

**PREFERRED PROJECT REPORT
MP 08_0258**

61 MOBBS LANE, EPPING

APRIL 2010

CONTENTS

1.0	INTRODUCTION.....	1
2.0	AMENDMENTS TO MAJOR PROJECT APPLICATION.....	3
2.1	AMENDMENTS TO PROPOSAL.....	3
2.2	STAGING OF THE PROPOSAL.....	3
2.3	AMENDMENTS TO STATEMENT OF COMMITMENTS.....	4
3.0	RESPONSE TO SUBMISSIONS RECEIVED	6
3.1	STATE AGENCIES AND COUNCIL.....	6
3.1.1	<i>Sydney Regional Development Advisory Committee</i>	<i>6</i>
3.1.2	<i>Sydney Buses</i>	<i>6</i>
3.1.3	<i>Department of Environment and Climate Change.....</i>	<i>6</i>
3.1.4	<i>Sydney Water</i>	<i>7</i>
3.1.5	<i>Parramatta Council</i>	<i>7</i>
3.2	LOCAL RESIDENTS.....	10
4.0	RESPONSE TO DEPARTMENT OF PLANNING COMMENTS.....	13
4.1	LANDSCAPING	13
4.2	HERITAGE.....	13
5.0	CONCLUSION.....	14

ANNEXURE

1. Copies of submissions received
2. Department of Planning letter and comments
3. Epping Park Aboriginal Heritage Impact Assessment report
4. Response from Halcrow
5. Response from Anne Clements & Associates



1.0 INTRODUCTION

A Project Application under Part 3A of the Environmental Planning and Assessment Act was lodged with the Department of Planning in June 2009 for a range of infrastructure works to support the future redevelopment of the Epping Park site, including the construction of a child care facility and private residents' facilities. The Project Application (MP 08_0258) was publicly exhibited for 30 days from 8 July 2009 to 7 August 2009.

Following exhibition of the Application, the Department of Planning forwarded a summary of public submissions received during the exhibition period, a copy of which is attached to **Annexure 1**.

On 25 September 2009, the Department of Planning forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application. A copy of the Department's letter is at **Annexure 2**.

To commence work in a timely manner and to identify how construction will occur on the site, it is proposed to stage the Early Works as listed below:

Stage 1

- Demolition of all existing improvements on the site.

Stage 2

- Tree removal.

Stage 3

- Site grading works (including remediation if required) to construct the final landform (including the pre-development ground levels for future buildings) and to minimise the need for unsustainable movement of fill to/from the site;
- Road works to accommodate access to and within the development site and associated kerb, gutter, verge and footpath works and at-grade visitor parking;
- road works/improvements along Mobbs Lane to service the development;
- Implementation of appropriate utilities on and to the site to support the future residential development, including works in nearby streets; and
- Stormwater management works.

Stage 4

- Landscaping of publicly accessible open space and public domain, including lighting and entry statements to the development.

Stage 5

- Construction of a child care facility, including and not limited to business identification signage and associated landscaping, in the south-west corner of the site.

Stage 6

- Construction of private residents' facilities in the centre of the site including an indoor gym, multipurpose hall, and outdoor lap and leisure pools.

Stage 7

- Amalgamation of the lots comprising the site and subsequent subdivision and stratum subdivision to accommodate future development on the site under a Community Title structure.

The staging of the Early Works will result in better management of construction traffic into and out of the site, in comparison to the current proposal which is not staged. This way, management of conditions will be more transparent to the consent authority and the community.

This Preferred Project Report has been prepared in accordance with Section 75 of the Environmental Planning and Assessment Act, 1979. The report addresses all relevant issues raised during the notification period and those raised by the Department in its preliminary assessment of the proposal.

This report:

- Identifies the proposed changes to the Major Project application;
- Outlines the submissions received from each party during the notification period;
- Details the issues raised by the Department of Planning in its letter dated 25 September 2009; and
- Provides a conclusion to the report.

2.0 AMENDMENTS TO MAJOR PROJECT APPLICATION

2.1 Amendments to Proposal

The following amendments are to be made to the proposed works listed in the submitted Major Project application:

- The tennis court is to be deleted;
- The landscaping of private communal open space for residents on the site is to be deleted (this will be submitted with the Major Project application for each stage for residential buildings);
- The exercise facilities located in the nodes alongside the streets are to be deleted.

