



## SYDNEY CENTRAL CITY PLANNING PANEL Addendum Assessment Report 3

<b>Panel Reference</b>	2016SYW0114
<b>DA Number</b>	DA/485/2016
<b>LGA</b>	City of Parramatta Council
<b>Proposed Development</b>	Demolition of all existing structures on site, (including the heritage listed residence), tree removal and construction of a mixed use development in the form of 2 towers (15 and 18 Storeys tall, respectively) over a podium and basement car parking.
<b>Street address</b>	44-48 Oxford Street, Epping (Lot 1 DP 206646, Lot 2 DP 206646, Lot A DP 390454, Lot B DP 390454)
<b>Applicant</b>	Pirasta Pty Ltd
<b>Owner</b>	Pirasta Pty Ltd
<b>Date of DA lodgement</b>	17 June 2016
<b>Number of Submissions</b>	50
<b>Recommendation</b>	Deferred Commencement
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	Pursuant to Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979 (at the time of lodgement), the development has a capital investment value of more than \$20 million.
<b>List of all relevant 4.15(1)(a) matters</b>	<ul style="list-style-type: none"><li>• Environmental Planning and Assessment Act 1979 (EP&amp;A Act) and Environmental Planning and Assessment Regulation 2000.</li><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 (Building Sustainability Index: BASIX) 2004</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 (HLEP)</li></ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"><li>• Attachment 1 – Green Travel Plan</li><li>• Attachment 2 – Peer Review of Green Travel Plan</li><li>• Attachment 3 – Car Share Support Letter</li><li>• Attachment 4 – Revised Clause 4.6 Variation Request (Height)</li><li>• Attachment 5 – Applicant Letter Regarding Parking Rates</li><li>• Attachment 6 – Park Rate Comparison</li></ul>
<b>Report prepared by</b>	Liam Frayne
<b>Report date</b>	29 August 2018

## 1. Introduction

Given the complexity of the history of this matter, during both consideration by the City of Parramatta, and by the Sydney Central City Planning Panel, the below detailed background is provided to assist in an understanding of the history of the assessment and consideration of this matter to date:

### Background of Consideration of Application

#### City of Parramatta Consideration

The subject Development Application was lodged with the City of Parramatta on 17 June 2016. At the time of lodgement, the application proposed:

*Demolition, tree removal, site preparation/excavation works, and construction of a mixed use development containing 200 dwellings with 3 storey podium and 2 towers of 15 & 17 storeys over 4 levels of basement parking containing 234 parking spaces.*

Prior to lodgement, the applicant had obtained pre-lodgement advice from Hornsby Shire Council with respect to the proposal, which advised that the then proposed scheme was generally acceptable.

However, the creation of the City of Parramatta Council on 12 May 2016 resulted in the eastern side of the Epping Town Centre transferring from Hornsby Shire into the reconstituted City of Parramatta. It is for this reason that the application was lodged with the City of Parramatta Council.

The preliminary review of the original proposal by the City of Parramatta, including by the Design Excellence Advisory Panel and a briefing with the Joint Regional Planning Panel (now Sydney Central City Planning Panel) identified the following concerns with respect to the proposal:

- Site Isolation of 48A Oxford Street;
- That the overall scheme lacked sufficient merit with respect to the attainment of the planning objectives relating to the site to permit any justification of the demolition of the heritage Item ;
- That the height variation proposed did not deliver any requisite design benefit (by way of a slimmer tower with reduced amenity impacts) and therefore was difficult to be justified on planning grounds;
- That the building had poor design quality with respect to the residential amenity of a substantial number of the proposed units – the site planning further resulting in a high number lacking appropriate solar access, outlook or well-designed pedestrian access;
- The compatibility of the proposed commercial use with the residential uses on the site;
- Issues related to the proposal to relocate the signalised pedestrian crossing in front of the site;
- Concern about the loss of the mature street trees on Oxford Street;

- Issues with respect to the car park design including the design and number of motorcycle and bicycle spaces, the conflict between the loading bay and parking and the inability of the car park to accommodate Heavy Rigid Vehicles to the loading bay; and
- Issues with respect to the waste management design.

Following liaison with Council's City Architect's Office, and Council more generally, the applicant submitted amended plans to the City of Parramatta on 30 October 2017 for consideration by the Design Excellence Advisory Panel and other Council technical staff.

