

# 242-244 Beecroft Road, Epping

## Amending Concept SSD and Amending Detailed Design SSD

State Significant Development Assessment Report (SSD-68939460 and SSD-68708456)

June 2025





# Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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242-244 Beecroft Road, Epping (SSD-68939460 and SSD-68708456)  
Assessment Report

Published: June 2025

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# Executive Summary

This report details the Department's assessment of two State significant development (SSD) applications for 242-244 Beecroft Road, Epping. The first is an Amending Concept SSD (SSD-68939460), and the second is an Amending Detailed Design SSD (SSD-68708456).

The Trustee for the Think Planners Unit Trust (the Applicant) proposes to amend the approved Concept and Detailed Design SSDs following recent amendments to State Environmental Planning Policy (Housing) 2021. These changes allow up to 30% additional floor space ratio and building height above the maximum permissible standards for a development that includes at least 15% affordable housing.

The Amending Concept SSD proposes alterations and additions to the Concept building envelopes to accommodate additional apartments, including increased building heights, additional gross floor area, an additional basement car parking level and minor alterations to building footprints. The Amending Detailed Design SSD seeks approval to construct the development consistent with the Amending Concept. The proposal would increase the number of apartments from 374 to 479 (105 additional apartments) and increase car parking spaces from 366 spaces to 559 spaces (193 additional car spaces).

The project is SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it meets the criteria in Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 for residential development with an estimated development cost over \$30 million associated with rail infrastructure. The Independent Planning Commission (IPC) is the consent authority for the applications, as City of Parramatta Council objects to the proposal.

The Department exhibited the environmental impact statements (EISs) from 18 September 2024 until 15 October 2024. During the exhibition period, the Department received: six unique submissions from the public (one submission from a special interest group and five submissions from individuals), a submission from the City of Parramatta Council objecting to the project, and advice from Government agencies. Key concerns raised related to traffic congestion, car parking, building height and amenity impacts.

The Applicant submitted a Response to Submissions (RtS) report on 24 April 2025, providing further information and justification in response to the issues raised during the exhibition period. It also addressed Sydney Metro's corridor protection issues and provided further justification for the proposed car parking rates. The Applicant also amended the proposed landscaping and waste servicing designs following Council's submissions.

The Department has considered the merits of the proposal in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act), the issues raised in the submissions and the

Applicant's response. Overall, the Department considers the proposal is acceptable for the following reasons:

- it supports the NSW Government's priority to deliver additional housing in accessible areas that are close to public transport, jobs, and services
- it aligns with the objective of SEPP (Housing) 2021 to provide greater affordable housing by including 15% affordable units, which results in a total of 81 affordable apartments
- it fully complies with the SEPP Housing building height and floor space standards and would not result in any significant visual or amenity impacts in terms of overshadowing, view loss or privacy impacts
- it would result in a high-quality built form outcome and achieve a high level of residential amenity for future occupants
- it would have limited traffic impacts and comply with the non-discretionary development standard within SEPP (Housing) 2021 for car parking
- it increases resident amenities and facilities alongside the proposed additional population, including a larger amount of communal open space, introduction of resident communal rooms and a gym, a second swimming pool and larger lobbies and corridors.

For these reasons, the Department considers the project to be in the public interest and concludes that it is approvable, subject to conditions.



# Contents

<b>Executive Summary .....</b>	<b>i</b>
<b>1 Introduction.....</b>	<b>1</b>
1.1 Project location .....	1
1.2 Project background .....	4
<b>2 Project.....</b>	<b>5</b>
2.1 Project overview .....	5
2.2 Physical layout and design .....	6
<b>3 Policy and statutory context .....</b>	<b>8</b>
3.1 Housing supply.....	8
3.2 Permissibility and assessment pathway .....	8
3.3 Other approvals and authorisations .....	9
3.4 Planning Secretary's environmental assessment requirements.....	9
3.5 Mandatory matters for consideration .....	9
<b>4 Engagement.....</b>	<b>10</b>
4.1 Exhibition of the EIS .....	10
4.2 Response to submissions.....	13
<b>5 Assessment.....</b>	<b>14</b>
5.1 Built form.....	14
5.2 Overshadowing of adjoining and surrounding residential properties.....	16
5.3 Traffic and parking.....	18
5.4 Other issues .....	20
<b>6 Evaluation.....</b>	<b>25</b>
<b>Appendices.....</b>	<b>26</b>
Appendix A – List of referenced documents, submissions and advice .....	26
Appendix B – Department's consideration of submissions.....	26
Appendix C - Statutory considerations .....	28

Appendix D – Recommended instrument of consent – Amending Concept SSD .....	47
Appendix E – Recommended instrument of consent – Amending Detailed Design SSD .....	47

# 1 Introduction

## 1.1 Project location

1. The subject site is located to the north of the Epping Town Centre in the City of Parramatta Local Government Area. The site is shown in **Figures 1 and 2**, and further project location details are provided in **Table 1**.
2. Several sites in Epping, including the subject site, were rezoned for higher-density residential uses in 2014. Subsequently, a number of mixed-use and residential flat building developments have taken place.
3. The site is well connected to transport and amenities as Epping has retail and community uses and excellent access to public transport services, including the T9 Northern Line, the M1 Sydney Metro and bus services.



**Figure 1** | Local context map





**Figure 2 |** Local context aerial photograph (Source: Applicant’s EIS)

**Table 1 |** Key aspects of the project site

Aspect	Description
Address	242-244 Beecroft Road, Epping
Local Government Area (LGA)	City of Parramatta Council
Legal description	Lots 220 and 222 in Deposited Plan 1251471
Site area	10,120m <sup>2</sup>
Existing development	The site has been cleared of previous buildings as part of the construction of the Sydney Metro North West rail line and a local “early works” development application with Council.



Aspect	Description
<b>Surrounding roads</b>	<p>The site has a frontage to Beecroft Road to the east and Ray Road to the west.</p> <p>The intersection of Beecroft Road and Carlingford Road is a significant thoroughfare for local and regional traffic through the Epping town centre. Traffic is congested in the surrounding street network during peak weekday and weekend periods.</p> <p>Transport for NSW has exhibited a concept proposal to replace the Epping rail bridge with a seven lane bridge with additional westbound lane and turning lane into Blaxland Road.</p>
<b>Topography</b>	<p>The site falls from east to west, with the Beecroft Road frontage sitting approximately 8m higher than the Ray Road frontage.</p>
<b>Existing access</b>	<p>Approved driveway and pedestrian access is from Beecroft Road and Ray Road.</p>
<b>Public transport</b>	<p>Epping railway station is located 300m to the south of the site and incorporates the T9 northern line between Central and Hornsby and Sydney Metro services between Sydenham and Tallawong.</p> <p>Beecroft Road to the south of the site has a bus interchange primarily for services to and from Macquarie Park, Carlingford and Parramatta.</p>
<b>Heritage</b>	<p>The site does not contain any heritage items and is not in a heritage conservation area.</p> <p>Nearby heritage items comprise a dwelling at 25 Ray Road to the north, the Rosebank Avenue Conservation Area to the north-west and remnant bushland along Beecroft Road to the north.</p>
<b>Flooding</b>	<p>Portions of the site fronting Ray Road are subject to flooding comprising overland flow across the site into a low point to the north and into a concrete culvert associated with Devlins Creek.</p>

## 1.2 Project background

### 1.2.1 Approved Concept Development

4. On 22 July 2020, the then Minister for Planning approved the Concept Development Application for 242-244 Beecroft Road (SSD 8784), permitting a mixed-use development including:
  - building envelopes with a scale of five to 15 storeys
  - maximum GFA of 38,700m<sup>2</sup> comprising maximum residential floor area of 37,700m<sup>2</sup> and maximum non-residential GFA between 750m<sup>2</sup> and 1,000m<sup>2</sup>
  - conceptual land use for non-residential and residential floor space, which may include office premises, business premises, food and drink premises, shops and medical centres
  - minimum 5% residential GFA as affordable housing dwellings for 10 years
  - basement car parking, motorcycle parking, bicycle parking and service vehicle spaces.

### 1.2.2 Concept Modification and Detailed Design SSD

5. On 19 September 2023, the Independent Planning Commission granted development consent to a Section 4.55(2) Modification to SSD-8784 and a concurrent Detailed Design application (SSD-31576972).
6. The Concept modification altered the layout of the approved building envelopes including adjusting the alignment of the buildings to improve solar access, increasing building height due to higher localised ground levels, relocation of basement car park access and rearrangement of communal open spaces.
7. The Detailed Design approval granted consent for construction of a mixed-use development with a scale of five to 15 storeys and containing:
  - five residential flat buildings containing 374 apartments including 19 affordable housing dwellings for 15 years
  - commercial premises
  - basement car parking
  - outdoor public plaza and publicly accessible through-site link
  - stratum subdivision of the site.

## 2 Project

### 2.1 Project overview

8. The proposal seeks approval for an Amending Concept and Amending Detailed Design SSDAs for additional building height and density under the in-fill affordable provisions of SEPP (Housing) 2021. Key aspects of the project are provided in detail in the Project Description chapter of the EIS (see **Appendix A**) and are outlined in **Table 2**.

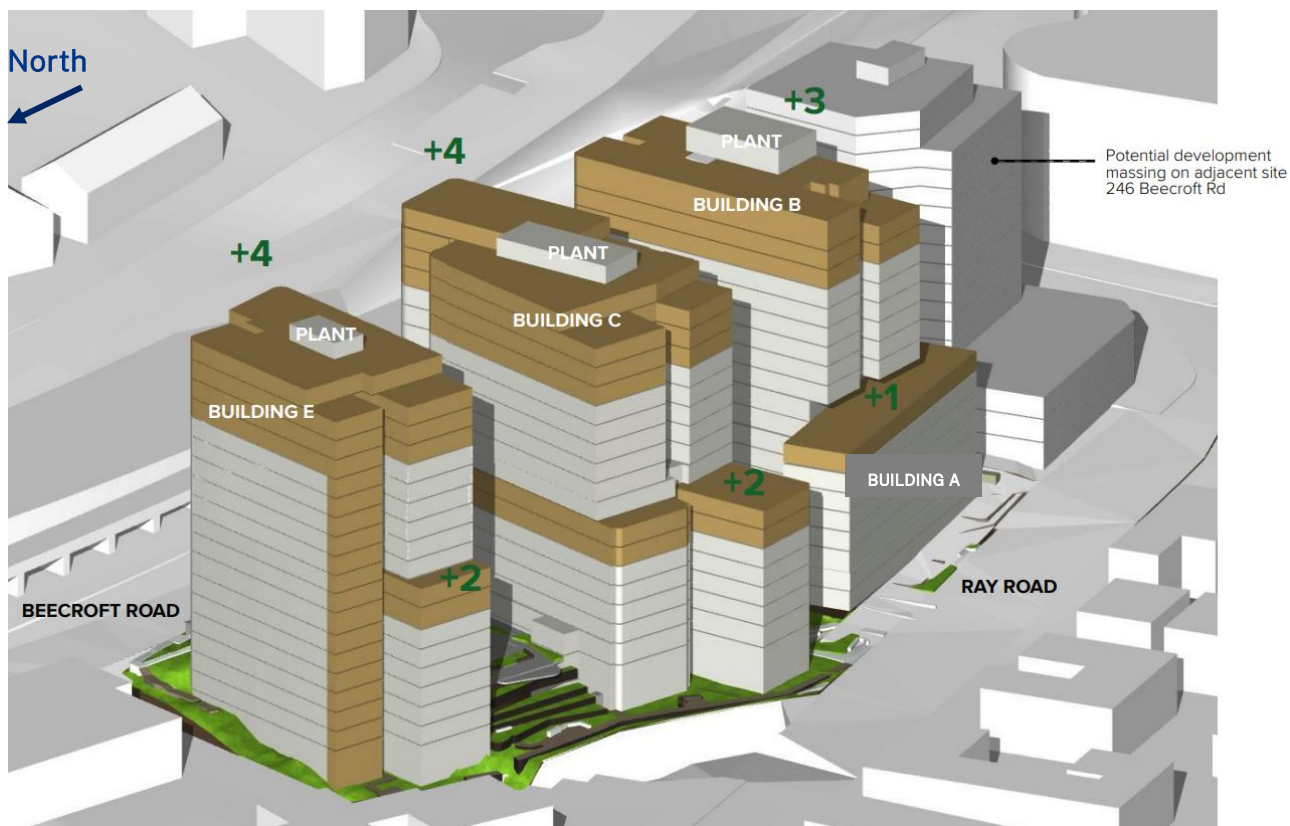
**Table 2 | Key aspects of the project**

