



**MAJOR PROJECT ASSESSMENT:
Residential Development Buildings 7 & 8
61 Mobbs Lane, Epping- Former Channel 7 site
MP10_0158**



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

June 2011

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning & Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning & Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PPR	Preferred Project Report
Proponent	Meriton Apartments Pty Ltd
RtS	Response to Submissions

Cover Photograph: Aerial photograph illustrating boundary of the former Channel 7 site

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EXECUTIVE SUMMARY

This is an assessment report for a Project Application seeking approval for the construction of two residential flat buildings at 61 Mobbs Lane, Epping (former Channel 7 site) pursuant to Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act). The site is located within the Parramatta Local Government Area. The Proponent is Meriton Apartments Pty Ltd.

The proposal, as described in the EA, seeks approval for the construction of residential flat buildings 7 and 8 of the approved Concept Plan (MP05_0086, as modified). The buildings range in height between 3 and 6 storeys and will provide a total of 127 units. The proposal also includes associated basement parking and landscaping.

This project has a Capital Investment Value of **\$40,283,395** and will create 200 full time equivalent construction jobs.

State Environmental Planning Policy (Major Development) 2005 lists the site as a State Significant Site under Schedule 3, Part 4 – Channel 7 site. Clause 7, Part 4 zones the site, General Residential (R1). The proposal is permissible and is consistent with the objectives of the zone.

The Environmental Assessment (EA) was exhibited for a 38 day period from **Wednesday 12 January 2011 to Friday 18 February 2011**. The Department received 10 submissions from the public and 6 submissions from public authorities.

On 7 April 2011, the Proponent submitted a Preferred Project Report (PPR) which made the following amendments:

- A reduction in the number of proposed dwellings from 130 to 127 units;
- Changes to unit mix and layout resulting in the provision of 1 and 2 bedroom units only;
- Changes to unit layout resulting in increased numbers of cross through units;
- A reduction in the number of south facing units;
- Direct pedestrian entries to ground floor units in both buildings;
- The provision of 13 adaptable units and disabled car parking spaces; and
- A reduction in proposed car parking provision from 201 to 184 spaces.

Key issues considered in the assessment include: consistency with the approved Concept Plan (as modified) and residential amenity.

The Department considers that the proposed residential development is generally consistent with the approved Concept Plan (as modified) and is suitable for the subject site. The Department has assessed the merits of the proposal and is satisfied that the impacts of the proposed development have been satisfactorily addressed within the EA, PPR, Statement of Commitments and the Department's recommended conditions of approval.

The proposal demonstrates appropriate urban design providing high quality amenity for residents, while satisfactorily maintaining the amenity of existing surrounding residents within the locality. The proposal assists with the orderly redevelopment of the former Channel 7 site and will contribute towards the long term dwelling targets within the Draft West Central Subregional Strategy. On balance, the proposal is recommended for **approval**, subject to conditions.

The Project Application is being referred to the Planning Assessment Commission (PAC) for determination, consistent with the Minister's delegation.

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1. BACKGROUND

1.1. Site Description

Meriton Apartments Pty Ltd (the Proponent) seeks project approval to construct 2 residential flat buildings providing 127 units at 61 Mobbs Lane, Epping. The site location is shown in **Figure 1** below.

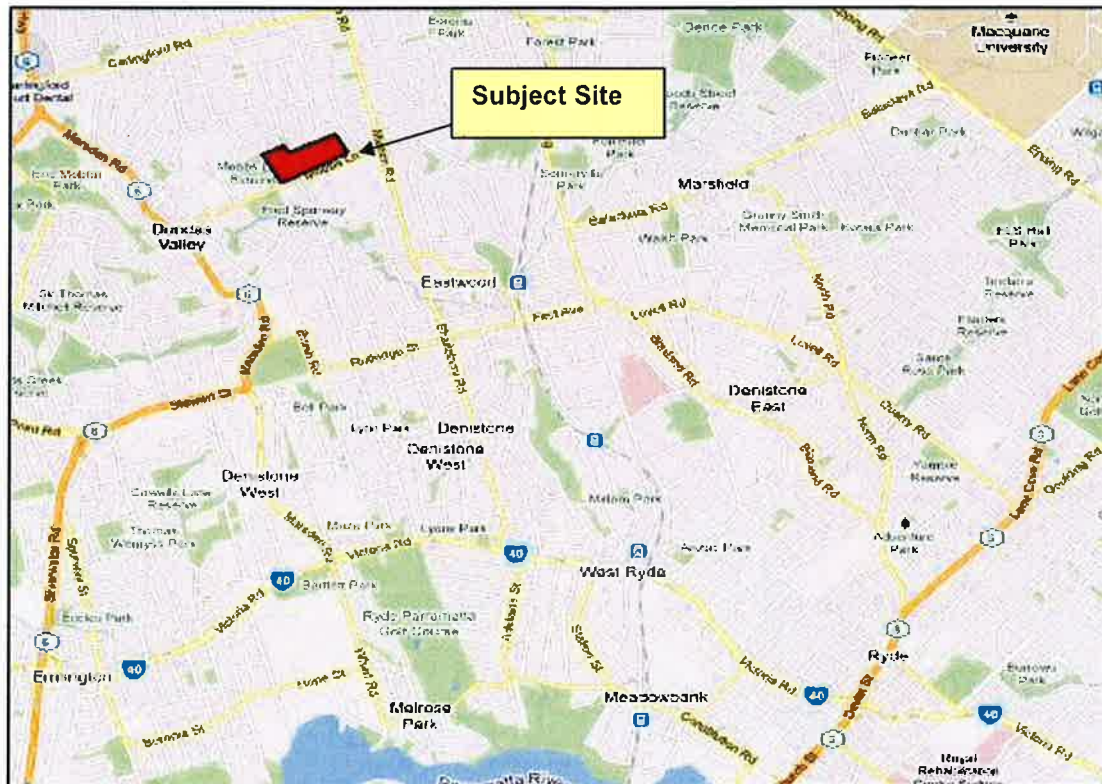


Figure 1: Site Location

The site is located on the north side of Mobbs Lane, approximately 24 kilometres north-west of the Sydney CBD, within the Parramatta Local Government Area. The site was previously utilised by Channel 7 as television studios. The site has a total area of 8.9 hectares. The site is bounded by Mobbs Lane Reserve to the west and Sydney Institute of TAFE to the north. The surrounding neighbourhood predominantly comprises low density detached residential dwellings.

The site, subject to this application, is located in the north-eastern part of the site and has an area of 5,040m².

1.2. Previous Applications

On 22 August 2006, Concept Plan MP05_0086, for the residential redevelopment of the former Channel 7 site was approved by the then Minister for Planning. The approval included provisions for the maximum number of units, building layout, maximum building heights, gross floor area, floor space ratio and requirements relating to dwelling mix and minimum public open space provisions.

On 14 July 2010, the Planning Assessment Commission (PAC) approved the Early Works Package (MP08_0258), for the demolition of all existing structures and the construction of internal and external roads, utilities, stormwater management works, tree removal, a child care centre and private residential facilities.

On 15 September 2010, the PAC approved the construction of residential flat buildings 4 and 5 (MP08_0257), located in the central eastern part of the site, providing a total of 134 units, associated basement parking and landscaping.

On 17 January 2011, the PAC approved the construction of 3 residential buildings, Buildings 1, 2 and 3, located along the southern and eastern boundaries of the site, providing a total of 28 dwellings, associated parking and landscaping (MP10_0107).

The previously approved buildings, together with the subject buildings, are shown on **Figure 2**.

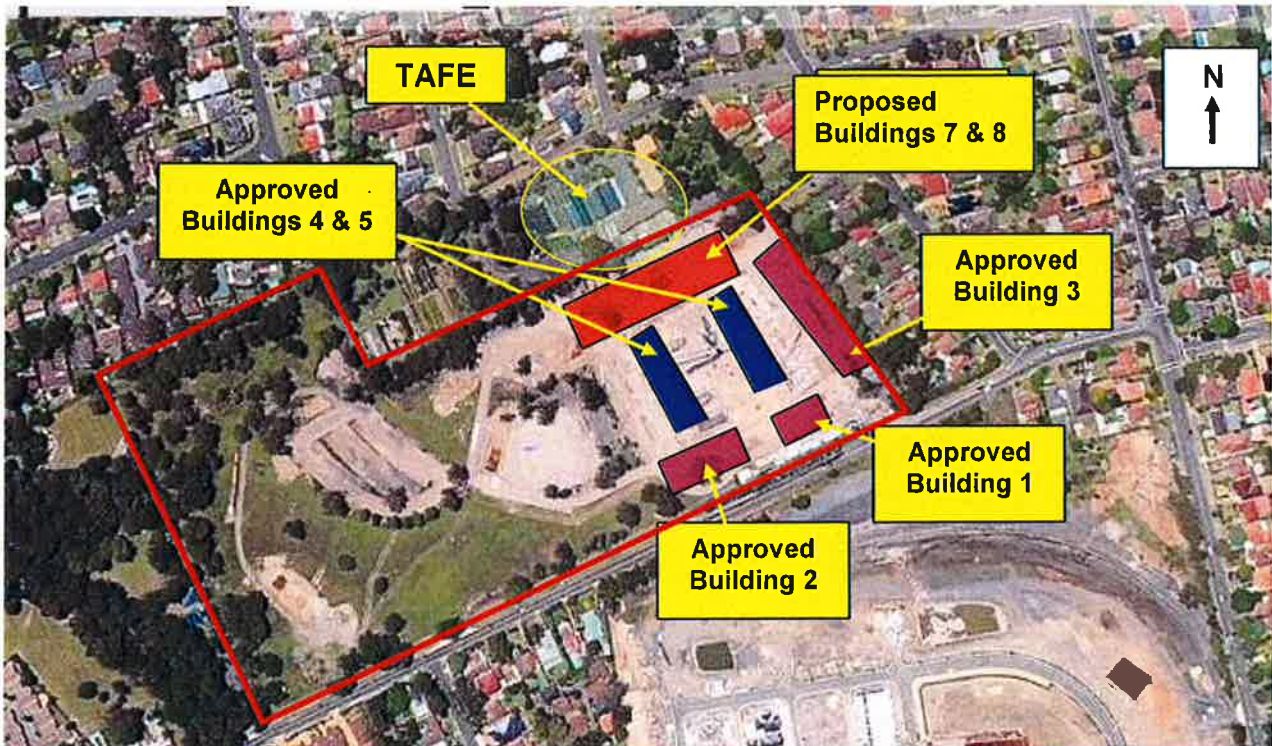


Figure 2: Existing Site Layout

On 21 February 2011, the then Minister for Planning approved modifications to the approved Concept Plan (MP 05_0086 MOD2), which included:

- An increase in the number of permissible dwellings from 650 to 800;
- Amending the definition of gross floor area to be consistent with the Standard Instrument; and
- Increasing the amount of common open space from 8,700m² to 12,965m².

