

Maximum height of buildings - 2-4 Epping Road, Epping

Proposal Title : **Maximum height of buildings - 2-4 Epping Road, Epping**

Proposal Summary : **To increase the maximum height of buildings for 2-4 Epping Road, Epping, (inclusive) from 17.5 metres to 26.5 metres.**

PP Number : **PP_2015_HORNS_001_00**

Dop File No : **15/04450**

Proposal Details

Date Planning Proposal Received : **04-Mar-2015**

LGA covered : **Hornsby**

Region : **Metro(Parra)**

RPA : **The Council of the Shire of Horn**

State Electorate : **EPPING**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **2 Epping Road**

Suburb : **Epping**

City : **Sydney**

Postcode : **2121**

Land Parcel : **Lot 1, DP 1192833**

Street : **4 Epping Road**

Suburb : **Epping**

City : **Sydney**

Postcode : **2121**

Land Parcel : **Lot 1, SP 16921**

DoP Planning Officer Contact Details

Contact Name : **Shane Nugent**

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RPA Contact Details

Contact Name : **Lisa Newell**

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DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601149**

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro North subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	35
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :			
Have there been meetings or communications with registered lobbyists? : No			
If Yes, comment : The regional planning team is not aware of any meetings with registered lobbyists in relation to this planning proposal.			

Supporting notes

Internal Supporting Notes :	In view of the previous rezoning of this locality under the Urban Activation Program, the proposal was discussed with the department's urban renewal team. No objections were raised to the proposal proceeding.
External Supporting Notes :	

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :	The intended outcomes of the proposal are to: - resolve a planning anomaly that arose from the final Epping Town Centre Urban Activation Precinct Structure Plan and subsequent SEPP Amendment; - provide a building height consistent with the outcomes for the subject properties identified in Council's adopted Epping Town Centre Study 2011, which is consistent with adjoining properties along Epping Road; and - encourage redevelopment, avoid site isolation risk and maximise opportunities for better urban form and vehicle access opportunities.
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Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :	The proposal is to amend the Height of Buildings Map of Hornsby Local Environmental Plan 2013 to increase the maximum building height for property nos 2-4 Epping Road, Epping, from the current 17.5 metres (approximately 5 storeys) to 26.5 metres (approximately 8 storeys).
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The explanation of provisions does not make it clear that the height in metres is the legal permissible height, and the number of storeys is only an approximation. It is recommended this be clarified by Council prior to public exhibition.

Note: Hornsby Local Environmental Plan 2013 does not apply floor space ratio controls to this or most other residentially zoned land. As a result the increased height will permit a higher density of development - amendments to floor space ratio controls are not required.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

The planning proposal refers to the former S.117 Direction 7.1 requiring consistency with the Metropolitan Plan for Sydney to 2036.

The new Direction 7.1 requires consistency with the current Strategy, 'A Plan for Growing Sydney'. While the proposal is not inconsistent with the revised Direction, it is recommended the proposal be amended by Council to address this prior to public exhibition.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

With the exception of the above, the proposal is not inconsistent with any Section 117 Directions or State Environmental Planning Policies.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Part 4 of the planning proposal includes a location map and an extract from the Height of Buildings Map as proposed to be amended by the planning proposal.

Council will be required to produce maps consistent with the Department's Technical Guidelines prior to finalisation of the proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Community consultation is proposed for a period of 28 days.

This is supported.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Hornsby LEP 2013 was notified in 2013.

Assessment Criteria

Need for planning
proposal :

The proposal corrects an anomaly in the current Hornsby LEP 2013, where the maximum height of buildings for the subject sites is less than that permitted for adjoining sites.

A planning proposal is the only way to increase the permitted building height on the sites.

Consistency with
strategic planning
framework :

The site forms part of the Epping Urban Activation Precinct, and is in close proximity to Epping Railway Station and a wide range of public transport opportunities. High density residential development is consistent with the strategic planning framework for the area.

Environmental social
economic impacts :

The proposal relates to land in an established urban area where there are no known critical habitats, threatened species, populations or ecological communities, or their habitats. The proposal permits a modest increase in development density on the site, which is unlikely to hold any significant environmental, economic or social impacts.

Assessment Process

Proposal type :

Consistent

Community Consultation
Period :

28 Days

Timeframe to make
LEP :

6 months

Delegation :

RPA

Public Authority
Consultation - 56(2)
(d) :

Is Public Hearing by the PAC required?

No

(2)(a) Should the matter proceed ?

Yes

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No additional studies are required.

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Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Hornsby cover letter.pdf	Proposal Covering Letter	Yes
Hornsby planning proposal.pdf	Proposal	Yes
Hornsby Council report and minutes.pdf	Proposal	Yes
Hornsby Gateway.pdf	Determination Document	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 6.1 Approval and Referral Requirements
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **DELEGATION OF GATEWAY DETERMINATION**

The proposal is of local significance, and the recommendation is consistent with Council's position. It does not require further justification in relation to the strategic planning framework. Hence, in view of the delegation arrangements for the caretaker period, it is recommended that the Gateway determination function be exercised by the A/General Manager, Metropolitan Region, Planning Services.

GATEWAY DETERMINATION AND CONDITIONS

It is recommended that the proposal proceeds subject to the following conditions:

1. The following amendments to the planning proposal are required prior to public exhibition:

(a) the Explanation of Provisions in Part 2 of the planning proposal is to be amended to include the property descriptions (lot and DP numbers) for the subject properties;

(b) the Explanation of Provisions in Part 2 of the planning proposal is to be amended to make it clear that the maximum height is set in metres, not number of storeys, and that the number of storeys is an approximation only (similar amendments should also be made in the Background and other parts of the planning proposal); and

(c) Appendix B of the planning proposal is to be amended to address the consistency of the proposal with the revised s117 Direction 7.1, Implementation of A Plan for Growing Sydney, with amendments also to Part 3 of the proposal to address consistency with the current Metropolitan Strategy as set out in 'A Plan for Growing Sydney'.

2. Prior to finalisation of the proposal, an amended Height of Buildings Map consistent with the Department's 'Standard Technical Requirements for LEP Maps' is to be included as part of the planning proposal.

3. Consultation with government agencies is not required.

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4. The planning proposal is to be placed on public exhibition for a period of 28 days.

DELEGATION OF PLAN MAKING FUNCTION

Hornsby Shire Council has requested delegation of the plan-making function in relation to this proposal. As it is of local significance, it is recommended that the plan-making function be delegated to Council.

Supporting Reasons :

The proposed increase in height limits for the two sites corrects an anomaly where these sites have lower permitted heights than adjoining lots. The proposed increase is not inconsistent with the strategic planning framework for the Epping Urban Activation Precinct.

Signature:



Printed Name:

T DORAN

Date:

23/3/15.