Aspect	Description
<b>Gross floor area (GFA)</b>	<ul style="list-style-type: none"><li>11,216m<sup>2</sup> of additional GFA (total of 49,829m<sup>2</sup>), comprising:<ul style="list-style-type: none"><li>11,310m<sup>2</sup> of additional residential premises</li><li>94m<sup>2</sup> reduction in commercial premises from 913m<sup>2</sup> to 819m<sup>2</sup></li></ul></li></ul>
<b>Building heights</b>	<ul style="list-style-type: none"><li>one, two, three and four storey additions to podiums and towers:-<ul style="list-style-type: none"><li>Building A: 2.85m additions (+1 storey to seven total storeys)</li><li>Building B: 11.16m additions (+3 storeys to 16 total storeys)</li><li>Building C: 12.6m additions (+4 storeys to 18 total storeys)</li><li>Building D: 7.1m additions (+2 storeys to seven total storeys)</li><li>Building E: 11.76m additions (+4 storeys to 17 total storeys)</li></ul></li></ul>
<b>Basement</b>	<ul style="list-style-type: none"><li>one additional level of basement car parking</li><li>193 additional car parking spaces (total of 559 spaces)</li></ul>
<b>Dwellings</b>	<ul style="list-style-type: none"><li>105 additional apartments (total of 479 including 81 affordable)</li></ul>
<b>Open space</b>	<ul style="list-style-type: none"><li>284m<sup>2</sup> of additional communal open space (total of 4,438m<sup>2</sup>, or 43.7% of site area)</li><li>41m<sup>2</sup> of additional deep soil zones (total of 2,116m<sup>2</sup>, or 20.8% of site area)</li></ul>
<b>EDC</b>	\$51,474,638
<b>Employment</b>	<ul style="list-style-type: none"><li>40 construction jobs</li><li>-1 operational job as there is a small reduction in the area of the commercial premises.</li></ul>



## 2.2 Physical layout and design

9. The proposed form of the Amending Concept development and the Amending Detailed Design development are shown in **Figures 3 to 5**.



**Figure 3** | Amending Concept building envelopes with proposed additions in storeys (Source: Applicant's EIS)



**Figure 4** | Photomontage from Beecroft Road (Source: Applicant's EIS)



**Figure 5** | Photomontage from Ray Road showing Buildings A, B and C (Source: Applicant's EIS)



## 3 Policy and statutory context

### 3.1 Housing supply

10. The NSW Government has set a target of 377,000 well-located homes over the next five years. This policy supports the National Housing Accord, which aims to deliver a national target of 1.2 million new, well-located homes over five years to June 2029.
11. In December 2023, the Department amended SEPP (Housing) 2021 in relation to in-fill affordable housing developments which enable a potential uplift of up to 30% above existing development standards for gross floor area and building height where a proposal includes at least 15% affordable housing for at least 15 years. This reform aims to support the delivery of well-located affordable and market housing.

### 3.2 Permissibility and assessment pathway

12. Details of the legal pathway under which consent is sought and the permissibility of the project are provided in **Table 2** below.

**Table 2** | Permissibility and assessment pathway

Consideration	Description
<b>Assessment pathway</b>	The project is SSD under section 4.36 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) as it meets the criteria in Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 for residential development with an estimated development cost over \$30 million associated with rail infrastructure. The site is partly located above the North West Metro underground tunnel and was formerly part of the construction site for the Sydney Metro.
<b>Consent authority</b>	The IPC is the declared consent authority under section 4.5(a) of the EP&A Act and section 2.7(1) of the Planning Systems SEPP.
<b>Permissibility</b>	<p>The site is zoned R4 High Density Residential. Residential development is permissible with consent. However commercial premises larger than 100m<sup>2</sup> for neighbourhood shops are prohibited in the R4 High Density Residential zone.</p> <p>Nevertheless, clause 4.38(3) of the Environmental Planning and Assessment Act allows for consent to be granted for partly prohibited development.</p>



### 3.3 Other approvals and authorisations

13. Under section 4.41 of the EP&A Act, a number of authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.
14. The Department has consulted with and considered the advice of the relevant Government agencies responsible for these other authorisations in its assessment of the project (see **Section 4** and **Section 5**). Suitable conditions have been included in the recommended conditions of consent (see **Appendix C**).

### 3.4 Planning Secretary's environmental assessment requirements

15. The Department's review determined that the EIS for each application addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 27 March 2024 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

### 3.5 Mandatory matters for consideration

16. Mandatory matters for consideration include:
  - Matters of consideration required by the EP&A Act
  - Objects of the EP&A Act and ecologically sustainable development (ESD)
  - Biodiversity development assessment report
  - Matters of consideration required by the EP&A Regulation
  - Matters of consideration required by environmental planning instruments.
17. The Department's consideration of these matters is summarised in **Appendix C**.
18. As a result of this consideration, the Department is satisfied that the development meets statutory requirements.

# 4 Engagement

## 4.1 Exhibition of the EIS

### 4.1.1 Public exhibition of the EIS

19. After accepting the development application and EIS, the Department:
- publicly exhibited the project from 18 September until 15 October 2024 (28 days) on the NSW Planning Portal
  - notified occupiers and landowners in the vicinity of the site about the public exhibition
  - notified and invited comment from relevant Government agencies and City of Parramatta Council.
20. During the public exhibition period, the Department undertook a site visit on 11 October 2024.

### 4.1.2 Summary of advice received from Government agencies

21. The Department received advice from four Government agencies on the EIS.
22. A summary of the agency advice is provided in **Table 4**. A link to full copies of the advice in provided in **Appendix A**.

Table 4 | Summary of agency advice

Agency	Advice summary
Sydney Metro	Additional information is required to demonstrate the impact of the proposal on the North West corridor which runs under the proposal. This includes survey information, geotechnical reports, structural design details, construction methodology details and an engineering assessment of impacts to the tunnel.
Environment Protection Agency (EPA)	The proposal will not require an Environment Protection Licence and would not be regulated under the Contaminated Land Management Act.

Agency	Advice summary
<b>Sydney Water</b>	<p>It is noted that a Section 73 Notice of Requirements has been issued in relation to the approved Concept SSD and Detailed Design SDD.</p> <p>An increase of total dwellings to 479 and total GFA to 49,829m<sup>2</sup> is noted.</p> <p>A further Section 73 Notice of Requirements process will be needed. However, preliminary assessment indicates that water and wastewater servicing should be available.</p> <p>No building or permanent structure must be proposed over the stormwater channel to the north of the site or within 1m of the outside wall of the channel.</p>
<b>Transport for NSW</b>	The development is unlikely to impact the classified road network. As such, TfNSW has no further comment

23. No concerns or comments were received from NSW Police, Ausgrid or AGL.

#### 4.1.3 Summary of Council submissions

24. The City of Parramatta Council objected to both applications. In particular, it raised concerns about the proposed increase in density and car parking on the site and its impact on traffic generation.
25. Issues raised by Council on the RtS are summarised below. A link to its submission on the EIS and RtS are provided in **Appendix B**.

**Table 5 | Summary of final Council advice**

Council	RtS Submission summary
<b>City of Parramatta Council</b>	<ul style="list-style-type: none"> <li>car parking rates are not supported and should be reduced to rates provided in the Parramatta DCP and Transport for NSW's Guide to Traffic Impact Assessment</li> <li>additional density will have unacceptable traffic impacts. Any additional traffic generation on Ray Road is not supported due to the impact on right turn movements from Rawson Street</li> <li>the design for waste collection needs to be for heavy rigid vehicles rather than medium rigid vehicles.</li> </ul>



4.1.4 Summary of public submissions to Amending Concept SSD

- 26. The Department received four submissions in relation to the Amending Concept EIS, comprising one from a special interest group, Epping Civic Trust objecting to the proposal, and three from individuals. Two of the three individual submissions objected to the project and one supported the project.
- 27. The key issues raised in the public submissions is provided in **Table 6** and a link to all submissions in full is provided in **Appendix B**.
- 28. The Department’s consideration of the public submissions is provided in **Appendix B**.

**Table 6 | Key issues raised in public submissions on the Amending Concept EIS**

Issue
Epping has a lack of infrastructure to provide amenities for the increased number of residents in regard to open space, schools, medical facilities and shops.
Epping has lost employment space, tree canopy and open space.
The height and floor space ratio increases are extreme.
Support more affordable housing than the prior proposal, commercial space and a 5-star Green Star sustainability rating.
Excess car parking proposed.
Additional car parking reduces the affordability of apartments.
Affordable housing should be provided in perpetuity as part of the proposal.
The need for more affordable housing
High-rise development should be restricted to the east side of the railway line in Epping.
Buildings B, C and E are well above an acceptable height for the west side of the rail line.
Solar access impacts on the apartments on the opposite side of Ray Road.
Additional traffic congestion on Ray Road as the road only has one lane in each direction.
Inadequate green space and street setbacks.

4.1.5 Summary of public submissions to Amending Detailed Design SSD

- 29. The Department received three submissions in relation to the Amending Detailed Design EIS, all of which were from individuals. Two submissions objected to the project and one supported the project.
- 30. The key issues raised in the public submissions is provided in **Table 7** and a link to all submissions in full is provided in **Appendix B**.