2.2 Staging of the Proposal

The works proposed in the MP application are to be staged as follows:

Stage 1

- Demolition of all existing improvements on the site.

Stage 2

- Tree removal.

Stage 3

- Site grading works (including remediation if required) to construct the final landform (including the pre-development ground levels for future buildings) and to minimise the need for unsustainable movement of fill to/from the site;
- Road works to accommodate access to and within the development site and associated kerb, gutter, verge and footpath works and at-grade visitor parking;
- road works/improvements along Mobbs Lane to service the development;
- Implementation of appropriate utilities on and to the site to support the future residential development, including works in nearby streets; and
- Stormwater management works.

Stage 4

- Landscaping of publicly accessible open space and public domain, including lighting and entry statements to the development.

Stage 5

- Construction of a child care facility, including and not limited to business identification signage and associated landscaping, in the south-west corner of the site.

Stage 6

- Construction of private residents' facilities in the centre of the site including an indoor gym, multipurpose hall, and outdoor lap and leisure pools.

Stage 7

- Amalgamation of the lots comprising the site and subsequent subdivision and stratum subdivision to accommodate future development on the site under a Community Title structure.

2.3 Amended Statement of Commitments

The Statement of Commitments is proposed to be amended as presented below.

Subject	Commitments	Approved by Whom
Flora	A restoration plan for a conservation area in the north-west of the site adjoining Mobbs Lane Reserve will be prepared in accordance with the recommendations made in the Flora Report prepared by Anne Clements & Associates dated 8 April 2009 prior to issue of a construction certificate for Stage 4 of the development. The plan will include the following: • clear aims to enhance, conserve and protect of the local native plants in the restoration area, as well as minimising risk to on site and adjoining bushland during and post construction; • objectives; • realistic targets; • regular monitoring; and • regular reporting including corrective action requests and reassessment of targets as required. The restoration plan works will be carried out by qualified bush regenerators under the supervision of an Environmental Manager with at least 5 years experience in the reconstruction of ecosystem / restoration of degraded sites.	Director General of Department of Planning
Drainage	The internal drainage network will been designed in accordance with Worley Parsons reports and plans at Annexure B and L of the Environmental Assessment report dated June 2009.	Minister for Planning
Fauna	The native trees in the forested areas along the western boundary of the subject site and along the section of the northern boundary that is adjacent to Grimes Lane will be retained where practical. The three hollow-bearing trees identified in the Fauna Report will be retained where possible. In the event that one or more of them needs to be removed, then a suitably-qualified and experienced ecologist will be engaged to decide on the numbers, locations and types of nest boxes placed on the site to compensate for the loss of tree hollows. Silt fences and sediment ponds will be appropriately placed around construction areas on the subject site to prevent runoff of sediment and nutrient-enriched waters into nearby drainage lines and bushland areas. The traps will be monitored during construction, ensuring that treated site run-off meets EPA guidelines.	Minister for Planning

Subject	Commitments	Approved by Whom
Contamination	Removal of any contaminated items and soil from the site will be undertaken in accordance with the report prepared by CETEC at Annexure G of the Environmental Assessment report dated June 2009.	Minister for Planning
Environmental & Construction Management	Construction Management Plan documentation will be undertaken prior to construction certification for each relevant stage of the development in consultation with the construction contractors and the relevant approval authority.	Director General of Department of Planning
Traffic	The Mobbs Lane road improvement works will be undertaken as follows: • The road improvement works east of the proposed western site entrance (opposite the Brickworks site) are to be fully constructed prior to the release of the Final Occupation Certificate for the first stage of residential development (ie. Stage 1 Residential); and • All remaining road improvement works (including the western site access intersection) are to be fully constructed prior to the release of the Final Occupation Certificate for the final stage of residential development. The traffic signals upgrades (at Mobbs and Midson) and installation (at Mobbs and Marsden) will be undertaken and operational prior to the issue of the Occupation Certificate in accordance with the traffic report prepared by Halcrow at Annexure H of the Environmental Assessment report dated June 2009	Director General of Department of Planning
Indigenous Heritage	Aboriginal Heritage and Archaeological Investigation will be undertaken in accordance with the recommendations contained in the Epping Park Aboriginal Heritage Impact Assessment report prepared by Archaeological & Heritage Management Solutions at Annexure 3 of the Preferred Project Report dated April 2010.	Director General of Department of Planning

3.0 RESPONSE TO SUBMISSIONS RECEIVED

The Project Application (MP 08_0258) was publicly exhibited for 30 days from 8 July 2009 to 7 August 2009. Submissions were received by State agencies, Parramatta Council and local residents. The following sections outline a response to the submissions received.

