

Submission on DA 314/2017 37, Oxford St Epping 2121

By Matt Mushalik

Re:

<http://eplanning.parracity.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=423862>

Comments on http://eplanning.parracity.nsw.gov.au/Temp/001_000X_0H3A0YW41EX.PDF

(1) Formalities

On the application form

http://eplanning.parracity.nsw.gov.au/Temp/001_003_0H2U0CEJ65S.PDF

the owner is not mentioned and there is no signature of the owner. Number of dwelling units not filled in. Why has Council even looked at this DA?

Disclosure statement

http://eplanning.parracity.nsw.gov.au/Temp/001_003_0H2U0CEJ65X.PDF

is not signed.

(2) Replacement office space

The office space which will be withdrawn from the market must first be rebuilt and provided for the benefit of the existing tenants somewhere else in Epping before demolition can begin. RMS is not closing a road without providing a bypass first. At present, all business in Epping is being systematically destroyed by not following this simple principle.

(3) No dwelling unit to cost more than \$650K

The NSW Premier has just set a benchmark for affordable housing:

Premier Gladys Berejiklian announces housing affordability reforms
1/6/2017

Under the package announced on Thursday, first home buyers of existing and new properties costing up to \$650,000 will be exempt from paying stamp duty from July 1.

<http://www.smh.com.au/nsw/premier-gladys-berejiklian-announces-housing-affordability-reforms-20170601-gwi0jn.html>

In the next 20 years there will a natural population increase of around 200K (balance of births and deaths of the 2016 base population of 4.681m).

nsw population projections planning regions scenarios 2016.xlsx



	A	B	C	D	E	F	G	H
1								
2		Planning & Environment						
3								
4								
5	2016 New South Wales State and Local Government Area Population Projections							
6								
7								
8	TOTAL PROJECT POPULATION - METROPOLITAN SYDNEY REGION SCENARIOS							
9								
10	Scenario	2011	2016	2021	2026	2031	2036	
11	Main Series	4,286,200	4,681,950	5,106,300	5,537,850	5,975,550	6,421,850	1.5 m immigration
12	Low Fertility	4,286,200	4,662,900	5,065,500	5,474,100	5,887,850	6,308,650	
13	High Fertility	4,286,200	4,707,050	5,158,400	5,619,050	6,087,900	6,568,400	
14	Low Life expectancy	4,286,200	4,677,400	5,100,800	5,526,050	5,950,750	6,377,250	
15	High Life expectancy	4,286,200	4,686,250	5,118,350	5,562,250	6,017,950	6,489,350	
16	Low Net Overseas Migration	4,286,200	4,681,950	5,099,000	5,503,650	5,891,600	6,262,300	200 K natural population growth
17	High Net Overseas Migration	4,286,200	4,681,950	5,110,450	5,557,350	6,023,500	6,513,050	
18	Low Net Interstate Migration	4,286,200	4,681,650	5,090,750	5,499,950	5,916,650	6,341,100	
19	High Net Interstate Migration	4,286,200	4,681,650	5,112,500	5,559,800	6,017,300	6,484,600	
20	Zero Net Overseas Migration	4,286,200	4,681,950	4,791,650	4,859,150	4,888,050	4,889,200	
21	Zero Net Overseas Migration & Zero Net Interstate Migration	4,286,200	4,681,950	4,839,200	4,969,450	5,067,700	5,141,350	
22								

Fig 1 : print screen from NSW population website with author remarks in red

Put into a graph:

