, restaurants and services. Epping is situated approximately 10km north-east of Parramatta. Epping is identified as a Strategic Centre in the Central City District Plan. Recent high density residential development is clustered around Cliff Road and Carlingford Road.

Epping Station is at the juncture of two lines. The Northern Line has regular services to Hornsby to the north and Strathfield and Sydney City to the south and south-east. Sydney Metro North-west has regular services to the Hills in the west and Chatswood to the east. Macquarie Park, a key employment and education area, is 6 minutes from Epping by Metro.

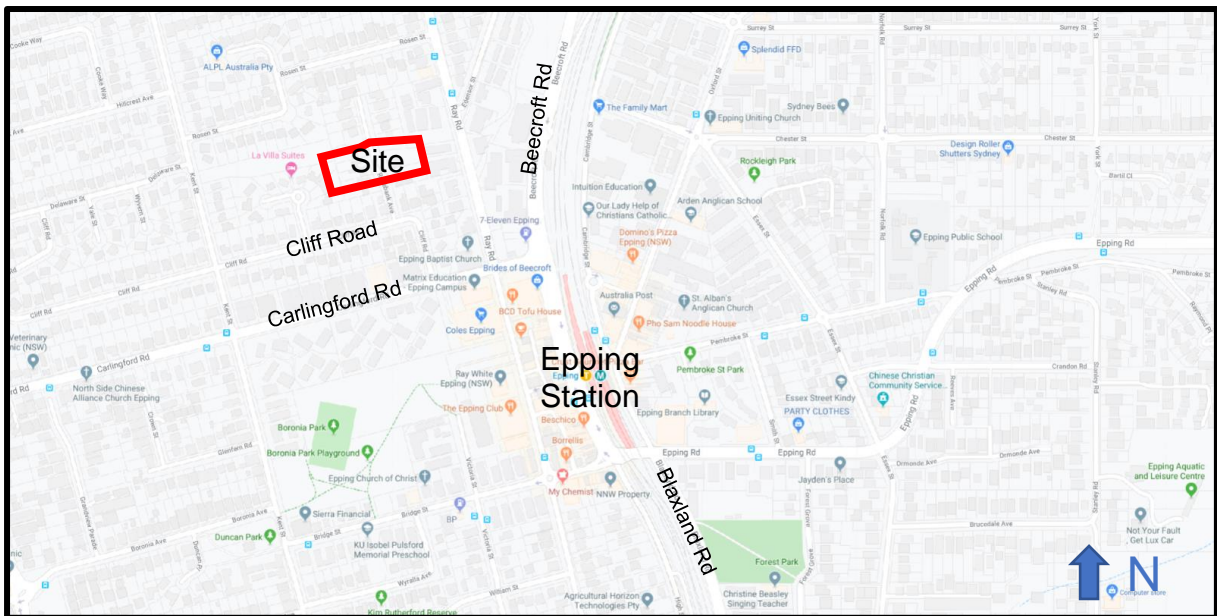


Figure 5: Site and surrounding area map (source: googlemaps)



Figure 6: Location of Epping (source: Greater Sydney Region Plan 2018)

## 1.5 Background

On 15 October 2012, the NSW Government endorsed Epping Town Centre as an Urban Activation Precinct signifying the strategic role of Epping as a centre for transit orientated development. In 2014, Epping Town Centre controls came into effect, increasing residential density in the town centre. A significant number of developments have since occurred, including on the fringe of heritage areas and adjoining the subject site. The residential development that has occurred along the HCA interface has raised significant urban amenity issues for the low density neighbourhood.

In response to this, and the positioning of Epping fully within City of Parramatta LGA after the amalgamation of LGA boundaries in 2016, the Epping Planning Review was prepared. Stage 1 included the commissioning of the Epping Town Centre (East) Heritage Review (City Plan 2017) (**Attachment F**). The Review found that residents in heritage conservation areas bordering high density development had concerns relating to privacy, economic and amenity impacts associated with overlooking high density development. This planning proposal is in response to these significant interface issues.

