

<b>DATE OF DETERMINATION</b>	4 July 2018
<b>PANEL MEMBERS</b>	Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Clr Sameer Pandey
<b>APOLOGY</b>	Clr Steven Issa
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held at Mantra Parramatta, Corner Parkes Street and Valentine Avenue, Parramatta on Thursday 4 July 2018 opened at 6.04pm and closed at 8.23pm.

#### **MATTER DETERMINED**

Panel Reference – 2016SYW114, LGA – City of Parramatta, DA/485/2016, Address: 44-48 Oxford Street Epping, demolition of all existing structures including the heritage listed dwelling on site, tree removal, construction of a mixed-use development in the form of 2 towers (15 & 18 Storeys tall) over a podium and basement car parking.

#### **VERBAL SUBMISSIONS:**

Support – Nil

Object –

- Damien Tudehope (MP for Epping)
- Sue Rosen – behalf of Epping Civic Trust
- Margaret McCartney – behalf of Save Epping's Forest Park
- Mike Moffatt
- Andrew Christie
- Laurence Lee
- Eve Lee
- On behalf of the applicant – Marian Higgins, Brett Maynard, James Phillips, David Puleo and Bob Dunnet
- On behalf of Council – Mark Leotta, Liam Frayne





#### **Panel Decision**

1. Whilst the panel is now minded to approve the application it remains dissatisfied with the traffic impact in light of the recently released Epping Traffic Study.
2. The Panel accepts the legal advice that the site at 48A Oxford Street is not isolated in terms of the Court's Planning Principle on isolated sites and therefore does not require the incorporation of that site with this application to ensure orderly development. The Panel also notes that attempts have been made by the developer to acquire 48A Oxford Street and that the owners of the site have not agreed to sell.

3. Further, the Panel accepts the opinion of the independent heritage consultant, Mr Stephen Davies of Urbis Heritage, presently Chair of the Heritage Council of NSW, and agrees that the changes already made to the local heritage item on the site and the changes to its curtilage in the context of the planning controls for Epping Town Centre mean that its retention on the site will not bring about a satisfactory heritage outcome and the Panel will allow demolition subject to conditions for archival recording, some approved form of interpretation, and recycling of original elements.
4. The Panel is now satisfied with the aspects of urban design of the building and finds it acceptable.
5. The role of this District Panel is to implement the planning provisions and determine applications in accordance with the relevant provisions and in this case a collaborative process has decided Epping shall perform a strategically important role of high density housing around the transport infrastructure and as a panel we must respect that.
6. The findings of the recent Epping Traffic Study support the submissions of the local residents and business people and suggest that clearly a conventional response will not be effective and stronger action is necessary from now to encourage a mode shift towards use of the Metro. The applicant has attempted to deal with the traffic congestion outlined in the Epping traffic study and has offered to accept as a condition of consent ideas for a Green Travel Plan. In the light of the revealed serious traffic constraints the Panel needs to be convinced that practical and enforceable measures can be applied to discourage use of private motor vehicles and to encourage the mode shift to public transport.
7. The Panel will defer determination of the application for the provision of a satisfactory finalised travel plan that is detailed enough to be enforceable as a condition of consent, which should be drafted in consultation with Council and refer to contemporary leading practices – which may include increased car sharing and reduction of onsite car parking.
8. The Panel requires the submission of such a plan within 28 days and upon receipt of Council's assessment of the amended application will make a final determination of the matter on the next occasion.

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

The decision unanimous.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Paul Mitchell
 Lindsay Fletcher	 Sameer Pandey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Reference – 2016SYW114, LGA – City of Parramatta, DA/485/2016
2	PROPOSED DEVELOPMENT	Demolition of all existing structures including the heritage listed dwelling on site, tree removal, construction of a mixed-use development in the form of 2 towers (15 & 18 Storeys tall) over a podium and basement car parking.
3	STREET ADDRESS	44-48 Oxford Street Epping
4	APPLICANT/OWNER	Applicant - Pirsata Pty Ltd Owner - Pirsata Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value >\$20million.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy (Sydney Harbour Catchment) 2005</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Hornsby Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans:</li> </ul>

		<ul style="list-style-type: none"> <li>• Holroyd Development Control Plan 2013</li> <li>• Planning agreements: Nil</li> <li>• <i>Environmental Planning and Assessment Regulation 2000</i>: Section 92 of the EP&amp;A Regulation</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report, draft conditions of consent and written submissions.</li> <li>• Written submissions during public exhibition: 50</li> </ul>
8	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing Meeting – 19 October 2016</li> <li>• Final Briefing Meeting – 7 February 2018 from 2.20 pm to 3.05 pm</li> <li>• Public Meeting – 7 February 2018</li> <li>• Final Briefing Meeting – 4 July 2018 from 5.00pm to 6.00pm</li> <li>• Public Meeting – 4 July 2018</li> </ul> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Mary-Lynne Taylor, Paul Mitchell, Lindsay Fletcher and Clr Sameer Pandey</li> <li>○ <u>Council assessment staff</u>: Liam Frayne, Mark Leotta</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Deferred commencement approval
10	<b>DRAFT CONDITIONS</b>	Submitted with report