3.1 State Agencies and Council

Submissions were received from the following organisations:

- Sydney Regional Development Advisory Committee (RTA);
- Sydney Buses;
- Department of Environment and Climate Change;
- Sydney Water; and
- Parramatta Council.

A copy of the submissions is at **Annexure 1**. The issues raised in the submissions are addressed under each organisation below.

3.1.1 Sydney Regional Development Advisory Committee

Sydney Regional Development Advisory Committee makes a number of recommendations in relation to the project. Halcrow traffic consultants have prepared a response to the matters raised. A copy of Halcrow's response is at **Annexure 4**.

The issues raised in the SRDAC submission can be appropriately addressed by conditions prior to issue of a construction certificate for Stage 3 of the development.

3.1.2 Sydney Buses

Sydney Buses raises various issues in relation to the project. Halcrow traffic consultants have prepared a response to the issues raised. A copy of Halcrow's response is at **Annexure 4**.

The issues raised in the Sydney Buses submission can be appropriately addressed by conditions prior to issue of a construction certificate for Stage 3 of the development.

3.1.3 Department of Environment and Climate Change

Department of Environment and Climate Change (DECC) raises issue with respect to the Flora assessment submitted with the Major Project application. Anne Clements & Associates has prepared a response to the issues raised. A copy of Anne Clements' response is at **Annexure 5**.

DECC has also made a recommendation in respect of a site audit. The Phase 3 Risk Assessment report at Annexure G of the submitted Environmental Assessment concludes that there is a minor amount of contaminated soil which can be treated on site or be disposed of at an approved facility. Accordingly, a site auditor would not be necessary and, alternatively, a condition should be imposed requiring that a suitably qualified environmental consultant be engaged to:

- set our procedures for testing and dealing with contaminants,
- to provide a report on completion confirming that the site is suitable for its intended uses.

3.1.4 Sydney Water

Sydney Water raises issue with regards to a Section 73 Certificate for the site. This is related more specifically to the future construction of residential dwellings. Accordingly, this will be addressed under separate Preferred Project reports for residential development on the site.

3.1.5 Parramatta Council

The following provides a response to each of the issues raised in the Parramatta Council's correspondence.

Tree Retention

Anne Clements & Associates has prepared a response to the issues raised. A copy of Anne Clements' response is at **Annexure 5**.

Tree Protection

A condition of consent can be imposed on the approval of the MP that a 'suitably qualified' arborist be commissioned rather than a 'AQF Level 5' arborist. This would apply from proposed Stage 2 of the development.

Spatial Location of Open Space and Facilities

Meriton seeks to delete the tennis courts from the proposed development. The deletion of the tennis court will improve the visual link between Mobbs Lane and the publicly open space areas on the site.

Child Care Facility

A condition of consent can be imposed on the approval to address the details prior to a construction certificate for the child care facility. This would apply to proposed Stage 5 of the development.

Active Open Space

The proposed open space is generally in accordance with the concept approval for the site. When completed, the proposal will accommodate a swimming pool and pathways suitable for running and cycling. These facilities will cater to the active recreation pursuits of residents.

Public Usage and Facilities

Meriton does not intend to provide picnic facilities or exercise stations within the site. Such facilities are inappropriate for the site and are more akin to regional open space. The size of the open space is commensurable to local open space needs by the local community. The population outside of the Epping area is unlikely to use the subject open space area.

Standard public pathways are 1.2 metres wide. Council's requirement for a 2.5 metre wide footpath is excessive. The width of the pathways should be 1.2 metres and can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

The standards for play equipment can be imposed as a condition on the approval. This would apply to proposed Stage 4 of the development.

