

PLANNING PROPOSAL

ITEM NUMBER	6.3
SUBJECT	Gateway Request - Planning Proposal for land at 53-61 Rawson St, Epping
REFERENCE	RZ/3/2023 -
APPLICANT/S	Mecone
OWNERS	Canjs Pty Ltd
REPORT OF	Project Officer Land Use

PURPOSE

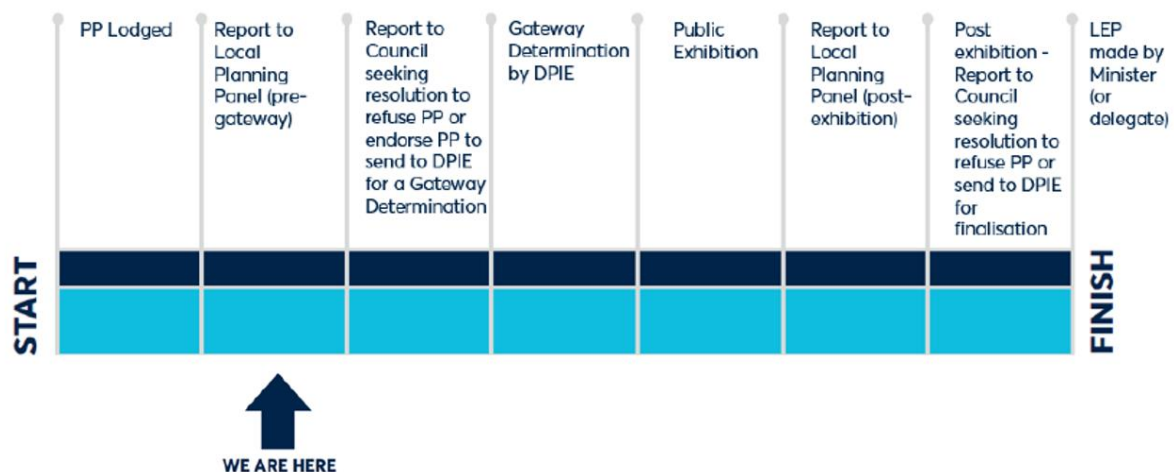
To seek the Local Planning Panel's (LPP) advice on a Planning Proposal and draft Site Specific Development Control Plan (SSDCP) for land at 53-61 Rawson Street, Epping for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI).

RECOMMENDATION

The Local Planning Panel consider the following Council Officer's recommendation in its advice to Council:

- a) That Council approve for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 53-61 Rawson Street, Epping (**Attachment 1**) which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) in relation to the subject site by:
 - i. Introducing an additional local provision to allow an additional Floor Space Ratio (FSR) of 1.5:1 for commercial premises only (proposed mapping provided at **Attachment 2**).
 - ii. Amending the height of buildings control from 48m (15 storeys) to part 103m RL (22m or 5 storeys), part 197m RL (112m or 33 storeys) and part 206m RL (122m or 36 storeys) (proposed mapping provided at **Attachment 2**).
- b) That Council request the DPHI to provide Council with the authorisation to exercise its plan-making delegations for this Planning Proposal.
- c) That Council authorise the CEO:
 - i. To amend the Parramatta Development Control Plan (PDCP) in accordance with the draft Site-Specific Development Control Plan (SSDCP) (**Attachment 3**) to align with the Planning Proposal and to address the matters described in this report; and
 - ii. If a Gateway Determination is issued by DPHI, to place the draft SSDCP on public exhibition concurrently with the Planning Proposal.
- d) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process and finalisation of the documents.

PLANNING PROPOSAL TIMELINE



SUMMARY

1. This report seeks the advice of the LPP on a Planning Proposal and draft SSDCP for land at 53-61 Rawson Street, Epping for the purposes of seeking a Gateway Determination from DPHI.
2. The role of the Epping Town Centre as a key commercial centre in accordance with the Parramatta Local Strategic Planning Statement has been significantly impacted by the introduction of extensive areas of high density residential redevelopment in recent years (as a result of planning controls introduced by the State Government in 2014) but very limited new commercial development. The Planning Proposal seeks to amend the PLEP 2023 to accommodate additional commercial uses by:
 - i. Introducing a local provision to allow an additional 1.5:1 FSR for commercial premises only, in addition to the current FSR of 4.5:1 (total 6:1 FSR permitted) (**Attachment 2**).
 - ii. Increasing the height of buildings control from 48m (15 storeys) to 122m (36 storeys) (**Attachment 2**).
3. The existing 4.5:1 FSR can accommodate a range of uses in the E1 Local Centre zone pursuant to the PLEP 2023, encouraging retail, business and community uses with some residential that contributes to a vibrant and active centre. The proposed additional 1.5:1 FSR can only be utilised for commercial premises (comprising business, office, or retail uses), which is consistent with Council's strategies by seeking to increase commercial offerings within the Epping Town Centre. The additional 1.5:1 commercial FSR will generate approximately 311 additional jobs in the area.
4. The proposed increase in building height from 48m (15 storeys) to 122m (36 storeys) is to accommodate a proposed two tower scheme comprising 33 and 36 storey towers with 4-5 storey podium inclusive of the proposed commercial FSR (**Figure 1**).