Previous approvals are consistent with the approved Concept Plan. The approved Concept Plan project layout is illustrated in **Figures 3 & 4** below.

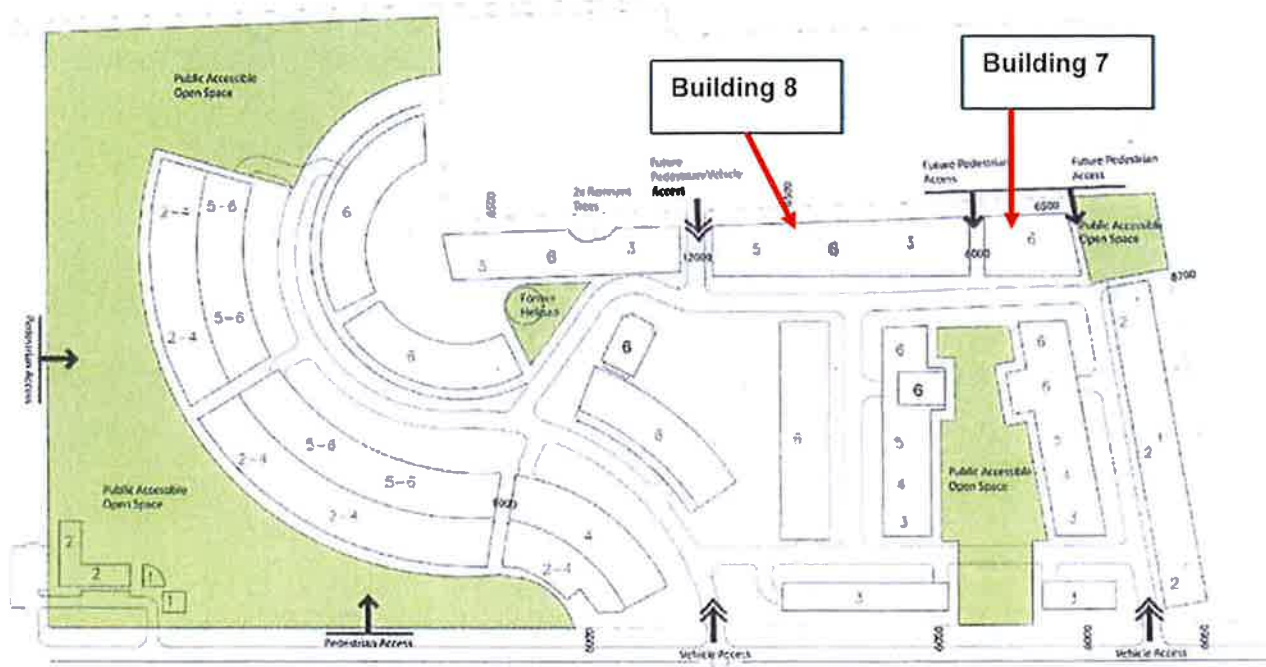


Figure 3: Originally approved Concept Plan layout (MP 05_0086), illustrating approved Building Heights

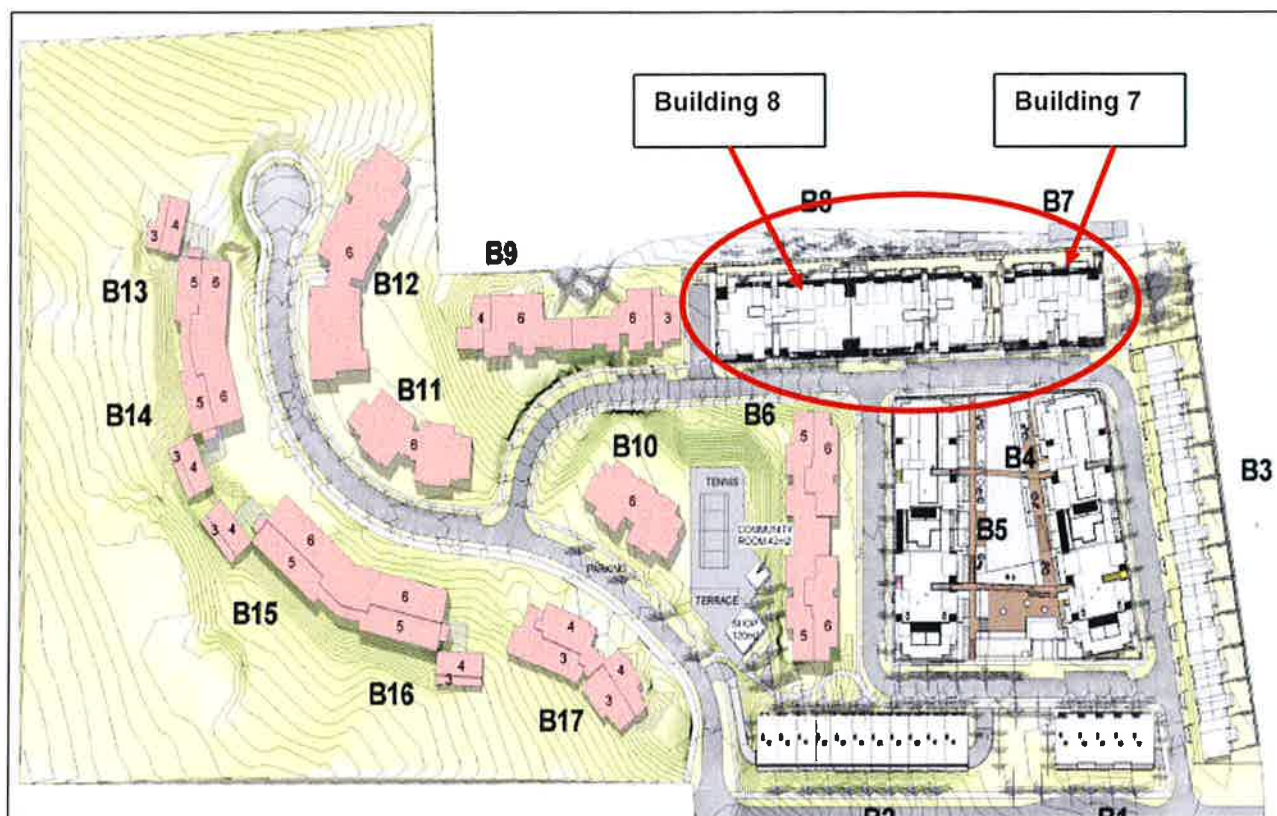


Figure 4: Approved Concept Plan project layout, as modified (MP05_0086 MOD2)

2. PROPOSED PROJECT

2.1. Project Description (Original EA)

The proposal, as exhibited in the Environmental Assessment (EA), seeks Project Approval for the following:

- Construction of residential flat Buildings 7 and 8, providing 130 x 1, 2 and 3 bedroom apartments, 190 basement car parking spaces, 11 on-street visitor parking spaces and landscaping.

2.2. Preferred Project Report (PPR)

Following the public exhibition of the EA, the Department advised the Proponent of a number of issues which required further consideration. The main issues raised related to consistency with the Residential Flat Design Code (RFDC) and lack of street activation/address to internal 'Road 2'. The Department also sought confirmation that the height of Building 8 complied with the approved Concept Plan (as modified), which requires the calculation of basements as a storey if they exceed 1.2m in height.

On 7 April 2011, the Proponent submitted a PPR. The PPR resulted in a number of modifications to the proposal to address issues raised including:

- A reduction in the number of proposed dwellings from 130 to 127 units;
- Changes to unit mix and layout resulting in the provision of 1 and 2 bedroom units only;
- Changes to unit layout resulting in increased numbers of cross through units;
- A reduction in the number of south facing units;
- Direct pedestrian entries to ground floor units in both buildings;
- The provision of 13 adaptable units and disabled car parking spaces; and
- A reduction in proposed car parking provision from 201 to 184 spaces.

The Proponent also confirmed that Building 8 complied with the height of the approved Concept Plan (6 storeys).

The development as proposed within the PPR is detailed in **Table 1** below. The project layout is shown in **Figure 5**.

Table 1: Key Components of the Project

Aspect	Description
Total site area is = 5,040m ²	
Building 7	6 storey residential building fronting internal 'Road 2'. Providing 7 x one bedroom apartments and 35 x two bedroom apartments. Private open space is provided in the form of ground level courtyards and upper level balconies.
Building 8	Part 3, 5 and 6 storey residential building fronting internal 'Road 2'. Providing 3 x one bedroom apartments and 82 two bedroom apartments. Private open space is also provided in the form of ground level courtyards and upper level balconies.
Car/ Bicycle Parking	173 basement car parking spaces (including 13 disabled spaces) and 11 on-street visitor parking spaces. 44 bicycle spaces provided at basement level. Entry to the basement parking is off internal 'Road 2'.
Landscaping	Landscaping to public and private domain throughout the site.

Images of the proposed Project Application are illustrated in **Figures 6, 7 and 8**.