As part of the Epping Planning Review, Council also commissioned the Epping Town Centre Traffic Study 2018 (Prepared by EMM Consulting). The Traffic Study notes that the cumulative impact of the existing planned additional dwellings in Epping will have an adverse impact on traffic, even with the planned improvements and suggests that based on the traffic analysis there is no capacity to further increase dwelling numbers in the Epping Town Centre. The study also found that any further traffic generating development in the town centre is unacceptable.

## 1.6 Summary of recommendation

The planning proposal has site specific and strategic merit and responds to the need to address heritage interface issues in Epping. It is recommended that the planning proposal proceed with conditions including a reduced height of 8.5m for 5, 7, and 6-8 Rosebank Avenue to further improve the transition, and concurrent exhibition with the related planning proposal for East Epping (PP\_2019\_COPAR\_015\_00).

## 2. PROPOSAL

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### 2.1 Objectives or intended outcomes

The objectives of the proposal are to facilitate residential flat buildings on the subject site to allow for a sympathetic transition between the adjoining high-density development and the heritage conservation area. The proposal responds to severe interface issues experienced between single dwellings adjacent to the high-density residential area.

### 2.2 Explanation of provisions

The planning proposal seeks to amend four map sheets under the Hornsby LEP 2013. The amendments were supported by City of Parramatta Council on the 8 October 2019 Council Meeting. It is noted that as the site is within the City of Parramatta LGA, City of Parramatta Council is able to be the plan making authority, regardless of the LEP presiding over that land.

The following amendments are proposed for the site:

- rezone the site from R2 Low Density Residential to R4 High Density Residential (Figure 5);
- increase maximum building height for the site from 8.5m to 11m (Figure 6);

- remove the site from the Rosebank Avenue Heritage Conservation Area (Figure 7); and
- apply a maximum FSR of 0.8:1 to the site where none is mapped (Figure 8).

The proposal will facilitate approximately 60 additional dwellings across the site.



Figure 7: Existing zoning (left) and proposed zoning (right).



Figure 8: Existing maximum height of buildings (left) and proposed (right).



Figure 9: Existing heritage (left) and proposed heritage (right).



Figure 10: Proposed maximum floor space ratio.

Reduction of heritage conservation area

As the planning proposal encourages redevelopment of the site, it will require the removal of a portion of the Rosebank Avenue HCA. It is noted that this is against the recommendation of the 2017 Epping Town Centre (East) Heritage Review (**Attachment F**).

The Heritage Review found that high-density development would impact on the backdrop of the Rosebank Avenue HCA but would not impact upon the setting and streetscape characteristics of the heritage area to a degree that would warrant the modification of boundaries or removal of any part of the HCA. It recommended a suite

of controls similar to those recommended in the Epping Town Centre Finalisation Report (2013) (**Attachment I**) including a 10m setback.

18-26 Cliff Road was developed following this report and the recommendations of the report were not adopted, resulting in an interface with a 6-8m setback and minimal areas of deep soil to support large trees, as shown in the photos taken on the site by Department staff (Figure 3).

The Epping Review Discussion Paper presented seven options for Rosebank Avenue to resolve heritage interface issues including retaining the boundary as is. Community opinions were polarised; residents in the heritage area generally supported removal of the heritage conservation area and up-zoning of the site, while those in the surrounding area generally supported keeping the heritage conservation area. Feedback was overwhelmingly of the opinion that if the HCA is removed, all of it should be removed including the two heritage items (9 and 10 Rosebank Avenue) for equity reasons.

An updated report presented to Council on 9 July 2018 concluded that the current situation of high-density multistorey apartments overlooking the backyards of single storey dwellings is unacceptable. It was concluded by Council that the southern portion of the heritage area should be removed in favour of high-density residential to allow for three-storey apartments to address such interface issues.

This approach, as adopted in this planning proposal represents a compromise between community opinions. It is expected that the outcome will be a less drastic interface as three-storey apartments will sit comfortably between existing single storey properties and 5-6 storey apartments.

The effectiveness of this response is underpinned by detailed amendments to be made to the Hornsby DCP 2013 Section 3.3 Residential Flat Buildings concerning setbacks, landscaped area and tree retention. Amendments will also be made to Section 9.3.14 Roseville Avenue (Epping) Heritage Conservation Area – Character Statement to reflect proposed amendments to the Heritage Conservation Area.