Further amended plans addressing various concerns raised by Council were submitted on 3 subsequent occasions.

The Design Excellence Advisory Panel report on the amended plans requested minor amendments but concluded that, *"this is a well-considered and presented scheme and that the architectural, urban design and landscape quality is of a high standard."*

Council's subsequent assessment found that the amended proposal had sufficient merit, on balance to support a favourable recommendation.

In terms of public consultation, the application was advertised on two occasions, and subsequently, and in accordance with the resolution of Council, a Conciliation Meeting was held by Council to facilitate dialogue between the applicant and interested submitters. The original assessment report submitted to panel comprehensively reports on these processes.

With respect to the issues raised with respect to the original design, these concerns of the City of Parramatta have been either addressed or subsequently informed as part of the Sydney Central City Planning Panel process as follows:

Issue	Response in modified scheme
Site Isolation of 48A Oxford Street	<p>The City of Parramatta is satisfied that the applicant had sufficiently demonstrated that attempts have been made to acquire 48A Oxford Street based on the substantial documentary evidence submitted to that effect.</p> <p>It is noted that subsequent legal advice provided at the request of the panel by the applicant's legal advisor notes that although the site may be currently practically isolated, it is not isolated in accordance with the planning principle as the adjoining school site benefits from the same zoning, height and floor space to 48A (and indeed the subject site).</p> <p>The advice also concluded that the adjoining site further was capable of being further developed in its own right notwithstanding its narrow frontage.</p>
That the overall scheme lacked sufficient merit with respect to the attainment of the planning objectives relating to the site to permit any justification of the demolition of the heritage Item	<p>Council officers consider, on balance, that the revised proposal exhibits sufficient design merit and consistency with the form desired within the Epping Town Centre to permit the development to be supported.</p> <p>At the Panel's request, independent heritage advice has been provided by Urbis for the Panel's benefit.</p>
That the height variation proposed did not deliver any requisite design benefit (by	The development was revised to provide a slimmer tower and floor plate per level, compared to the original

way of a slimmer tower with reduced amenity impacts) and therefore was difficult to be justified on planning grounds	scheme, resulting in a narrower shadow cast, and providing improved amenity. The slimmer towers will also sit less heavily on the street, notwithstanding their greater height, compared with a compliant building.
That the building had poor design quality with respect to the residential amenity of a substantial number of the proposed units – the site planning further resulting in a high number lacking appropriate solar access, outlook or well-designed pedestrian access	<p>The revision of the proposal to provide two wholly separate towers has significantly improved the amenity of the proposed apartments and the site in general. This design permits the bulk of apartments to dual aspect, ensuring good solar amenity and outlook for future residents.</p> <p>The provision of a well landscaped central courtyard in the revised plans (reviewed by Council's Urban Design team to ensure the provision of adequate soil depths to ensure the viability of landscaping) is a substantial design improvement. Equally, the substantially improved ground floor layout also provides a high quality entry sequence for the site. It is noted that both have been made possible by the provision of a slimmer tower form.</p>
The compatibility of the proposed commercial use with the residential uses on the site	The revised arrangement of commercial uses on the site is significantly more compatible with the residential uses above compared with the previous arrangement, in terms of the retail and the office space.
Issues related to the proposal to relocate the signalised pedestrian crossing in front of the site	The revised proposal locates the driveway of the development away from the pedestrian crossing.
Concern about the loss of the mature street trees on Oxford Street	The revised proposal makes provision to enable the retention of the existing street trees on Oxford Street.
Issues with respect to the car park design including the design and number of motorcycle and bicycle spaces, the conflict between the loading bay and parking and the inability of the car park to accommodate Heavy Rigid Vehicles to the loading bay	The redesign of the proposal has resolved the vehicular conflicts. The basement design is now satisfactory.
Issues with respect to the waste management design.	The waste management design has been redesigned and is now considered adequate.

### Sydney Central City Planning Panel Decisions

DA/485/2016 (the application) was first reported by the City of Parramatta Council (the Council) to the Sydney City Central Planning Panel (the Panel) on 7 February 2018.