**Table 7 |** Key issues raised in public submissions on the Amending Detailed Design EIS

Issue
Support more affordable housing than the prior proposal, commercial space and a 5-star Green Star sustainability rating.
Car parking exceeds the Parramatta DCP and should be reduced.
Car parking is insufficient.
Additional car parking reduces the affordability of apartments.
Ray Road and Carlingford Road intersection needs upgrading
Solar access impacts on the apartments on the opposite side of Ray Road.
Sustainability measures can be increased by providing more green space and solar panels
Affordable dwellings should be offered to essential workers
Traffic report understates the existing traffic congestion on Ray Road

4.2 Response to submissions

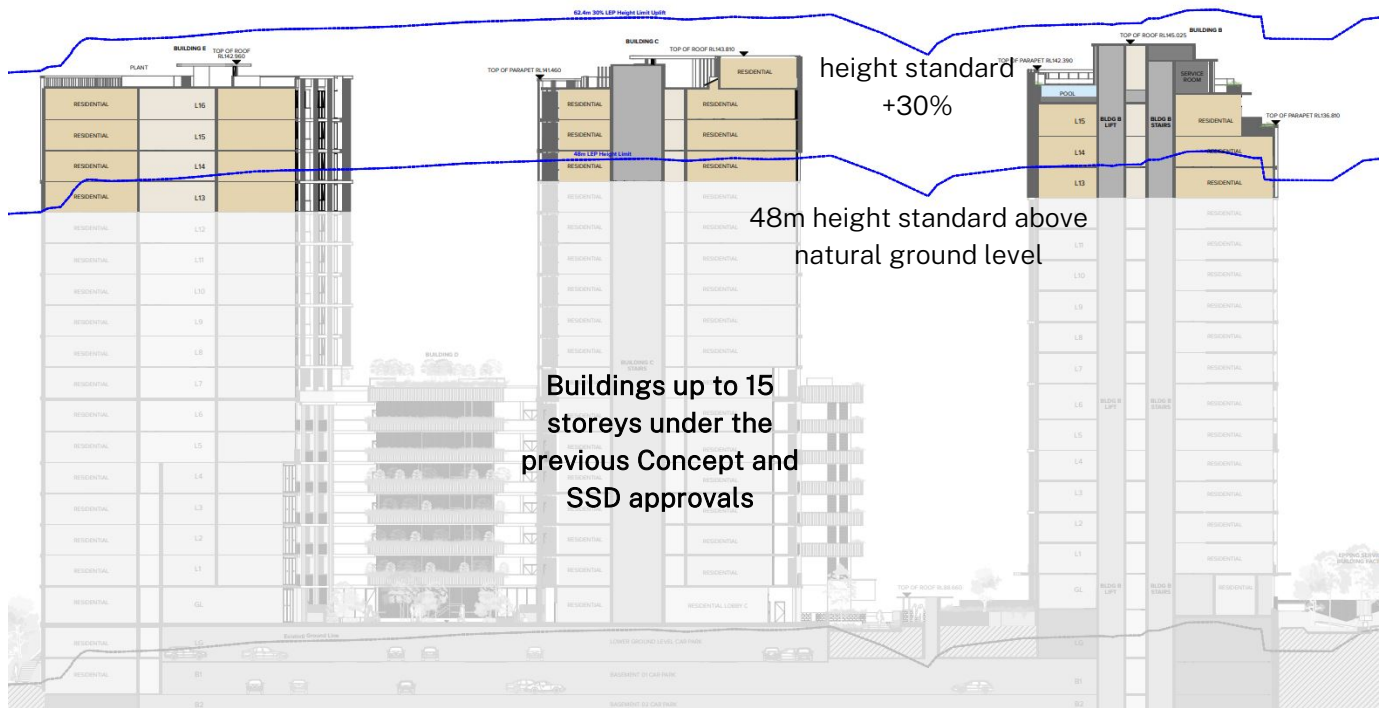
- 31. Following the public exhibition period, the Department asked the Applicant to respond to the issues raised in submissions and the comments received from Government agencies. The Applicant provided a submissions report to the Department on 24 April 2025 (see **Appendix A**).
- 32. The Department published the submissions report on the NSW Planning Portal and forwarded the submissions report to relevant Government agencies and Council for comment.

## 5 Assessment

33. The Department has assessed the proposal, considering all documentation submitted by the Applicant, all issues raised in submissions and all advice provided by Government agencies.
34. The Department considers the key assessment issues are:
- built form
  - overshadowing impact
  - traffic and parking
35. The Department's consideration of other issues is described in **Section 5.4** and the appendices of this report.

### 5.1 Built form

36. The proposal is subject to a maximum permissible FSR of 4.94:1 and a maximum building height of 61.7 m, which is comprised of:
- a base FSR of 3:8:1 and a base building height limit of 48 m under the Parramatta Local Environmental Plan 2023 (PLEP), and
  - an additional 30% increase to the base FSR and height under SEPP (Housing) 2021 as more than 15% of the total GFA of the development is for affordable housing.
37. The proposal would result in a maximum height of 61.7 m and a maximum FSR of 4.91:1 (**see Figure 6**) and therefore it complies with the development standards of the Housing SEPP.



**Figure 6 | Section through Buildings B, C and E showing additional levels (Source: Applicant's EIS)**

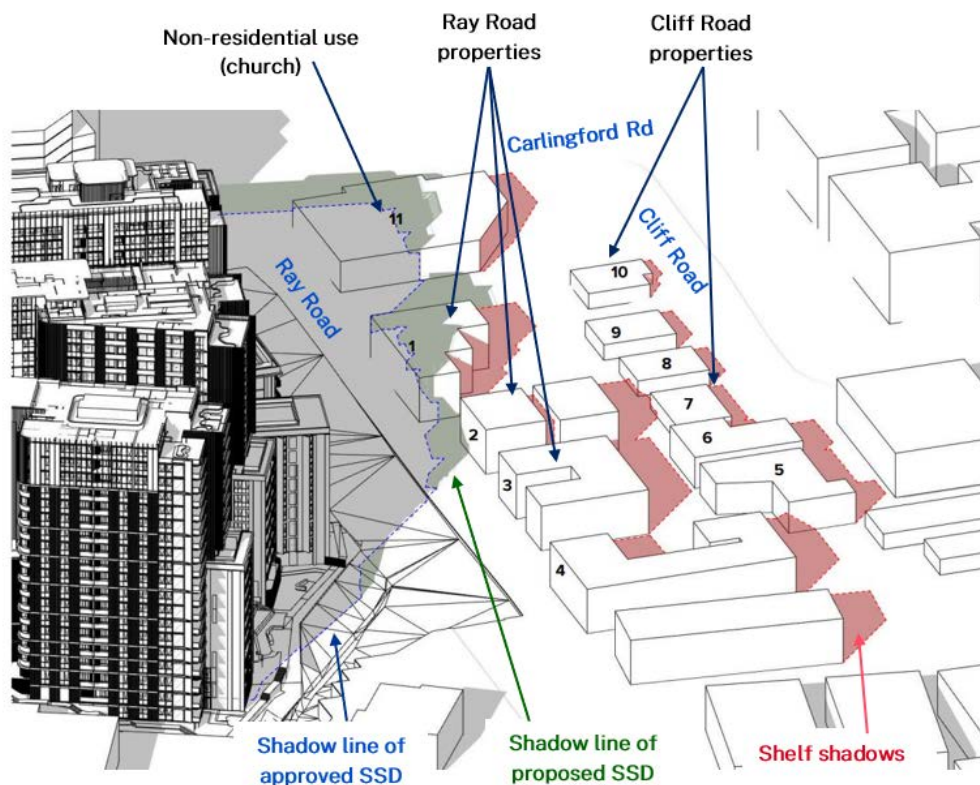
38. Public submissions raised concerns with the proposed height and density increases, stating the increases compared to the approved project are not appropriate and high-rise development should only occur on the eastern side of Epping.
39. The Department has carefully considered the proposal along with the concerns raised in the submissions and is satisfied that the proposed building heights and density are acceptable for the following reasons:
  - the proposal fully complies with the Housing SEPP provisions, allowing 30% additional height and density above PLEP standards to boost housing supply and affordability. The proposal provides 7,481m<sup>2</sup> of total GFA as affordable housing floorspace, equating to 81 affordable dwellings
  - the proposed 18-storey buildings would continue to be compatible with nearby developments near Epping Town Centre, including several taller buildings east of the rail line and the potential redevelopment of 246 Beecroft Road to the south
  - additional gross floor area has been appropriately distributed to the podium and tower portions of the approved development and would support good residential amenity in respect to the ADG (see **Section 5.4**)
  - the increased building height and density would not lead to any unreasonable visual or amenity impacts, such as overshadowing of neighbouring properties (see **Sections 5.2 and 5.4**)



- the proposal would continue to result in a high-quality urban design outcome, noting the State Design Review Panel (SDRP) supported the proposal, including the alterations and additions to the built form and their architectural expression. The proposal also adopted SDRP's recommendations regarding an increase in communal open space, minimising overshadowing impacts, and providing a more detailed Connecting to Country response (see **Appendix C – Table 17** ).
40. For these reasons, the Department is satisfied that the proposed alterations and additions to the previously approved development would result in a high-quality built form and design outcome for the site.

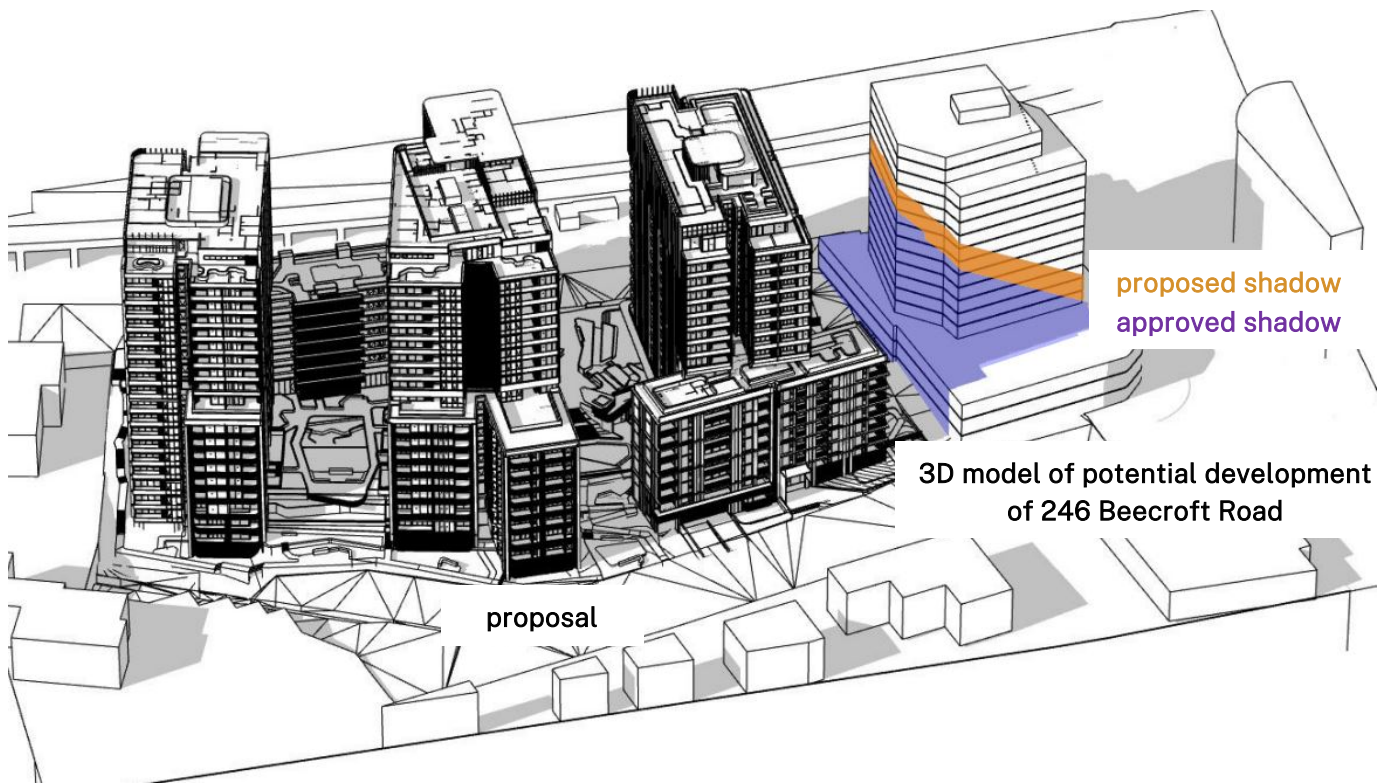
## 5.2 Overshadowing of adjoining and surrounding residential properties

41. Public submissions raised concerns about the overshadowing of properties on Ray Road.
42. The State Design Review Panel advised that the Applicant must consider the overshadowing impacts of the proposed additional building height.
43. The ADG recommends that neighbouring properties maintain at least two hours of solar access to living rooms and private open spaces of affected residential dwellings between 9 am and 3 pm at midwinter (21 June).
44. At mid-winter, the overshadowing impacts of the proposal affect the residential properties along Ray Road (opposite the site) and Cliff Road, as well as the site adjoining the southern boundary at 246 Beecroft Road.
45. The Department notes that the submitted shadow diagrams illustrate the overshadowing impacts of the proposal on residential properties to Ray Road and Cliff Road at mid-winter are limited to before 10 to 11 am (see **Figure 7**). These properties would continue to receive more than 2 hours of sunlight access in accordance with the ADG.