Buildings 7 & 8, 61 Mobbs Lane, Epping
MP10_0158

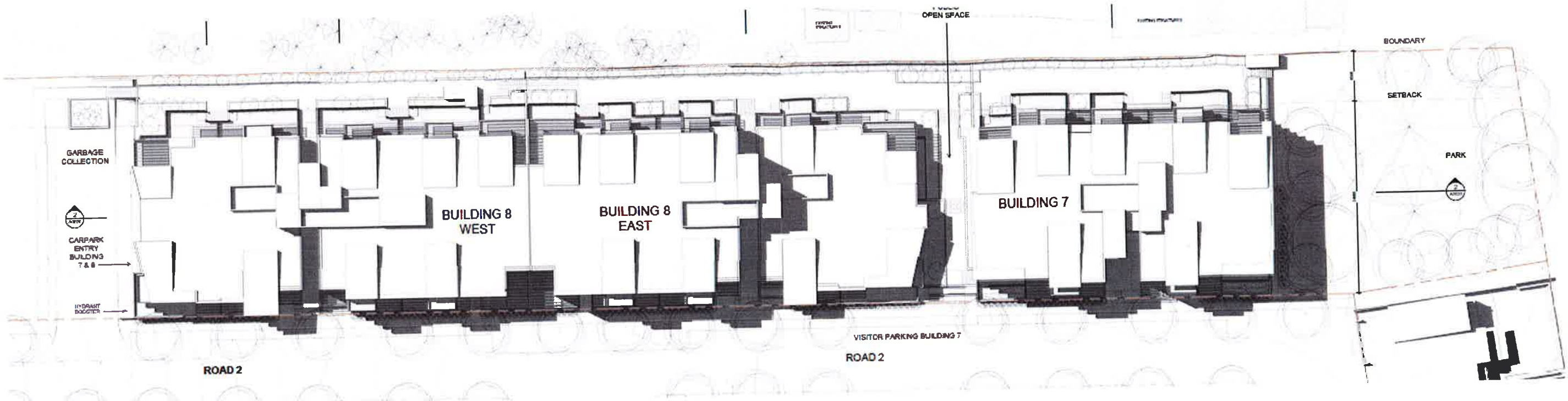


Figure 5: Project Layout

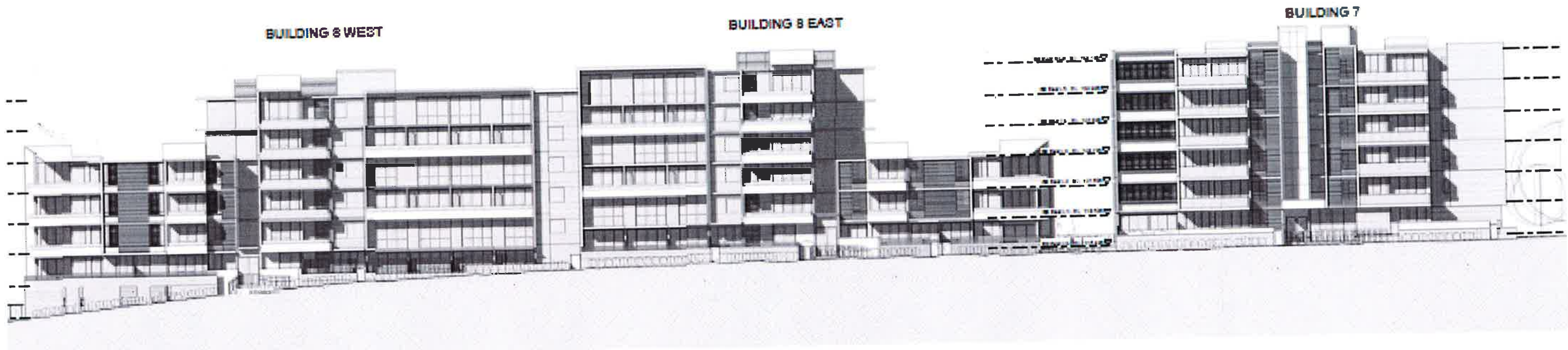


Figure 6: South Elevation

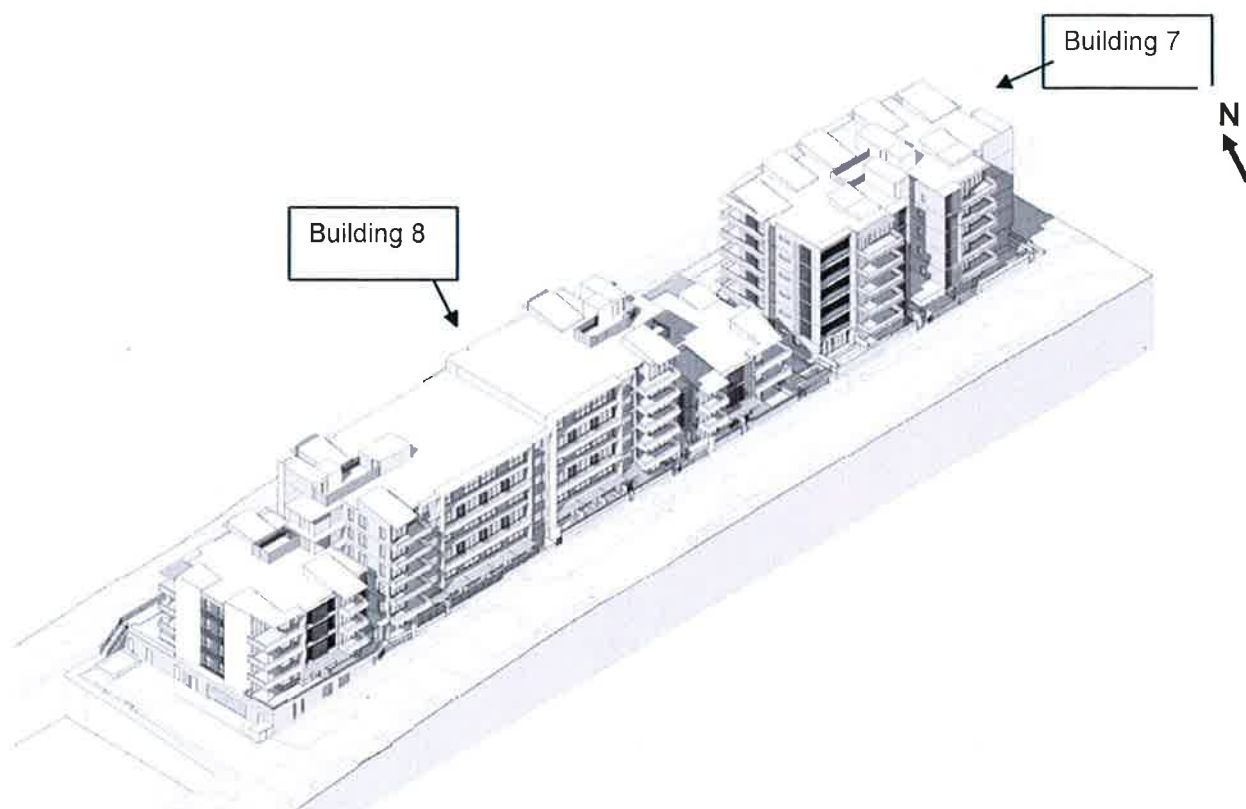


Figure 7: South Elevation of Buildings 7 & 8

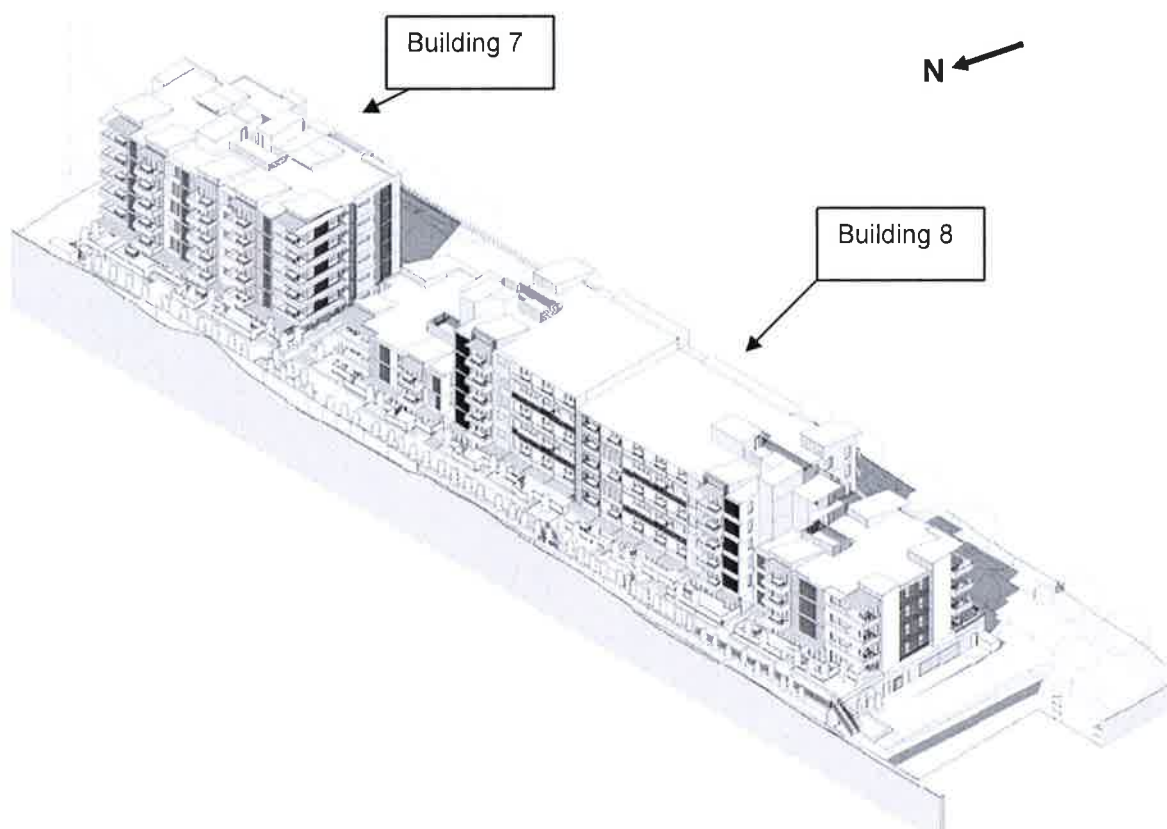


Figure 8: North Elevation of Buildings 7 & 8

2.3. Project Need and Justification

NSW State Plan

The NSW State Plan seeks to deliver attractive and sustainable development through increasing the supply of affordable housing within existing urban areas, with access to existing centres, services and public transport. The proposal supports the objectives of the State Plan, through the provision of greater housing supply and choice as well as utilising existing public transport and other physical infrastructure. This proposal therefore provides an important opportunity to redevelop a site which supports these aims, which is currently underutilised.