The Panel determined to defer a decision on the application for the reasons as stated in the Record of Deferral:

*“The Panel unanimously decided to defer consideration of the application until legal advice had been received regarding:*

- *Necessity of the use of Planning Proposal when it is proposed to demolish a heritage item.*
- *Whether the activities concerning Isolation of the site meet the requirements of the Court's Planning Principle.*

- *Response from Design Excellence and City Architect Office in relation to height variation, the zone boundary interface and feasibility of development on the isolated site in terms of whether that represents the orderly and economic use of the sites.*
- *Clarification whether in the circumstances here the concurrence of the Secretary of the Department of Planning can be assumed for the extent of the variation to the standard, i.e. greater than 10%.*

*The Panel encourages a further report to:*

- *Address the justification for determination of this application prior to the outcomes of the traffic study of Epping being available which will take into account cumulative impact.*
- *Provide a summary of the issues raised and outcomes of Council's community conciliation meeting held on 24 January 2018.*

*As this reporting may take some little time the Panel encourage adjoining owners and the applicant to consider some form of mediation to resolve the isolation question."*

In response to the above deferral reasons, after obtaining the necessary information to provide a response, the matter was reported back to the SCCPP Panel Meeting of 4 April 2018. Responses to the above matters were provided in detail in Addendum Assessment Report 1. A summary is provided below:

Deferral reason	Response
Legal advice requested as to the necessity of the use of Planning Proposal when it is proposed to demolish a heritage item.	The City of Parramatta's General Counsel and the applicant's solicitor each provided separate advice that a planning proposal was not necessary when demolition of a heritage item is proposed.
Legal advice as to whether the activities concerning Isolation of the site meet the requirements of the Court's Planning Principle.	<p>The applicant provided legal advice that clarified that the site at 48A Oxford Street was not isolated in the manner described by the Court Principle, as the school site to the north had benefit of the same zone, height, and floor space ratio as 48A Oxford Street.</p> <p>The advice also indicated, in accordance with <i>Karavellas v Sutherland Shire Council</i> [2004] NSWLEC 251, that as offers based on valuations had not been accepted, and as the site remained developable in its own right, albeit for a smaller scale development, that the isolated site test had been, in the view of the advising solicitor, satisfied.</p>
Response from Design Excellence and City Architect Office in relation to height variation, the zone boundary interface and feasibility of development on the isolated site in terms of whether that represents the orderly and economic use of the sites.	Detailed responses from the City Architects Office and the Design Excellence Advisory Panel were supplied outlining that the proposal was an appropriate response given the isolation of the site to the north
Clarification whether in the circumstances here the concurrence of the Secretary of the Department of Planning can be assumed for the extent of the variation to the standard, i.e. greater than 10%.	The City of Parramatta's General Counsel provided advice that concurrence could be assumed by Sydney District Planning Panels as per the relevant circular from the Department of Planning.
Address the justification for determination of this application prior to the outcomes of the traffic study of Epping being available	The applicant submitted a further traffic report that noted that the impact of the proposed development in the context of the broader traffic network was not substantial in and of itself.

which will take into account cumulative impact.	<p>It is noted that at that time, it was the understanding of the City of Parramatta's assessment staff that the Epping Traffic Study was a substantial period from being reported to Council.</p> <p>However, in the intervening period between the second deferral of a decision on the matter by Panel at the 4 April 2018 meeting and now, the report was reported to (but not resolved upon) by Council on 28 May 2018.</p>
Provide a summary of the issues raised and outcomes of Council's community conciliation meeting held on 24 January 2018.	The City of Parramatta had supplied this document to the secretariat prior to the first consideration of the matter by the Panel, however the document was subsequently provided for the Panel's benefit at the second hearing of the item at the 4 April 2018 meeting.
The Panel advised the applicant to seek to conciliate with the adjoining property owner to see if a resolution could be arrived at.	The applicant made contact with the adjoining property owner, however no agreement was able to be arrived at during the intervening period.