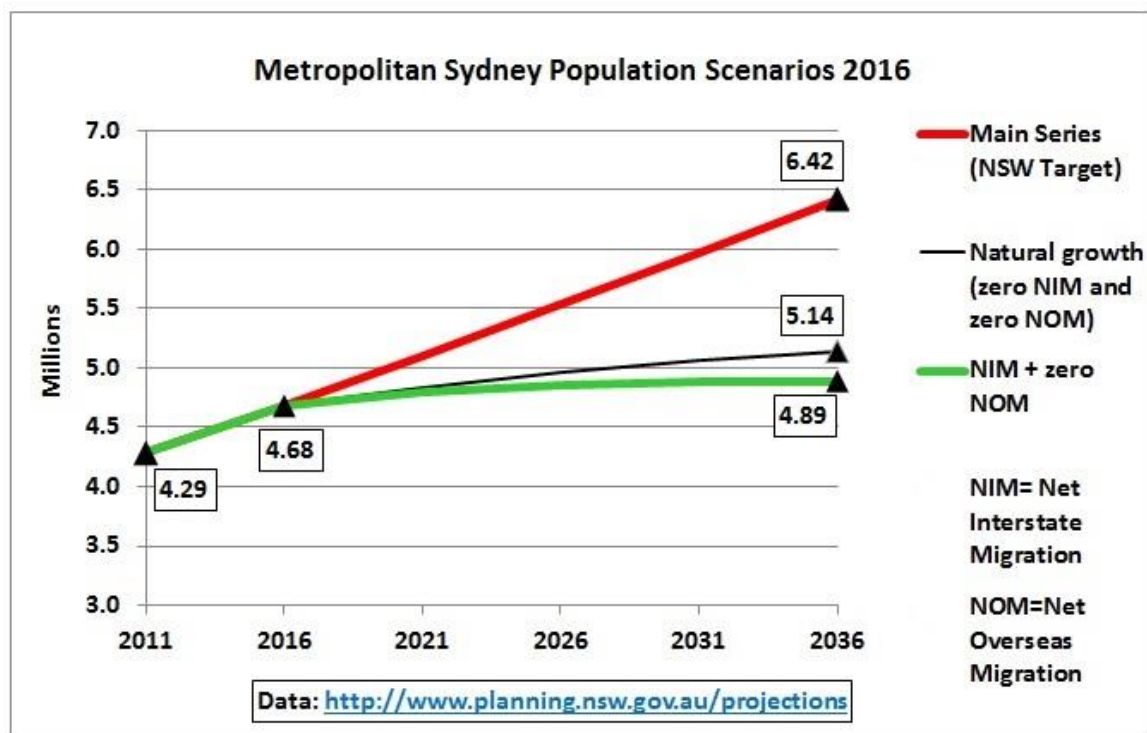



Fig 2: Population change in Sydney

These 200K will all be children of first home buyers, on top of the suppressed demand which has built up in the last years. **It is the duty of care of the State government and Councils to first look after the needs of the present residents and their children living in Australia,** not after the wishes of 1.5 million future immigrants yet to arrive for whom e.g. neighbouring Polyhorizon is built.

Look at the prices:


Poly Horizon

Adjacent to Epping Station • Poly Quality • Sweeping District Views • Final Building Launch




\$913,000 to \$1,085,000

2 Beds 1 Bath 1 Parking



\$455,000 to \$460,000

1 Bed 1 Bath - Parking



\$940,000 to \$1,085,000

2 Beds 2 Baths 1 Parking

Fig 3: Prices for 1 and 2 bedroom apartments

<https://www.domain.com.au/project/1698/poly-horizon-epping-nsw?gclid=Cj0KEQjwmcTJBRCYirao6oWPYMsBEiQA9hQPbqDwd9n0BsQsVhhYtSE3H0B-Lvu4gdnBcdTQFlvqf6YaAmF88P8HAQ>

I wonder whether the reader of this submission would like to live in or has sufficient financial resources to afford these apartments. With a fertility of around 2, 100 K dwelling units with 3 bed rooms (not 2 bed rooms) would be needed in the next 20 years, at not more than \$650 K. So what is the contribution of DA 314 to this need? Possibly zero. There are no 3 bed rooms anyway. This means it would be a completely useless project in terms of affordable housing for families now in Australia. Affordable housing which should be available in EVERY suburb.

(4) Bulk of development



Fig 4: Scale of the development in comparison to church

Note that buildings between the church and the proposed development have been omitted to suggest more space to neighbours, a clear embellishment.

Question: what is more important: God or the greed of developers? If the façade is really black and grey as depicted (absorbing sun and increasing air conditioning bills) then this is bad architectural planning allowed by flawed BASIX rules.



Fig 5: Catholic Church and present streetscape

(5) SEPP 65

NSW' State Environmental Planning Policy (SEPP) 65 stipulates in Schedule 1 (Design Quality Principles):

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.'

