

Development Application Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1

Approved from 01April 2020 to 30 June 2020

DA No	Address	Category of development	Environmental Planning Instrument and Zone	Development standard to be varied	Extent of Variation	Officer Recommendation	Determination	Date DA determined
DA/586/2018	29-33 Oxford Street & 6-14 Cambridge Street, Epping	Mixed Use	Hornsby LEP 2013	Clause 4.3 - Height of Buildings	Required: 72m	Deferred Commencement Consent	Approved Deferred Commencement	11 May 2020
	Lots 1-4 DP973521		B4 Mixed Use		Proposed: 96.5m			Sydney Central City Planning Panel (SCCPP)
	Lot A DP375632				Variation: (24.5m or 34%)			
	Lots 23-25 DP758390							

Justification of variation

- The developable area is constrained by the presence of a heritage item and the desirable urban design outcome to retain the item and restrain development either side of the church to provide a curtilage for the item and a visual break from building bulk in the middle of the Oxford Street streetscape.
- The proposal retains a school use on the site and provides a church hall which will serve the existing and future residents of the area. Provision of the school and its outdoor play space further restricts the developable footprint of the site.
- It is considered that compliance with the standard in this case is unreasonable and unnecessary as:
 - i. The proposed building, relative to a complying scheme closer to the southern boundary, reduces amenity impacts, in particular overshadowing, on the adjoining and nearby properties.
 - ii. The proposal exceeds the minimum sustainability requirements
 - iii. The proposal retains and enlarges the publicly accessible area to the front of the site and makes it more welcoming to the public by removing walls.
 - iv. The applicant has submitted a Visual Impact Assessment which demonstrates that the tower will not be overtly imposing from many key vantage points.
 - v. Traffic impacts associated with providing off-street school pick-up/drop-off and church parking.
- The proposed development will result in a density that is compliant with the FSR standard for the site.
- The proposed development is consistent with the strategic significance of development envisaged for the site under the Epping Activation Precinct.
- A more compliant envelope is less desirable than the proposal. A complying form results in a monolithic street wall, which would likely result in more overshadowing on adjoining properties, would provide a less sensitive backdrop to the heritage church and would likely preclude the ability to accommodate a school on the site.