At the 4 April 2018 meeting, The Panel, in making its decision, resolved to defer the matter for a second time, as per the below extract from the decision record:

*"The Panel agreed to defer the determination of the matter until the following information is provided:*

- 1. The Council's heritage advisor to advise on the remaining opportunity for proper interpretation of residential heritage in Epping in the event that the heritage item was demolished, and taking into account the likely future context of the heritage item, given the development controls that now apply to the Epping Town Centre.*
- 2. The Council to provide an updated traffic assessment based on the latest forecasts of the quantum and rate of development in the Epping Town Centre, given that the available 2011 reports may not reflect the current situation. This report should include commentary on the status and adequacy of related infrastructure upgrading work.*
- 3. The Council to advise of a completion date for the current strategic traffic study of Epping Town Centre .*
- 4. The Council planning staff to provide further advice on the justification for variation on height and setback controls in circumstances where the heritage item on the site is not retained.*

*When this information has been received, the panel will hold another public determination meeting.*

*The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution".*

In response to the above deferral reasons, after obtaining the necessary information to provide a response, the matter was reported back to the SCCPP Panel Meeting of 4 July 2018. Responses to the above matters were provided in detail in Addendum Assessment Report 2. A summary is provided below:

Deferral reason	Response
That Council's heritage advisor advise on remaining opportunities for proper interpretation of residential heritage in Epping in the event that the heritage item	In response to further clarification from the Panel, an independent heritage specialist was commissioned to review the matter, as per the Panel's resolution. The conclusion of this review was:

<p>was demolished, and taking into account the likely future context of the heritage item, given development controls that now apply to the Epping Town Centre.</p>	<p><i>"In conclusion, although cognisant of Council's internal heritage report and the robust arguments put by LSJ Heritage, I do not recommend the retention of the subject former dwelling at 44-48 Oxford Street Epping. I support the arguments put forward by both NBRS and Weir Phillips in this regard."</i></p>
<p>The Council to provide an updated traffic assessment based on the latest forecasts of the quantum and rate of development in the Epping Town Centre, given the available 2011 reports may not reflect the current situation. This report should include commentary on the status and adequacy of related infrastructure upgrading work.</p>	<p>Addendum Report 2 provided an outline of the Epping Town Centre traffic study following its release.</p> <p>The key points from this report were:</p> <ul style="list-style-type: none"> <li>• <i>For March 2017, up to four of the six key intersections on the four major traffic routes (Beecroft, Blaxland, Carlingford and Epping Roads) are operating at oversaturated traffic levels (waiting time average 5 minutes);</i></li> <li>• <i>During the morning peak, combined east bound and south bound traffic queues on Beecroft and Carlingford Roads can reach a combined total length of approximately 1.5km;</i></li> <li>• <i>The traffic queuing effect occurs at approximately 8:30a.m and 5:40p.m in line with Sydney regional traffic conditions;</i></li> <li>• <i>The increasing road traffic congestion occurring in the Town Centre area is adversely affecting both regional through traffic movements and local traffic accessibility to the major road network.</i></li> <li>• <i>In the future, peak traffic conditions (in modelled scenarios of +5000 and +10000 dwellings growth) will worsen even with the identified RMS and Council road improvements;</i></li> <li>• <i>In the road networks, five of the six assessed intersections will have traffic conditions operating at oversaturated levels during the morning and afternoon traffic peak.</i></li> <li>• <i>In 2036, over 3,300 vehicles cannot enter the network.</i></li> <li>• <i>The average intersection delays are predicted to improve by 2036 from the 2026 base scenario as a result of Council proposed road improvements which are anticipated to be implemented during this period. However, the most crucial intersection, Beecroft Road, will actually worsen in terms of average delay by 2036.</i></li> <li>• <i>The report finds that the afternoon performance of the network for the base 2036 is such that it is unlikely that there will be any spare capacity for additional vehicles.</i></li> </ul> <p>Addendum Report 2 noted that in the broader context, the subject development would be a relatively unsubstantial contributor in this regard.</p> <p>It was noted that a green travel plan had been provided.</p>
<p>The Council to advise of a completion date for the current strategic traffic study of Epping Town Centre,</p>	<p>The report was attached to Addendum Report 2 and has been considered by the Panel.</p>