<http://www.legislation.nsw.gov.au/#/view/EPI/2002/530/sch1>

(6) The Zoning drama

The problem started with the Epping Town Centre study in 2011 and the Epping Town Centre Urban Activation Precinct

<http://www.planning.nsw.gov.au/epping>

http://planspolicies.planning.nsw.gov.au/index.pl?action=view_job&job_id=5984

Chapter 5 shows the 2008 land use:

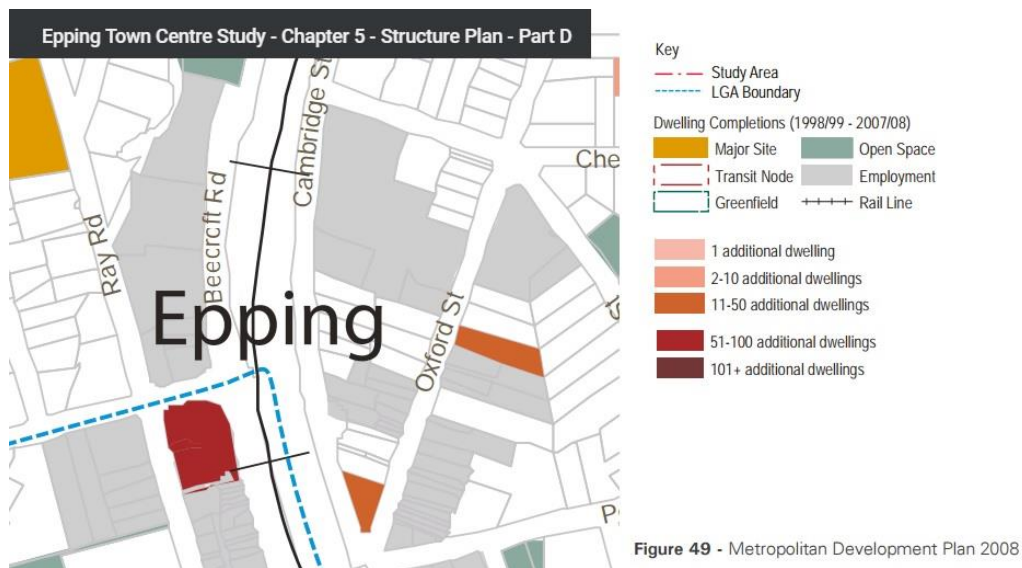


Fig 6: Previous land use

<http://www.hornsby.nsw.gov.au/media/documents/planning-and-building/epping-town-centre/epping-town-centre-study-september-2011/Epping-Town-Centre-Study-Chapter-5-Structure-Plan-Part-D.pdf>

So what was there to be activated? Definitely not the modern 20-28 Cambridge Office Park and Goodman's Building C in 37, Oxford St which is now DA 317.

What needs to be replaced by new buildings is the hodgepodge of old shops on Oxford St (and also Beecroft Rd on the western side of the rail line).



Fig 7: Dilapidated shops in Oxford St

These shops have been dying for a long time because wrong town planning decisions were made decades ago by building car based shopping centres (Carlingford Court and Macquarie Centre) against which Epping cannot compete.

The shops' final death knell was the very "activation" plan which purported to be a plan for renewal. Let's look at the zoning and height provisions:

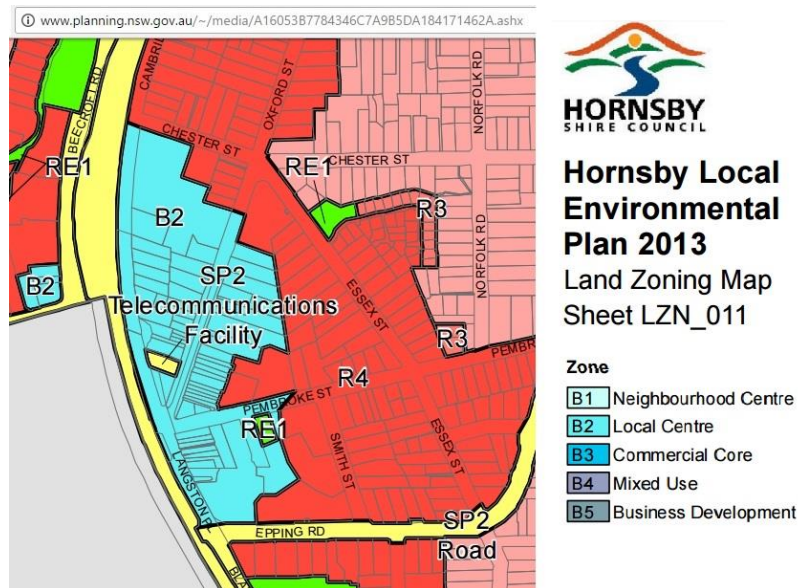


Fig 8: Land use 2013

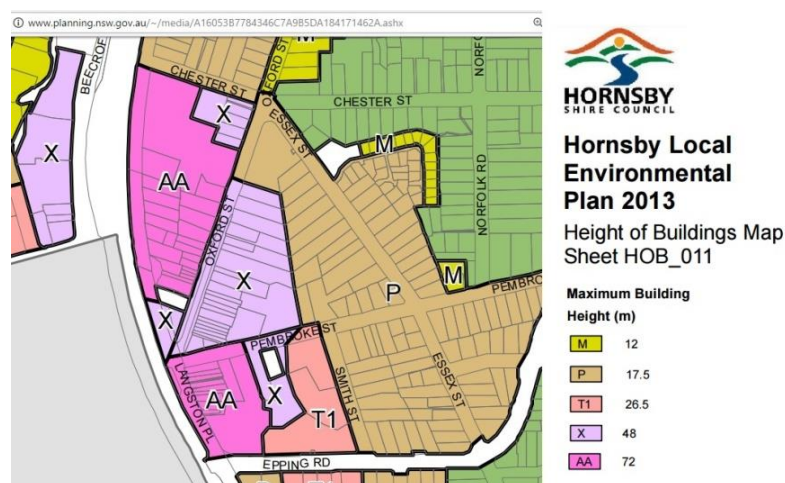


Fig 9: Building heights 2013

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; **Shop top housing**; Tourist and visitor accommodation; Water reticulation systems; Any other development not specified in item 2 or 4

<http://www.legislation.nsw.gov.au/#/view/EPI/2013/569/partlanduseta/include9>

The DA 314 proposal is sold as shop top housing. But the "new retail space on the ground floor" (out of 22 floors i.e. 5%) is just a token contribution to retail, possibly flower or perfume shops for the rich tenants who will live there. In function and size the proposal is R4++. There is already enough R4 in the land use plan.

Yes, the use is permitted, but Council must ensure that in toto all proposed developments together will provide all functionality intended in B2. In order to be fair to all developers each development (or an agreed combination thereof) must provide the mixed use of B2.

Already 20-28 Cambridge St was a violation of B2 by replacing office space with residential. Insofar it has set a bad precedent to which other developers can now refer to.

Most businesses in Epping sit now on temporary leases without any future while office space is destroyed in front of their very eyes. If this continues Epping business will be completely dead in the not too distant future and what was to be a "vibrant centre" will become a high-rise sleep city where foot-paths and roads are too narrow for the increased traffic.

In summary, let's have a look at objectives and achievements (in red) so far:



Fig 10: The difference between government facts and reality

So far, none of the carefully worded objectives was achieved. In the contrary, things have gone in the wrong direction.

The conversion of the nearby 20-28 Cambridge Office Park from low rise office use to residential towers, initiated by the same applicant Goodman together with Polygroup, was also a violation of SEPP 65. At that time the highest building in Epping was on the West side of the rail station corner Beecroft Rd/Carlingford Rd/Rawson St, with a podium and 6 residential floors. Hornsby Council's approval of the Cambridge Office Park was done under duress (threat of sacking Council if residential targets arbitrarily set by the State government are not met) and may therefore be invalid. It cannot be used to compare DA 314's bulk and height to that in Cambridge St.

The cardinal sin here is that the "future character" has been artificially and intentionally created by the above mentioned rezoning and height plans, kicking Epping out of its existing character.