5. While a four-tower scheme would be necessary to accommodate the existing 4.5:1 FSR that's permissible whilst complying with height and PDCP controls, flooding constraints make it unlikely that a compliant scheme can be realised. Therefore, the proposed two tower scheme is recommended as the preferred option (indicative architectural drawings provided at **Attachment 4**) so that the proposed 1.5:1 commercial only FSR and the existing 4.5:1 FSR can be accommodated. The two tower scheme will not result in adverse overshadowing to Boronia Park and adjoining land, will decrease the perception of bulk and scale, and will provide improved views to sky between and around towers.
6. The draft SSDCP (**Attachment 3**) provides controls to accommodate the proposed two tower scheme (**Attachment 4**) that is consistent with the proposed amendments to PLEP 2023.
7. The western portion of the site is flood affected, however the extent of flood risk to the rest of the site and to the Epping Town Centre as a whole is low. Flood specific SSDCP controls are recommended that will ensure flood risk is mitigated at DA stage.

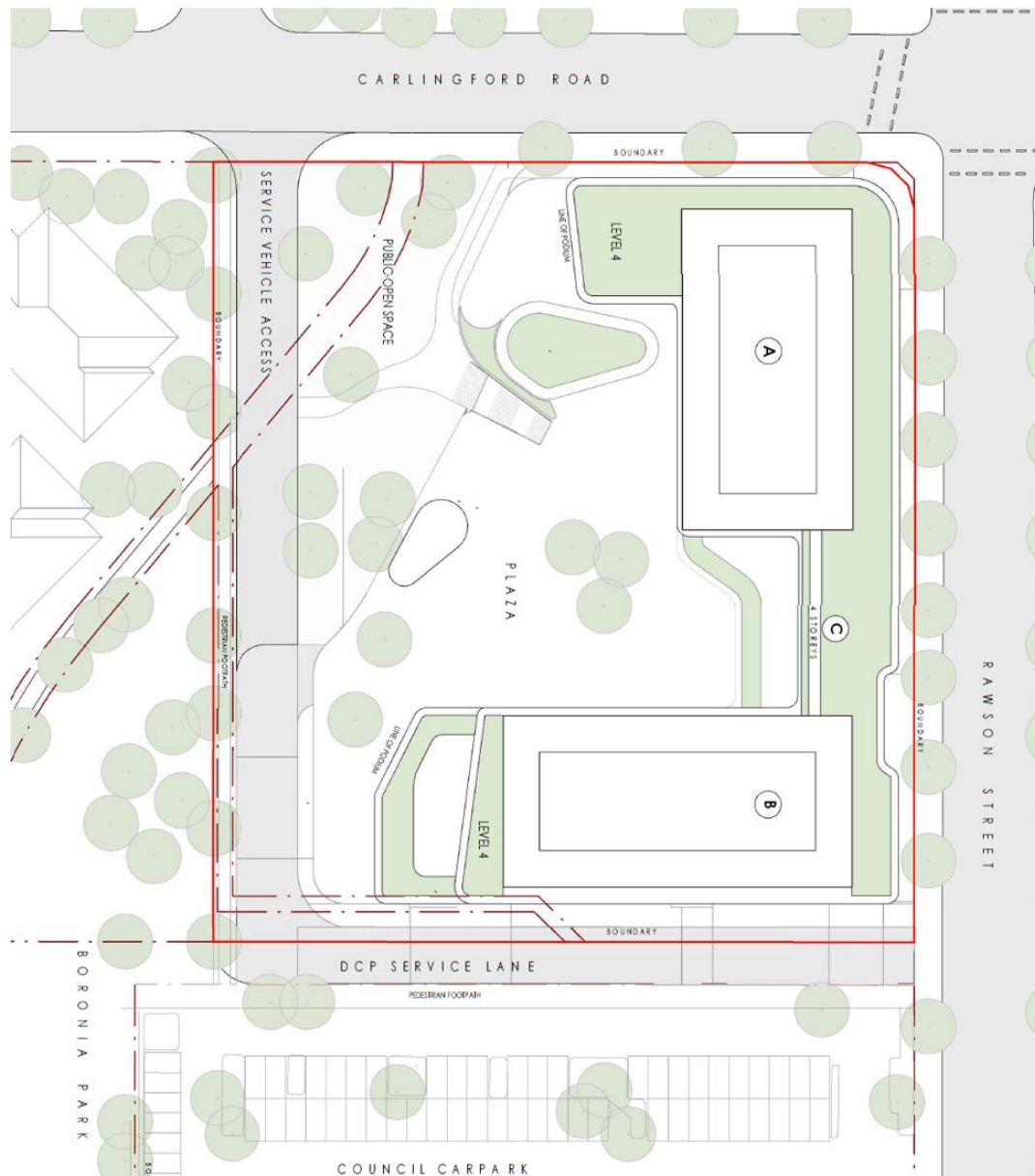


Figure 1: Proposed Site Layout (Tower A = 36 storeys, Tower B = 33 storeys, Podium C = 4-5 storeys)

BACKGROUND

Council Epping Town Centre Commercial Floorspace Planning Proposal

8. On 8 February 2021, Council resolved to endorse a Planning Proposal to increase commercial floorspace in the Epping Town Centre (**Attachment 5**) for Gateway Determination. The Planning Proposal was an outcome of the Epping Town Centre Commercial Floorspace Study, which found that new residential development resulted in a reduction of commercial floorspace that had undermined the Centre's role as a commercial centre.
9. The Planning Proposal sought to help meet the projected demand for commercial floor space over the next 20 years in the Epping Town Centre by mandating a minimum 1:1 of non-residential FSR in excess of the current maximum FSR on all land previously zoned B2 Local Centre, including the current Planning Proposal site.