Sydney Metropolitan Plan for Sydney 2036

The Sydney Metropolitan Plan was released on 16 December 2010. It is a strategic document which guides the development of the Sydney metropolitan area towards 2036. The Plan establishes housing and employment targets for the Sydney region at 770,000 additional dwellings and 760,000 new jobs by 2036. The Plan identifies targets for the west central subregion for an additional 96,000 dwellings and an additional 98,000 jobs by 2036. The Plan seeks at least 70% of new dwellings to be located within existing urban areas.

The proposal is consistent with the aims of the Metropolitan Plan and will contribute towards meeting the targets for new dwellings and jobs through its delivery.

Draft West Central Subregional Strategy

The site falls within the area defined as the Draft West Central Subregional Strategy. The Subregional Strategy currently targets the provision of an additional 61,000 jobs and 95,500 dwellings for the region by 2031. Parramatta LGA has a total employment capacity target of 27,000 jobs and 21,000 additional dwellings. Epping is the nearest centre, located 1.4 kilometres from the site and is identified as a town centre within the strategy, and is also identified as being a centre likely to experience both significant employment and housing growth. The proposal will assist in contributing towards the identified dwelling capacity targets for Parramatta LGA.

3. STATUTORY CONTEXT

3.1. Major Project

The project is a Major Project under *State Environmental Planning Policy (Major Development) 2005* (Major Development SEPP), as it has a Capital Investment Value (CIV) of more than \$5 million (proposed CIV is **\$40,283,395**) in accordance with Schedule 3, Part 4 - Channel 7 site. It is therefore a project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

3.2. Permissibility

The Major Development SEPP lists the site as a State Significant Site (SSS) under Schedule 3, Part 4 – Channel 7 site. Clause 7 of Part 4 zones the land the subject of this application, General Residential (R1) (**Figure 9**). The proposal is permissible and consistent with the zone objectives.

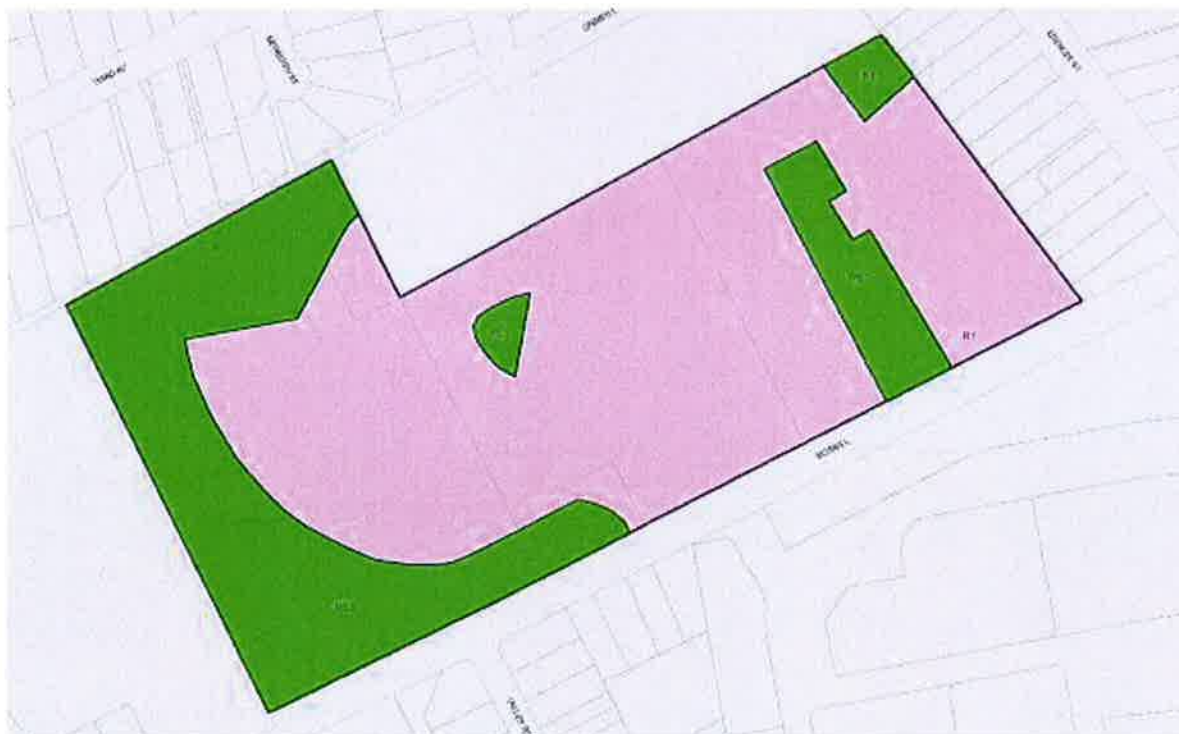


Figure 9: Zoning plan for the former Channel 7 site under the SSS classification

3.3. Environmental Planning Instruments

In accordance with Sections 75(2)(d) and 75(2)(e) of the EP&A Act, the proposal has been assessed in relation to all relevant State Environmental Planning Policies (SEPPs) and the relevant environmental planning instruments (EPIs) that would (except for the application of Part 3A), substantially govern the carrying out of the project. The Department's consideration of relevant SEPPs and EPIs is provided in **Appendix D**.

3.4. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The relevant objects are:

- (a) to encourage:
 - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

- (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) *the protection, provision and co-ordination of communication and utility services,*
- (iv) *the provision of land for public purposes,*
- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal complies with the objectives of the EP&A Act as it will facilitate the orderly development of the site. The residential development will provide social and economic benefits through the provision of additional housing opportunities and short term and ongoing employment opportunities. The proposal also has an acceptable performance in relation to ESD principles and complying with BASIX requirements. The proposal does not raise any issues with regards to the objects under the Act.

3.5. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The project is consistent with the key principles of the ESD. A further detailed assessment against ESD Principles is at **Appendix D**.

3.6. Statement of Compliance

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the EA of an application publicly available for at least 30 days. After accepting the EA, the Department publicly exhibited it from **Wednesday 12 January 2011** until **Friday 18 February 2011** (38 days) on the Department's website, and at the Department's Information Centre, Parramatta City Council offices and the Epping Library. The Department also advertised the public exhibition in the Daily Telegraph, Sydney Morning Herald, Parramatta Advertiser, Northern District Times and the Parramatta Sun on 12 January 2011. Landholders and relevant State and local government authorities were notified by the Department in writing.

The Application, Director-General's Environmental Assessment Requirements, Environmental Assessment, and Response to issues raised in submissions (in the Preferred Project Report) were placed on the Department's website. In addition, Parramatta City Council was advised in writing of the PPR submission. This satisfies the requirements in Section 75H(3) of the EP&A Act.

A summary of the 16 submissions received by the Department during the exhibition period is provided below.

4.2. Public Authority Submissions

Six (6) submissions were received from public authorities.

Parramatta City Council

Parramatta City Council acknowledged that the proposal as described in the EA, generally conformed with the approved Concept Plan (MP05_0086).

Council however, advised they do not support 6 storey buildings on the site. Building heights, of up to 6 storeys, were considered and approved across the Channel 7 site as part of the Concept Plan approval (as modified). A condition is recommended to ensure the basement levels comply with the definition within the Major Development SEPP. Subject to this condition, the proposed building heights comply with the approved Concept Plan. The proposal is therefore acceptable in this regard.

Council stated that the proposal should provide adaptable units in accordance with the requirements of the Parramatta Development Control Plan 2005 (Parramatta DCP 2005). The PPR resulted in the provision of 13 adaptable units and vehicle parking spaces in accordance with the requirements of the Parramatta DCP 2005. A condition is recommended to ensure the units comply with the requirements of AS 4299 Adaptable Housing.

Council also raised a number of objections relating to non-compliances with SEPP 65 and the accompanying RFDC. These are discussed in section 5 of this report.

Roads and Traffic Authority (RTA)

The RTA advised that it may be desirable to provide separate vehicular access points for Buildings 7 and 8 to provide a more efficient access to each building. The Department considers that the location of the single access point to the basement parking is acceptable as it will reduce potential conflict between vehicles and pedestrians in and around the site. The location of the access point away from the primary street frontage also supports good urban design principles. Given the streetscape design and safety benefits, the proposed basement parking entry point is considered acceptable.

The RTA requested clarification regarding the provision of an adequate turning path for waste vehicles into the access road located off internal 'Road 2'. All internal roads were approved as part

of the Early Works Package (MP09_0258) and conditions were imposed as part of that approval requiring all truck routes to be constructed to the satisfaction of Council to ensure adequate turning paths/access is provide for waste vehicles.

The RTA also raised concern in relation to the proposed car parking provision which exceeds the RTA minimum requirements for the development. The proposed car parking provision is discussed in Section 5.4 below. A number of standard conditions recommended by the RTA are included in the recommendation.