<http://www.planning.nsw.gov.au/~media/A16053B7784346C7A9B5DA184171462A.ashx>

This DA 314 clearly violates the spirit of SEPP 65. **If this is approved then everything is possible and there is no more planning certainty in NSW.**

(7) 3-4 level basement car park

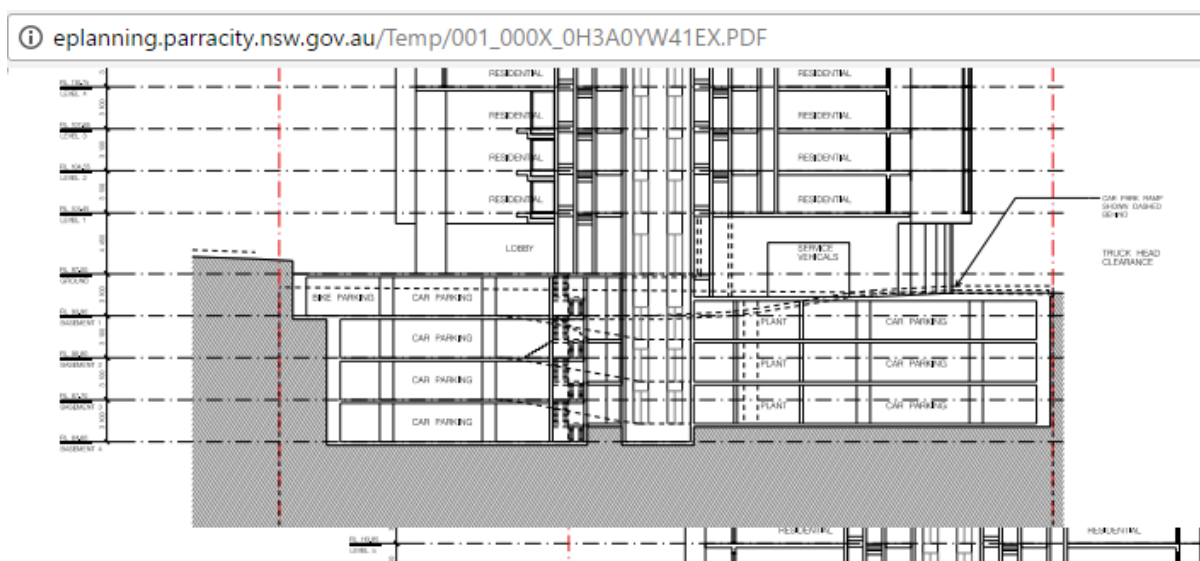


Fig 11: Cross section

DA 314 is within walking distance to the rail station. A classic case of transit oriented development (TOD). The use of cars will reduce patronage for Sydney Rail compared to the case where no parking or only very limited parking is provided. The developer/ owners/ tenants should therefore pay to Sydney Rail the revenue lost as a result of an over-dimensioned car park. This is another flaw in SEPP which requires too many car spaces in a TOD situation.

The problem may not last for long, however. The next oil crisis is around the corner

 **International Energy Agency**
Global oil supply to lag demand after 2020 unless new investments are approved soon

6 March 2017



Fig 12: From the IEA website

6/3/2017 HOUSTON – Global oil supply could struggle to keep pace with demand after 2020, risking a sharp increase in prices, unless new projects are approved soon, according to the latest five-year oil market forecast from the International Energy Agency.

<https://www.iea.org/newsroom/news/2017/march/global-oil-supply-to-lag-demand-after-2020-unless-new-investments-are-approved-so.html>

I had shown in the following article:

16/10/2016 Royal Dutch Shell's upstream earnings peaked 2008, now in the red
<http://crudeoilpeak.info/royal-dutch-shells-upstream-earnings-peaked-2008-now-in-the-red>

There are 300 cars in DA 314 (see traffic report) so the queue at filling stations will be $300 \times 6\text{m} = 1.8\text{ km}$. For comparison, the distance to the nearest filling station in Bridge St is 750 m. If the reader of this submission does not know what an oil crisis means, here is a description:

<http://crudeoilpeak.info/my-experience-oil-crisis-1979>

(8) Shadow diagrams

We see continuing overshadowing of Our Lady Help of Christians school ground for the whole morning. The northern wing is almost permanently overshadowed.