10. In June 2021, the applicant lodged an application for pre-lodgement advice to inform a future development application (DA) for a mixed-use building comprising three 23 storey towers on the site, seeking to rely on the progression of the Epping Town Centre Commercial Floorspace Planning Proposal. However, in July 2021, Council officers advised that the proposal was unable to be supported due to the uncertainty of the draft Planning Proposal and unresolved issues relating to flooding, traffic, and the built form.
11. On 16 September 2021, the (then) Department of Planning and Environment (now DPHI) issued a Gateway Determination refusing the Commercial Floorspace Planning Proposal. The reasons for refusal were that the provision of “non-residential” floorspace would not guarantee that commercial floorspace will be provided, the extent of application given many sites are already developed, and traffic impacts. In response to the Department’s concerns, the subject Planning Proposal seeks to only introduce additional commercial floorspace. The traffic impacts of this will be minimal and can be managed, as is explained in later sections.
12. Given the high strategic importance for additional commercial floorspace opportunities to be realised in order to revitalise the Epping Town Centre, Council officers have been supporting and encouraging applicants to provide commercial floorspace on a site-by-site basis as opportunities arise and where appropriate. The subject site is one of the largest developable sites in Epping and is strategically well located to help provide a significant amount of much needed additional commercial floorspace. Consequently, it is considered that the provision of additional commercial floorspace on this site is a key opportunity that should be pursued to help meet Council’s objectives for the town centre.

SITE AND LOCALITY DESCRIPTION

13. The subject site (**Figure 2**) is known as 53-61 Rawson Street, Epping and comprises seven lots legally described as follows in **Table 1**:

Table 1 – Property Address – Lots and DPs

Property Address	Lot & DP
53 Rawson Street, Epping	Lots 4-7 in DP 19329
53 Rawson Street, Epping	Lots 8 – 9 in DP 975578
61 Rawson Street, Epping	Lot 1 in DP 710711



Figure 2 – Subject site (yellow) at 53-61 Rawson Street, Epping
(source: Nearmap)

14. The site is rectangular and has a combined area of approximately 9,089 sqm. The site contains a four-storey mixed use building to the north comprising education and office related uses and a separate single storey building to the south comprising a Coles Supermarket.
15. The site is zoned E1 Local Centre and is subject to a maximum height control of 48m and a maximum FSR of 4.5:1.

PLANNING PROPOSAL

16. In September 2023, the subject Planning Proposal was lodged by the applicant with Council seeking to amend the Height of Buildings control and to add 1:1 commercial FSR to facilitate a mixed use development comprising three towers. Following detailed review as part of the Planning Proposal assessment it was found that the three-tower configuration was not supported by Council officers as it would adversely impact solar access to the nearby park, as well as view corridors.
17. In response to these concerns, Council officers developed a preferred scheme which facilitated the same FSR but in a two-tower configuration. Although taller, the two-tower scheme resulted in a preferred outcome that reduced overshadowing to Boronia Park and adjoining land when compared to the applicant's original three tower scheme whilst decreasing the perception of bulk and scale and improving views to sky between and around towers.
18. Following ongoing discussions with the applicant, a revised Planning Proposal was subsequently submitted on 29 April 2024 (**Attachment 1**) that aligned with the Council officer scheme.

19. The Planning Proposal seeks to introduce an additional local provision specific to the site to allow an additional 1.5:1 commercial FSR (approximately 13,677 sqm comprising business, office or retail premises uses). Notwithstanding the existing 4.5:1 FSR, which permits a range of uses (including commercial) in the E1 Local Centre zone, the additional 1.5:1 commercial only FSR will mean that a maximum 6:1 FSR is permitted for the site, with at least 1.5:1 of the permitted FSR to comprise commercial. The increase in commercial floor area is consistent with Council’s strategies and reflects the intention of the previous Council led Planning Proposal by seeking to increase commercial offerings within the Epping town centre.

20. An increase in building height is also proposed from 48m to 122m to accommodate the proposed two tower scheme inclusive of the proposed additional commercial floorspace. Refer to **Table 2** below for an overview of the proposed PLEP 2023 amendments.

Table 2: Proposed PLEP 2023 Amendments

	Existing provisions	Proposed provisions
Zoning	E1 Local Centre	No change
FSR	4.5:1 for uses permitted with consent in E1 Local Centre zone	<p>No change to existing 4.5:1 FSR for uses permitted with consent in E1 Local Centre zone.</p> <p>Addition of 1.5:1 commercial only FSR (6:1 FSR overall).</p> <p>Total 54,673 sqm:</p> <ul style="list-style-type: none"> • 40,996 sqm residential (406 units) • 13,677 sqm non-residential
Height of Building (HoB)	48m	<p>RL 103 (22m), RL 197 (112m) and RL 206 (122m)</p>
Additional Local Provisions	Nil	Add a clause to Part 6, Additional Local Provisions of the PLEP 2023 specific to this site that permits an additional commercial only FSR of 1.5:1.

	<p>Notwithstanding the existing 4.5:1 FSR, which permits a range of uses (including commercial) in the E1 Local Centre zone, the additional 1.5:1 commercial only FSR will mean that a maximum 6:1 FSR is permitted for the site, with at least 1.5:1 of the permitted FSR to comprise commercial.</p>
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LOCAL AND STRATEGIC MERIT CONTEXT

State Planning Policies and Strategies

21. The Planning Proposal is generally consistent with the relevant state policies and planning strategies including the Greater Sydney Region Plan, Central City District Plan, and Ministerial Directions under Clause 9.1 of the *Environmental Planning and Assessment Act 1979*.
22. The Planning Proposal meets all key objectives of the Greater Sydney Region Plan: A Metropolis of Three Cities. The Planning Proposal will facilitate the delivery of much needed commercial floor space in Epping adding a potential approximately 310 new jobs, and an improved retail offering on the site encouraging the growth of services to meet the needs of local residents (**Attachment 1**).
23. The Planning Proposal meets all the key objectives of the Central City District Plan. The Planning Proposal will facilitate future mixed-use development that will activate the surrounding streetscape including public domain works. Communal open space will be provided for future residents and publicly accessible open space will be provided in the form of a new park in accordance with the requirements of the SSDCP (**Attachment 1**).

