

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	9 October 2019
<b>PANEL MEMBERS</b>	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Sameer Pandey and Martin Zaiter
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held at Rydalmere Operations Centre, City of Parramatta on 9 October 2019, opened at 2.15pm and closed at 2.30pm.

#### MATTER DETERMINED

2018CCI003 - City of Parramatta – DA560/2018 – 16-18 Cambridge Street, Epping – Demolition of existing structures, tree removal and the construction of a 22 storey shop top housing development containing a retail shop, commercial office space and 84 residential apartments with basement parking (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

#### Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Hornsby Local Environmental Plan 2013 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 (development standard) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

the panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 (development standard) of the LEP and the objectives for development in the B2 Local Centre zone;

#### Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION

1. The proposal is permissible in the B2 Local Centre zone, is consistent with the zone objectives and complies with all but one of the applicable standards. The exception is compliance with the height standard where the variation is minor and acceptable.

2. The proposal is supported by Council's Design Excellence Advisory Panel who described it as being "well considered and presented and that the architectural urban design and landscape quality is of a high standard". The Panel agrees with this conclusion.
3. The proposal is close to Epping Metro Station and its parking supply is limited to Roads Maritime Services standards for such locations. As such the proposal will encourage the use of public transport by future residents.
4. The proposal is compatible with its townscape context and will have no unsatisfactory impacts on nearby development or services and infrastructure, including the local road network.
5. The Panel has carefully considered all of the matters raised in submissions and believes they have been addressed by conditions or amendments to the plans, or are otherwise not of sufficient magnitude to warrant refusal of the application.
6. Overall, the Panel believes approval of the proposal is in the public interest for the reasons given above and believe it will provide additional commercial and housing space in a highly accessible location.

### CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.





- Condition 23 amended to reflect the total development contributions listed in the table as \$1,001,001.95.

### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Insufficient commercial space within Epping Town Centre
- Insufficient infrastructure to support development
- Privacy
- Traffic and transport
- Bulk and scale
- Construction noise
- Impact of construction to school

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

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



Martin Zaiter

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018CCIO03 - City of Parramatta – DA560/2018
2	PROPOSED DEVELOPMENT	Demolition of existing structures, tree removal and the construction of a 22 storey shop top housing development containing a retail shop, commercial office space and 84 residential apartments with basement parking
3	STREET ADDRESS	16-18 Cambridge Street, Epping
4	APPLICANT/OWNER	Applicant – Augusta Properties Pty Ltd Owner – Just Properties Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> </ul> </li> <li>Hornsby Local Environmental Plan 2013</li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Hornsby Development Control Plan 2013</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation</i> 2000</li> <li>Coastal zone management plan: Nil</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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 27 September 2019</li> <li>The applicant has submitted a Clause 4.6 statement</li> <li>Written submissions during public exhibition: 3</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>In support – nil</li> <li>In objection – nil</li> <li>Council assessment officer – Denise Fernandez</li> <li>On behalf of the applicant – Adam Byrne</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site Inspection and Briefing: 5 December 2018 <ul style="list-style-type: none"> <li><u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Sameer Pandey and Steven Issa</li> <li><u>Council assessment staff</u>: Denise Fernandez</li> </ul> </li> <li>Final briefing to discuss council's recommendation, 9 October 2019, 11.30am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Peter Brennan, Sameer Pandey and Martin Zaiter</li> </ul> </li> </ul>

		○ <u>Council assessment staff</u> : Denise Fernandez
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report