Fig 13: 21 June 9 am - 12 am, overshadowing of school should not be permitted

This means that in winter the school will only get 2 hrs of sun during teaching hrs. Both developers in Cambridge and Oxford St should pay compensation in perpetuity for the increased heating costs of the school in winter. It was already a violation of principles to have allowed the overshadowing by the Cambridge St “development”. What is more important: the health of Australian children or the profits of the Chinese government?

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007 - REG 31A

Complying development-existing schools and TAFE establishments

(e) Overshadowing standard. A building must not overshadow any adjoining residential property so that:

(i) solar access to any habitable room on the adjoining property is reduced to less than the minimum level (being 2 hours of solar access between 9 am and 3 pm at the winter solstice) or is reduced in any manner (if solar access to any habitable room on the adjoining property is already below the minimum level), or

...continued next page

(ii) solar access to the principal private open space of the adjoining property is reduced to less than the minimum level (being 3 hours of solar access to not less than 50% of that principal private open space between 9 am and 3 pm at the winter solstice) or is reduced in any manner (if solar access to the principal private open space of the adjoining property is already below the minimum level).

http://www.austlii.edu.au/au/legis/nsw/consol_reg/sepp2007541/s31a.html

It would not be unreasonable to assume that the above regulation applies in reverse, i.e. also in cases where adjoining developments impact on schools.

It is incomprehensible that the apartment design guide of July 2015

<http://www.planning.nsw.gov.au/~media/7ED8E40113064120AEE3432457390171.ashx>

does not protect schools in particular and only talks about “minimising” overshadowing. This shows again the government is beholden to the developer industry and is deliberately lenient.

(9) Educational functionality



Short term lease only



Fig 14: Students of Intuition Education

Still studying but where is the future? Education is part of B2.

In the table of contents of the statement of environmental effects (PDF not searchable!)

http://eplanning.parracity.nsw.gov.au/Temp/001_003_0H2U0CEJ66U.PDF

the word “education” is nowhere to be found. This means the diversity of functions in the Epping centre is reduced.

(10) Energy

There are no calculations on how much energy the towers will consume (in MWh) and where the sustainable, that is CO₂ free energy will come from for the lifetime of the buildings. Where will the diesel come from for the emergency generators in 10-20 years time?

This topic is different from energy efficiency. What matters for the coming power shortages is the total power demand during the summer peak hour in the afternoon (in MW). We already had 300 MW load shedding of the Tomago aluminium smelter in February this year

14 Feb 2017 NSW's privatized giveaway coal plant causes load shedding in extreme weather
<http://crudeoilpeak.info/nsws-privatized-giveaway-coal-plant-causes-load-shedding-in-extreme-weather>

This is a list of what went wrong:

**Multiple problems found in AEMO report
on load shedding in NSW 10th Feb 2017**

https://www.aemo.com.au/-/media/Files/Electricity/NEM/Market_Notices_and_Events/Power_System_Incident_Reports/2017/Incident-report-NSW-10-February-2017.pdf

Liddell coal power plant 2x500 MW under repair

Eraring coal power plant
11:05 Unit 3 output only 549 MW (capacity 720 MW) due to minor boiler tube leak

Vales Point coal power plant
16:09 Within one degree of reaching their absolute outlet temperature limit

Tallawarra gas plant 16:22 trips from 408 MW due to a fault in gas turbine

Colongra gas plant
16:50 All 4 units failed to start. Low gas pressure in fuel supply line as gas was used earlier in the day. 2 unit hrs gas in the pipe. Start with fuel oil also failed. 6-8 hrs of fuel oil available
18:37 Units 3 & 4 finally transitioned to fuel oil but ran out of gas to start units 1 & 2

Interconnectors thermal limits
Victoria-NSW 297 MW over limit
Queensland-NSW QNI 276 MW over limit

Fig 15: Multiple system failures will become typical for NSW

Hazelwood in Victoria (1,600 MW) has closed end March this year while NSW is a net importer of electricity. So there will be more power shortages next summer.