Local Strategies

24. The Local Strategic Planning Statement (LSPS) identifies Epping as a Strategic Centre with a broad mix of land uses and a critical focus on infrastructure and growth. The LSPS policy directions state that Epping is a key strategic centre where high-rise development should be focussed (**Attachment 1**).
25. Significantly, the LSPS advocates for the outcomes of the Epping Town Centre Review to identify future employment needs within the Epping Strategic Centre.
26. The Local Housing Strategy (LHS) identifies Epping as a growth precinct within the Parramatta LGA projected to provide 8,910 dwellings by 2036. Priorities for Epping include providing new and upgraded open space as well as community facilities. The Planning Proposal meets these objectives by delivering publicly accessible open space in the form of a new park, communal open areas, and public domain works (**Attachment 1**).

ASSESSMENT OF PLANNING PROPOSAL

Land Use

27. The Planning Proposal seeks to amend PLEP 2023 to enable a greater amount of commercial floorspace in a future mixed-use development than can be accommodated under the current planning controls.
28. The Epping Precinct is identified as a Strategic Centre in the City of Parramatta LSPS and is the key commercial hub (along with the Parramatta CBD) in the LGA. Recent development in the Epping Town Centre has seen the reduction of commercial floorspace that has compromised its role as a key commercial hub. The Planning Proposal acknowledges this concern and states “*Epping continues to experience demand for retail and office floor space, however, development activity has seen commercial uses unable to access appropriate floor space to support their business*” (**Attachment 1**).
29. The Planning Proposal also notes that over the next 20 years there will be demand in the Epping Town Centre for 13,000 sqm of retail floorspace and 55,616 sqm of office floorspace. The established need for commercial floorspace is emphasised by the Planning Proposal and is the principal justification for the additional 1.5:1 FSR being sought.
30. The site presents a key urban renewal opportunity for the Epping Town Centre capable of providing an extensive commercial offering. It is in a highly accessible location, situated adjacent to Boronia Park and within 200m of Epping train station and bus interchange.
31. The Planning Proposal acknowledges the importance of the site in being able to deliver a significant amount of commercial floorspace on the western side of the Epping Town Centre and notes that this is consistent with the Council vision to address the shortfall in commercial floorspace in this area. A critical element in supporting the Epping Town Centre as a key commercial hub is the retention of the supermarket currently operating on the site. The applicant has indicated that they intend for this use to be retained and enhanced as part of any redevelopment of the site.
32. The submitted Planning Proposal recommends that a site-specific provision be added to PLEP 2023 that allows for the mapped FSR to be exceeded by 1.5:1 for “non-residential use”. It is recommended that the term “non-residential use” be replaced with “commercial premises” as defined in PLEP 2023. This will include *business premises, office premises and retail premises* but will not include other non-residential uses in the E1 Local Centre zone such as serviced apartments. This will ensure that the additional 1.5:1 FSR is used only for the purposes highlighted in the Planning Proposal and will directly help address the local shortfall in commercial floorspace. The applicant has agreed to Council officer’s recommended approach.
33. Other non-residential uses that are otherwise permitted in the E1 Local Centre zone will still be able to be included in any development, however the floorspace utilised for these other uses can only be drawn from the currently mapped FSR of 4.5:1. This approach is consistent with previous advice provided by DPHI

relating to the Epping Town Centre Planning Proposal that is addressed in further detail below.

34. It is noted that the Planning Proposal is supported by several technical studies and analysis that are considered acceptable for the purpose of seeking a Gateway determination, including:
- Economic Impact Assessment (**Attachment 6**).
 - Flooding and Flooding Addendum Report (**Attachment 7**).
 - Transport Impact Assessment (**Attachment 8**).
 - Social Impact Assessment (**Attachment 9**).
 - Wind Assessment (**Attachment 10**).
 - Infrastructure Report (**Attachment 11**).

Retail and Economic Impact

35. The Planning Proposal is supported by a concept design that includes a total 13,677 sqm of commercial floorspace comprising:
- 7,430 sqm of either business or office floorspace.
 - 6,247sqm of retail floorspace (3,100 sqm supermarket and 3,147 sqm specialty retail).
 - 311 additional jobs created.
36. The Planning Proposal also envisages up to 420 residential apartments that can be accommodated in the existing 4.5:1 FSR within the proposed two towers.
37. The Epping Town Centre has undergone significant change in recent years with a significant decline in local commercial floorspace impacted by the introduction of extensive areas of high density residential redevelopment (as a result of planning controls introduced by the State Government in 2014). The economic analysis (**Attachment 6**) notes that there is a clear need for retail and commercial floorspace in the Epping Town Centre and the subject site is well placed to meet a proportion of this demand through the proposed planning provisions. It is therefore recommended that the Planning Proposal can be supported on economic grounds.

