

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

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| Application type | State significant development |
| Application number and project name | SSD-8784 242-244 Beecroft Road, Epping – Concept Application |
| Applicant | Landcom on behalf of Sydney Metro |
| Consent Authority | Minister for Planning and Public Spaces |

Decision

The Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**), granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Industry and Environment's Assessment Report is available [here](#).

Date of decision

20 July 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- *Consistent with NSW Government Policy* – the project is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan, Central City District Plan and State Infrastructure Policy
- *Benefits* – the project would provide a range of benefits for the region and the State as a whole, including new residential and non-residential land uses, a pedestrian and cyclist through-site link, public accessible open space, construction and operational jobs and community contributions
- *Impacts can be managed* - the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards
- *Community views considered* - the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 8 August 2019 until 4 September 2019 (28 days) and received 69 submissions, including 58 objections and 3 providing comments on the project.

The Department also undertook the following consultation activities:

- 2 site visits
- invite to meet local residents on Ray Road and discuss the project
- meeting with Council to discuss their concerns with the project.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include the proposed predominantly residential land use, no east – west link road being included in the proposal, the traffic and parking impacts of the project and affordable housing. Other issues are addressed in detail in the Department's Assessment Report.

| <i>Issue</i> | <i>Consideration</i> |
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| <p><i>Land use</i></p> <ul style="list-style-type: none"> • Epping dwellings already exceed State Government targets in the 2014 Urban Activation Precinct planning changes • Epping needs more commercial development for employment and activation • Commercial development is a better option for the site than residential development • The proposal should have 10,120m² of non-residential floorspace. | <p><i>Assessment</i></p> <ul style="list-style-type: none"> • the Department's assessment found the proposed land uses are consistent with the objectives of the R4 High Density Residential zone. The objectives of the R4 zone are to satisfy housing needs and enable other uses that provide facilities or services to meet the day-to-day needs of residents. • in response to submissions, the Applicant reduced the residential GFA from 39,000m² to 37,700m² and increased the non-residential GFA from 700m² to 750-1,000m² and provided justification for the proposed amount of non-residential GFA. • the Department is satisfied the proposed 750 -1000m² of non-residential land uses is appropriate to service the daily needs of local residents and to provide local jobs, consistent with the zone objectives. • the Department does not support Council's recommendation to increase commercial floor space at the site, because Epping Town Centre has a high vacancy rate for commercial office space and it is not feasible to accommodate large scale commercial floor space at the site which is located on the fringe of the Town Centre and zoned for residential uses. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • No conditions are necessary in relation to this issue. |
| <p><i>East – West Link Road</i></p> <ul style="list-style-type: none"> • a new road should be provided though the site to connect Ray Road with Beecroft Road | <p><i>Assessment</i></p> <ul style="list-style-type: none"> • the Department noted the provision of the east-west link road alone will increase delays at major intersections including Beecroft Road and Carlingford Road which already experience high congestion. • the Department does not support Council's recommendation for the east-west link road as it will not directly improve road network performance • the Department acknowledged the provision of an east-west pedestrian and cycle link through the site and associated 1,200m² of publicly accessible open space provides a significant public benefit to the local community. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • conditions include requirements to review the detailed design of the pedestrian and cycle through-site link to improve its urban design and functionality (Condition B2). |
| <p><i>Traffic and Transport</i></p> <ul style="list-style-type: none"> • increase in road traffic congestion • increase in public transport congestion • insufficient car parking provided • cumulative impacts of other development should be considered | <p><i>Assessment</i></p> <ul style="list-style-type: none"> • the Department engaged an independent traffic and transport consultant to peer review the traffic reports submitted with the application. The Department's consultant and Transport for NSW (Roads and Maritime Services) advised the traffic and transport impacts of the proposal are acceptable including congestion impacts on the local road network and on public transport; • the Department noted that views about car parking varied, with some submitters arguing for less parking, others arguing for more • the Applicant amended the proposal to comply with the Council's Development Control Plan for residential and visitor spaces. A reduced car parking rate for non-residential uses is found to be acceptable given the potential uses are likely to service local residents. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • conditions include requirements to comply with the car parking rates committed to and provide a detailed Car Parking Strategy and Management Plan with the detailed design application (Conditions C8 and C9). |

Affordable Housing

- there should be an increase in affordable housing
- affordable housing should be dedicated or transferred to a Tier 1 Community Housing Provider

Assessment

- the Department found the amount of affordable housing proposed, comprising 5% of the total residential GFA, is appropriate and consistent with Landcom's Housing Affordability and Diversity Policy
- in response to submissions, the Applicant amended the proposal to clarify the affordable housing would be dedicated to, transferred to or managed by a Community Housing Provider.

Conditions

- conditions include requirements to register the affordable housing on the title of the land and for the affordable housing to be dedicated to, transferred to or managed by a Community Housing Provider (**Conditions B1 and C7**).