State Transit Authority (STA)

The STA requested an opportunity to provide input into the Construction Traffic Management Plan to ensure bus services are not unduly interrupted. Accordingly, a recommended condition requires the Proponent to prepare a Construction Traffic Management Plan, prior to the issue of a Construction Certificate, in consultation with the STA.

Sydney Water

Sydney Water advised that the existing drinking water system has sufficient capacity for the proposal. Sydney Water stated that the existing wastewater system does not have capacity to service the proposal however, they advised that necessary connections to the main service will be considered as part of the Section 73 Certificate. A condition requiring the Proponent to obtain a Section 73 Certificate to Sydney Water, prior to the issue of an Occupation Certificate is recommended as a condition of approval.

Integral Energy

Integral Energy has advised that the existing network has capacity for the proposed development. However, the Proponent will be required to submit an 'Application for Connection of Load' to facilitate the development. A condition of approval has been recommended accordingly.

Department of Environment and Climate Change and Water

The Department of Environment, Climate Change and Water advised that they have no comments regarding this Project Application.

4.3. Public Submissions

10 submissions were received from the general public. The key issues raised in the public submissions are listed in **Table 2**.

Table 2: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
Excessive density, height and bulk	70%
Increased traffic congestion	60%
Increasing the number of dwellings from 650 to 800	30%
Lack of infrastructure, including drainage, electricity substation, schools, medical services and public transport	30%
Redevelopment of the TAFE site	20%
Amenity concerns, including view loss and overlooking	10%

Concerns raised in public submissions typically related to issues already dealt with by the approved Concept Plan (MP05_0086) as modified and the approved Early Works Package

(MP08_0258). As such, only the submissions which directly related to this current application are considered in the Department's assessment.

4.4. Proponent's Response to Submissions/ Preferred Project Report

Following exhibition of the EA, the Department advised the Proponent that additional information was required in relation to residential amenity, streetscape design and the height of Building 8.

A Preferred Project Report was submitted by the Proponent on 7 April 2011, as a response to the issues raised. The PPR resulted in the following modifications:

- A reduction in the number of proposed units from 130 to 127;
- The provision of one and two bedroom units only;
- An increase in the number of dual aspect units and those benefiting from natural cross ventilation;
- Direct pedestrian entries to all ground floor units within Building 7 and 93% of ground floor units in Building 8;
- The provision of 13 adaptable units; and
- A reduction in the total proposed car parking spaces from 201 to 184, including 13 disabled parking spaces at basement level and 11 on-street spaces.

5. ASSESSMENT

The Department considers the key issues for the project as:

- Compliance with the approved Concept Plan;
- Residential amenity; and
- Internal streetscape.

5.1. Consistency with the Approved Concept Plan and State Significant Site Controls

On 22 August 2006, the then Minister for Planning approved a Concept Plan for the residential redevelopment of the former Channel 7 site (MP05_0086). Further to this, on 21 February 2011, the then Minister for Planning approved modifications to the original Concept Plan (MP 05_0086 MOD 2) approving:

- A maximum of 800 dwellings;
- maximum of 80,000m² gross floor area;
- maximum building heights of up to 6 storeys;
- Unit mix- 1 bedroom units- Minimum 5%, 3 bedroom plus study - maximum 15% of units;
- 3.1 hectares of publicly accessible open space plus 12,965m² of common open space; and
- a neighbourhood shop and community facilities.

Council has advised that they do not support the construction of 6 storey buildings on the site. Maximum building heights were considered as part of the Concept Plan approval. The provision of 6 storey buildings was considered acceptable due to the lack of adverse impacts on surrounding land uses and the appropriate transition provided in relation to surrounding development. This proposal does not seek alterations to building envelopes or building heights approved by the Concept Plan (as modified).

Tables 3 and 4 below illustrate the cumulative totals for the Channel 7 site, comparing approved developments and the proposal against the approved Concept Plan (as modified) and the SSS listing.

Table 3: Compliance with approved modified Concept Plan

Concept Plan Controls (MP05_0056 as modified)	Approved Residential Developments (MP 08_0257 & MP 10_0107)	Current Proposal	Accumulative Total	Complies?
Zoning R1 General Residential	Residential development	Residential development	Residential development	YES
Maximum Building Height- 6 storeys	2-6 storeys	3- 6 storeys	Max 6 storeys	YES
Maximum 800 units	162	127	289 units	YES
Maximum GFA 80,000m²	19,496m ²	12,279m ²	31,775m ²	YES
FSR (max 0.89:1)	0.22:1 over whole site	0.14:1 over whole site	0.36:1 over whole site	YES
Dwelling mix 1 bedroom- minimum 5%	24/162 or 15%	10/127	34/800 or 4.25%	Contributes towards cumulative total
3 bedroom- maximum 15%	28/162 or 17%	0/127	28/800 or 3.5%	
Landscaped Public Open Space (min)= 3.1ha	3.1ha over whole site	3.1ha over whole site	3.1ha over whole site	YES

Table 4: Compliance with State Significant Site (SSS) Controls (as modified)

SSS Requirements	Proposal including already approved residential development (MP 08_0257 & MP 10_0107)	Complies?
Zoning R1 General Residential	Residential development	YES
Maximum Building Height- 6 storeys	Maximum height 6 storeys	YES
Maximum 800 units	289 units	YES
Maximum GFA 80,000m ²	31,775m ²	YES

Setbacks

The proposal complies with all aspects of the approved Concept Plan (as modified) except for a partial variation sought to the prescribed rear (northern) setback of Buildings 7 and 8. The Concept Plan (as modified) requires Buildings 7 and 8 to be setback 6.5 metres from the rear boundary, adjacent to the TAFE complex. The main building form of both buildings, including balcony projections, complies with the required setback (**Figure 10**). The application includes ancillary structures, at ground level only, within this setback including 2 fire escape stairs from the basement levels (with varied heights of 1.2m and 2.5m above ground level due to changes in levels) and the ground floor courtyards. The Department considers the variation to be minor as the proposed encroachment is at ground level only and will not affect the existing amenity enjoyed by the TAFE or surrounding residents.

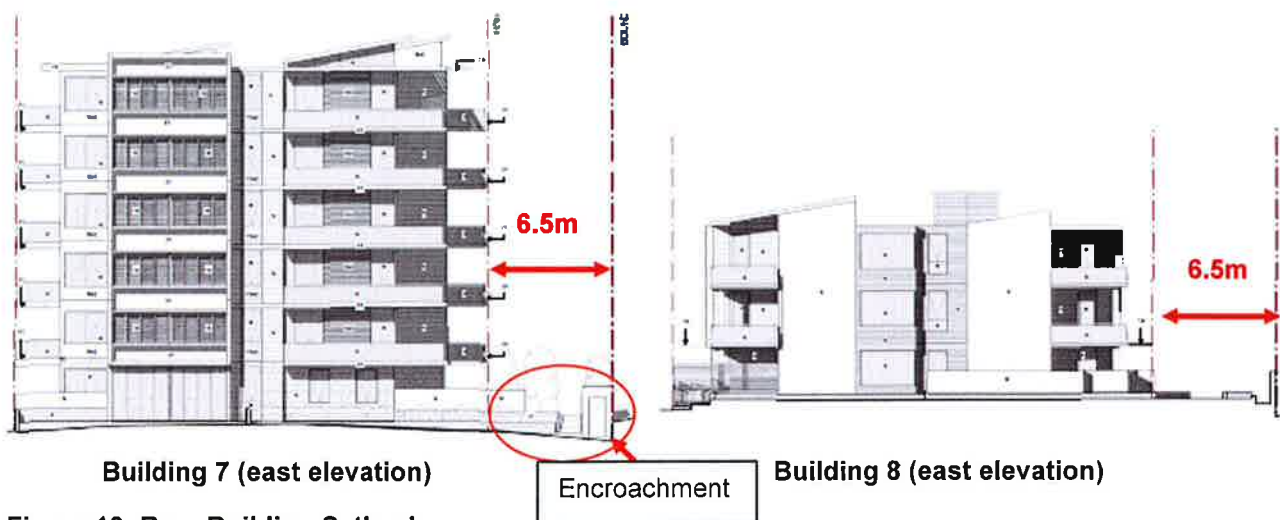


Figure 10: Rear Building Setbacks

The Department considers that the proposed setback is acceptable given it generally complies with the approved setbacks stipulated within the approved Concept Plan (as modified).

5.2. Residential Amenity

Amenity impacts of the proposal have been considered against the requirements of SEPP 65 and the accompanying Residential Flat Design Code (RFDC). Generally, Buildings 7 and 8 comply with the requirements of SEPP 65 and the RFDC, with the exception of partial variations to building separation, building and unit depth, single aspect units, access cores and private open space, as discussed below.

Building Separation

The RFDC recommends minimum building separation distances of 12 metres up to 4 storeys and 18 metres above 4 storeys. Separation distances between Buildings 7 and 8 range between 6-7 metres at ground, first and second floor levels, increasing to a distance of 25 metres at third, fourth and fifth floor levels. Therefore, the proposal does not strictly meet the recommended minimum RFDC separation distances for the first three levels, as illustrated in **Figure 11** below. It should

however be noted that the proposal has been design in accordance with the approved Concept Plan which approved a 6m separation distance between buildings 7 and 8.