Urban Design, Built Form and Public Domain

38. The proposed two tower scheme (**Attachment 4**) will reinforce the role of the site as a key retail and commercial destination whilst providing a mix of open space, residential and commercial uses to support high levels of activation within the site and the locality. The proposed two tower scheme comprises the following (refer to **Figures 3 & 4**):
- 4-5 storey podium (C) – RL 103 = 22m.
 - 36 storey tower (A) - RL 206 = 122m.
 - 33 storey tower (B) - RL 197 = 112m.
39. A four-tower scheme would be necessary to accommodate the existing 4.5:1 FSR whilst complying with the 48m height limit and PDCP controls. However, noting existing flooding constraints, it is unlikely that a compliant scheme can be realised. The proposed two tower scheme is therefore recommended as the optimal configuration for this site (**Attachment 4**) so that the proposed 1.5:1

commercial FSR and existing 4.5:1 FSR can be accommodated (6:1 total). The two-tower scheme will not result in adverse overshadowing to Boronia Park and adjoining land, will minimise the perception of bulk and scale, and provide improved views to sky between and around towers. The proposed height is comparable to nearby towers further to the east, which form part of the visual catchment of the site.

40. Publicly accessible open space is proposed on the ground floor comprising a 1,230 sqm park and 3,370 sqm plaza. The public open space is a requirement of the SSDCP. It will not be dedicated to Council given it is located above a basement, however Council would seek to secure an easement for public access. This will deliver improved site permeability, safety and security and activation of Rawson Street and Carlingford Road. The new park may include play elements that serve both children and adults such as climbing mounds, social lawn, bridge crossing and interpretive art, subject to DA assessment.
41. Council officers have amended the applicant's proposed Height of Buildings map that was provided in their Planning Proposal (refer to **Attachment 1** and **Attachment 2**) to better align the height mapping with the applicant's two tower scheme (**Attachment 4**). The applicant has since agreed with Council officer's recommended height mapping.

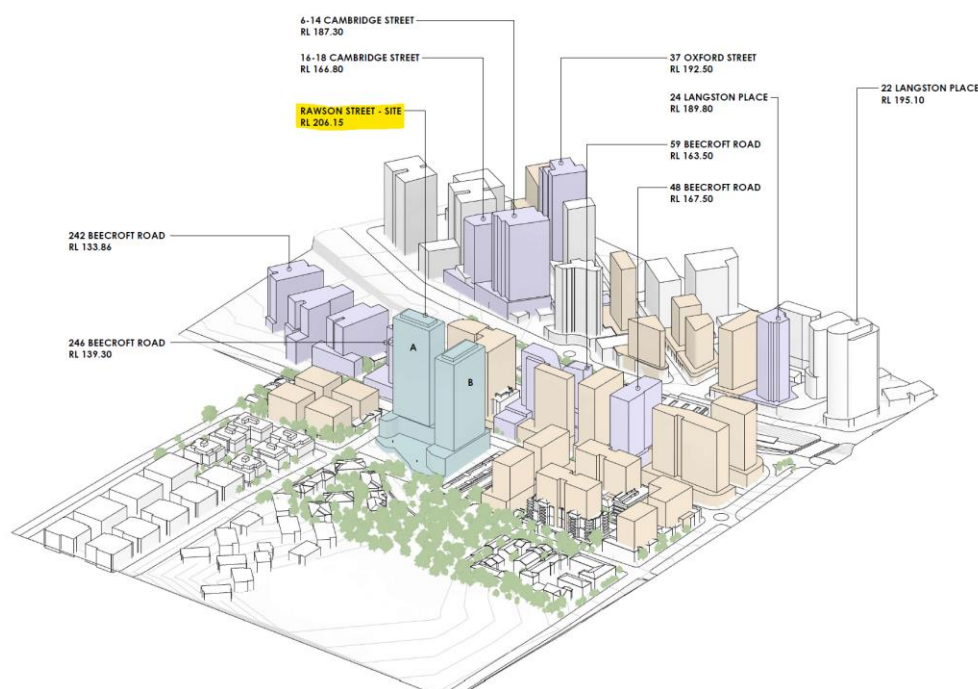


Figure 3: Epping Town Centre Built Form (existing development - white, approved development - purple, development possible under existing controls - orange, proposed subject site development - blue)

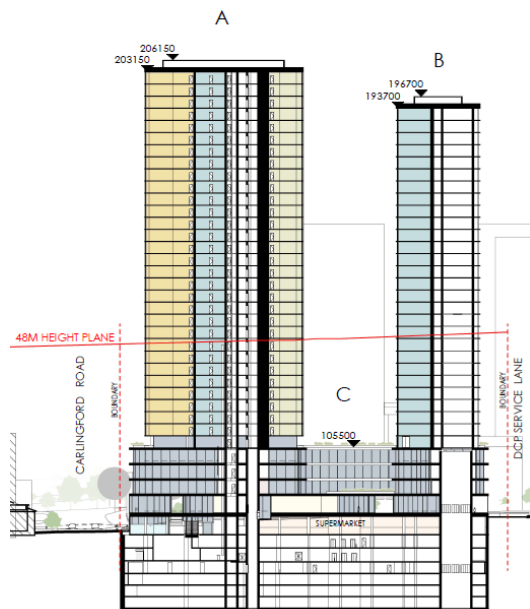


Figure 4: Proposed Scheme in section (looking east)