**Figure 7 |** Overshadowing modelling at 10am at midwinter in respect to residential properties along Ray Road and Cliff Road.

46. The Department also notes that the applications included shadow modelling for potential redevelopment at 246 Beecroft Road (**Figure 8**). To ensure adequate solar access for the development at 246 Beecroft Road, the height of Building B was lowered by one to two levels beneath the maximum height limit. The modelling indicates that with this change, future development at 246 Beecroft Road can still provide over two hours of solar access for more than 70% of the apartments, consistent with ADG recommendations.
47. Based on the above, the Department is satisfied that the proposal will maintain reasonable solar access to surrounding residential properties, including existing residences along Ray Road and Cliff Road and future redevelopment at 246 Beecroft Road.



**Figure 8 |** Overshadowing model, at 1pm in midwinter, of potential development of 246 Beecroft Road, Epping

## 5.3 Traffic and parking

### 5.3.1 Traffic generation

48. The submitted Traffic Impact Assessment (TIA) estimates that the proposed additional 105 dwellings would generate between six and eight additional traffic movements per hour during peak hours compared to the original approved Concept SSD.
49. The proposal is estimated to result in a cumulative traffic generation of 97 vehicle trips per hour in the morning peak and 77 vehicle trips in the afternoon peak.
50. Public submissions raised concerns about traffic congestion surrounding the site, particularly regarding delays and congestion at the intersection of Ray Road and Carlingford Road near Beecroft Road during peak-hour traffic.
51. Council objects to the proposal, raising concerns about congestion at surrounding intersections. Council also requested information on traffic impacts during weekend peak periods (i.e. Saturdays), as there are long queues and delays, particularly at the Rawson Street intersection. Council also requested an assessment of the traffic impacts of the additional density and car parking.
52. In response, the Applicant provided additional analysis regarding Saturday traffic generation and maintained its argument that the proposal would have acceptable traffic impacts on the surrounding intersections. The TIA estimates that the proposal would result

in less than 1% additional traffic and no change to the level of service, compared to the current approval.

53. The Department notes that the submitted traffic report includes modelling for Ray Road and Carlingford Road, which indicates a Level of Service D during the AM peak, characterised by slow traffic, and a Level of Service E during the PM peak, where the road network reaches capacity. Additionally, both the Ray Road and Rawson Street intersections would operate at Level of Service F, resulting in extensive traffic delays and queuing.
54. The Department acknowledges the high level of traffic flow through the Epping town centre during peak periods. However, the Department accepts that the additional traffic generation from the proposal is minor (less than 1%) and would not result in any significant change to traffic impacts at the locality beyond those already assessed and approved.
55. Additionally, the Department notes that Transport for NSW has prepared and exhibited a design for the widening of the Epping rail overbridge to alleviate the impacts of through traffic on the Epping Town Centre. The design involves converting the bridge from five lanes to seven lanes and adding an extra turning lane onto Blaxland Road, which would help address a key cause of high traffic congestion in the area.
56. The Department accepts that the proposal is unlikely to significantly alter the existing congestion, which mainly results from commuter through traffic and the cumulative traffic from redevelopments in Epping Town Centre over time. The traffic impacts would also be alleviated by planned major road improvement works, which would increase network capacity, helping to ease traffic congestion in the area.

### 5.3.2 Parking

57. The proposal seeks to increase parking rates for the residential component and introduce separate car parking rates for affordable housing and market housing as outlined in **Table 8** below. The proposal increases from 366 to 559 car spaces (193 additional car spaces).

**Table 8 | Residential car parking rates**

Approved car parking rates from Concept SSD	Proposed rates for market housing	Proposed rates for affordable housing dwellings
1 bedroom – maximum 0.4 spaces	1 bedroom – 0.5 spaces	1 bedroom – 0.4 spaces
2 bedroom – maximum 0.7 spaces	2 bedroom – 1 space	2 bedroom – 0.5 spaces
3 or more bedroom – 1.2 spaces	3 or more bedroom – 1.5 spaces	3 or more bedroom – 1 space

58. The proposed car parking rates match those contained in SEPP (Housing) 2021, which are non-discretionary development standards (NDDS) and are expressed as minimum rates.
59. Council objected to the proposed number of parking spaces for market apartments and raised concerns regarding the Applicant's supporting arguments. Council contends that the number of car parking spaces is excessive, which would make car use more appealing to occupants and thus hinder efforts to promote more sustainable transport options.
60. Council also raised concern that the proposal would undermine the maximum car parking rates in Parramatta DCP and set an undesirable precedent for other developments in the area. The maximum car parking rates in the Parramatta DCP are consistent with the Concept Approval.
61. Public submissions contained mixed views on car parking, with some stating that the proposed provision is excessive, while others considered it insufficient.
62. In response, the Applicant stated that the proposal seeks a higher car parking rate for market apartments, as the amount proposed provides a level of supply to meet the demand from market apartment residents. Additionally, the Applicant argued that the proposed car parking rates reflect the NDDS for car parking contained in the Housing SEPP and therefore a more onerous standard cannot be imposed by the consent authority.
63. The Department acknowledges the mixed views on the provision of car parking for the proposal in submissions and agrees with both the Council and submitters that the site is well-connected to public transport and close to amenities. Additionally, the Department notes that the proposal departs from the assessments and conclusions in the Department's original assessment of the proposal.
64. Nevertheless, Section 4.15(2) of the EP&A Act limits the discretion of a consent authority concerning a NDDS. It restricts a consent authority from applying a more onerous standard, which could include a car parking requirement that departs from what is established in the Housing SEPP. Given the proposal complies with the NDDS car parking requirements outlined in the recently released Housing SEPP, the Department is satisfied that the proposal is acceptable.

## 5.4 Other issues

65. The Department's consideration of other issues is summarised in **Table 9** below.

**Table 9 | Assessment of other issues**



Issue	Findings and conclusions	Recommended conditions
<b>Partly prohibited development</b>	<p>Commercial premises, except for neighbourhood shops limited in area to 100m<sup>2</sup>, are prohibited in the R4 High Density Residential Zone under the Parramatta LEP 2023. However, an SSD may include partially prohibited development.</p> <p>The approved Concept SSD included commercial tenancies ranging between 750m<sup>2</sup> and 1,000m<sup>2</sup>. The Department notes the proposal maintains the location and general design of the approved commercial tenancies, including those that exceed 100m<sup>2</sup>, which would typically be prohibited in the R4 zone.</p> <p>Neither Council nor public submissions raised any concerns about maintaining the provision of non-residential floor space.</p> <p>The Department considers that the provision of the proposed commercial tenancies continues to align with the approved Concept SSD and is consistent with the R4 zone, which aims to provide high-density housing alongside limited commercial uses for residents' day-to-day needs.</p>	No conditions are necessary in relation to this issue.
<b>Apartment Design Guide</b>	<p>The proposal is accompanied by an Architectural Design Report detailing compliance with the requirements of the Apartment Design Guide (ADG).</p> <p>The Department has undertaken a detailed assessment of the proposal against the ADG in <b>Appendix C</b>. The Department is satisfied that the proposal will meet the key criteria and objectives of the ADG, including solar access, cross-ventilation, and communal open space.</p> <p>However, in relation to building separation, the proposed additional podium levels for Buildings A and C introduce three additional apartments where the building separation is between 13 m and 15 m, which is less than ADG guidance of 18 m. Other buildings would achieve the required ADG building separation.</p> <p>The Department finds the proposed variation is acceptable as it is minor, and the three affected apartments have living rooms oriented towards the west, while the bedrooms and bathrooms face inward to maintain appropriate levels of privacy.</p>	No conditions are necessary in relation to this issue.

Issue	Findings and conclusions	Recommended conditions
	<p>The Department's assessment, therefore, concludes the proposal would continue to provide acceptable levels of residential amenity for future residents.</p>	
<b>Affordable Housing</b>	<p>The applications propose 15% of the total gross floor area (GFA) as affordable housing, totalling 7,481 m<sup>2</sup> or 81 dwellings. A Community Housing Provider would manage the dwellings for 15 years.</p> <p>Public submissions suggested that more than 15% of the proposed GFA should be allocated for affordable housing, with a tenure period extending beyond 15 years.</p> <p>The Department acknowledges that the proposed allocation of 15% of the total GFA as affordable housing for 15 years aligns with the SEPP (Housing) 2021. Therefore, the Department is satisfied that the proposal is acceptable.</p>	<p>The Department recommends conditions requiring the provision of 15% of total GFA as affordable housing with the minimum tenure to be 15 years and the dwellings to be managed by a Community Housing Provider.</p>
<b>Flooding and stormwater</b>	<p>The EIS was accompanied by a Flood Risk and Impact Assessment to address changes in the layout and civil design.</p> <p>The Department has reviewed the Flood Impact Assessment and is satisfied that the proposal will not result in any significant flood impacts or increase risk beyond those already assessed and approved as:</p> <ul style="list-style-type: none"> <li>• flood hazard to all affected properties and road reserve remains unchanged</li> <li>• overland flow paths within the site are maintained in the amending design</li> <li>• flood planning levels adopted for the site are observed</li> <li>• the proposals would not create any significant adverse impact to the existing flood behaviour or on the properties surrounding the site</li> <li>• flood risk had been minimised through the adoption of flood levels, flood protection measures and vertical evacuation opportunities in stairwells and lobbies if necessary.</li> </ul>	<p>The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring detailed stormwater management details to be submitted to Council and the Certifier.</p>

Issue	Findings and conclusions	Recommended conditions
<b>Construction impacts</b>	<p>Construction of the approved development commenced in December 2024 and is subject to the requirements of the conditions of consent in the current approval, including a construction management plan and associated sub-plans.</p> <p>The Amending Detailed Design SSD is anticipated to result in changes to the existing construction management plan, incorporating the increased scope of the development.</p> <p>While some extended construction impacts are inevitable, the Department is satisfied that the impacts can be appropriately mitigated and managed to an acceptable level in accordance with the recommended conditions of consent.</p>	<p>The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring amendments to the construction management sub-plans already operating over the site.</p>
<b>Landscape design</b>	<p>Council raised concerns that:</p> <ul style="list-style-type: none"> <li>• tree retention measures are inconsistent, with some plans indicating tree retention and others not.</li> <li>• landscape plans indicate low soil volume for large trees. Council suggested increasing soil volume or reducing tree numbers and sizes where volume cannot be increased.</li> </ul> <p>The Department is satisfied that the Applicant's RTS has addressed the issues raised, including clarifications about tree retention near the northern and southern boundaries. The amended plans also incorporate a reduced size of tree species in areas where large soil volumes cannot be provided.</p>	<p>No conditions are necessary in relation to this issue. Updated landscape and civil plans lodged with the RTS form part of the recommended stamped plans.</p>
<b>Waste servicing</b>	<p>Council raised concerns about the design of the waste servicing area, recommending that it be designed to accommodate heavy rigid vehicles (HRV) in accordance with its requirements.</p> <p>In response, the Applicant clarified that a HRV can be accommodated during the design development stage prior to a Construction Certificate. A covering letter and marked-up drawing from the architects were provided, demonstrating that an HRV can service the development.</p> <p>The Department is satisfied that the submitted additional documents illustrate that HRV waste collection can be accommodated in the basement design and recommends</p>	<p>The Department recommend the basement design be amended prior to the issue of Construction Certificate to accommodate heavy rigid waste vehicles in line with the drawing amendments</p>