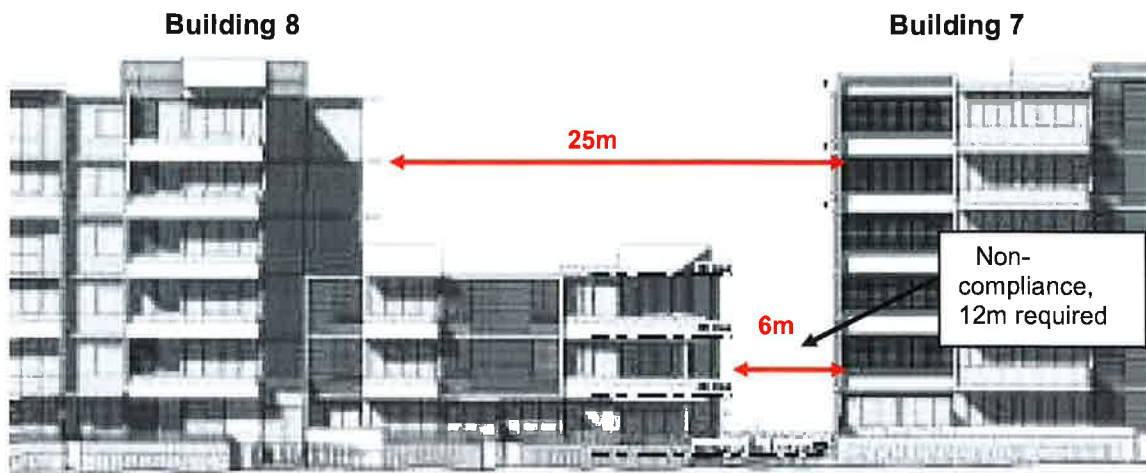


Figure 11: Building Separation Distances

The RFDC advises that *'Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy have been satisfactorily achieved.'*

The PPR has resulted in both buildings exceeding the minimum recommended provision for solar access, with 76% of units, across both buildings, achieving a minimum of 3 hours of sunlight between 9am and 3pm on 21 June. In addition, the stepped building height of Building 8 provides visual interest to the proposal and acts to break up the bulk of the building.

The proposal has addressed visual privacy by orientating units within the two buildings towards the north and south. Windows provided on opposite side elevations are secondary openings. Where openings do occur, they are generally limited in width and have been located to be off-set from windows on the opposite elevation. In addition, bathrooms have been provided with highlight windows (**Figure 12**).

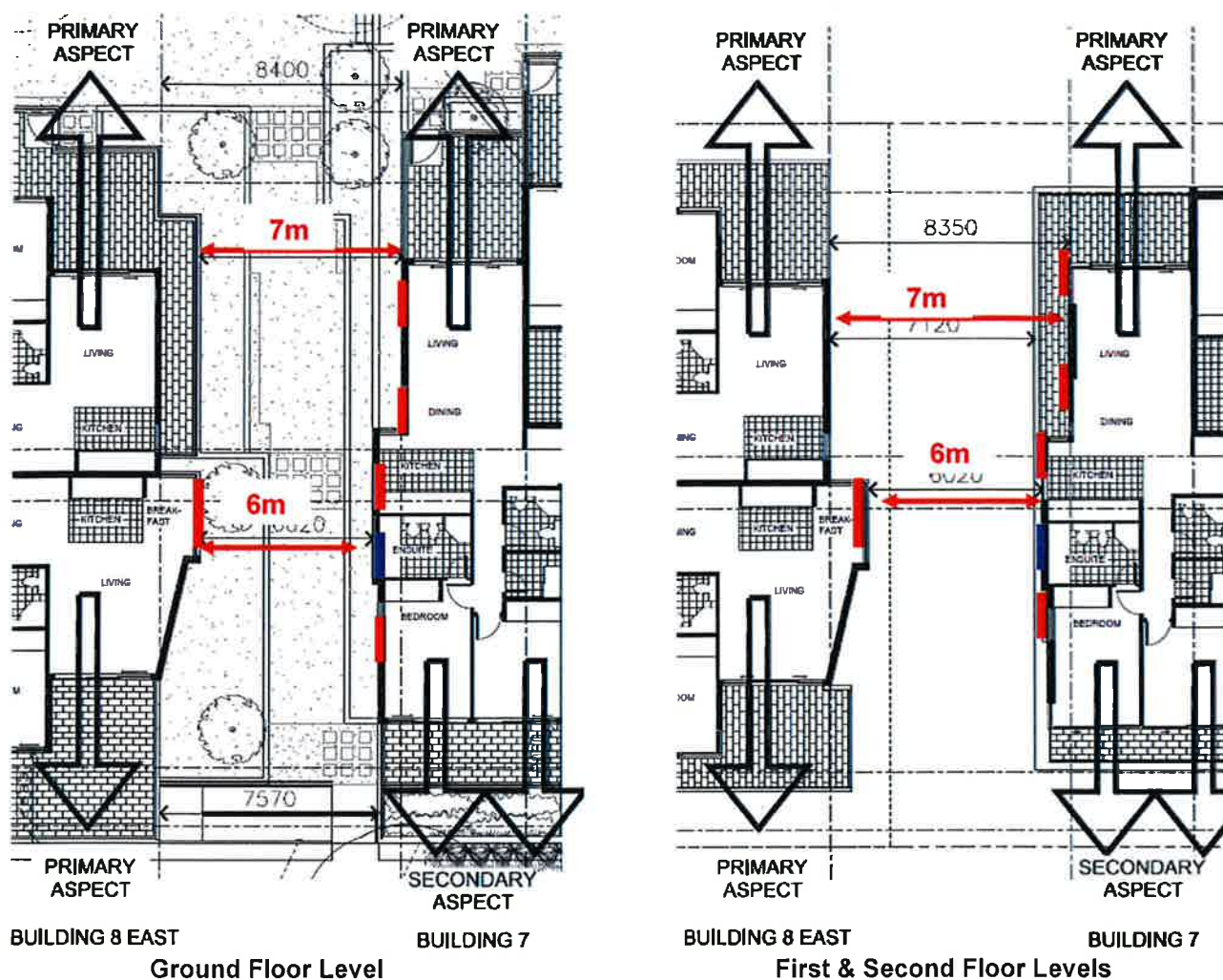


Figure 12: Facing Windows- Buildings 7 and 8 (windows shown in red, highlight windows in blue)

The proposal also includes a number of design elements to assist with visual privacy including operable, external screens or louvers to the west elevation windows of Building 7, providing additional privacy to residents. At the ground floor level, the raised planters and proposed shrubs will provide privacy to the ground floor units.

To provide adequate privacy to the opposite balconies on the first and second floor levels, a condition is recommended requiring privacy screens to the eastern elevation of relevant balconies within Building 8.

Despite the variation from the RFDC recommended separation distance, at ground, first and second floor levels, the proposal achieves satisfactory amenity for future residents and an appropriate built form.

In addition, the proposal is consistent with the building envelopes as approved by the Concept Plan. In this regard, the Concept Plan nominated specific building heights and building separation distances for Buildings 7 and 8. The approved Plan stipulated minimum building separation of 6 metres at the eastern end of the site between Buildings 7 and 8. The proposal meets this separation and demonstrates that the resultant impact on residential amenity is acceptable.

Building and Apartment Depth

Parramatta City Council raised objection to the proposed building depth and apartment depths, which exceed the maximum recommended RFDC controls of 18 metres and 8 metres, respectively.

Building 7 has a building depth ranging between 15-21.5 metres, while Building 8 has a depth of between 18-21 metres. In addition, of the proposed single aspect units within Building 7, 74% (26 units) exceed the maximum permitted depth of 8 metres by between 0.5-1 metre. Within Building 8, 66% (56 units) exceed 8 metres by between 0.5-1 metre.

The objectives of the building and unit depth controls are to ensure adequate residential amenity is provided within units and to reduce the bulk and visual appearance of buildings. The RFDC does however, facilitate for building depths in excess of 18 metres, subject to satisfactory daylight and natural ventilation being achieved.

The proposed building and unit depths are considered acceptable. The PPR has resulted in improvements to residential amenity with both buildings complying with RFDC requirements for solar access, cross ventilation and apartment size. In addition, units have been designed to maximise light and ventilation with the use of open plan kitchen and living areas. These spaces also benefit from floor to ceiling windows and doors to external elevations, opening onto areas of private open space. Sufficient natural light will therefore be afforded to these units.

Single Aspect Units

Council objected to the number of units with a single southerly aspect exceeding the maximum 10% recommended by the RFDC. The PPR has resulted in a reduction in the number of single aspect units from 24% (10 units) to 12% (5 units) within Building 7 and from 30% (26 units) to 14% (12 units) within Building 8. The reduction results from the introduction of crossover units within Building 8 and minor modifications to the layout of units in Building 7.

The proposed development is constrained in achieving the recommended number of single aspect units due to the orientation of the building footprints, approved by the Concept Plan. However, despite the non-compliance, both buildings will exceed minimum standards in relation to solar access and natural cross ventilation. It is therefore considered that the minor non-compliance is acceptable.

Access Cores

The RFDC recommends that the number of units relying on single access core should generally not exceed 8 units. The PPR has resulted in compliance with this requirement, with the exception of level 2 of Building 8 which contains one access lift per 11.5 units. The Department requested the Proponent review the PPR to address this non-compliance.

The Proponent provided additional justification, advising the variation had resulted from the provision of crossover units, within Building 8. The provision of these units has improved residential amenity within the building, allowing it to achieve RFDC requirements in relation to solar access and natural cross ventilation. In addition, the total number of single aspect units has been reduced from 30% to 14% by the PPR.

The average number of units per each access core for the whole building would be 7 units per floor, which complies with the RFDC. Impacts of the non-compliance on level 2 will be mitigated by the lower number of units serviced by lift cores on other floors of the building.

The variation to the RFDC access core requirement is considered to be adequately justified by the much improved residential amenity provided by the PPR amendments.

Open Space and Deep Soil Areas

The RFDC recommends that ground floor units within residential flat buildings should be provided with at least 25m² of private open space. Within Building 8, 12 (52%) of the ground floor units will have more than 25m² of private open space, 4 units will have between 19m²- 23m² and the 7x split level units will have a total area of approximately 16.6m² of private open space at ground and first floor levels. Within Building 7, 5 of the 7 (71%) ground floor units would have in excess of 25m².

The development's private open space provision will be complemented by the 3.1 hectares of public open space across the site, as well as 12,965m² of common open space including a tennis court available for residents.

Buildings 7 and 8 would particularly benefit from the proximity of the approved park adjacent to Building 7 and the approved 'village green' between Buildings 4 and 5. Given the significant provision of accessible open space available to the development, the partial non-compliance is considered acceptable in this instance.