<p>The Council planning staff provide a further advice on the justification for variation on height and setback controls in circumstances where the heritage item on the site is not retained.</p>	<p>Addendum Report 2 examined in detail the background behind the conclusions made within the original report with respect to heights and setbacks.</p> <p>Regarding height, the report concluded:</p> <p><i>“In terms of this specific site, the likely challenges of developing the site at 48A Oxford Street, sandwiched between the subject site and the Arden School, has imposed particular discipline with respect to the setbacks provided to the northern side.</i></p> <p><i>In the absence of a slimmer tower, such separations would not be able to be achieved, and the development potential of that site would be further affected as a result.</i></p> <p><i>It is in the context above that the City of Parramatta, in accordance with the advice of our City Architects Office and Design Excellence Advisory Panel, support the proposed height variation as a clear improvement on this site to the complaint alternative defined by the planning controls under the Hornsby LEP and DCP.”</i></p> <p>Regarding setbacks and building separation, the report concluded:</p> <p><i>“In terms of setbacks, and by extension building separation requirements, under the Apartment Design Guide, the building predominantly complies with the relevant setbacks under the Development Control Plan, and further, satisfies the objectives for which building separation controls apply under the Apartment Design Guide.</i></p> <p><i>It is noted that no windows or balconies facing a boundary or the other tower are positioned within the separation distance applicable under the Design Guide.”</i></p>
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At the 4 July 2018 meeting, The Panel, in making its decision, resolved to defer the matter for a third time, as per the below extract from the decision record:

*“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 release 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 application in accordance with the relevant provision 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 draft 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 upon receipt of Council's assessment of the amended application will make a final determination of the matter on the next occasion".*

## **2. Response to SCCPP Deferral Reasons of 4 July 2018**

The City of Parramatta acknowledges the Panel request to have the matter heard within 28 days. However, due to the deferral notice not being received by the City of Parramatta until 13 July 2018, and the required Panel report submission deadlines, the matter was not able to be brought back to the Panel within the stated time period, while also providing the applicant an opportunity to respond to the concerns identified by the Panel.

As outlined by the extract from the notice of deferral above, the remaining matter of concern to the Panel relates to the appropriateness of the current proposal in terms of traffic generation, given the findings of the Epping Traffic Study reported on in the previous addendum report.

In response to this, the City of Parramatta communicated to the applicant the following:

- (a) That, in response to the concerns articulated in the Panel's Deferral Notice, a significant reduction of car parking was considered key to addressing this concern;
- (b) That, in response to the concerns articulated in the Panel's Deferral Notice, and noting that the proposal presently complies with the applicable DCP Parking Rate being a minimum rate, the applicant was advised to reduce on-site car parking in line with the RMS Guide to Traffic Generating Development CBD rate for the residential component.

The RMS Guide to Traffic Generating Development CBD rate was recommended by the City of Parramatta as an interim working measure given the previous decision of Panel indicated that application of the adopted car parking rate in the Hornsby DCP would not address the concern of the Panel around car parking, and as this was the only available extent measure with applicability in the circumstances (i.e. until such a time as new parking controls can be adopted).

- (c) That the green travel plan be significantly amended to provide commitments and more robust measures with respect to discouraging car use.

## **Car Parking**

With respect to (a) and (b), the applicant has proposed to reduce parking provision to the minimum level outlined under the Hornsby DCP 2013 which result in a reduction in parking provision of 20 off-street car parking spaces, the effect of this being a reduction in traffic generation of 14 and 11 trips in the AM and PM peak respectively.

The previous City of Parramatta assessment report outlined, for benefit of the Panel, the summary of the Epping Traffic Study, but also noted that the proposal complied with the parking rates contained in the local planning controls (i.e. the Hornsby DCP 2013).

The Panel, noting the findings of the Epping Traffic Study concluded that the local traffic situation was sufficiently extraordinary as to warrant immediate corrective measures, above and beyond the requirements of the DCP. In the Panel's view, the key to this was seeking to reduce on-site parking, and therefore reduce the associated trip generation by private vehicle.

In that context, it was put by Panel to Council to consider what alternative 'structure' could be put in place around parking standards in the Epping Town Centre.

The Apartment Design Guide states that,

*For development in the following locations:*

- *on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or*
- *on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre*

*the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less*

*The car parking needs for a development must be provided off street*

The RMS Guide to Traffic Generating Development (Section 5.4.3) outlines the following controls for high density residential development:

### *Definition.*

*A high density residential flat building refers to a building containing 20 or more dwellings. This does not include aged or disabled persons' housing. High density residential flat buildings are usually more than five levels, have basement level car parking and are located in close proximity to public transport services. The building may contain a component of commercial use.*

### *Parking.*

*The recommended minimum number of off-street resident parking spaces is as follows:*

*Metropolitan Regional (CBD) Centres:*

- 0.4 spaces per 1 bedroom unit.
- 0.7 spaces per 2 bedroom unit.
- 1.20 spaces per 3 bedroom unit.
- 1 space per 7 units (visitor parking).