The proposal has the potential to deliver social and economic benefits to the landowners adjacent to the high-density development as compensation for the loss of amenity value due to the construction of adjacent apartments.

#### Recommended height reduction

It is recommended that the height proposed in the planning proposal be amended to include a step down in heights to the northern section of the site (8.5m for 5, 7 and 6-8 Rosebank Avenue) as shown on Figure 11 (next page) to better preserve the context of the two listed heritage items and the surrounding streetscape. This recommendation seeks to deliver a solution to the interface issue with the lowest possible impact on the remaining Rosebank Avenue HCA streetscape and the heritage items which will abut an R4 High Density Residential zone as a result of this proposal.

It is considered that this approach will still meet the aims of the planning proposal to allow for redevelopment of the area and compensate landowners whilst preserving key elements of the heritage area including the creek, bridge, street trees and the two listed heritage items (9 and 10 Rosebank Avenue). Permitting an R4 zone will also allow for flexibility in design, as opposed to applying the R3 Medium Density Residential zone, with a potentially larger building footprint. It is also considered that this approach will provide greater assurance that interface issues will not arise in the future.



It is noted that a stepped approach to the height controls relies on amalgamation of the affected lots so as to balance the development potential across the proposal area. Council should consider the DCP controls to facilitate the desired amalgamated development of the site in line with the height recommended in the Gateway determination.

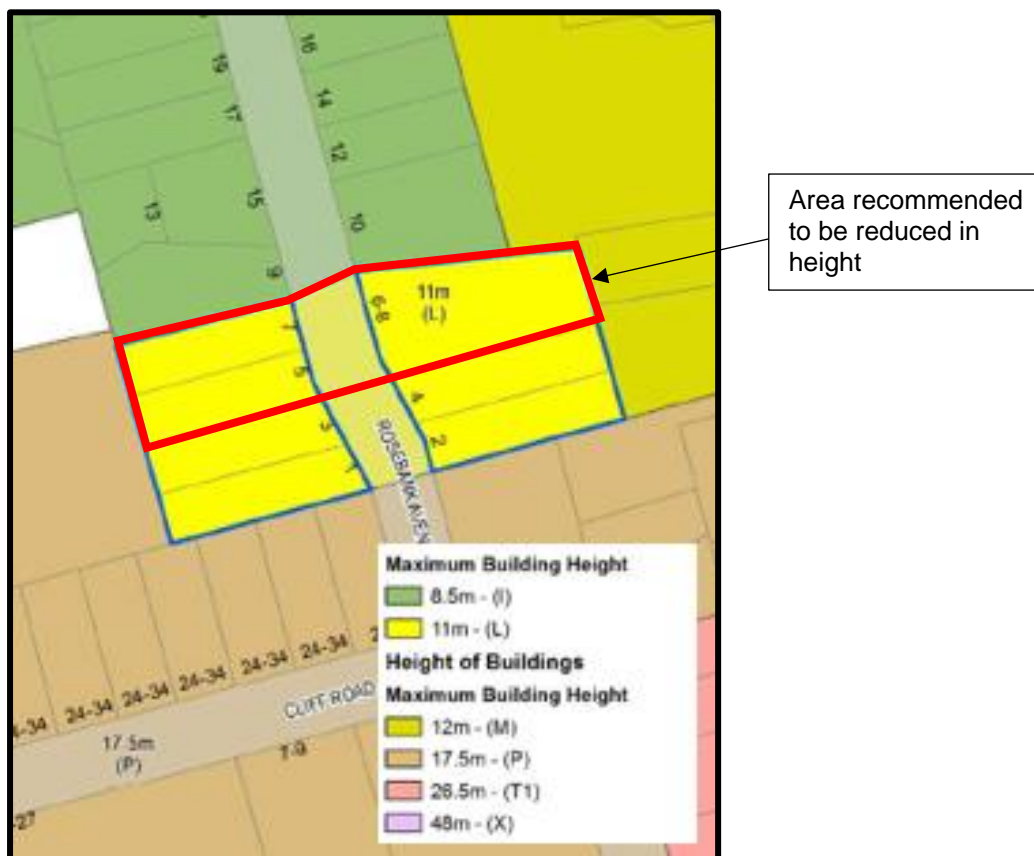


Figure 11: Existing maximum height of buildings (left) and proposed (right).

