

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	6 December 2017
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher
APOLOGIES	Steven Issa apology Sameer Pandey abstained from voting on this matter
DECLARATIONS OF INTEREST	None

Public meeting held at Rydalmere Operations Centre, City of Parramatta, 316 Victoria Rd, Rydalmere on 6 December 2017, opened at 3:00 pm and closed at 3:20 pm.

MATTER DETERMINED

2016SYW245 - Parramatta - DA 1063/2016 at 2 – 4 Cambridge Street, 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 decision was unanimous.

Please note: The Panel received a submission identifying an error in its assessment report being that it contained an incorrect map of the subject locality. The Panel received a subsequent explanatory memo and correct map from Council's planners, memo dated 5 December 2017.

Please note: Three of the four Panel members (Mary-Lynne Taylor, Paul Mitchell and Lindsay Fletcher) of the Panel had recently inspected the affected area of Epping Town Centre and fully understand the context of the development site. Accordingly, notwithstanding the error in the assessment report, the majority of the Panel was able to make a properly informed decision about the proposal's relationship with the character of the town centre; the remaining panel member (Sameer Pandey) abstained from voting on this item.

REASONS FOR THE DECISION

The Panel determines the application by granting consent subject to satisfaction of three deferred commencement conditions identified as conditions A1, A2 and A3, for the following reasons:

1. The design of the proposed development responds appropriately to the recently introduced planning controls for the Epping Town Centre and will create a higher density residential and retail development that satisfies the precinct specific controls in the LEP.
2. The Panel notes the concerns raised by Council's Heritage Advisor about the proposal's compatibility with a nearby heritage item at 79 Oxford Street. Notwithstanding, the Panel believes the design of the proposal, particularly its podium, is sympathetic to the street scape and the heritage item itself. Accordingly, the Panel finds that impacts on the heritage item will be acceptable.
3. The proposal will provide a significant increase in housing stock and choice at this strategically located site near Epping Station, and thus be compatible with relevant regional strategic planning goals.
4. The site of the proposed development is located close to public transport nodes and this will foster use of public transport, thus impacts on the local and regional road networks will be reduced.
5. The site of the proposed development is well-served by retail and community facilities.
6. For the reasons given above approval of the application is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report, subject to satisfaction of deferred commencement conditions A1, A2 and A3, and subject to the following amendment to Condition 14A/14B to reflect the changes to the S94 Contributions Plan:

'Condition 14. A monetary contribution comprising **\$1,086,426.88** is payable to the City of Parramatta Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and City of Parramatta Council Section 94 Development Contributions Plan (Former Hornsby LGA Land and Epping Town Centre). Payment must be by EFTPOS, bank cheque or credit card only.

Contribution Type	Amount
Plan Administration	\$2,030.04
Community Facilities	\$84,496.18
Drainage & Water Quality	\$18,694.95
Open Space & Recreation	\$738,938.13
Public Domain	\$157,472.91
Roads & Shared Paths	\$84,794.66
Total	\$1,086,426.88

The contribution is to be paid to Council prior to the issue of a construction certificate.


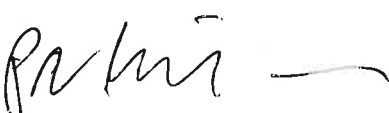

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

The City of Parramatta Council Section 94 Development Contributions Plan (Former Hornsby LGA Land and Epping Town Centre) can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

NOTE: Council may accept works in kind in lieu of the monetary contribution and this is to be delivered via a Planning Agreement in accordance with Council's Planning Agreement Policy.'

Reason: To comply with legislative requirements and to provide for the increased demand for public amenities and services resulting from the development.

PANEL MEMBERS

 Mary-Lynne Taylor (Chair)	 Paul Mitchell
 Lindsay Fletcher	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2016SYW245 - Parramatta - DA 1063/2016
2	PROPOSED DEVELOPMENT	Amalgamation of 3 lots into 1, tree removal, demolition of existing structures and construction of a 23 storey shop top housing development containing a retail shop, commercial office space and 83 residential apartments over basement parking for 128 vehicles
3	STREET ADDRESS	2 – 4 Cambridge Street, Epping
4	APPLICANT/OWNER	Zhinar Architects Pty Ltd / Australasian Conference Association Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land 2005 ○ State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development) ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Hornsby Local Environment Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: Nil • Planning agreements: Nil • Provisions of the Environmental Planning and Assessment Regulation 2000: Nil • Coastal zone management plan: Nil • 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 Environmental Planning and Assessment Act 1979 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 memo supplied by Council, dated: 5 December 2017 • Council assessment report: 22 November 2017 • Written submissions during public exhibition: Five (5) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Adam Byrnes
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection Lindsay Fletcher 5 December 2017 • Briefing meeting and Site Inspection Paul Mitchell and Mary-Lynne Taylor 10 May 2017 • Final briefing meeting to discuss council's recommendation, 6 December 2017 at 2:25 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher, Sameer Pandey ○ <u>Council assessment staff</u>: Denise Fernandez
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report