*Metropolitan Sub-Regional Centres:*

- 0.6 spaces per 1 bedroom unit.
- 0.9 spaces per 2 bedroom unit.
- 1.40 spaces per 3 bedroom unit.
- 1 space per 5 units (visitor parking).

*Metropolitan Regional Centres (Central Business District) provide high levels of local employment as well as access to rail and bus services and therefore may have less parking requirements.*

*The recommended minimum number of off-street visitor parking spaces is one space for every 5 to 7 dwellings. Councils may wish to reduce this requirement for buildings located in close proximity to public transport, or where short term unit leasing is expected.*

A comparison of the proposal shown on the plans (and previously presented to Panel), the proposal now put forward by the applicant, the Hornsby DCP 2013 Epping Town Centre rates, and the combination of the RMS Guide to Traffic Generating Development CBD rate (for residential) and the DCP rates for commercial is provided in the table below:

Rate Used	Parking Calculation (Rate in brackets)	Total Parking Spaces resulting
Proposal considered at previous panel meeting		223 car parking spaces
Proposal as now put forward by applicant		203 car parking spaces
Hornsby DCP 2013 Rate (Current adopted controls)	<u>Residential</u> Studio – (0.5/dw) = 10.5 1 bedroom (0.75/dw) = 53.25 2 bedrooms (1/dw) = 65 3 or more bedrooms (1.5/dw) = 31.5 Visitor – (1 per 10) = 17.8 Total Residential: 178.1  <u>Commercial</u> Office: Min 1/70m <sup>2</sup> = 14.5 Max 1/50m <sup>2</sup> = 20.3  Shops: Min 1/60m <sup>2</sup> = 9.9 Max 1/30m <sup>2</sup> = 19.7	203 min 218 max Plus 5 car share spaces.
RMS “CBD” Rate (put forward by Council as alternative in response to Panel request)	Residential 0.4 per 1 bedroom = 36.8 0.7 per 2 bedrooms= 45.5 1.2 per 3 bedroom =25.2 +1 space per 7 units visitors = 25.4 Total = 133 car parking spaces Commercial/Office as per DCP rate as: 24.4 min – 40 max	157 min* 173 max Plus 5 car share spaces*.  *This represents a generous interpretation (for the applicant) in that studios have been

		counted as a 1-bedroom and the 5 car share spaces are not included as part of the residential calculation.
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The City of Parramatta's Traffic Engineer supports the following approach:

The Panel is already aware of the traffic planning challenges the Epping Town Centre is facing both in terms of existing traffic and future traffic generation from high density developments approved, proposed, or anticipated under the planning controls applying to the Town Centre.

In this context, notwithstanding the quantum of the impact any individual proposal may have in isolation from the broader situation, any measure in any planning decision that has potential to improve the existing situation is considered to be one worth exploring from a traffic perspective, provided that, moving forward, these are consistently applied so as to produce an incremental cumulative result that minimises any worsening of the existing traffic situation.

In the context of the current Development Application, the car parking controls under the Hornsby DCP 2013 were designed based on certain traffic assumptions. The most recent Epping Traffic Study reveals that these assumptions have not matched the observed outcome on the ground, with the traffic situation considerably more serious than predicted at that time. Application of the current controls without modification, therefore, may ultimately be expected to incrementally contribute to a cumulative worsening of the existing situation, notwithstanding that these are currently the adopted policy position of Council.

There is a clear link between the number of parking spaces provided and the level of traffic generated by a development. The Epping Town Centre has excellent transport links, is very walkable, and has access to a strong range of local services. It is also an area with limited unrestricted on-street parking availability.

To this end, it is probable that reducing car parking provision for new developments within this precinct will not simply result in the parking being displaced onto local streets, but rather will result in a reduction in vehicle ownership and therefore reduced traffic generation for those developments. If consistently applied going forward, this will have an important incremental impact on assisting the management of the traffic challenges Epping is facing. This will be particularly so if appropriate Green Travel Plans are also put into effect with robust measures to encourage transport mode shift.

It is also acknowledged that the development will generate some parking demand, and therefore, to strike a balance between this and the traffic impact, it is considered that the RMS Guide to Traffic Generating Development "CBD" rate for residential units within the complex, instead of the DCP rate for the residential uses be used, as this would likely reduce the future traffic generation of the subject development. If applied across similar developments in Epping moving forward in a consistent fashion, this will have a significant incremental effect on limiting the worsening of the existing traffic situation for Epping from new developments.