The use of appropriate under play equipment can be imposed as a condition on the approval. This would apply to proposed Stage 4 of the development.

The replacement of the Golden Rain tree species can be imposed as a condition on the approval. This would apply to proposed Stage 4 of the development.

Meriton does not intend to provide public toilets on the site. Public toilets will pose a serious security issue to future users of the park and existing and future residents. Realistically, public toilets will create unwanted social behaviour, which will be unacceptable to existing surrounding residents. The provision of toilets in a park occurs more commonly in regional open space and not within local open space, being provided on the subject site.

Detention Pond

A condition of consent can be imposed stating that the pond fencing comments as a condition on approval of the MP provided that details are to be provided prior to a construction certificate for the child care facility. This would apply to proposed Stage 5 of the development.

Creek Restoration

The creek restoration works proposed by the Council are not part of the Section 94 agreement pertaining to the site.

Mobbs Lane Reserve

The Mobbs Lane Reserve works proposed by the Council are not part of the Section 94 agreement pertaining to the site.

The suggestion of bollards to define the site from the adjoin public reserve can be imposed as a condition on the approval. This would apply to proposed Stage 4 of the development.

Bushland Restoration

The suggested requirement for a Bush Regeneration Restoration Plan can be imposed as a condition on the approval. This would apply to proposed Stage 4 of the development.

Proposed OSD System and Catchment Management

The Council raises a number of issues, which could be most suitably addressed as part of the design development and construction certificate documentation. During such a process, consultation with the relevant authorities should be undertaken. An appropriate condition could be imposed on the approval requiring these issues to be considered and/or addressed prior to the issue of a construction certificate for stormwater and drainage works. This would apply to proposed Stage 3 of the development.

Geotechnical Monitoring

The suggestion for the excavation works being overseen by a geotechnical engineer and in accordance with the submitted geotechnical report can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Dilapidation Reports

The recommended dilapidation survey and reporting can be imposed as a condition on the approval. This would apply from proposed Stage 1 of the development.

Mobbs Lane & Marsden Road intersection proposed traffic signals Drawing No 7587-PA-21

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Drawing No. 7587-PA-22 to 25

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Proposed Child Care Centre Facility

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 5 of the development.

Bus Stop Locations

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Timing of Improvement Works

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Driveway Design

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Construction Traffic Implications

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply from proposed Stage 1 of the development.

General Design Points

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Road Occupancy Permit

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Connection with Surrounding Area

The proposed layout of the Early Works is generally consistent with the approved concept plan for the site. The street layout and pattern, the location of the childcare centre and publicly accessible open space, and access points into the site, are all consistent with the concept approval.

Meriton proposes to delete the tennis court from the application to assist in visual connection between Mobbs Lane and the open space system.

Public Amenity

Future residential buildings on the site will be the subject of separate Major Project applications. The future buildings will be designed to maximise casual street surveillance from habitable room windows and balconies. The merits of casual surveillance will be considered by the Minister under assessment of the future MP applications.

The proposal will include appropriate and adequate street lighting to ensure a safe environment at night. Details will be submitted with a construction certificate for streetworks. An appropriate condition can be imposed on the approval. This would apply to proposed Stage 3 of the development.

Contamination

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

Retraining Walls

The matters raised under this heading of Council's submission can be imposed as a condition on the approval. This would apply to proposed Stage 3 of the development.

3.2 Local Residents

A total of 100 resident submissions were received in relation to the proposal. All of the submissions raised issues primarily related to MP 08_0257 (Stage 1 residential development). The issues raised relating to MP 08_0257 will be addressed in a separate Preferred Project Report. The issues raised that are of particular relevance to the subject Early Works MP, are addressed under the categories below.

Drainage and flooding

The submitted Environmental Assessment contained stormwater management reporting and plans prepared by Worley Parsons. The flooding assessment undertaken by Worley Parsons demonstrates that, with the implementation of the proposed works, stormwater will be managed appropriately and no adverse impact will occur with respect to flooding.

Trees and landscaping

Concern has been raised at the loss of trees on the site.

The majority of existing trees on the site are located to the west. The western part of the site is to be provided as publicly accessible open space which will include those existing trees.

Anne Clements & Associates has prepared a response to the issues raised relating to trees. A copy of Anne Clements' response is at **Annexure 5**.