### Relationship to other planning proposals in response to the Epping Town Centre (East) Heritage Review

There is a consistent approach recommended by Council to be applied to both heritage interface related planning proposals (PP\_2019\_COPAR\_014\_00 and PP\_2019\_COPAR\_015\_00) in terms of height, zoning and FSR controls on the heritage interface. However, it is considered that the Rosebank Avenue HCA has been particularly affected by high density residential developments such that the removal of part of the heritage conservation area and the implementation of stricter height controls is, in this case, warranted.

### **2.3 Mapping**

The proposal involves amendment to four maps under the Hornsby LEP 2013, shown in Figures 7-10:

- Land Zoning Map (Sheet LNZ\_011);
- Height of Buildings Map (Sheet HOB\_011);
- Heritage Map (Sheet HER\_011); and
- Floor Space Ratio Map (Sheet FSR\_011).

The proposal includes adequate mapping to demonstrate the intended amendments but will require updated in response to the conditions of the Gateway determination.

### **3. NEED FOR THE PLANNING PROPOSAL**

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In 2013, the Epping Town Centre Urban Activation Precinct Structure Plan (**Attachment G**) was exhibited. The Structure Plan proposed to restrict development surrounding the Rosebank Avenue HCA based on the findings of the Perumal Murphy Alessi Heritage Review (2013) (**Attachment H**). The Structure Plan proposed a maximum height of 12m and a mixture of R3 Medium Density Residential and R4 High Density Residential zoning surrounding the southern section of the Rosebank Avenue HCA. The heritage review found that the HCA is a representative example of inter-war period residential subdivision and forms a unique precinct.

During the exhibition period for the Structure Plan, 21 public submissions were received from residents of Cliff Road. They were concerned that redevelopment would not be feasible for three-storey developments.

In response to this, the Epping Town Centre Urban Activation Precinct Finalisation Report (2013) (**Attachment I**) proposed a height allowing five storey development backing the Rosebank Avenue HCA. The report concluded that this would not result in significant impacts on the heritage values of the area if appropriate controls including setbacks, deep soil planting and massing of the development be managed through the adoption of appropriate controls in the Hornsby DCP.

However, the developments which resulted on Cliff Road at the entrance to Rosebank Avenue did not deliver a satisfactory transition of built form or the approach recommended by either the Structure Plan or Finalisation Report.

The planning proposal aims to restore a three storey interface as per the original recommendations exhibited in 2013, but relocates the transition point further into Rosebank Avenue. This approach is recommended to be consistently applied in heritage interface areas across Epping. A related planning proposal for East Epping has been assessed concurrently with this proposal (PP\_2019\_COPAR\_015\_00).

The planning proposal has value in delivering a planning response to heritage interface issues consistent with the approaches originally proposed. The three-storey interface approach is also consistent with the recommendations of the Epping Town Centre (East) Heritage Review 2017.

### **4. STRATEGIC ASSESSMENT**

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#### **4.1 District**

##### Central City District Plan

The Greater Sydney Commission released the Central City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental factors.

The plan identifies Epping Town Centre as a strategic centre in the District. The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity and sustainability in the plan as discussed below:

- Planning Priority C1: Planning for a City Supported by Infrastructure

Planning Priority C1 aims to ensure infrastructure provision aligns with forecast growth and adapts to future needs. The proposal includes locating housing in an area easily accessible to public transport. It is noted that the Epping Traffic Study suggests that the road network is at capacity and that additional residential density should not be permitted.

This matter is addressed further in this report, however the proposal is seen to address a substantial amenity issue arising from recent development. The proposal has also been considered concurrently with the East Epping planning proposal which seeks to reduce development potential in Epping.

- Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected communities

Planning Priority C4 aims to foster healthy, resilient and socially connected communities with diverse neighbourhoods through promoting active lifestyles and the arts. Housing is provided by the proposal in a walkable residential neighbourhood, with walkable access to social infrastructure and green spaces for any future residents of the site.

- Planning Priority C5: Providing housing supply, choice and affordability, with access to jobs and services

Planning Priority C5 aims to provide greater housing supply, diversity and affordability through well designed, well located housing and a variety of housing stock to suit all stages of life. Housing will be provided in a location well connected to job centres such as Macquarie Park. The proposal will ensure that future development is designed with a sympathetic transition between recent apartments and items of heritage significance.

