

FOR ACTION

COUNCIL

9/07/2018

TO: Snr Project Officer (Jacky Wilkes)

Subject: Epping Town Centre Traffic Study and other Epping Planning Review Matters
Target Date: 8/08/2018
Notes: Jacky, for action please.
Please note adoption as per Epping Councillor Workshop. Also note amendment to (d)(ii) and addition of (0).
File Reference: <FOLDERNUMBER> D06202874

RESOLVED (Tyrrell/Wearne)

- (a) **That** Council note this update on the Epping Planning Review and related matters.
- (b1) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation (including the further supplementary reports) to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report with a Community Briefing Session to be organised to inform the community about the content of the Traffic Study and allow them to ask questions about its preliminary findings to inform any submissions stakeholders may wish make on the study.
- (b2) **That** the exhibition material placed on public exhibition state that Council does not support any extension of Rosebank Avenue to connect with Rosen Street as described in the traffic study and advise the affected landowners of this decision.
- (c1) **That** despite recommendation (b1) above, that Council adopts the position that it does not support any:
- (i) Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to:-
 - commercial floor space in the Epping Town Centre; or
 - the Planning Controls that should apply to Heritage Conservation Areas or areas that interface with High Density Residential zones surrounding Epping Town Centre.
 - (ii) Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*;
and that Council write to both the Department of Planning and Environment (DP&E) and the Greater Sydney Commission advising them this will remain Council's position until the State Government has provided infrastructure to resolve the through traffic issues with the Epping Town Centre.
- (c2) **That** a Planning Proposal including all necessary background studies and analysis be prepared to amend Clause 4.6 of PLEP 2011 so that it cannot be used to seek a FSR greater than that permitted on the Floor Space Ratio Map for sites within the Epping Town Centre.

- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
- (i) Object to the Planning Proposal proceeding in its current form and density and request that no Planning Proposal proceed for this site. Instead the existing planning controls should be retained with the portion currently zoned RE1 Public Recreation remaining in place along with retaining no Floor Space Ratio or Height of Buildings control notations applying to that portion.
 - (ii) **That** the Council write to the Minister for Planning seeking that—the Minister amends the legislative provisions related to the acquisition of open space land applying the principle that where a developer has purchased land which at the time of purchase is already zoned public open space, they should not benefit from any changes to the value derived from the existing zoning of adjoining land or changes to zoning of adjoining land. And write to the Local Members requesting funding out of the Open Spaces and Greater Sydney Package. To avoid any doubt Council considers that the owner should be entitled to the price they paid (adjusted for CPI) but no increases in value as a result of changes to the planning controls surrounding the site.
- (e) **That** Council write to the Minister for Planning, Landcom and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until a workshop can be organised involving Council and Landcom to discuss and seek to resolve the following:-
- (i) to establish whether a new road link can be provided through this site linking Beecroft Road and Ray Road; and
 - (ii) the provision of commercial floor space on the site being provided at a level no less than 1:1 FSR on this site.
- (f) **That** a further report is brought to Council on the options for future civic space and community facilities on the following sites:-
- (i) the Rawson Street carpark site; and
 - (ii) the Chalmers Street site (containing the existing Epping Library site and adjoining open space);
- including analysis on whether any process should be commenced to realise the FSR available on either of these sites.
- (g) **That** in addition to correspondence Council resolved to forward to the State Government regarding the investigation of M2 tolling at the 12 June 2018 Council Meeting (i.e. Item 15.5) the further supplementary reports on:-
- (i) Reopening of the former M2 bus tunnel link; and
 - (ii) A new east west road link through 240-244 Beecroft Road be forwarded to the relevant transport agencies that manage the former M2 bus link, the RMS and Urban Growth and circulated to Councillors upon receipt and then be placed on public exhibition with the Epping Town Centre Traffic Study with any feedback received on this issues during the consultation to be reported back to Council.
- (h) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-
- (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report
 - (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential

zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-

- 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and
- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:
- (i) Remove the Heritage Conservation Area notation from these sites;
 - (ii) Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and
 - (iii) Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.


- (j) **That** a Planning Proposal and Draft DCP amendments including all necessary background studies and analysis be prepared to progress amendments to these plans for the Essex Street HCA Precinct with the planning controls to be consistent with the following:-
- (i) Retention of the existing Heritage Conservation Area for both sides of Essex Street
 - (ii) Amend the planning controls to allow for detached dual occupancies on the western side of Essex Street between Epping Road and Maida Road (which are the sites that are impacted by proximity to the adjoining 5 storey apartment buildings) in the form where the second dwelling shall be permitted behind the existing dwelling but not in a Duplex form.
 - (iii) That the Draft DCP that applies to this HCA and surrounding land be reviewed with a view to including: -
 - a detailed analysis of significant trees located on the sites on the western side of Essex Street and supporting DCP controls that seek protect those trees; and
 - Draft DCP planning controls that require provision to be made for the widening and improvement of the pedestrian link currently located between 58-60 Essex Street linking through to Forest Grove;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (k) **That** no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of re-development of the Rose Street Precinct Sites is completed and reported to Council.
- (l) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the Town Centre and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (m) **That** Council Officers identify potential sites for acquisition for open space purposes in the areas to the north east of the Epping Town Centre. This process should include obtaining valuations for acquisition and the construction of the parks and should also involve discussions with potentially affected landowners. A further report to Council on the outcome of this analysis be reported to Council to allow Council to determine whether it wishes to commence a rezoning process to rezone any sites in this area for open space.
- (n) **That** Council write to the Member for Epping seeking their support for funding for the acquisition of open space in the area north east of the Epping town centre as part of the Open Spaces and Greener Sydney package announced in April 2018. The Local Member also be requested to make representations to the relevant Minister to ensure the criteria that needs to be met to obtain grant funding provides flexibility (in terms of timeframe for delivery and the identification of the land to be acquired) so that Council can secure the funding prior to finalizing the rezoning and consultation/ acquisition processes
- (o) **Further, that** this motion carries the unanimous support of the Ward Councillors being Councillors Tyrrell, Wearne and Davis.

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