It is noted that rates similar to the "CBD" rate have been adopted by Council for the draft Parramatta CBD Planning Proposal and all new design competitions, with good access to transport, with similar policy intent to encourage non-car transport use.

The proposal is for a high density development within 800m of Epping Station. The area is considered best defined as a *Metropolitan Regional Centre* as there are high levels of local employment. As outlined in the table above, the RMS rates are less than the local DCP rates

and can be applied in the event of inconsistency between the Policy and another EPI. The RMS CBD high density development rates (RMS rates) are,

- 0.4 spaces per 1 bedroom unit.
- 0.7 spaces per 2 bedroom unit.
- 1.20 spaces per 3 bedroom unit.
- 1 space per 7 units (visitor parking).

Applying the minimum RMS rates, the parking provision would be further reduced to a range of 157 - 173 off-street car parking spaces (a reduction from the applicant's current proposal of 30 - 46 car parking spaces depending on whether the maximum or minimum commercial rate were applied, and a reduction of 50 - 66 car parking spaces from the proposal as previously considered by Panel and shown in the plan set).

In the context of the findings of the Epping Traffic Study, it is considered that the minimum RMS rates for off-street car parking would further reduce the likely traffic generation of this development and responds to the previous concerns identified by Panel. Council officers have accordingly included a condition setting the maximum off-street parking in line with the minimum RMS rates for residential, and the maximum commercial rates under the Hornsby DCP 2013 (a total of 173 car parking spaces plus 5 car share spaces).

This condition will require the submission of amended plans to Council for approval prior to the release of the Construction Certificate demonstrating that parking has been reduced in line with the calculated rates.

The current plans do not reflect the applicants most recent proposal to reduce the parking to 203 parking spaces. If the Panel is of a mind to support the applicant's position, that the minimum DCP parking rates are sufficient to overcome the Panel's concerns, the draft conditions will require the appropriate revision.

As part of Council's response to the Epping Traffic Study, Council officers in the City Strategy unit have prepared a report which is to be presented to Council shortly recommending adoption of the RMS minimum rates as *maximums* in the Epping Town Centre section of the Hornsby DCP.

### **Green Travel Plan**

With regards (c), the applicant has provided a revised green travel plan. Proposals in the green travel plan include:

- The provision of 5 car share spaces on the site for operation by a private operator (with 3 vehicles initially to be provided by the strata body in the absence of an alternative operator);
- Provide opal cards with \$100 credit to each initial adult residential occupier and full-time tenant staff member;
- Provide an access pack to all new residents and tenants including the transport access guide, the free opal cards, free car share membership, and information on sustainable travel facilities and initiatives;
- Provide high quality bicycle parking over and above the requirement in the form of 200 dedicated, secure bicycle parking spaces (180 required by DCP);
- Provide end-of-trip facilities including showers and lockers in conjunction with the basement bicycle storage area; and

- Provide public transport information displays, and a walking and cycling map including estimates of time taken to local destinations.

It is considered that the measured proposed in the green travel plan are acceptable.

Conditions have been incorporated into the recommendation requiring that the green travel plan be implemented and that a restriction be placed on title with respect to the provision of car share spaces. These conditions will enable, if necessary, the enforcement of the application of the commitments made in the green travel plan.

Further, Council recommends a condition restricting occupants from participation in any future Council run on-street resident parking permit scheme.

### **3. Submissions**

Council officers have continued to receive submissions from the public and other interested parties objecting to various aspects of the development. All of the issues raised have been previously addressed by Council officers and considered by the Panel. As such further commentary on submissions is not provided at this time.

### **4. Conclusion**

This report responds to the additional matters for which information and clarity was sought by the Panel. Subject to conditions restricting residential parking rates to those outlined in the RMS Guide to Traffic Generating Development and compliance with the Green Travel Plan, the proposal is considered to have an acceptable impact on the traffic network. As such approval is recommended subject to the deferred commencement conditions outlined in previous reports.

### **5. Recommendation**

- A. That pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979* the Sydney Central City Planning Panel grant a Deferred Commencement to Development Application DA/485/2016 in accordance with the recommendation at Appendix 1.
- B. That all the objectors be advised of the Sydney Central City Planning Panel's decision.