- Planning Priority C9: Delivering integrated land use and transport planning and a 30-minute city

Planning Priority C9 aims to both create efficient freight and logistics networks and capitalise on integrated land use and transport to plan towards maximum 30-minute commute times. The proposal would allow for housing within 30 minutes of Parramatta CBD by public transport and close to employment areas such as Macquarie Park, St Leonards and the Hills.

However, the planning proposal is inconsistent with the following:

- Planning Priority C6 Creating and renewing great places and local centres and respecting the District's Heritage

Planning Priority C6 aims to create great places which bring people together and where heritage is identified, conserved and enhanced. The District Plan states "respectfully combining history and heritage with modern design achieves an urban environment that demonstrates shared values and contributes to a sense of place and identity. It is particularly important for transitional areas, places experiencing significant urban renewal and where it is necessary to take account of the cumulative impacts of development on heritage values."

While the proposal is inconsistent by reducing the size of the Rosebank Avenue HCA, it will see an improvement in the interface with identified heritage. Recent development has not maintained a sympathetic separation and transition to the HCA. This may have impacted the contribution of the southern properties to the HCA and the proposal will ensure that an appropriate transition of future development respects the identified items of significance and 9 and 10 Rosebank Avenue.

Consequently, on balance, the Department is satisfied that the planning proposal gives effect to the district plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

## 4.3 Local

### Parramatta 2038 Community Strategic Plan

The Parramatta 2038 Community Strategic Plan is the local community strategic plan for the Greater Parramatta area. Epping Town Centre is considered as one of the major precincts in the Plan and the proposal will contribute to this vision. The proposal is generally consistent with the Community Strategic Plan.

### Epping Planning Review

The Epping Planning Review is as a key strategic study which will continue to guide the growth of Epping. This study has informed both the subject proposal and the East Epping proposal, as well as a whole suit of other planning proposals aimed at addressing planning issues in Epping.

Specifically, the planning proposal deals with issues identified in the Epping Town Centre (East) Heritage Review 2017 (Prepared by City Plan). However, the planning proposal is not in line with the recommendations to limit increases in residential density identified in the Epping Town Centre Traffic Study 2018 (Prepared by EMM Consulting).

As noted above, this planning proposal has been considered concurrently with the East Epping proposal. The East Epping proposal similarly seeks to address interface issues with heritage items, however it proposes reductions in residential density. As no FSR is mapped for the site, an FSR of 1.5:1 has been assumed (as initially exhibited in the 2013 Epping Town Centre rezoning package) to estimate a decrease in capacity of 80 dwellings. This balances the estimated increase of 60 dwellings resulting from the Rosebank Ave proposal.

While the Rosebank Avenue proposal is inconsistent with the findings of the Epping Town Centre Traffic Study, it is supported to proceed as it will address amenity issues arising from poor transitions from new development. The proposal is also of a minor scale and any increase in residential capacity is largely balanced by the concurrent East Epping proposal.

### Local Planning Panel

The planning proposal and an assessment report were considered by the City of Parramatta Local Planning Panel on 17 September 2019. The Panel unanimously recommended Council endorse the proposal (**Attachments D1 & D2**).

## 4.4 Section 9.1 Ministerial Directions

### Direction 2.3 Heritage Conservation

Direction 2.3 aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. A planning proposal must contain provisions that facilitate the conservation of item, buildings and places of heritage.

The proposal is considered inconsistent with this direction as it reduces the extent of the Rosebank Avenue HCA identified in the Hornsby LEP 2013. Recent development adjoining the conservation area is unsympathetic and has created abrupt transitions to the single storey dwellings in the HCA that contribute to loss of privacy and amenity. It is considered that the proposal is an appropriate balance between minimising the amenity impacts currently experienced and providing an improved transition to the items of heritage significance at 9 and 10 Rosebank Avenue.

It is recommended that the Secretary's delegate agree that the inconsistency with this direction is justified. However, consultation with Heritage, Department of Premier and Cabinet is also recommended.