Issue	Findings and conclusions	Recommended conditions
	appropriate conditions to amend the basement layout accordingly.	provided by the Applicant.
<b>Heritage</b>	<p>The site does not contain any heritage items and is not located near or within a conservation area. The nearest heritage items are located 80m to the north and 100m to the north-west, respectively. The Heritage Impact Statement concludes that there is a neutral impact on these items due to the lack of views between the sites.</p> <p>The Department is satisfied that the proposal would not result in any significant impact on local heritage items beyond those already assessed and approved and notes there is little potential for aboriginal archaeological remains.</p>	No conditions are necessary in relation to this issue.
<b>Contributions</b>	<p>The proposal is subject to:</p> <ul style="list-style-type: none"> <li>(a) local developer contributions under City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1) toward the cost of open space, community facilities and local transport works.</li> <li>(b) state Housing and Productivity Contributions (HPC). This relates to the additional market apartments proposed (40 market apartments) and does not apply to the proposed affordable housing apartments.</li> </ul> <p>The Department has recommended appropriate conditions accordingly.</p>	The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring contributions to be paid in accordance with Council's contributions plan and the HPC framework.

## 6 Evaluation

66. The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ESD, advice from Government agencies, advice from Council and public submissions, and Government policies and plans.
67. The Department's assessment concludes that the proposal is acceptable as it:
- complies with the SEPP Housing building height and floor space standards for a project incorporating 15% affordable housing (81 of 479 apartments)
  - is consistent with the High-Density Residential zone in providing greater housing density
  - increases resident amenities and facilities to cater for the additional demands on communal space
  - provides car parking spaces consistent with the Housing SEPP and would have minimal impacts on existing traffic congestion in the locality
  - would have acceptable external impacts to adjoining and surrounding properties.
68. Overall, the Department considers that the impacts of the proposed additions are acceptable and can be appropriately managed or mitigated through the implementation of the recommended conditions of consent (**Appendix D and Appendix E**). Consequently, the Department considers the proposal is in the public interest and is able to be approved, subject to conditions.
69. This assessment report is presented to the IPC to determine the application.



# Appendices

## Appendix A – List of referenced documents, submissions and advice

The documents referred to in this assessment report can be accessed at:

1. [242 -244 Beecroft Road, Epping - Amending Concept SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)
2. [242 -244 Beecroft Road, Epping - Amending Detailed Design SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

The documents include:

- Environmental Impact Statement
- Response to Submission (RtS) report
- Applicant's additional information
- Submissions (pubic and Council)
- Government agency advice.

## Appendix B – Department's consideration of submissions

Issue	Consideration
<b>Building height and density</b>  The height and floor space ratio increases are extreme  The previous five office buildings should only be replaced for four new buildings  High-rise development is on the east side of the railway line in Epping  Buildings B, C and E are well above an acceptable height for the west side of the rail line	The Department finds the height and density is acceptable as it: <ul style="list-style-type: none"><li>• complies with the height and FSR incentives provided in SEPP (Housing) associated with providing in-fill affordable housing</li><li>• would not significantly impact the amenity of surrounding properties</li><li>• has an acceptable bulk and scale for the site and in the context of the surrounding sites in the Epping Town Centre.</li></ul>
<b>Affordable housing</b>  support more affordable housing than prior proposal, more housing close to transport and jobs	The Department notes the proposal seeks to use the height and floorspace incentives in Housing (SEPP) linked to providing at least 15% of total GFA as affordable housing (in this case 81 apartments) for at least 15 years.

Issue	Consideration
<p>Affordable housing in the proposal should be provided in perpetuity.</p> <p>Question the need to compensate for 15% affordable housing with 105 additional apartments.</p> <p>Housing insecurity and instability with affordable housing affects physical and mental health, limits education outcomes, restricts access to good jobs, reduces economic opportunity and damages the environment.</p> <p>Affordable dwellings should be offered to essential workers.</p>	<p>The Department recommends several conditions regarding the operation of affordable housing, including a condition requiring an existing covenant registered against the land for 5% affordable housing for 15 years to be extinguished, and a new covenant to be imposed on the title for at least 15% for a duration of 15 years.</p>
<p><b>Amenity issues</b></p> <p>Solar access would be lost to dwellings on the opposite side of Ray Road</p> <p>Residents would not have good access to green space in the form of public parks.</p>	<p>The proposal would have compliant overshadowing impacts on affected properties to the south and west.</p> <p>The proposal will make contributions towards local infrastructure. The amending proposal also includes increased communal open spaces for the use of residents.</p>
<p><b>Traffic</b></p> <p>Additional development traffic will add to congestion at the surrounding intersections.</p>	<p>The Department finds that the proposal is unlikely to significantly alter the existing congestion, which mainly results from commuter through traffic and the cumulative traffic from redevelopments in Epping Town Centre over time. The traffic impacts would also be alleviated by planned major road improvement works, which would increase network capacity, helping to ease traffic congestion in the area.</p>
<p><b>Car Parking</b></p> <p>Car parking is excessive.</p> <p>Additional car parking reduces the affordability of apartments.</p> <p>Insufficient car parking proposed – a minimum of 1,000 spaces is needed.</p> <p>Car parking exceeds the Parramatta DCP and should be reduced.</p>	<p>The proposal complies with the non-discretionary development standards for car parking contained within the Housing SEPP.</p>

Issue	Consideration
<b>Social infrastructure</b> Epping has lost employment and open space. Residents would not have a good range of shopping facilities as Epping has limited options Local medical facilities are limited, including Ryde Hospital being disrupted by future refurbishment.	The Department notes the zoning of the site which is R4 High Density Residential and the location of the site near the commercial core of the Epping Town Centre. Dense residential uses are permissible in the Zone and a small amount of commercial premises floorspace is provided for local employment generation and catering to local retail demand.

## Appendix C - Statutory considerations

### Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in **Table 10** below.

**Table 10** | Matters for consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	Appendix C
EP&A Regulation	Appendix C
Likely impacts	Section 5 – Assessment
Suitability of the site	Section 2 – Project location, Section 3 – Policy and statutory context and Section 5 – Assessment
Public submissions	Section 4 – Engagement and Section 5 – Assessment
Public interest	Section 4 – Engagement, Section 5 – Assessment and Section 6 – Evaluation

## Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act including the principles of ESD.

Consideration of those factors is described in **Table 11** below.

As a result of its analysis, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ESD.

**Table 11 | Objects of the EP&A Act and how they have been considered**

Object	Consideration
<b>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</b>	The proposal promotes the social and economic welfare of the community by providing additional housing within a highly accessible site to public transport, and, in doing so, contributing to the achievement of State, regional and local planning objectives. The proposal comprises development associated with existing transport infrastructure and does not have any impacts on the State's natural or other resources.
<b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b>	The proposal has integrated ESD principles and targets as discussed in <b>Section 3.3</b> of this report
<b>(c) to promote the orderly and economic use and development of land,</b>	<p>The proposal represents the orderly and economic use of the land primarily as it will increase housing options including affordable housing near public transport.</p> <p>The proposed residential use is permissible and the form of the development has regard to the planning controls that apply, the character of the locality and the context of surrounding development.</p>
<b>(d) to promote the delivery and maintenance of affordable housing,</b>	The proposal includes the delivery of affordable housing with a minimum 15% of total GFA to be affordable housing managed by a community housing provider for at least 15 years.
<b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants,</b>	The proposal is supported by a BDAR waiver, which confirms that no remnant native vegetation, threatened flora species, ecological communities, or their habitat, listed under the BC Act would be affected by the proposal.



Object	Consideration
ecological communities and their habitats,	
<b>(f) to promote the sustainable management of built and cultural heritage,</b>	<p>The site does not contain heritage items and is not located near or within a conservation area. The closest heritage items are 80m and 100m to the north and north-west and the Heritage Impact Statement concludes there is a neutral impact upon them due to lack of views between the sites.</p> <p>The Department is satisfied that the development will have no adverse impact on local heritage items and there is little potential for Aboriginal archaeological remains.</p>
<b>(g) to promote good design and amenity of the built environment,</b>	<p>The proposal demonstrates a good design approach to the relevant planning controls and local character. It has been designed to minimise amenity impacts to neighbours and the surrounding environment and to provide good levels of internal amenity. Other amenity impacts would be managed by either the form of the development or by the recommended conditions of consent for mitigation measures during the construction and operational phase of the development.</p>
<b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b>	<p>The proposal demonstrates that construction work will be undertaken in accordance with national construction standards, relevant regulations, and the site-specific construction management plan required by conditions of consent. Any impacts during this phase will be monitored and managed in keeping with the conditions of consent set out to mitigate impacts. Ongoing management and maintenance of the development will be by the building management and owner's corporation.</p>
<b>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of Government</b>	<p>The Department publicly exhibited the proposed development as outlined in <b>Section 4</b> of this report. This included consultation with Council and other Government agencies and consideration of their responses.</p>
<b>(j) to provide increased opportunity for community participation in environmental planning and assessment.</b>	<p>The Department publicly exhibited the proposal which included notifying adjoining landowners and displaying the application on the NSW Planning Portal and at Service NSW Centres.</p> <p>The Department also referred the RtS to Council and other relevant Government agencies and made it publicly available on the NSW</p>

Object	Consideration
	Planning Portal. The engagement activities carried out by the Department are detailed in <b>Section 4</b> of this report.

## Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department. The Environment Agency Head and the Team Leader Key Sites and TOD Assessments, as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 20 August 2024.

## EP&A Regulation

The EP&A Regulation requires the Applicant to have regard to the *State Significant Development Guidelines* when preparing their application. In addition, the SEARs require the Applicant to have regard to the following:

- *Social Impact Assessment Guideline for State Significant Projects*
- *Undertaking Engagement Guidelines for State Significant Projects*
- *Cumulative Impact Assessment Guidelines for State Significant Projects*.

The Department considers the requirements of the EP&A Regulations have been complied with.

## Environmental Planning Instruments (EPIs)

### SEPP (Planning Systems) 2021

A summary of the Department's consideration of State Environmental Planning Policy (Planning Systems) 2021 is provided in **Table 12** below.