FLOODING

42. The site is affected by mainstream flooding from the Boronia Park Channel (located to the southwest of the site with depths between 1-10m during a 1% Annual Exceedance Probability (AEP) flood event – **Figure 5**), and negligible overland flooding/drainage. The flood affectation during the 1% AEP is isolated to the northwestern portion of the site, outside of the proposed building footprint. The submitted flooding report and flooding report addendum (**Attachment 7**) states that Epping Town Centre has a very low flood risk overall, and that flood poses a low risk to the building and its users. It also states that the change in flooding impacts (during a Probable Maximum Flood event) following the proposed redevelopment of the site is minor and poses low risk to the community.
43. The flood reports conclude that flooding concerns can be mitigated at DA stage through such measures as:
- a raised entrance crest to the basement level;
 - flood gates;
 - the first level with pedestrian access being located above the 1% AEP + freeboard and the PMF flood level (achieved in reference scheme);
 - residential floors being above the PMF flood level (achieved in reference scheme); and
 - a shelter-in-place strategy could be implemented if required.
44. It is noted that the public park shown on the indicative architectural drawings (**Attachment 4**) is proposed to be located on the flood affected part of the site given that buildings cannot be sited in this location, which would result in impacts upon flood storage.
45. Council's Flood Engineer generally concurs with the report findings and prospective risk management measures but raises some concern with the intensity of use of the proposed western laneway that traverses the flood affected portion of the site, and the use of mitigations such as flood gates. It is considered that concerns related to flooding can be properly explored at the DA stage once the building use and configuration is known, which will dictate the number of

occupants and vehicle movements and thus, the level of risk. It is anticipated that flooding issues can be mitigated however in-line with the recommendations of the flooding reports noted earlier, particularly noting the low flood risk of the site.

46. Considering the low flood risk of the site and that risks associated with flood affectation can be overcome subject to flood risk management and further analysis at the DA stage, it is recommended that the access provision can be supported for the purposes of the Planning Proposal and SSDCP. Flood-specific planning controls are included in the SSDCP (**Attachment 3**) including controls that require the submission of a satisfactory Flood Management Plan, and the provision of flood mitigations as described above and detailed in the flooding report and flooding report addendum (**Attachment 7**).

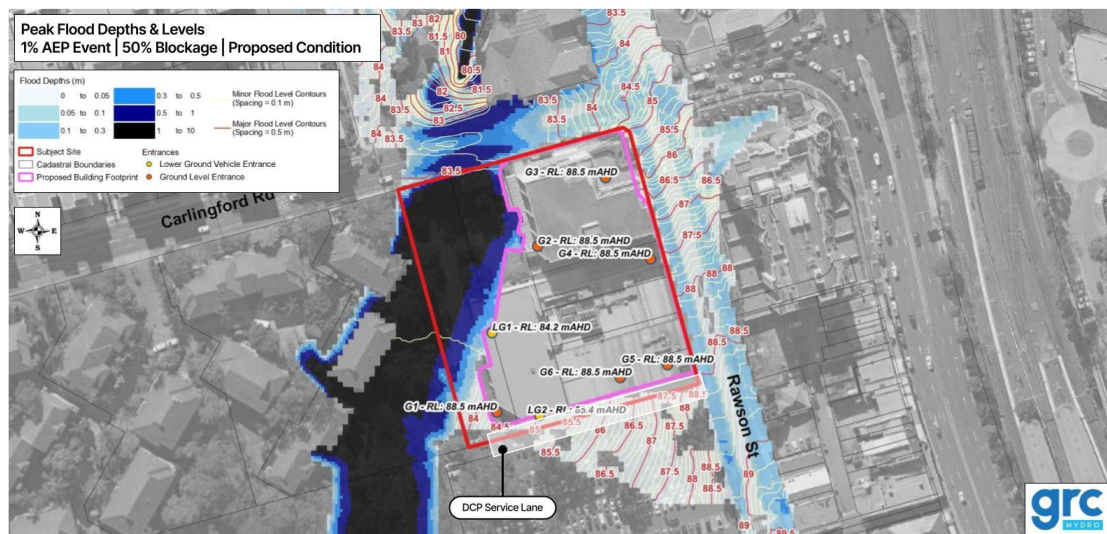


Figure 5: Flood affectation of the site during 1% AEP event

TRAFFIC AND TRANSPORT

Active and Public Transport

47. The site is close to the Epping Metro and Train Station. The City to South West Metro extension will further improve accessibility between Epping and the Sydney CBD (and other centres) when it commences operation.
48. A raised midblock pedestrian crossing on Rawson Street is near the subject site. The pedestrian crossing links the west of Rawson Street (via a pedestrian through link) to Epping Train Station. Council officers have been discussing an option with the applicant to signalize this pedestrian crossing to improve traffic flow along Rawson Street given the crossing is currently over-capacity (refer to Traffic Generation section below for more information).

Vehicular Access

49. The current PDCP requires a right-angle service lane through the site along the southern and western boundaries connecting Rawson Street and Carlingford Road. The applicant proposes to retain the same laneway configuration with access off Rawson Street (via a controlled intersection) for general traffic (given that this access would not be flood affected) and a service lane for service vehicles off Carlingford Road.

50. Council's Traffic Engineer supports the proposed laneway access off Rawson Street and Carlingford Road but recommends the Carlingford Road access be utilised by both service and private vehicles as this would reduce traffic volumes in Rawson Street. The extent of use of the Carlingford Road access can be determined as part of the detailed design that will be required should a development application be lodged for the site.
51. It is noted that the submitted two tower scheme (**Attachment 4**) is based upon the existing laneway configuration provided in the current DCP, which has been carried into the draft SSDCP. The laneway configuration envisages half of the proposed southern laneway being constructed on adjoining Crown land that Council is in the process of compulsorily acquiring. In this respect, Council resolved in June 2023 to pursue acquisition of this land (**Figure 6**), for the *purpose to facilitate access to Boronia Park and improve the road network in the Epping Town Centre*.
52. Notwithstanding, there has been no commitment from Council that the land to be acquired will be made available to help facilitate development of the subject site, particularly noting that the use of the Council car park would need to be considered as part of any future master planning process for the surrounding area (refer to proposed Epping Town Centre Master Plan section). If a portion of the laneway is not constructed on Council land as envisaged, alternative options would need to be explored, which could include:
- construction of the laneway solely on the applicant's land
 - construction of only half of the laneway on the applicant's land to be utilised as a one-way access
 - providing direct basement access from the Rawson Street frontage
53. Any such options as those identified above would need to be demonstrated as part of any future DA and be subject to traffic and flooding considerations (refer to Assessment of Planning Proposal section). If the applicant does seek to provide the laneway partially on the land that Council is currently being compulsorily acquired, suitable negotiations will need to be entered into with Council.