#### Direction 3.1 – Residential Zones

This direction aims to encourage a variety and choice of housing types, make efficient use of infrastructure and services, and minimise the impact of residential development on the environment and resource lands. Direction 3.1 applies where a planning proposal will affect residential land.

The planning proposal is consistent with this direction as it facilitates housing in a well serviced and accessible area and does not reduce the permissible residential density of land.

#### Direction 3.4 – Integrating Land Use and Transport

The objectives of this direction are to ensure that land use and future development improve access to and increase the choice of available transport, reduce travel demand, support public transport and provide efficient movement of freight. This direction applies as there will be alterations to zoning in urban land.

This planning proposal will facilitate residential development within walking distance of public transport, including a train station with frequent services. This is likely to encourage public transport use. The development is also within walking distance of shops. This will likely decrease the number of trips made by car for shopping. There is likely to be no noticeable effect on the movement of traffic. However, given the traffic situation in the area, as outlined in the Traffic Report, it is recommended that consultation with Transport for NSW be undertaken as condition of Gateway determination. On balance, the planning proposal is considered consistent with Direction 3.4.

#### Direction 4.3 – Flood Prone Land

This Direction aims to ensure that development on flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and considers potential flood impacts. The direction applies as one of the seven lots is identified as flood prone land.

This planning proposal will see an intensification of a residential land use in a flood effected area. Flood planning is addressed through controls in Part 6 Additional Local Provisions of the Hornsby LEP 2013 and within the Hornsby DCP 2013. It is considered that flood planning measures will be considered at the stage of any future development application. Therefore, any inconsistency is considered of minor significance.

It is recommended that the Secretary's delegate agree that the inconsistency with Direction 4.3 is of minor significance.

### **4.5 State environmental planning policies (SEPPs)**

#### SEPP No. 65 Design Quality of Residential Flat Development

This SEPP aims to provide consistency and quality of residential flat design outcomes through a number of design principles. The Apartment Design Guide which accompanies the SEPP provides further detail on how these principles may be addressed. Considerations of this SEPP and the ADG will be required at the development application stage.

## **5. SITE-SPECIFIC ASSESSMENT**

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### **5.1 Social**

The findings from the Heritage Review indicate that most respondents support ways of creating a more suitable interface between high density and heritage areas. The public exhibition of this planning proposal will allow for further community feedback into the specific changes identified in this proposal.

An additional 67 homes may be facilitated by the changed planning controls. The impact of extra population on social infrastructure and schools is likely to be minimal but will add to the cumulative burden highlighted in the Epping Town Centre Traffic Study 2018. While this is a significant consideration, on balance, it is considered to be an appropriate land use planning outcome to address the existing heritage interface issues. Housing will be delivered in a strategic location, close to shops and good public transport connections.

### **5.2 Economic**

There are no ongoing jobs created as a result of this proposal, however should development be approved a small number of construction jobs may result. There are not likely to be any negative economic impacts from this proposal.

### **5.3 Heritage**

The character statement in the Hornsby DCP 2013 9.3.14 notes that the entire Rosebank Avenue HCA was purchased in 1897 and was later occupied by the Hazlewood Brother's Nursery. All the allotments were subdivided as part of Rosegrove Estate in 1929. Each home was designed to complement its setting and provide ample garden space using locally sourced rustic bricks. The area is an example of good quality and highly intact inter-war streetscape with a range of interwar styles including Bungalow, Tudor Revival and Spanish Mission.

In addition to this, the 2013 Epping Town Centre Perumal Murphy Alessi Heritage Review, noted that the site has significant aesthetic, technical, social and rarity values. The Epping Town Centre (East) Heritage Review noted that the assessment of the value of the heritage area remains consistent as of 2017. According to the character statement, the historical value of the heritage conservation area depends on the maintenance of the area in its entirety.

The study concluded that all allotments within the area are either neutral or contribute towards the heritage conservation area (Figure 12 next page). It is acknowledged that part of a heritage asset will be lost as a result of this planning proposal, but significant areas of heritage are maintained.

Council have indicated that dwellings in the part of the conservation area to be maintained comprise architectural elements that illustrate various characteristics of the inter-war period of residential development that support the character statement of the heritage area. A bridge over the creek providing evidence of the early character of the area is also maintained and provides a gateway into the northern portion of the conservation area.