**Table 12 | Consideration of SEPP (Planning Systems) 2021**

SEPP (Planning Systems) 2021 section	Consideration
<p><b>Aims of policy</b></p> <p>The aims of this Policy are as follows:</p> <ul style="list-style-type: none"> <li>(a) to identify development that is State significant development</li> <li>(b) to identify development that the State significant infrastructure and Critical State significant infrastructure</li> <li>(c) to identify development that is regionally significant development</li> </ul>	<p>The proposal is identified as State significant development - refer below.</p>
<p><b>Declaration of State significant development</b></p> <ul style="list-style-type: none"> <li>(1) Development is declared to be State significant development for the purposes of the Act if <ul style="list-style-type: none"> <li>(a) The development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act</li> <li>(b) The development is specified in Schedule 1 or 2.</li> </ul> </li> </ul>	<p>The proposal is permissible with consent and is specified in Schedule 1 (see below).</p>
<p><b>Schedule 1 State significant development – general (Clause 19(2))</b></p> <p><i>Rail and related transport facilities</i></p> <p>Development within a rail corridor or associated with railway infrastructure that has an estimated development cost of more than \$30 million for any of the following purposes:</p> <ul style="list-style-type: none"> <li>(a) commercial premises or residential accommodation</li> </ul>	<p>The proposal has an estimated development cost of more than \$30 million and involves development within a rail corridor for the purposes of residential accommodation and commercial premises.</p>

## SEPP (Housing) 2021

A summary of the Department's consideration of the relevant provisions contained in State Environmental Planning Policy (Housing) 2021 is provided in **Table 13** below.

**Table 13** | SEPP (Housing) 2021 compliance table

SEPP (Housing) 2021 standard	Consideration
<b>Chapter 2 – Affordable Housing</b>	
<u>Part 2, Division 1 – In-fill affordable housing</u>	
<b>Objective of division</b>  Facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.	The proposal includes 15% affordable housing GFA, the equivalent of 81 apartments, which will assist in meeting the needs of very low, low and moderate income households.
<b>Section 16 – Affordable housing requirements for additional floor space ratio [and height]</b>  The maximum FSR is the maximum permissible FSR plus an additional FSR up to 30% based on the minimum affordable housing component calculated in accordance with the formula provided.  (in this case, a 15% affordable housing component can have an additional FSR of 30%).  The maximum building height for a development including residential flat buildings is the maximum permissible plus an additional building height that is the same as the percentage as the additional FSR.	The proposal seeks an additional 30% FSR and building height above the maximums permissible in the Parramatta LEP. The project includes 15% affordable housing GFA.
<b>Section 19 – Non-discretionary development standards</b>  The object of this section is to identify development standards for particular matters that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.  The following are non-discretionary standards”-  (a) minimum site area of 450m <sup>2</sup> (b) minimum landscaped area that is the lesser of 35m <sup>2</sup> per dwelling or 30% of the site area	The proposal complies with each non-discretionary standard except for part (d) in relation to three hours solar access as the proposal complies with the guidance provided under the ADG for two hours solar access.



SEPP (Housing) 2021 standard	Consideration
<ul style="list-style-type: none"> <li>(c) a deep soil zone on at least 15% of the site area where each zone has minimum dimensions of 3m and, if practicable, at least 65% of the zone is located at the rear of the site</li> <li>(d) living rooms and private open spaces in at least 70% of dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter</li> <li>(e) the following number of car parking spaces for dwellings used for affordable housing: <ul style="list-style-type: none"> <li>- for 1 bedroom – at least 0.4 parking spaces</li> <li>- for 2 bedroom – at least 0.5 spaces</li> <li>- for 3 bedroom or more – at least 1 space</li> </ul> </li> <li>(f) the following number of car parking spaces for dwellings not used for affordable housing: <ul style="list-style-type: none"> <li>- for 1 bedroom – at least 0.5 parking spaces</li> <li>- for 2 bedroom – at least 1 space</li> <li>- for 3 bedroom or more – at least 1.5 spaces</li> </ul> </li> <li>(g) the minimum internal area, if any, as specified in the Apartment Design Guide for the type of residential development.</li> </ul>	
<p><b>Section 20 – Design requirements</b></p> <p>Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with:</p> <ul style="list-style-type: none"> <li>(a) the desirable elements of the character of the local area, or</li> <li>(b) for precincts undergoing transition, the desired future character of the precinct</li> </ul>	<p>The Department notes the proposal comprises additions to the approved mixed use development and is permissible and consistent with the objectives of the High Density Residential Zone.</p>
<p><b>Section 21 – Must be used for affordable housing for at least 15 years</b></p> <p>Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development:</p>	<p>The proposal provides for the use of affordable housing dwellings for at least 15 years. The recommended conditions require compliance with this requirement including creation of a restriction on title.</p>

SEPP (Housing) 2021 standard	Consideration
<p>(a) the development will include the affordable housing component required, and</p> <p>(b) the affordable housing component will be managed by a registered community housing provider.</p>	

## Chapter 4 – Design of residential apartment development

<p><b>Section 147 – Determination of development applications for residential development</b></p> <p>Development consent must not be granted to residential apartment development unless the consent authority has considered the following:</p> <p>(a) The quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9</p> <p>(b) the Apartment Design Guide.</p>	<ul style="list-style-type: none"> <li>The design principles in Schedule 9 and the provisions of the ADG are considered in <b>Tables 14 and 15</b> below.</li> </ul>
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**Table 14 | Consideration of Design Principles in Schedule 9**

1. Context and Neighbourhood Character	The proposal is consistent with the desired future character for the area and reflects the development standards outlined in the SEPP (Housing) for in-fill affordable housing.
2. Built Form and Scale	The proposal results in a suitable built form and scale consistent with the desired future character of the precinct.
3. Density	The development is consistent with the maximum FSR and height permitted under the Housing SEPP and achieves the design outcomes of the ADG. The Department considers the development achieves an acceptable density envisaged under the applicable planning controls.
4. Sustainability	The development proposes ESD principles and sustainability measures as detailed in <b>Section 4</b> of this report.
5. Landscape	The proposal will incorporate a range of landscaped and open spaces that provide options for residents and access to areas by existing residents.
6. Amenity	The proposal will achieve good amenity by providing a built form that results in appropriate solar access to residential dwellings, communal and private open spaces, and adjoining land. It has been designed to have negligible privacy impacts and promotes high-density residential living with convenient access to high-frequency rail services and Epping Town Centre.

- |                                             |                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Safety                                   | The proposal promotes the principles of Crime Prevention through Environmental Design by providing opportunities for passive surveillance of common areas, activating spaces through the integration of mixed uses on the ground floor, and establishing pedestrian and cycle links to facilitate transportation for residents, workers, and visitors to the site.             |
| 8. Housing Diversity and Social Interaction | The proposal promotes housing diversity with a range of housing options, including 1, 2 and 3 bedroom dwellings of various sizes and layouts and the provision of 81 (15%) dwellings as affordable housing. The provision of a through-site link, plaza, retail spaces and communal open space areas encourages social interaction amongst residents and visitors to the site. |
| 9. Aesthetics                               | The proposal provides an urban form and scale consistent with the Design Guidelines adopted for the site and has been subject to a formal Design Review process, with presentations to the SDRP through the design development to ensure design excellence objectives are realised.                                                                                            |

## Apartment Design Guide

An assessment of the proposal against the ADG best practice design principles is provided in the table below.

**Table 15 | ADG compliance table**

Relevant Criteria	Consideration
<b>2E Building Depth</b> <ul style="list-style-type: none"> <li>Use a range of building depth of 12-18 m from glass line to glass line</li> <li>Where greater depths are proposed demonstrate layouts can achieve acceptable amenity</li> </ul>	<p>The proposal achieves building depths consistent with the design criteria in the ADG.</p>
<b>3B Orientation</b> <ul style="list-style-type: none"> <li>Building type/layouts respond to streetscape, optimising solar access.</li> <li>Overshadowing of neighbouring properties is minimised</li> </ul>	<p>The Applicant has demonstrated the proposal achieves appropriate solar access to future dwellings, communal open space, and adjoining sites.</p> <p>The submitted shadow diagrams illustrate that a neighbouring proposal at 246 Beecroft Road is capable of having complaint solar access and the impact to properties to the south-west along Ray Road is compliant.</p>
<b>3C Public Domain Interface</b> <ul style="list-style-type: none"> <li>Transition between public/private without compromising security</li> <li>Amenity of public domain is retained and enhanced</li> </ul>	<p>Entry points to the buildings are distributed throughout the site, adjoining internal open space areas or along street frontages. Residential entry points and courtyards within front setback areas are delineated through use of appropriate materials.</p> <p>Residential entry points are clearly defined and provide appropriate reciprocal surveillance between the public domain and the buildings without compromising access, use, and circulation.</p>

<p><b>3D Communal and Public Open Space</b></p> <ul style="list-style-type: none"><li>• minimum 25% of the site</li><li>• minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm in mid-winter</li></ul>	<p>The proposal includes 4,146 m<sup>2</sup> of communal open space (41% of the site area) of which over 50% receives 2 hours of solar access during mid-winter.</p>												
<p><b>3E Deep Soil Zones</b></p> <ul style="list-style-type: none"><li>• deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality</li><li>• for sites greater than 1,500 m<sup>2</sup> a minimum of 7% to 15% of the site should provide for deep soil zone(s).</li></ul>	<p>The proposal provides minimum soil depths of 1.2 m within the through site link and on the podium communal open spaces, in addition to appropriate soil volumes, to support substantial tree planting.</p> <p>The Department notes the proposal will achieve 21% deep soil provision and 34% tree canopy cover.</p>												
<p><b>3F Visual Privacy</b></p> <p>Minimum separation distance from building to side boundary:</p> <table><tr><th>Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6 m</td><td>3 m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9 m</td><td>4.5 m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12 m</td><td>6 m</td></tr></table>	Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6 m	3 m	Up to 25m (5-8 storeys)	9 m	4.5 m	Over 25m (9+ storeys)	12 m	6 m	<p>A 12m building separation recommendation to the southern boundary is met by the proposal.</p> <p>The northern boundary adjoins the Epping Services Facility for the operational metro line and the setback to the boundary is reduced to approximately 6m, as there would be no perceived privacy conflict. The setback area between the proposed building and the common boundary with the Epping Service Facility would also be provided with deep soil landscaping to improve outlook and amenity.</p>
Height	Habitable rooms and balconies	Non-habitable rooms											
Up to 12m (4 storeys)	6 m	3 m											
Up to 25m (5-8 storeys)	9 m	4.5 m											
Over 25m (9+ storeys)	12 m	6 m											
<p><b>3G Pedestrian Access to Entries</b></p> <ul style="list-style-type: none"><li>• Building entries and pedestrian access connects to and addresses the public domain</li><li>• Access, entries, and pathways are accessible and easy to identify</li><li>• Large sites provide pedestrian links for access to streets and connection to destinations</li></ul>	<p>Building access points have a direct connection to street frontages or public domain areas. Residential lobbies are separated from retail frontages. Pedestrian entrances are visible, accessible and allow for reciprocal surveillance between entrances, the street or public domain areas.</p>												
<p><b>3H Vehicle Access</b></p> <p>Vehicle access points are to be designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</p>	<p>The proposal includes safe vehicle access for residential and service vehicles, with minimal opportunities for conflicts, and landscaping treatments to enhance the streetscape.</p>												
<p><b>3J Bicycle and Car Parking</b></p>	<p>The Department notes the proposal complies with the non-discretionary development standards for car parking within the Housing SEPP.</p>												