Figure 6: Enlarged aerial view showing site boundary with Council car park including disused strip of land immediately north of parking spaces

54. As part of the preparation of the subject Planning Proposal, input was sought from Transport for NSW (TfNSW) who have provided correspondence to the applicant and Council for consideration before the Planning Proposal is submitted for Gateway. Matters for consideration included:

- How the design responds to various vehicle and pedestrian upgrades earmarked in the Outside CBD Contributions Plan.
- TfNSW advice on service vehicle access in the laneway.
- Acknowledgement of the applicant's suggested additional eastbound lane along Carlingford Rd, and TfNSW offering to be involved in these discussions.
- Suggesting the Transport Impact Assessment be updated to include a warrants assessment and safety assessment in relation to the applicant's suggestion to upgrade the zebra crossing south of the Council car park with a signalised crossing.

55. The TfNSW correspondence does not object to the Proposal and the measures suggested by TfNSW have been addressed in the applicant's revised Transport Impact Assessment (TIA) (see Table 1.1 - **Attachment 8**).

Traffic Generation

56. The applicant's revised TIA (**Attachment 8**) states that the development of the site is expected to generate approximately 273 and 450 new vehicle trips in total in the AM and PM peak hours (including service vehicle trips). When compared to the existing development on the site, the proposed development as a whole (i.e. 6:1 FSR) will generate a net increase of approximately 132 and 138 vehicle trips in the AM and PM peak hours.

57. The proposed traffic anticipated to travel through the key surrounding intersections is expected to be relatively minor, contributing up to 3% additional traffic compared to existing traffic volumes. It is noted that this 3% traffic increase will occur once the entire site is developed at the proposed 6:1 FSR, therefore, the additional traffic increase associated with just the proposed 1.5:1 commercial FSR component would be less than 3%.

58. Some additional impact is expected to occur on the Carlingford Road/Rawson Street/Ray Road intersection during the AM peak hour given the intersection already has limited capacity for right turns from Rawson Street to Carlingford Road. Notwithstanding the subject Planning Proposal will have a minimal impact upon this existing constraint.

59. Council's Traffic and Transport team have been working closely with the applicant on mitigations that could be undertaken to lessen existing and potential future impacts upon the pedestrian and road network. The following pedestrian crossing and road upgrades are currently being explored, which are identified in Council's outside CBD Contributions Plan:

- New signalised pedestrian crossing – install an operated signal crossing to the south of the Council car park on Rawson Street. In conjunction with this, the applicant and Council officers are also investigating the potential removal of the pedestrian crossing on the eastern approach to the Carlingford Road/Rawson Street/Ray Road intersection. According to the applicant's revised TIA (**Attachment 8**) the removal of the pedestrian crossing would result in greater "effective green time" for left turning vehicles from Ray Road and right turning vehicles from Rawson Street.

- Rawson St upgrades - lengthening the existing left turn slip lane from Carlingford Road onto Beecroft Road to provide a full-length lane between Rawson Street and Beecroft Road, and conversion of the lane to allow both right and left turn movements from Carlingford Road onto Beecroft Road. According to the applicant's TIA, the provision of three lanes will provide greater opportunity for vehicles from Rawson Street to turn onto Carlingford Road.
60. The new signalised pedestrian crossing and Rawson St upgrade works are envisaged to take between 5-10 years according to Council's works program. The proposed additional 1.5:1 commercial only FSR will generate additional contributions in accordance with Council's Outside CBD Contributions Plan, contributing up to \$2,506 per additional worker based upon a sqm rate that ranges from 20 sqm per worker (for an office premises) up to 224 sqm per worker (for a vehicle sale or hire premises – a type of retail premises). According to the submitted Economic Assessment (**Attachment 6**), the proposed 1.5:1 commercial FSR (13,677 sqm approx.) will comprise:
- 7,430 sqm of either business or office floorspace = estimated development contributions of \$930,979 (office premises) or up to \$423,172 (business premises).
 - 6,247sqm of retail floorspace (3,100 sqm supermarket and 3,147 sqm specialty retail) = estimated development contributions of \$141,247 (supermarket) and \$138,357 (specialty retail).
61. Based on the above figures provided by the applicant, the estimated development contributions would be up to \$1,210,583 (should office premises be pursued under first option above). The applicant could opt to either pay these additional contributions (whereby Council would undertake the works in accordance with the Outside CBD Contributions Plan) or carry out the works and have the contributions offset via a Works in Kind Agreement at the development application stage.
62. Considering the minor increased traffic that will result from the additional floorspace that would be permitted under the Planning Proposal, and that mitigations are being investigated to lessen existing pedestrian and traffic impacts, the Planning Proposal is supported noting the critical need for commercial activation of the Epping Town Centre.
63. The proposal will also be formally referred to TfNSW should this Planning Proposal proceed to public exhibition where feedback will be sought as to whether they are satisfied with the measures proposed in the submitted Transport Impact Assessment following their preliminary advice on this matter which does not raise any objection to the Planning Proposal.

RELATIONSHIP TO EPPING TOWN CENTRE PLANNING PROPOSAL

64. As noted earlier, Council has previously sought to increase the provision of commercial development within the Epping Town Centre via a precinct wide Planning Proposal that was refused by DPHI at Gateway stage despite that Planning Proposal demonstrating a general strategic alignment with relevant State and local strategic plans.