Conclusion

On balance, the Department considers that the proposal satisfactorily achieves the objectives and intent of SEPP 65 and the RFDC. The development will provide a range of unit types and sizes, all achieving satisfactory privacy, solar access, natural cross ventilation and accessible private open space. Despite the partial variations with the RFDC, it is considered that the development will achieve satisfactory amenity levels for future occupants.

A full assessment against SEPP 65 and the RFDC is included in **Appendix D**.

5.3. Internal Streetscape

Street Activation

The PPR has addressed Council's concerns relating to lack of internal street activation to the building's south elevations. Direct pedestrian entries are now proposed to 5 out of 8 ground floor units fronting 'Road 2' in Building 8 and 2 out of 3 of ground floor units fronting 'Road 2' in Building 7. Previously no direct pedestrian entries were proposed off new 'Road 2'. This modification will provide a defined street address to these units, assist in breaking up the continuous line of the courtyard boundary fences and provide visual interest and activation along the streetscape.

Building Length

Council also raised concern regarding the length of Building 8 (approximately 103 metres), citing the Parramatta DCP 2005 maximum building length control for multi-unit dwellings (20 metres). The length of Building 8 is consistent with the approved Concept Plan. Building design features including the stepped building heights and building articulation including indented lobby access act to break up and reduce the bulk of the building (**Figure 13**). Additional contributors including a variety of building materials and colours and the use of landscaping (approved and proposed) at street level, will further assist in breaking up the appearance of the building's mass and bulk, while providing visual interest along the street. Given the building's acceptable streetscape appearance, the proposed building length is considered acceptable.

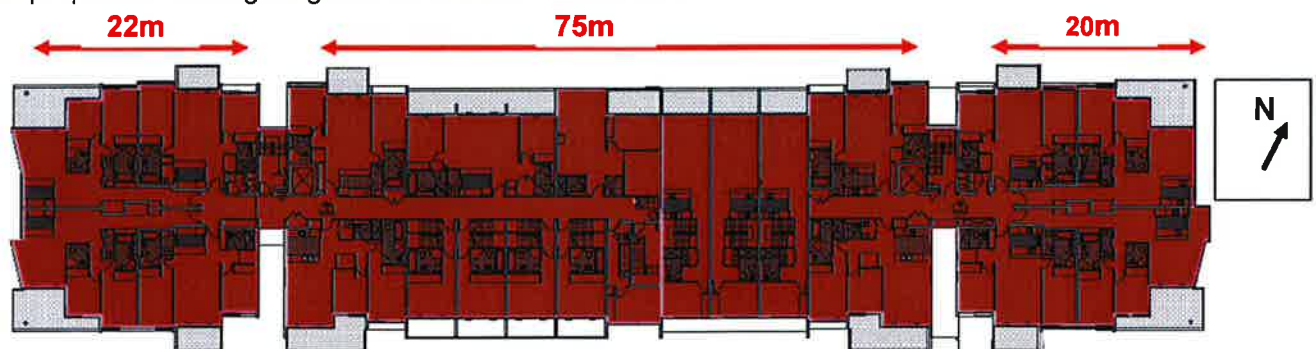


Figure 13: Building articulation (Building 8)

Fence Height

Due to the site's downward slope towards the western end of Building 8 and the change in levels between the building and street level, several of the courtyard fences to south facing units, exceed 1.8m above street level. To reduce the appearance of the fences on the street, while also ensuring privacy to residents, a condition is recommended requiring that courtyard fences not exceed 1.8m above finished ground level of the courtyards or the street level, whichever is lower.

5.4. Car Parking

The proposed parking provision consists of 173 basement parking spaces, including 13 disabled spaces and a car wash space, as well as an additional 11 on-street parking spaces, resulting in a total of 184 car parking spaces.

The proposed parking provision for the site is based on the minimum car parking standards within the Parramatta DCP 2005. Minimum Parramatta DCP 2005 requirements have been applied across the site and Parramatta Council has raised no objection to the proposed parking provision. Council's minimum requirements and the proposed provision are illustrated in **Table 5** below.

Table 5: Car Parking compliance table

Unit Type	Number of Units	Parking Standard (Parramatta DCP)	Parking Proposed
1 bedroom	10	1 space per unit = 10	155
2 bedroom	117	1.25 spaces per unit = 146.25	
Visitor spaces	127	0.25 space per unit = 31.75	28
Car wash bay		1 space	1 space
TOTAL		189	184

The proposal will result in a shortfall of 5 car parking spaces, relative to the requirements of Council's minimum parking standards. This represents a deficiency of 1 resident parking space and 4 visitor spaces.

It is not considered that the reduced provision will result in any adverse impacts. In the event that all visitor spaces were occupied, visitors would be able to access alternative on-street visitor parking spaces across the rest of the site. The reduction in spaces from the EA has resulted from the inclusion of 13 disabled spaces, which is a valuable addition to the development.

The RTA advised that the proposed car parking provision will exceed the RTA's requirements for the development. The RTA's standards (147 spaces) are minimum parking standards and do not preclude the provision of additional car parking spaces. In addition alternative transport methods are available to residents including a regular bus service on Mobbs Lane, linking the site to nearby train stations and surrounding centres. Opportunities for cycling are also promoted, with 44 secure cycle parking spaces provided at basement level.

The parking provision is generally consistent with the Parramatta DCP 2005 and the development provides adequate alternative transport opportunities for residents to encourage and facilitate non-car transport modes. The proposed car parking provision is therefore considered acceptable.

6. RECOMMENDATION

The Department has assessed the EA, as modified by the PPR, and considered the public and authority submissions in response to the proposal. The key issues raised in the submissions relate to the height, bulk and density of Buildings 7 and 8, increased traffic congestion for Mobbs Lane and the surrounding road network, lack of public transport, and amenity concerns.

The Department considers that the proposal is consistent with both the Concept Plan approval (as modified) and the SSS controls. In addition, the PPR has resulted in improved levels of solar access (from 72% to 76%) and natural cross ventilation (from 60% to 73%), decreased the number of single aspect units (from 28% to 13%), and improved street activation and the accessibility of the development. The proposal generally complies with the requirements of SEPP 65 and the accompanying RFDC, ensuring quality amenity for residents. Departures from the Code are justified. The development will also provide a positive internal streetscape to the site and maintains the existing quality of life afforded to surrounding residents.

The proposal supports the objectives of the State Plan, through the provision of greater housing supply and choice as well as utilising existing public transport and other physical infrastructure. This proposal therefore provides an important opportunity to redevelop a site which supports these aims, which is currently underutilised.

The proposal will also contribute towards long term dwelling targets, set within the Metropolitan Plan for Sydney 2036 and the Draft West Central Sub-regional Strategy. The proposal will contribute towards the orderly redevelopment of the former Channel 7 site, providing a range of unit types and sizes, catering for a variety of household types. The development will complement approved residential buildings, (Buildings 1, 2, 3, 4 and 5) and will cumulatively contribute towards the development yields approved under the Concept Plan.

The Department has prepared recommended conditions of approval in respect to the project approval which are set out in **Appendix G**. The reasons for the imposition of the conditions are to ensure the timely and orderly development of the site in conjunction with existing approvals and to manage the construction impacts of the development.

Subject to the recommended conditions, the Department is satisfied that all the impacts of the proposal have been satisfactorily addressed within the Proponent's EA, PPR and Statement of Commitments.

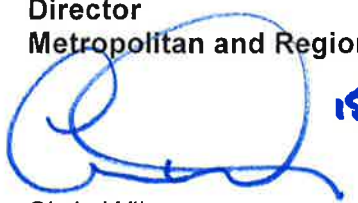
RECOMMENDATION

It is **RECOMMENDED** that the Planning and Assessment Commission as delegate for the Minister for Planning and Infrastructure:

- **note** the information provided in this report;
- **approve** the Project Application, subject to recommended conditions; and
- **sign** the attached approval.



Michael Woodland
Director
Metropolitan and Regional Projects South



Chris Wilson
Executive Director
Major Projects Assessment



Richard Pearson
Deputy Director-General
Development & Systems Performance

APPENDIX A ENVIRONMENTAL ASSESSMENT

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX B SUBMISSIONS

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX C PROPONENT'S RESPONSE TO SUBMISSIONS/ PPR

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD) PRINCIPLES

There are four accepted ESD principles:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department has considered the development in relation to the ESD principles and has made the following conclusions:

Precautionary Principle – the proposal is located in the north-east corner of the site and will not have any impact on the existing endangered ecological community Turpentine-Ironbark Forest, including approximately 14 Apple Box *Angophora floribunda* trees located in the north-west part of the site.

Inter-Generational Principle – the proposal represents a sustainable use of the site as the redevelopment will utilise existing infrastructure and make more efficient use of the site. The redevelopment of this site will also have positive social, economic and environmental impacts.

Biodiversity Principle – following an assessment of the Proponent's EA and PPR it is considered with appropriate certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal. The development site has been developed for some time and has a low level of environmental sensitivity. The endangered ecological community is located in the far north-west of the former Channel 7 site and would not be impacted upon by the proposal.

Valuation Principle – the development has been designed in accordance with BASIX targets utilising energy and water efficient fittings. The above measures will be included in the total cost of the project and considering greenhouse gas emissions linked to environmental performance, accessibility and travel the proposal is considered to be acceptable.

SECTION 75I(2) OF THE ACT & CLAUSE 8B OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The DG's report to the Minister for the proposed project satisfies the relevant criteria under Section 75I of the Act as follows:

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report;	The Proponent's EA and PPR are located on the Department's website www.planning.nsw.gov.au .
Any advice provided by public authorities on the project;	A summary of the advice provided by public authorities on the project is set out in Section 4 of the report.
Copy of any report of a panel constituted under Section 75G in respect of the project;	No statutory independent hearing and assessment panel was undertaken in respect of this project.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project;	All relevant SEPPs which substantially govern the carrying out of the project are identified below, including an assessment of the proposal in relation to the SEPP.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division,	An assessment of the development relative to the prevailing environmental planning instrument is provided in Section 5 of this report and also later in this Appendix.
Any environmental assessment undertaken by the	The environmental assessment of the Project

Director General or other matter the Director General considers appropriate;	Application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the Project Application is this report in its entirety.