Both the 2013 and 2017 Heritage Reviews predate the construction of the surrounding developments and have not considered their impact on the significance of the HCA. It is considered that the present heritage value may be less since the building of the high-density apartments.

While the Department supports the balanced approach proposed; to allow for development which will facilitate a more sympathetic transition, it is recommended a reduction in height for the northern properties be amended in the proposal. This will ensure that development achieves the intended outcome. It is also recommended that consultation with Heritage, Department of Premier and Cabinet be carried out to allow for consideration of the heritage impacts.



Figure 12: Ranking of Heritage Items (Epping Town Centre (East) Heritage Review)

## 5.4 Environmental

The site is not bushfire prone land and there are no areas of terrestrial or river biodiversity mapped. However, there are several significant trees which need to be considered for conservation with the submission of any development application which results from this planning proposal.

## 5.5 Flood

Part of the site flood prone land, within the 1:100 year flood level, as shown in Figure 13. This indicates the possibility of overland floods in a high rainfall event. The reduction in landscaped area from the resulting development will likely exacerbate the situation in the event of a 1 in 100 year flood. It is expected that any development application will be accompanied by details of how it will comply with Hornsby Council's water management controls contained in the Hornsby DCP 2013.



Figure 13: Flood mapping

## 5.6 Infrastructure

The proposal will result in a small increase in the residential population of Epping. The infill development is unlikely to have a significant impact on infrastructure demand in the area. It is noted, and discussed previously, that traffic is poor in the Epping town centre. Council is considering a suite of planning approaches to address this matter, however it is noted that the proposal will add to this burden. It is also recommended that Transport for NSW be consulted during the public exhibition of the planning proposal.

## 6. CONSULTATION

### 6.1 Community

Consultation is proposed to include; newspaper advertisements, display on Council's website, written notification to landowners and adjoining landowners, written notification to community groups in Epping such as the Epping Civic Trust, and written notification to Council's Heritage Advisory Committee. This is considered appropriate for the purposes of this planning proposal.

A 28 day public exhibition period is recommended.

### 6.2 Agencies

It is proposed that the following agencies are consulted through the public exhibition period:

- Heritage, Department of Premier and Cabinet, and
- Transport for NSW.



Consultation with Hornsby Shire Council is also recommended, as the proposal relates to land under the Hornsby LEP 2013.

## **7. TIME FRAME**

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Council has proposed a timeline within the planning proposal which includes a timeframe of 9 months to complete the LEP. This is considered appropriate and is recommended.

## **8. LOCAL PLAN-MAKING AUTHORITY**

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Council have requested to be local plan making authority for this planning proposal. It is considered that authorisation to be local plan making authority should be given to Council due to the local nature of the proposal.

## **9. CONCLUSION**

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The planning proposal seeks to balance the significant amenity impacts arising from poor transitions from recent development to adjoining single dwellings, while maintaining an appropriate level of heritage protection.

It is considered that the interface issues along the south of the Rosebank Avenue HCA warrant the removal of these properties from the HCA, despite the findings of the Epping Town Centre (East) Heritage Review (City Plan 2017) (**Attachment F**). Since the report was prepared, a number of high-density residential developments have been constructed which have built form outcomes contrary to the recommendations of the report. It is now considered that the interface issues with some properties are severe.

The recommendations of this report seek an approach which minimises the loss of heritage value. It is recommended that the planning proposal proceed subject to recommendations, including the reduction of height to enforce a stepped approach to the heritage items to the north.

## **10. RECOMMENDATION**

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It is recommended that the delegate of the Secretary:

1. agree that the inconsistency with section 9.1 Directions 2.3 Heritage Conservation and 4.3 Flood Prone Lane is justified.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to include a revised height of buildings of 8.5 metres for 5, 7, and 6-8 Rosebank Avenue.
2. The planning proposal should be made available for community consultation for a minimum of 28 days.
3. Public exhibition is to be concurrent with the planning proposal for East Epping (PP\_2019\_COPAR\_015\_00).
4. Consultation is required with the following public authorities:
  - Hornsby Shire Council;
  - Heritage, Department of Premier and Cabinet; and
  - Transport for NSW.

5. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.
6. Given the nature of the planning proposal, Council should be the local plan-making authority.



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