<ul style="list-style-type: none"> <li>Minimum parking requirement as set out in the Guide to Traffic Generating Developments or local Council requirement, whichever is the less</li> <li>Parking is available for other modes of transport</li> <li>Car parking design access is safe and secure</li> <li>Visual and environmental impacts of underground, at grade or above ground car parking are minimised</li> </ul>	<p>Bicycle parking is in accordance with the Concept Approval and Parramatta DCP.</p>						
<p><b>4A Solar and Daylight Access</b></p> <ul style="list-style-type: none"> <li>Minimum of 70% of apartments' living rooms and private open spaces receive 2hrs direct sunlight between 9am-3pm in mid-winter in the Sydney Metropolitan Area</li> <li>Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter</li> <li>Shading and glare control is provided</li> </ul>	<p>The proposal results in 72.8% of the dwellings achieving 2 or more hours of direct solar access, between 9.00am and 3.00pm, midwinter in accordance with the ADG.</p> <p>There are 17% of apartments that have no direct solar access between 9am and 3pm in midwinter. This minor departure is acceptable as the building envelopes are orientated generally east-west, producing a higher proportion of south-facing apartments.</p> <p>It is, however, noted that the proposal would have more than 70% of apartments with living rooms and open space in sunlight for more than 2 hours in midwinter. The Department, therefore, concludes that the proposal, overall, provides a reasonable level of solar access to the proposed apartments.</p>						
<p><b>4B Natural Ventilation</b></p> <ul style="list-style-type: none"> <li>At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated)</li> <li>Overall depth of a cross-over or cross-through apartment does not exceed 18 m</li> </ul>	<p>The proposal is subject to high traffic and rail noise and does not require natural cross-ventilation, as per the dispensations within the ADG. The proposal supplements non-noise-affected cross-ventilated apartments with naturally ventilated apartments that utilise acoustically treated plenums.</p> <p>Where cross-through dwellings are proposed, they are less than 18 m deep.</p>						
<p><b>4C Ceiling Heights</b></p> <ul style="list-style-type: none"> <li>Measured from finished floor level to finished ceiling level, minimum ceiling heights for residential are: <ul style="list-style-type: none"> <li>Habitable rooms = 2.7 m</li> <li>Non-habitable rooms = 2.4 m</li> </ul> </li> <li>Mixed uses area = 3.3 m for ground floor and first floor to promote future flexibility of use</li> </ul>	<p>The proposal provides ceiling heights in accordance with the design criteria in the ADG.</p>						
<p><b>4D Apartment Size and Layout</b></p> <ul style="list-style-type: none"> <li>Minimum apartment sizes <ul style="list-style-type: none"> <li>Studio 35 sqm</li> <li>1 Bed 50 sqm</li> <li>2 Bed 70 sqm</li> <li>3 Bed 90 sqm</li> </ul> </li> </ul>	<p>The proposal includes a range of dwellings sizes and layouts providing increased options and affordability.</p> <table> <tr> <th>Dwelling Type</th><th>Dwelling Sizes</th></tr> <tr> <td>1 bedroom</td><td>From 50m<sup>2</sup> to 55m<sup>2</sup></td></tr> <tr> <td>2 bedroom</td><td>From 76m<sup>2</sup> to 90m<sup>2</sup></td></tr> </table>	Dwelling Type	Dwelling Sizes	1 bedroom	From 50m <sup>2</sup> to 55m <sup>2</sup>	2 bedroom	From 76m <sup>2</sup> to 90m <sup>2</sup>
Dwelling Type	Dwelling Sizes						
1 bedroom	From 50m <sup>2</sup> to 55m <sup>2</sup>						
2 bedroom	From 76m <sup>2</sup> to 90m <sup>2</sup>						



<ul style="list-style-type: none"> <li>• Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms</li> <li>• Habitable room depths are limited to 2.5 x the ceiling height</li> <li>• In open plan layouts the maximum habitable room depth is 8 m from a window</li> <li>• Master bedroom has a minimum area of 10 m<sup>2</sup> and other bedrooms have 9 m<sup>2</sup></li> <li>• Bedrooms have a minimum dimension of 3 m (excluding wardrobes)</li> <li>• Living rooms have a minimum width of: <ul style="list-style-type: none"> <li>- 3.6 m for studio and one Bed</li> <li>- 4 m for 2 and 3 Bed</li> </ul> </li> <li>• The width of cross-over or cross-through apartments are at least 4 m internally.</li> </ul>	<table border="1"> <tr> <td data-bbox="798 159 1117 235"><b>3 bedroom</b></td><td data-bbox="1117 159 1474 235">From 95m<sup>2</sup> to 123m<sup>2</sup></td></tr> <tr> <td colspan="2" data-bbox="798 235 1474 902"> <p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p> </td></tr> </table>	<b>3 bedroom</b>	From 95m <sup>2</sup> to 123m <sup>2</sup>	<p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p>	
<b>3 bedroom</b>	From 95m <sup>2</sup> to 123m <sup>2</sup>				
<p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p>					
<p><b>4E Private Open Space and Balconies</b></p> <ul style="list-style-type: none"> <li>• Primary balconies are provided to all apartments providing for: <ul style="list-style-type: none"> <li>- Studio apartments min area 4 m<sup>2</sup></li> <li>- 1 bed min area 8 m<sup>2</sup>, min depth 2 m</li> <li>- 2 bed min area 10 m<sup>2</sup>, min depth 2 m</li> <li>- 3 bed min area 12 m<sup>2</sup>, min depth 2.5 m</li> </ul> </li> <li>• For apartments at ground floor level or similar, private open space must have a minimum area of 15m<sup>2</sup> and depth of 3m<sup>2</sup></li> <li>• Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building</li> <li>• Primary open space and balconies maximises safety</li> </ul>	<p>The submitted drawings and accompanying Architectural Statement demonstrate the proposed balconies meet or exceed the minimum size and width requirements established in the ADG. Further, balconies are located to optimise solar access, outlook, and passive surveillance, and are designed to provide safety and privacy for users.</p>				
<p><b>4F Common Circulation and Spaces</b></p> <ul style="list-style-type: none"> <li>• Maximum number of apartments off a circulation core is 8 – where this cannot be achieved, no more than 12 apartments should be provided off a single circulation core.</li> <li>• For buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40</li> <li>• Natural ventilation is provided to all common circulation spaces where possible</li> <li>• Common circulation spaces provide for interaction</li> <li>• Longer corridors are articulated</li> </ul>	<p>The proposal features five circulation cores, each served by two lifts. Each core has no more than 10 dwellings per floor.</p> <p>Additionally, each circulation core is equipped with access to natural light and ventilation, and has been designed to facilitate interaction.</p>				

<p><b>4G Storage</b></p> <p>The following storage is required (with at least 50% located within the apartment):</p> <ul style="list-style-type: none"> <li>- Studio apartments 4 m<sup>3</sup></li> <li>- 1 Bed apartments 6 m<sup>3</sup></li> <li>- 2 Bed apartments 8 m<sup>3</sup></li> <li>- 3 Bed apartments 10 m<sup>3</sup></li> </ul>	<p>Storage is provided for each apartment, either within the apartment, in the basement, or in a combination of these areas, consistent with ADG requirements.</p>
<p><b>4H Acoustic Privacy and 4J Noise and Pollution</b></p> <ul style="list-style-type: none"> <li>• Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution.</li> <li>• Noise impacts are mitigated through internal apartment layout and acoustic treatments</li> </ul>	<p>The internal layout of apartments separates noisy and quiet spaces. Non-habitable rooms, storage areas, and circulation spaces are strategically located to buffer external noise sources.</p> <p>The application was accompanied by an Acoustic Report, which assesses potential noise and vibration sources and recommends acoustic treatments to achieve required noise levels.</p>
<p><b>4K Apartment Mix</b></p> <ul style="list-style-type: none"> <li>• Provision of a range of apartment types and sizes</li> <li>• Apartment mix is distributed to suitable locations within the building.</li> </ul>	<p>The proposal includes 1, 2, and 3-bedroom dwellings of various sizes and layouts, including the provision of 81 (15% of total GFA) dwellings as affordable housing.</p>
<p><b>4L Ground Floor Apartments</b></p> <ul style="list-style-type: none"> <li>• Street frontage activity is maximised where ground floor apartments are located</li> <li>• Design of ground floor apartments delivers amenity and safety for residents</li> </ul>	<p>The proposal includes apartments on the ground floor, facing the internal communal courtyards, and one apartment along Ray Road.</p> <p>Apartments that front open space areas, including the through site link, are either elevated above the surrounding ground levels or visual and noise privacy impacts have been considered and incorporated.</p>
<p><b>4M Facades</b></p> <ul style="list-style-type: none"> <li>• Building facades provide visual interest along the street while respecting the character of the local area</li> <li>• Building functions are expressed by the facade</li> </ul>	<p>The facades incorporate a variety of materials, textures, colours, compositions, and details designed to respond to the building typology, the surrounding context, and to provide individuality. Building lobbies are defined using materials that identify access points and use.</p>
<p><b>4N Roof Design</b></p> <ul style="list-style-type: none"> <li>• Roof treatments are integrated into the building design and positively respond to the street</li> <li>• Opportunities to use roof space for accommodation and open space is maximised</li> <li>• Roof design includes sustainability features</li> </ul>	<p>Sustainability measures incorporated into the roof design include:</p> <ul style="list-style-type: none"> <li>• use of predominantly native, sun-loving plants that tolerate low water to reduce water use and maintenance</li> <li>• solar panels to facilitate on-site renewable energy generation</li> <li>• roof colours and treatments to minimise heat gain</li> </ul>
<p><b>4O Landscape Design and 4P Planting on Structures</b></p> <ul style="list-style-type: none"> <li>• Landscape design is viable and sustainable</li> </ul>	<p>The proposal includes landscaped spaces designed to enhance the site and encourage outdoor recreation. These include rooftop communal areas, planting on podium</p>

<ul style="list-style-type: none"> <li>• Landscape design contributes to streetscape and amenity</li> <li>• Appropriate soil profiles are provided, and plant growth is maximised (selection/maintenance)</li> <li>• Plant growth is optimised with appropriate selection and maintenance</li> <li>• Building design includes opportunity for planting on structure</li> </ul>	<p>structures, residential private open spaces, and planting on streets and paths.</p> <p>Plants, trees, and landscaping materials have been carefully selected to suit the site conditions, create canopy coverage, increase shading, mitigate the urban heat effect, and promote long-term growth and vitality. The landscape report and accompanying plans inform the implementation of the landscape design. They provide details of plant species, soil volumes, treatment of deep soil areas, planting on structures, street planting, pavement design, watering, and maintenance requirements.</p>
<p><b>4Q Universal Design</b></p> <ul style="list-style-type: none"> <li>• The universal guidelines are adopted in the design of apartments</li> <li>• A variety of apartments with adaptable designs are provided</li> <li>• Apartment layouts are flexible and accommodate a range of lifestyle needs</li> </ul>	<p>20% of the dwellings comply with a silver level of the universal design standard.</p>
<p><b>4S Mixed Use</b></p> <ul style="list-style-type: none"> <li>• Mixed use developments are provided in appropriate locations and provide street activation and encourage pedestrian movement</li> <li>• Residential levels are integrated within the development, safety and amenity is maximised.</li> </ul>	<p>The proposal includes non-residential on the ground floor, which will encourage good street-level activity through pedestrian movements and reciprocal surveillance of public and private areas</p> <p>There is an appropriate separation of residential uses from non-residential uses, with separate entry areas, minimal ground-level interface, and the location of active public areas away from residential open space areas.</p>
<p><b>4T Awning and Signage</b></p> <ul style="list-style-type: none"> <li>• Awnings are well located and complement and integrate with the building</li> <li>• Signage responds to the context and design streetscape character</li> </ul>	<p>Awnings and covered areas are provided for the active retail areas and residential lobbies, seamlessly integrated with the architectural features of the buildings.</p> <p>The EIS confirms that the application does not seek consent for any signage.</p>
<p><b>4U Energy Efficiency</b></p> <ul style="list-style-type: none"> <li>• Development incorporates passive environmental and solar design</li> <li>• Adequate natural ventilation minimises the need for mechanical ventilation</li> </ul>	<p>The ESD Report identifies minimum targets to be included in the developer's requirements to ensure high environmental performance.</p> <p>The proposal achieves natural ventilation in accordance with the minimum requirements of the ADG.</p>
<p><b>4V Water Management and Conservation</b></p> <ul style="list-style-type: none"> <li>• Potable water use is minimised</li> <li>• Urban stormwater is treated on site before being discharged to receiving waters</li> <li>• Flood management systems are integrated into the site design</li> </ul>	<p>The proposal incorporates measures to achieve water-sensitive principles and conservation of potable water, such as water-efficient fittings, appliances, and wastewater reuse.</p> <p>Stormwater and flood management systems have been designed in consultation with Council.</p>