65. A key reason provided by the now DPHI for the refusal of the previous Planning Proposal was that there was no guarantee that the intended outcome of the Planning Proposal would be achieved. Specifically, the Council initiated Planning Proposal sought to allow an additional 1:1 FSR for “non-residential uses” above the existing mapped FSR. The now DPHI Gateway Determination report stated that *“It is considered that if the market deems it more feasible to provide other non-residential uses over commercial floorspace, than these other non-residential uses will be provided by landowners unless the provision of commercial floorspace is specifically mandated by the proposed provisions”* (Gateway Determination Report – P8).
66. The precinct wide Planning Proposal identified that not all sites within the identified area could deliver the intended outcome as they had already been recently developed, had recent development consents or were constrained due to their lot configuration. The Gateway Determination report noted that a more targeted approach to sites that can in fact deliver the intended outcome would be preferred. The site at 53-61 Rawson Street is one such site that can deliver this intended outcome and hence is being pursued as a site-specific Planning Proposal in this instance. As a result, the subject Planning Proposal addresses the concern about the nature of uses that the additional floorspace would be used for by recommending that the additional FSR to be provided under this Planning Proposal be instead required to be provided as *commercial premises*.
67. The Gateway Determination report also stated that the Planning Proposal was not supported due to it resulting in a worsening traffic outcome for the Epping Town Centre. This was reinforced by advice from TfNSW advising that Council’s Proposal not be supported. The subject Planning Proposal will only result in a minor increase in traffic generation that will not result in adverse impacts to the extent they were projected under the previous Planning Proposal. As noted earlier, the advice provided by TfNSW does not object to the subject Planning Proposal (refer to Traffic section) but will be referred to them again should it proceed to public exhibition.
68. It is noted that the Council Planning Proposal also sought an increase in height from 48m (15 storeys) to 80m (24 storeys). Whilst this is less than what is currently proposed under the subject Planning Proposal (122m / 36 storeys) subsequent analysis of the flooding constraints presented by the site indicate it is unlikely that the 1:1 commercial proposed under Council’s Planning Proposal in conjunction with the existing 4.5:1 FSR could have been reasonably accommodated within the proposed 80m height.

PROPOSED EPPING TOWN CENTRE MASTER PLAN

69. At the Council Meeting on 13 May 2024, a Notice of Motion was considered that sought to commence the preparation of a scoping study to prepare a Master Plan for the Epping Town Centre. Council resolved that a scope for the preparation of the Master Plan be prepared that addresses a range of issues including laneways and circulation within the precinct as well as opportunities to improve traffic and accessibility and built form and public domain interfaces. The Master Plan will also consider the role of Council’s Rawson Street car park to the immediate south of the subject site in achieving its objectives and requirements for Epping.

70. Council also resolved that the Master Plan inform a potential review of the existing planning controls for the Centre and it provide costs and timing for any changes that may be proposed. The scoping report will be prepared in the coming months.

SITE SPECIFIC DEVELOPMENT CONTROL PLAN

71. A draft Site-Specific Development Control Plan (SSDCP) (**Attachment 3**) has been prepared by the applicant to accompany the Planning Proposal. The draft SSDCP provides details on site arrangement, road layout, envelope controls and open space including public domain parameters consistent with the concept design for the site.
72. The draft SSDCP will amend controls specific to the Epping Local Centre as outlined in Parramatta DCP 2023 (Part 8.1.1.1) and will provide site-specific controls for:
- Site layout and envelope - establishing a site plan that dictates the future location of built form, streets, and public domain.
 - Open space and public domain - setting out the quality and character of the internal plaza and publicly accessible open space area.
 - Laneway access - to be supported by appropriate design treatments and flood control measures.
 - Setbacks - bespoke controls responding to the corner location at Carlingford Road and Rawson Street and site constraints.
 - Building height and number of storeys – requires two towers only, and height in storeys to correspond with the proposed PLEP 2023 height control.
 - Floor to floor heights - to meet National Construction Code requirements, structure, and servicing input (falls within the slab).

PLAN-MAKING DELEGATIONS

73. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

CONSULTATION & TIMING

74. The Planning Proposal and supporting documents were referred internally to various Council staff/teams including City Design, Flooding and Traffic, and Open Space teams. External referrals were also issued to TfNSW and DPHI, who have not objected to the Planning Proposal.

FINANCIAL IMPLICATIONS FOR COUNCIL

75. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the community consultation are covered by the fees associated with the submission of the Planning Proposal.

CONCLUSION AND NEXT STEPS

76. This report recommends that the Planning Proposal for 53-61 Rawson Street, Epping be submitted to the DPHI for Gateway assessment.

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Project Officer Land Use

Michael Rogers
Land Use Planning Manager

David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

1	Applicant's Planning Proposal Report	102 Pages
2	Additional Local Provisions Map and HOB Map	2 Pages
3	Draft Site Specific DCP	
4	Indicative Architectural Drawings (two tower scheme) and Public Domain Plans	25 Pages
5	Previous Council Planning Proposal	163 Pages
6	Economic Impact Assessment	39 Pages
7	Flooding Report and Flooding Addendum Report	78 Pages
8	Transport Impact Assessment	246 Pages
9	Social Impact Assessment	2 Pages
10	Wind Assessment Report	22 Pages
11	Infrastructure Report	23 Pages

VIEW 21 MAY 2024 LOCAL PLANNING PANEL MEETING BUSINESS PAPER TO ACCESS ATTACHMENTS:

https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT.PDF