

DATE OF DETERMINATION	03 October 2018
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan and Cr Sameer Pandey
APOLOGY	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Mantra, Parramatta on Wednesday 03 October 2018 opened at 4.10pm and closed at 6.30pm.

MATTER DETERMINED

Panel Ref – 2017SWC048 - LGA – City of Parramatta, DA/237/2017, Address – 24-36 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 the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the application as described in Schedule 1 subject to the recommended deferred commencement conditions pursuant to section 4.16(3) of the Environmental Planning and Assessment Act 1979.

REASONS FOR THE DECISION

This application has been the subject of further investigation, peer review and refinement following concerns expressed by the Panel at the previous meeting. The resulting improvements have brought about an appropriate proposal for this site in the Epping Town Centre.

The Panel has received a written request to vary the height of buildings standard in the Hornsby LEP 2013 and finds that it is satisfactory.

The written request demonstrates that compliance with the height standard is unnecessary because the variation is consistent with the objectives of the standard- it will enable a scale of development that is consistent with the site's development potential and infrastructure capacity, and the design responds appropriately to site constraints. The request also demonstrates that there are sufficient environmental planning grounds to vary the standard, being a high-quality design as evidenced by Richard Thorp's independent review and the support from Council's City Architect and Design Panel.

The Panel believes the development as varied will be in the public interest because it remains consistent with the objectives of the standard and will enable development that is consistent with B2 zone objectives.

Accordingly, the Panel upholds the request to vary the height of buildings standard.

The Panel approves the application for the following reasons:

1. The proposed design is an elegant architectural solution to the site constraints and results in a high quality of urban design suited to the site's context.
2. The proposal is consistent with most applicable standards and guidelines and is consistent with the B2 zone objectives. The proposal's impacts on neighbouring and nearby properties are acceptable.
3. The proposal will provide additional housing and commercial space in an important Centre which is consistent with well established strategic planning initiatives.
4. The proposal, particularly its Green Travel Plan, will encourage use of the Sydney Metro and generally facilitate greater use of public transport.
5. For the reasons given above the Panel considers that approval of application is in the public interest.

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

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the following changes –

- **Updated Condition 73** 'Pedestrian Safety' to require plans to be submitted to Council.
- **Updated Condition 74** 'Construction Traffic Management Plan' to clarify that the plan had to be submitted to TfNSW and Council for sign off.

Two New Conditions – 194 and 195.

Green Travel Plan - Review

Condition 194 –

One year from the issue of the Occupation Certificate, and every year for 3 years thereafter, the applicant shall submit to Council's Manager Development & Traffic Services a review of the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.





Reason: To ensure the effective management of the Green Travel Plan.

Green Travel Plan – Strata Management Plan

Condition 195 –

The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential units in perpetuity.

Reason: To ensure implementation of the Green Travel Plan.

PANEL MEMBERS	
 Mary-Lynne Taylor (Acting Chair)	 Peter Brennan
 Sameer Pandey	 Paul Mitchell

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2017SWC048 - LGA – City of Parramatta, DA/237/2017
2	PROPOSED DEVELOPMENT	27 story mixed use tower comprising ground floor retail unit, first floor commercial office unit and 101 shop top housing units above, including 91 parking spaces in 4 basement levels, following demolition of existing buildings.
3	STREET ADDRESS	24-36 Langston Place, Epping (Lot 3 DP936, Lot 1 DP707822, Lots A & B DP342194)
4	APPLICANT/OWNER	Applicant – Langston R & J Pty Ltd Owner – J. R. Hunt Real Estate Pty Ltd, James and Patricia Crether, Langston R & J Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value >\$20million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Water Management Act 2000 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 State Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Hornsby Development Control Plan 2013

		<ul style="list-style-type: none"> • Planning agreements: Nil <ul style="list-style-type: none"> • Environmental Planning and Assessment Regulation 2000 • 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 – September 2018 • Written submissions during public exhibition: 17 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – <ul style="list-style-type: none"> ○ Mike Moffat - on behalf of the Save Eppings Forest Park Group; ○ Margaret McCartney on behalf of Save Epping Forest Park; ○ Ms Karla Castellanos ○ On behalf of the applicant – Karla Castellanos, Angus Halligan, Alex Lin, Michael Lee and Nick Madgwick.
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and Briefing – 14 June 2017 • Public Meeting – 4 April 2018 • Final Briefing Meeting – 3 October 2018 from 3.00pm to 4.00pm • Public Meeting – 3 October 2018 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Peter Brennan, Paul Mitchell and Sameer Pandey ○ <u>Council assessment staff</u>: Alex McDougall and Myfanwy McNally
9	COUNCIL RECOMMENDATION	Deferred commencement approval
10	DRAFT CONDITIONS	Submitted with report