<b>4W Waste Management</b> <ul style="list-style-type: none"> <li>Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity</li> <li>Domestic waste is minimised by providing safe and convenient source separation and recycling</li> </ul>	Waste management facilities are incorporated within the project. They include dedicated waste collection areas for residential and non-residential uses, communal waste rooms with garbage chutes and recycling bins, a bulk waste area for residents, and garbage collection points located away from pedestrian areas.
<b>4X Building Maintenance</b> <ul style="list-style-type: none"> <li>Building design detail provides protection from weathering</li> <li>Systems and access enable ease of maintenance</li> <li>Material selection reduced ongoing maintenance cost</li> </ul>	The materials and finishes to be selected are long-lasting, low-maintenance, have low embodied energy, and have potential for reuse and recycling.

## SEPP (Transport and Infrastructure) 2021

SEPP Transport and Infrastructure aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to specific types of infrastructure, and providing for consultation with relevant public authorities regarding certain development during the assessment process.

The SEPP is applicable as the proposal:

- involves development in or adjacent to a rail corridor (Division 15 Railways), being the Sydney Metro North West corridor.
- involves development with frontage to a classified road (Beecroft Road) and a heavy rail line (T9 Northern Line) requiring Transport for NSW referral and advice.

The Department sought and received advice from Sydney Metro Corridor Protection and Transport for NSW on the proposal. Both agencies are satisfied with the proposal. Sydney Metro recommended a series of conditions of consent that have been incorporated.

As the proposal includes residential development in proximity to Beecroft Road and the T9 Northern Rail Line, the SEPP requires the consent authority to consider acoustic impacts. The application is supported by an Acoustic Report, which provides an assessment of noise and vibration impacts. The Acoustic Report recommends minimum levels of facade and glazing materials to achieve the internal noise limits contained within the SEPP.

The Department has considered construction and operational noise and concludes that noise impacts can be appropriately managed and/or mitigated. The Department has recommended a condition requiring the development to comply with the recommendations made in the Acoustic Report.

## **SEPP (Sustainable Buildings) 2021**

SEPP (Sustainable Buildings) promotes sustainable residential development across NSW by establishing targets that assess the efficiency of buildings in terms of water, energy, and thermal comfort. BASIX requires all new dwellings to meet sustainable targets of a 35% reduction in energy use (building size dependent) and 40% reduction in potable water.

The application was accompanied by a BASIX certificate, which demonstrated that the proposal would achieve sustainable targets of a 35% reduction in energy use and a 43% reduction in potable water, exceeding the minimum requirements of the SEPP.

The ESD Report accompanying the application identifies that the development will achieve a 5-star Green Star “Design and As-Built” rating for both residential and non-residential developments.

## **SEPP (Biodiversity and Conservation) 2021**

The subject site is within a catchment draining to the Hawkesbury Nepean River system, and as such, the provisions of SEPP Biodiversity and Conservation apply. The broad aim of the SEPP is to minimise the impact of urban development on the Hawkesbury Nepean River by considering catchment management, water quality and quantity, and the protection and management of environmentally sensitive areas, flora, fauna, and wetland habitats.

The Department notes that the EIS was accompanied by a Flood Impact Assessment and Stormwater Report, demonstrating that water quality and quantity would be managed appropriately.

The Department notes that the approved Concept SSD and Detailed Design SSD include the removal of existing non-native trees and shrubs from legacy planter beds that were not demolished with the former business park demolition in 2012.

The application was accompanied by a BDAR waiver, issued under the *Biodiversity Conservation Act 2016*. The Department is therefore satisfied the proposal will not have any significant impact on biodiversity values.

## **SEPP (Resilience and Hazards) 2021**

SEPP Resilience and Hazards aims to ensure that potential contamination issues are considered when determining a development application. The EIS includes a contamination assessment for the site, which concludes that no significant contamination impacts have been identified that would preclude redevelopment of the site for the proposed land uses.

The submitted Remediation Assessment concludes the proposal, including an additional basement level, will not affect the implementation of the Remediation Action Plan for the site. The RAP requires the preparation of a Site Audit Statement prior to the issue of a Construction Certificate to demonstrate the site is suitable for the proposed residential and commercial uses.

The Department considers that, subject to the remediation strategy recommended with the approved Detailed Design SSD, the site will be suitable for the proposed development



## Parramatta Local Environmental Plan 2022

A summary of the Department's consideration of relevant clauses within the Parramatta LEP is provided in **Table 16** below.

**Table 16** | Consideration of Parramatta LEP

Relevant clause	Consideration
<p><b>Land use zoning</b></p>	<p>The site is located within the R4 High Density Residential Zone, and the residential development is permissible with consent.</p> <p>However, commercial premises larger than 100m<sup>2</sup>, neighbourhood shops, are prohibited from development in the R4 Zone, and the proposal includes tenancies larger than 100m<sup>2</sup>.</p> <p>State Significant Development may include the development being partly prohibited. The approved Concept SSD and Detailed Design SSD included partly prohibited development.</p> <p>The Department finds the proposal meets the objectives of the R4 High Density Residential Zone, which include providing for the housing needs of the community and enabling other land uses to meet the day-to-day needs of residents.</p>
<p><b>Zone objectives and land use table</b></p> <p>The consent authority must have regard to the objectives for the development in a zone when determining a development application in respect of land within the zone.</p> <p><u>R4 High Density Residential Zone objectives:</u></p> <ul style="list-style-type: none"> <li>• to provide for the housing needs of the community within a high density residential environment.</li> <li>• to provide a variety of housing types within a high density residential environment</li> <li>• to enable other land uses that provide facilities or services to meet the day to day needs of residents</li> <li>• to encourage high density residential developments in locations that are close to population centres and public transport routes</li> </ul>	<p>The Department considers the proposal to be consistent with the objectives of the zone as it provides high-density housing with a mix of commercial uses, which will serve the needs of the local residents and encourage housing and employment opportunities in close proximity to well-serviced public transport.</p>

Relevant clause	Consideration
<p><b>Subdivision</b></p> <p>Land to which this Plan applies may be subdivided, but only with development consent.</p>	<p>The Department notes the proposal seeks consent for staged stratum subdivision of the development.</p>
<p><b>Height of buildings</b></p> <p>The height of a building on any land is not to exceed the maximum shown for the land on the Height of Buildings Map.</p>	<p>The Department notes the proposal complies with the maximum height of buildings standard plus 30% applicable to the site under SEPP (Housing) 2021 (see Section 5.1).</p>
<p><b>Floor space ratio</b></p> <p>The maximum floor space ration for a building on any land is not to exceed the FSR shown for the land on the FSR map.</p>	<p>The Department notes the proposal complies with the maximum FSR standard plus 30% applicable to the site under SEPP (Housing) 2021 (see Section 5.1).</p>
<p><b>Flood planning</b></p> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development —</p> <ul style="list-style-type: none"> <li>• is compatible with the flood hazard of the land, and</li> <li>• is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</li> <li>• incorporates appropriate measures to manage risk to life from flood, and</li> <li>• is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</li> <li>• is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding</li> </ul>	<p>The Department notes the proposal was accompanied by a Flood Impact Assessment, which undertook a detailed flood assessment for the proposed development. Flood modelling was carried out to assess the impact of the proposed development. The Flood Impact Assessment concluded:</p> <ul style="list-style-type: none"> <li>• the proposed development has an insignificant impact on the surrounding properties, assets, or infrastructure</li> <li>• there is some overland flow through the site and hence the proposed development includes an overland flow path at its base along Ray Road</li> <li>• provision of OSD is likely to maintain the existing runoff regime and hence not adversely impact the inundation of the adjoining creek environment due to the proposed development</li> <li>• the proposal does not result in increased runoff and hence the downstream environment is not affected due to an increase in flood flow, velocity, or depth</li> <li>• the concept for shelter-in-place during a flood emergency is feasible for the proposed development and therefore not likely to impact the existing emergency management arrangements in the area.</li> <li>• the basement car parking access is protected from the 1 in 100 flood event by raised levels and a flood</li> </ul>

Relevant clause	Consideration
	gate that would be triggered in accordance with a Flood Response Plan.

## Applicant's response to SDRP comments

**Table 17** | Applicant's response to SDRP Advice

SDRP comment	Applicant response
<b>demonstrate how increase in communal amenity, i.e. internal spaces and external open spaces, is proportionate to the increase in dwellings</b>	Communal open space has increased by 284m <sup>2</sup> from 4,154m <sup>2</sup> to 4,438m <sup>2</sup> (44% of the site area) to account for the proposed increased population.
<b>provide shadow analysis on neighbouring properties, including options to sculpt the additional levels to reduce impacts on neighbouring buildings</b>	The tops of Buildings C and E have been sculpted to reduce overshadowing impact on properties on Ray Road.
<b>demonstrate that solar access to rooftop open space compensates for limited solar access at ground level</b>	54.6% of communal open space receives direct sunlight for at least 2 hours between 9am and 3pm in midwinter, exceeding the ADG's minimum 50% guidance.
<b>demonstrate how communal spaces will cater for a diverse population including children, youth, elderly and families</b>	Architectural and landscape plans identify the intended programming of the open space areas.
<b>clarify the views of the chosen Community Housing Provider on operation of the affordable housing apartments with shared lobbies, lifts and access to all common areas</b>	The EIS is accompanied by a letter from the nominated Community Housing Provider confirming they endorsed the architectural plans are suitable for their operations.
<b>explore increasing the number of 3 bedroom apartments to address larger families and to increase solar access performance</b>	147 x 3-bedroom apartments (30.6% of total) have been provided.
<b>update wind assessment demonstrating no additional impacts from the proposed changes</b>	An updated Wind Report has been provided with the EIS. It concludes the wind conditions will comply with wind criteria for intended uses due to the inclusion of design features including awnings, balcony enclosures,

SDRP comment	Applicant response
	perimeter screen around rooftop communal areas and strategically located evergreen landscaping.
<b>provide further Connecting to Country response in the architecture and communal areas as an expansion of the response provided in landscaping selection</b>	An updated Connecting with Country Report has been provided with the EIS. It proposes that narratives and culturally significant history be recognised in the delivery and operation of the proposal through employment opportunities, public art opportunities and landscape design features.

## Appendix D – Recommended instrument of consent – Amending Concept SSD

[242 -244 Beecroft Road, Epping - Amending Concept SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

## Appendix E – Recommended instrument of consent – Amending Detailed Design SSD

[242 -244 Beecroft Road, Epping - Amending Detailed Design SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)