The DG's report to the Minister for the proposed project satisfied the relevant criteria under Clause 8B of the EP&A Regulation as follows:

Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest/public benefits are discussed in Section 5 of this report.
The suitability of the site for the project	The site is considered to be suitable for the proposed residential development in accordance with the approved Concept Plan (as modified).
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 of this report.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of Section 75I(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

Other controls to be considered in the assessment of the proposal are:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy 55 – Remediation of Land

The provisions of development standards of local environmental plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R Part 3A of the Act. Notwithstanding, the objectives of the above a EPIs, relevant development standards and other plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment in accordance with the DGRs.

The provisions of development standards of local environmental plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R Part 3A of the Act. Notwithstanding, the objectives of the above EPIs, relevant development standards and other plans and policies that govern the carrying out of the project have been considered in this assessment in accordance with the DGRs.

COMPLIANCE WITH PRIMARY CONTROLS

State Environmental Planning Policy (Major Development) 2005

The Major Development SEPP applies to the project as discussed in Section 3.1 of this report. The former Channel 7 site is of state significance under Schedule 3, Part 4 of the Major Development SEPP, which sets out provisions relating to the redevelopment of the site including, zoning, height, density and number of dwellings and total gross floor area.

The proposal has been assessed against the numeric controls of the State Significant Site (SSS) listing within the Major Development SEPP and the Concept Plan (MP05_0086 as modified), in detail in Section 5.1 of this report. The proposal was considered cumulatively with the previously approved residential development on the site.

The Department is satisfied that the proposal generally conforms with the SSS controls and the approved Concept Plan.

State Environmental Planning Policy No. 65 (SEPP 65) – Design Quality of Residential Flat Buildings

SEPP 65 seeks to improve the design quality of residential flat buildings through the application of a series of 10 design principles. An assessment against these principles is given in the below table.

A Design Verification Statement has been provided by PTW Architects, stating that the subject development has been designed having respect to the design quality principles.

Key Principles of SEPP 65	Department Response
Principle 1: Context	The proposal is consistent with the requirements of the approved Concept Plan (as modified) and is acceptable within the redevelopment of the former Channel 7 site. The proposal would not have any detrimental impacts on the amenity of surrounding development and or future stages of the development on the former Channel 7 site.
Principle 2: Scale	The proposal complies with the maximum height controls within the approved Concept Plan (as modified). The buildings are considered to be an appropriate height and scale for the locality.
Principle 3: Built Form	The buildings have been designed to be consistent and compatible with the overall appearance and character of the Epping Park redevelopment. The buildings will provide an appropriate infill development along the northern boundary of the site, adjacent to the TAFE premises.
Principle 4: Density	The proposal contributes towards the cumulative total of dwellings on the site. The units are of an appropriate size and scale to facilitate a range of living arrangements. The proposed density complies with the approved Concept Plan (as modified) and the SSS listing.
Principle 5: Resource, Energy and Water Efficiency	A valid BASIX certificate has been included within the application. It indicates that the proposal complies with the established water and energy efficiency targets.
Principle 6: Landscape	The proposal includes planting along the internal street, 'Road 2', along the northern/rear boundary of the site and between the proposed buildings. The plantings along the internal road are consistent with the Tree Master Plan, prepared by Aspect Studios and other areas of open space already approved across the site.
Principle 7: Amenity	The proposal generally complies with the requirements of SEPP 65 and the recommended standards of the RDFC in terms of achieving satisfactory residential amenity. Non-compliances with RDFC rule of thumb controls has been mitigated to ensure units achieve satisfactory access to solar energy, natural ventilation and privacy.
Principle 8: Safety and Security	The buildings have been designed to provide passive surveillance to both the internal street, 'Road 2', and along the northern boundary of the site. All units have been provided with areas of secure storage and private open space. Furthermore, there is a clear distinction between public and private space within the development site.
Principle 9: Social Dimensions and Housing Affordability	The development provides a range of 1 and 2 bedroom accommodation types, including 13 adaptable units. The provision of the range of accommodation complies with the requirements of the Concept Plan (as modified) and facilitates the creation of a mixed and balanced community.
Principle 10: Aesthetics	The building facades are well articulated and include a variety of heights, materials and colours which provide an interesting streetscape appeal.

	The buildings will contribute towards a desirable streetscape character, complementing the character of surrounding development.
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An assessment of the proposal against the Residential Flat Design Code is set out below:

Table 5: Residential Flat Design Code Compliance Table

	RFDC requirement	Proposed	Complies?
Part 1 Local Context			
Building Separation (habitable rooms & balconies)	Up to 4 storeys • 12m between habitable rooms/balconies	8.4m-6.02m	Complies with approved Concept Plan
Street Setbacks	Compatible with desired streetscape character	Setbacks are consistent with the approved Concept Plan and approved and future development on the site	YES
Part 2 Site Design			
Deep Soil Landscaping	Min 25% of open space	0m ²	Acceptable on merit (see below)
Fences	Provide privacy and security Contribute to public domain	Front and rear elevation fences will ensure privacy as well as generally contributing positively to the streetscape character	Substantially, see below
Communal Open Space	Larger and brownfield sites potential for >30%	3.1ha (or 34%) public open space and 12,956m ² of common open space over whole Channel 7 site	Acceptable on merit (see below)
Private Open Space (ground floor)	25m ² with minimum width of 4m	Building 7= >25m ² except for 2 units Building 8= 52% ≥25m ²	Acceptable on merit (see Section 5.2)
Part 3 Building Design			
Acoustic Privacy	Separate noisier spaces from quieter spaces	Bedrooms of units do not generally share common walls with living areas of other units.	YES
Building Depth	Max 18m	Building 7= 15m- 21.5m Building 8= 18m- 21m	Partially, acceptable on merit (see Section 5.2)
Solar Access	70% of living rooms & private open space to achieve 3hrs sunlight between 9am-3pm on 21 June	Building 7= 71% Building 8 = 71%	YES
Single aspect units	Limit those with southerly aspect to no more than 10%	Building 7= 5 or 12% Building 8= 12 or 14%	Acceptable on merit (see Section 5.2)
Single aspect units- distance from window	Max 8m	Building 7= 8.5-9m Building 8= 8.5-9m	Acceptable on merit (see Section 5.2)
Naturally cross ventilated	Min 60% of units	Building 7= 60% Building 8= 80%	YES
Max No. of units off a circulation core	Max 8 units	Building 7= 7 units Building 8 Level 2= 11.5 units to 1 lift	Acceptable on merit (see Section 5.2)
Accessible Storage facilities	One bedroom= 6m ² Two bedroom= 8m ²	9.8m ² - 20.7m ² 8.7m ² - 9.7m ²	YES
Kitchens with natural ventilation	Min 25%	Building 8= 34% Building 7= 43%	YES
Apartment Size	1 bedroom= 50m ²	1 bed = 60.5m ² - 66.6m ²	YES

(min)	2 bedroom= 70m ²	2 bed= 80.1m ² - 95.4m ²	YES
Balcony Depth	Min 2m	>2m	YES
Floor to ceiling heights	≥2.7m	2.7m	YES

Deep Soil Landscaping and Private Open Space

No communal open space or deep soil landscaping is proposed as part of this development however, the private open space provision will be complemented by the 3.1ha of landscaped public open and the 12,956m² of common open space to be provided across the whole Channel 7 site, in accordance with the approved Concept Plan (as modified). This provision includes the approved park in the north-western corner of the Channel 7 site, the 'village green' located opposite the subject site and the 'town square' located along the Channel 7 site boundary. As such, on balance, the Department considers the open space provided in this application to be acceptable.

Natural Light to Corridors

Natural light would be provided to corridors through the use of glazed panels. To maximise natural light into corridors, a condition is recommended to require the deletion of the feature colour treatment to the glazing and require the glazing to be clear glazed.

Fences

Due to the change in levels along the north elevation of Building 8, the proposed fence would have a height of up to 2.8 metres, above street level. This height is considered excessive and a condition is included in the recommendation requiring the relevant sections of fence to be reduced to provide a more sympathetic street elevation.

In light of the assessment detailed above and in Section 5.3 of this report, it is considered that, subject to conditions, the proposal is acceptable with regards to SEPP 65 and the accompanying RFDC.

COMPLIANCE WITH OTHER CONTROLS

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP – BASIX aims to establish a scheme to encourage sustainable residential development across New South Wales. The current BASIX targets for Residential Flat Buildings, commenced on 1 July 2006 and requires all new residential dwellings in NSW to meet targets of a 20% reduction in energy use and 40% reduction in potable water.

A BASIX certificate has been submitted for the proposal which indicate that both buildings will satisfactorily meet the BASIX targets with a 22% reduction in energy use and a 40% reduction in potable water.

State Environmental Planning Policy (Infrastructure) 2007

Schedule 3 of the SEPP requires referral of applications for traffic generating development to the RTA for concurrence. The proposed works are not defined as traffic generating development however the proposed road works require the RTA to be consulted under the Roads Act 1993.

A detailed discussion on comments received from the RTA is provided in Section 4 of this report.

State Environmental Planning Policy No. 55 (SEPP 55) – Remediation of Land

A 'Soil and Groundwater Risk Assessment' was submitted with MP08_0258 Early Works Package. The Department was satisfied that subject to conditions requiring the works to be carried out in accordance with the recommendations of that report, the site is capable of being utilised for residential development.

APPENDIX E POLITICAL DONATION DISCLOSURES

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX F RECOMMENDED CONDITIONS OF APPROVAL