Animal habitats

A fauna survey and assessment report was contained in the submitted Environmental Assessment. The report made specific recommendations, which have been incorporated into the draft Statement of Commitments contained in the submitted Environmental Assessment.

Further, it is noted that the Department of Environment and Climate Change submission did not raise any concern in relation to fauna on the site.

Pedestrian facilities

All the proposed streets located inside the site are to be provided with footpaths on both sides to ensure maximised convenient pedestrian movement in the site. The public space areas are also to be embellished with pathways to facilitate pedestrian movement through the site.

The proposed external works along Mobbs Lane include a new shared pathway that will improve pedestrian facilities in the public domain.

Impacts during construction

A construction management plan was contained in the submitted Environmental Assessment. The report was prepared to specifically address the Director General Requirements issued for the Major Project application. The report is comprehensive and addresses all relevant construction and site management matters to ensure impacts from construction activities are minimised. The draft Statement of Commitments contained in the submitted Environmental Assessment confirms the detailed approach.

Traffic impacts

Halcrow traffic consultants have prepared a response to the issues raised. A copy of Halcrow's response is at **Annexure 4**.

Lack of infrastructure and public transport

The submitted Environmental Assessment contains consideration of servicing for the site, including gas, water, sewer, electricity and telecommunications.

In respect of public transport, Sydney Buses has stated in its submission that it will regularly reassess the demand created by the development and provide future bus services accordingly. This issue is more related to a future Major Project application for residential development on the site and not the Early Works package.

Inadequate information

The Major Project documentation has been prepared and submitted in accordance with Director General's Requirements. The documentation is considered adequate to allow the determination of the Major Project by the Minister.

Heritage impacts

European heritage assessment was undertaken in the Concept Plan process for the site. The assessment found that the site contains no substantial heritage significance on the site. The submitted Environmental Assessment contains a suggested heritage interpretative strategy for the site.

An Aboriginal Heritage and Archaeological Investigation report has been prepared and is at **Annexure 3** of this Preferred Project Report. The recommendations of the report are confirmed in the amended Statement of Commitments at section 4 of this Report.

Visual impacts

The design and extent of the Early Works are consistent with the concept approval for the site. The Early Works will not have any significant visual impact, as the only buildings proposed are the childcare centre. The proposed landscaping will establish the streetscape of Mobbs Lane to ensure vegetation has time to establish before construction works commence for residential buildings on the site.

4.0 RESPONSE TO DEPARTMENT OF PLANNING COMMENTS

On 25 September 2009, the Department of Planning (DOP) forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application. A copy of the DOP's letter is at **Annexure 2**.

The following provides a response to each of the issues raised in the DOP's correspondence.

4.1 Landscaping

It is intended to undertake tree removal in accordance with the tree removal plan contained in Annexure D of the Environmental Assessment report dated June 2009. It is not practical for the tree removal to occur in stages, as the early works involve cut and fill across large areas of the site in order to build the infrastructure and prepare the site for the future residential buildings. Accordingly, tree removal is proposed to occur in accordance with the submitted tree removal plan and applies at proposed Stage 2 of the early works development.

Anne Clements & Associates has prepared a response to the issues raised. A copy of Anne Clements' response is at **Annexure 5**.

4.2 Heritage

The DOP has requested that the Aboriginal Heritage and Archeological Investigation referred to in the Statement of Commitments in the submitted Environmental Assessment report be submitted. A copy of the requested report is at **Annexure 3**.

5.0 CONCLUSION

The Preferred Project report outlines the staging of the Early Works on the site so as to minimise traffic flows and create some transparency for the community on how construction will take place.

Issues raised by the Department of Planning and arising from the notification period of the Project Application have been adequately addressed in this Preferred Project Report. The Statement of Commitments has been amended in this report to more closely reflect the construction of the site. The proposed development is considered to address all relevant matters listed in the Director General requirements and is worthy of approval.

ANNEXURE 1

Submissions Received



ANNEXURE 2

Department of Planning Letter and comments



ANNEXURE 3

Epping Park Aboriginal Heritage Impact Assessment report



ANNEXURE 4

Response from Halcrow



ANNEXURE 5

Response from Anne Clements & Associates