Build just 20 residential towers @ 5 MW each and one pot line will freeze. In 2022 Liddell is earmarked for closure. I wish the future residents of 72 m towers good luck. They can save a lot of money by not having to go to the gym.

Are there solar water heaters? PV facades? Then perhaps the shadow diagrams will have genuine meaning and will not just be a bureaucratic inconvenience to tick off the list.

(11) Traffic Report

The first 10 metres of the ramp should be flat so that vehicles exiting the basement car park can focus on pedestrians and not the kink in the vertical alignment. No vertical cross section has been provided to show details.

We have this problem with the flats along Carlingford Rd (near the shopping centre) and one day there will be an accident. The traffic reports for these flats were carbon copied and fraudulent.

The level of service calculation (LOS, table 3) for the intersection Oxford St/Cambridge St/Pembroke St/Langston Pl forgets the traffic from

- (a) Extra buses during the 8 month long ECRL tunnel closure in 2018, yet another planning hick-up. Read here what is happening:

4/1/2015 Sydney mismanages transition to driver-less single deck trains (part 2)

<http://crudeoilpeak.info/sydney-mismanages-transition-to-driver-less-single-deck-trains-part-2>

- (b) demolition and concrete trucks already now clogging and polluting the local roads. As the government intends to turn the whole area upside down, this problem will persist for many years – until fuel shortages stop it.

(12) Outlook on oil markets – the driving force of everything

This may happen any time when the Korea war starts. The scenario here is that 1 Scud missile fired into one of South Korea's refinery complexes e.g. at Ulsan is enough to stop oil tanker traffic to/from South Korea. The consequences of such an event have been calculated in this article

29/4/2017 South Korea's oil trade under threat

<http://crudeoilpeak.info/south-koreas-oil-trade-under-threat>

The impact at the bowser will be immediate as Australia is permanently violating IEA's stockholding requirements.

14/4/2017 Australia more vulnerable than ever to fuel import disruptions

<http://crudeoilpeak.info/australia-more-vulnerable-than-ever-to-fuel-import-disruptions>

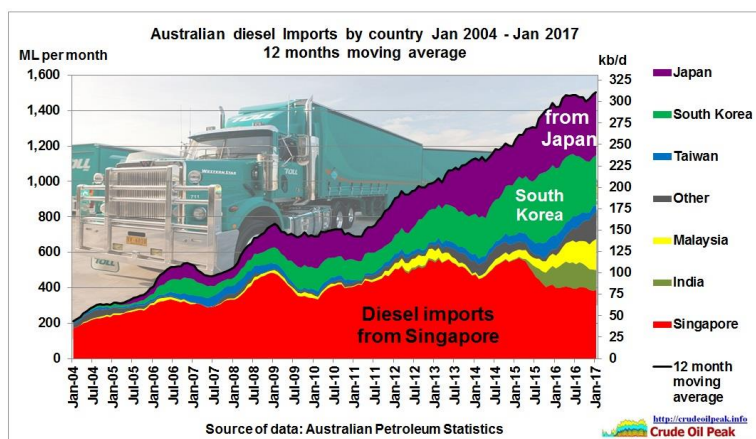


Fig 16: Diesel imports

Of course there is also Venezuela. Their 1.3 mb/d of mostly heavy oil exports can't be replaced by US shale oil which is light, extra light and condensate. This unconventional oil clogs US inventories (one reason for low oil prices).

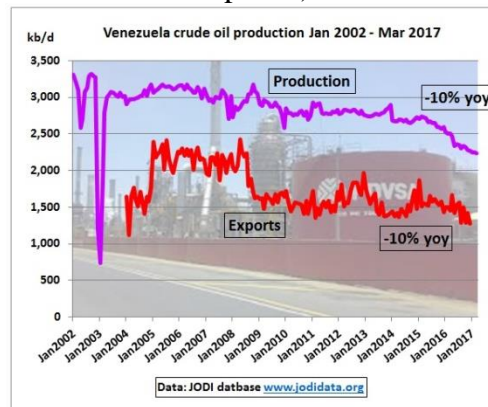


Fig 17: Venezuela crude production and exports

And the Middle East is in a mess. OPEC's paper barrels can go off any time.

