

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 2 August 2017
PANEL MEMBERS	Edward Blakely (Chair), Paul Mitchell and David Ryan
APOLOGIES	Mary-Lynne Taylor and Richard Thorp
DECLARATIONS OF INTEREST	Paul Mitchell is a former director of EMM Consulting, the company that prepared the Transport and Traffic Study as part of the Epping Town Centre study, but he had no involvement in the process.

Public meeting held at Rydalmere Operations Centre on 2 August 2017, opened at 6:00 pm and closed at 7:30 pm.

MATTER DETERMINED

2016SYW062 – Parramatta – DA/468/2016 AT 12 – 22 Langston Place, Epping (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

PREAMBLE:

The Panel thanks all speakers for their informative and helpful submissions. We are strongly aware of the concerns raised by resident and commercial property owner objectors. Nevertheless, our role is to apply the planning law and development standards that are currently in place and we note that the proposed development complies with the floor area allowed for this site. Legally, we cannot give weight to the Epping Centre planning study that is currently being undertaken because it is not certain or imminent. Similarly, although we are well aware of traffic congestion, the investigations show that this development will have little effect on the functioning of the road network.

REASONS FOR THE DECISION

The Panel determines the application by granting deferred commencement approval for the following reasons:

1. The proposal is consistent with applicable development standards and guidelines, with the exception of the maximum building height, but this variation is considered to have merit for the reasons given in the point 7 below.
2. The proposed development is well designed providing a good balance of tall, slim towers and ground level public domain. The towers are generously spaced and the tallest one is to the south and removed from existing lower buildings to the north.
3. The proposal provides a density of development consistent with that planned for the Epping Activation Precinct and the inclusion of commercial space will provide a significant number of local

jobs. Also, given its proximity to the rail station and bus stops it will promote transit oriented development.

4. The proposal's impacts on neighbouring and nearby properties will be acceptable, as will its impacts on the local road network and other infrastructure. In addition, it will not infringe on the library and adjoining park land.
5. The proposal will add substantially to the stock and variety of housing available in the locality. It will then improve housing choice and affordability.
6. Sydney Trains has requested further details of geotechnical conditions and structural works to be undertaken in the new basement. A deferred commencement condition has been imposed to satisfy this request.
7. The proposal includes a request to vary the height of buildings standard by approximately 20m. The request is considered to be well founded and satisfactory. The height of buildings proposed will be consistent with the objectives of the standard and will enable development that is consistent with the zone objectives. As such, compliance with the standard is considered to be unnecessary. The variation will provide substantial environmental planning benefits being development that is compatible with the context while still meeting the planned density for this important town centre site.

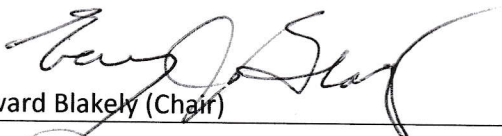


For the reasons given above, the Panel approves the variations to the building height standard in Clause 4.4 of Hornsby Local Environmental Plan 2013, being satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan, and the proposed development will be in the public interest as it is consistent with the objectives for development within the zone and site specific reasons discussed.

Overall, the proposal will be in the public interest for the preceding reasons, and because it will improve housing choice and affordability, and promote greater use of public transport.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment:

- Condition 51(b) to be deleted.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Paul Mitchell OAM
 David Ryan	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2016SYW062 – Parramatta – DA/468/2016
2	PROPOSED DEVELOPMENT	Construction of three mixed use towers (19, 24 and 29 storeys) comprising 463 residential units, 1681sqm of retail floor space and 4 basement levels containing space for 529 cars, 388 bicycles, 35 motorcycles, storage, refuse and servicing; public domain upgrades including 2-way vehicular lane between towers 2 and 3, pedestrian through-site links, and public open spaces; following demolition of existing building and car park.
3	STREET ADDRESS	12 – 22 Langston Place, Epping
4	APPLICANT OWNER	CBUS Property Langston Place Pty Ltd CBUS Property Langston Place Pty Ltd, City of Parramatta
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulation 2000 • State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy No 55 – Remediation • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development & Apartment Design Guide • Hornsby Local Environmental Plan 2013 • Hornsby Development Control Plan 2013 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 19 July 2017 • Written submissions during public exhibition: 94 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – Peter Buckley, Margaret McCartney, Andrew Christie, Mike Moffat, Mary Abel, Ian Wallace and Eve Lee ○ On behalf of the applicant – Farhad Haidari, Andrew Harvey, Princess Ventura and Jon Kavali
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting on 5 July 2017 • Final briefing meeting to discuss council's recommendation, 2 August 2017, 5:30 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Edward Blakely (Chair), Paul Mitchell and David Ryan ○ <u>Council assessment staff</u>: Myfanwy McNally, Alex McDougall, Scott Barwick, Matthew Hedges and Jan McCreddie
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report