



**SYDNEY CENTRAL CITY PLANNING PANEL
ADDENDUM ASSESSMENT REPORT**

Panel Reference	2019CCI011
DA Number	DA/485/2016/A
LGA	City of Parramatta Council
Proposed Development	Section 4.55(2) modification to approved mixed use development, specifically modification of Conditions 1 and 15 of Schedule 2 to allow for provision of an increased number of car parking spaces on site. The application will be determined by the Sydney Central City Planning Panel.
Street Address	44-48 Oxford Street, EPPING NSW 2121 (Lots A & B DP 390454, Lots 1 & 2 DP 206646)
Applicant	Pirasta Pty Ltd
Owner	Pirasta Pty Ltd
Date of DA lodgement	12 December 2018
Number of Submissions	6
Recommendation	Refusal
Regional Development Criteria (Schedule 4A of the EP&A Act)	Pursuant to Clause 21 of State Environmental Planning Policy (State and Regional Development) 2011, the proposal is a Section 4.55(2) modification to an application with a capital investment value of more than \$20 million (criteria at time of lodgement).
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979 and Regulations 2000• Greater Sydney Regional Plan 2018;• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development & Apartment Design Guide• Hornsby Local Environmental Plan 2013• Hornsby Development Control Plan 2013 (including draft amendments)
List all documents submitted with addendum report	<ul style="list-style-type: none">• Council Business Paper 29/04/19 – Item 11.1 (Epping Parking Controls)• Council Meeting Minutes 29/04/19 – Item 11.1 (Epping Parking Controls)
Report prepared by	Alex McDougall
Report date	7 May 2019

1. Background

A recommendation report for this application was provided to the Sydney Central City Planning Panel on 2 April 2019. Since the submission of this report a number of additional public submissions have been received and further relevant resolutions of Council have been made relating to car parking controls. This purpose of this report is to supplement the original report and address the new information received.

2. Matters addressed in this report

2.1 Late Submissions

The Planning Panel received three late submissions that were passed on to Council, bringing the total number of submissions for the modification application to six. One of the additional submissions was in support of development in Epping. The other submissions raised concern with the inappropriate demolition of a heritage item. This issue was addressed in the original report and is not related to the proposed modifications.

2.2 Hornsby DCP 2013 Amendments

On 29 April 2019 Council resolved to adopt (see Attachments 1 & 2) new parking rates and green travel requirements for residential flat buildings in the Epping Town Centre (i.e. within 800m of Epping station). The new rates and requirements are as follows:

- Residential
 - Studio Unit – Max 0.4 spaces per unit
 - 1 Bedroom Unit – Max 0.4 spaces per unit
 - 2 Bedroom Unit – Max 0.7 spaces per unit
 - 3 Bedroom Unit – Max 1.2 spaces per unit
 - Visitors – Min 1 space per unit
 - Restrictions on Title
 - Tenants cannot participate in any future resident parking permit schemes
 - Car share spaces cannot be reallocated for any other use.
- Commercial
 - Business – Max 1 space per 50m²
 - Shops – Max 1 space per 30m²
 - Restaurants/Cafes – Max 1 space per 30m²
 - Health Consulting – Max 1 space per 50m²
 - Other Uses – Max 1 space per Table 1C.2.1(c)
- Submission of a Green Travel Plan
- Requirement to provide end-of-trip facilities

The adopted DCP will be published by Council in the coming weeks. There is no savings provisions in the adopted controls and as such they apply to all applications.

Applying the adopted rates to the approved development would allow a maximum of 173 spaces, consistent with the number approved. As such, it is not considered appropriate to approve the modification application for the reasons listed in the original modification assessment report and due to the implementation of these new controls. The recommendation has been updated to include reference to the new DCP controls.

3. Summary and Conclusion

The application has been assessed relative to Sections 4.15 and 4.55(2) of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. The proposed increase in parking is considered to be contrary to the public interest of minimising traffic congestion and maximising public transport usage and as such refusal is recommended.

4. Recommendation

1. That, pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, the Sydney Central City Planning Panel, as the consent authority, refuse consent to modify conditions 1 and 15 of Schedule 2 of Consent Reference DA/485/2016 at 44-48 Oxford Street, Epping for the following reason:
 - a. The proposal is contrary to the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, in that the proposal does not satisfy Clause 1.2 'Aims of Plan' and Clause 2.3 'Zone objectives and Land Use Table' of Hornsby Local Environmental Plan 2013, Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, in that the proposal is not in the public interest as it does not satisfy the approved Hornsby Development Control Plan 2013 parking controls (approved by City of Parramatta Council on 29 April 2019), and Sections 4.15(1)(b) and (c) of the Environmental Planning and Assessment Act 1979. Specifically, the proposed additional, and revised use of, parking spaces would fail to adequately incentivise public transport, cycling and walking and would fail to minimise impact on local traffic infrastructure.
2. That the Panel delegate to Council officers or a representative of the Panel, or provide instruction on, the authority to undertake without prejudice negotiations with the Land & Environment Court relating to the current appeal against non-determination of this application.