China has peaked.

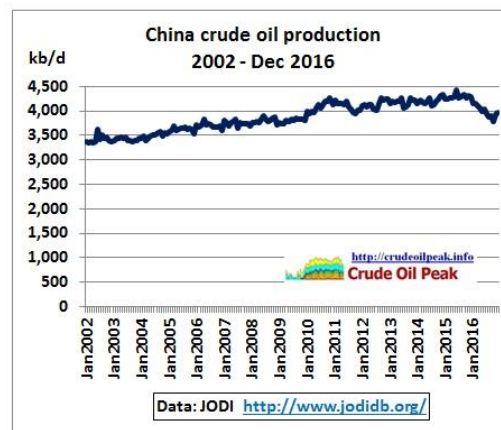


Fig 18: Peak oil in China

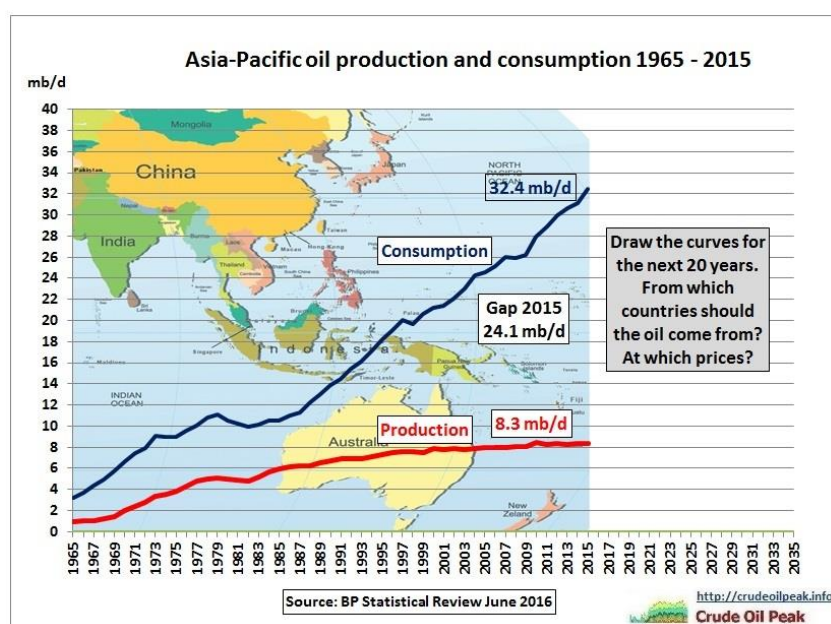


Fig 19: Peak oil in Asia vs consumption

Anyone thinking that the next 20 years will be business as usual and that plans of the Greater Sydney Commission can be implemented should fill in my favourite graph in Fig 19.

So maybe one day we won't have to accommodate so many Chinese to live in Polygroup's towers? Heaven forbid they come by boat – maybe by cruise ships?

So there are plenty of risks for large projects under construction over several years and their future usefulness is not a given.

Summary

There are multi-tiered town planning failures in Epping: previous decisions to build other shopping centres, lenient interpretations of SEPP 65 and departures from a balanced mix of intended B2 uses.

In fact, it was a bad idea to have changed employment use into B2 – which is now being misused by developers, but acquiesced by both State and Local governments. The result will be a sleep city.

It is difficult to establish who is to be blamed for this deplorable situation: the State government, the Council(s) involved, developers, property owners, fund managers, banks, consultants etc. Possibly all of them together, participating in this gigantic monopoly game without any material objectives except making money no matter what.

After the Cambridge St project the developer Goodman continues to violate the spirit of SEP 65 and cherry-picks one B2 use instead of providing its full functionality.

There is also the underlying problem that the next oil shock (whatever the causes) may trigger the next financial crisis which according to Prof. Garnaut will be worse than in 2008/09. In the worst case scenario we may end up with half finished towers no one can complete because the cash may not be there. In these troubled times it is imprudent to start big projects.

Recommendation

The proposal DA 314 should be thrown where it belongs – in the bin. Goodman should first make good what it has destroyed in 20-28 Cambridge St, that is rebuild the office space lost there.

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