

**MODIFICATION REQUEST:
61 Mobbs Lane, Epping
Modification to Stage 2 Residential
Development
(MP 11_048 MOD 1)**



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

August 2012

1. BACKGROUND

1.1 Introduction

Meriton Apartments Pty Ltd, has lodged a section 75W application (MP11_0048 MOD 1), seeking to modify Building 6 located at 61 Mobbs Lane, Epping. Project approval MP11_0048 was granted on 28 May 2012 for the construction of three Buildings (Buildings 6, 9 & 10) as part of 'Stage 2' of the residential development at Mobbs Lane.

1.2 The Site

The site is approximately 24 km from the Sydney CBD and is located within the Parramatta Local Government Area (see **Figure 1**). The site is also known as the former Channel 7 Studios site.

The site has an area of 8.9 ha, with a frontage of approximately 500 m to Mobbs Lane. The surrounding development is predominantly low density detached residential dwellings which are mainly characterised by Californian Bungalows and Federation style architecture. A TAFE Campus adjoins the site on the north eastern boundary.

The site has a change in elevation of approximately 30 m from east to west down to Mobbs Lane Reserve. A drainage line flows into Terry's Creek along the north western section of the site.

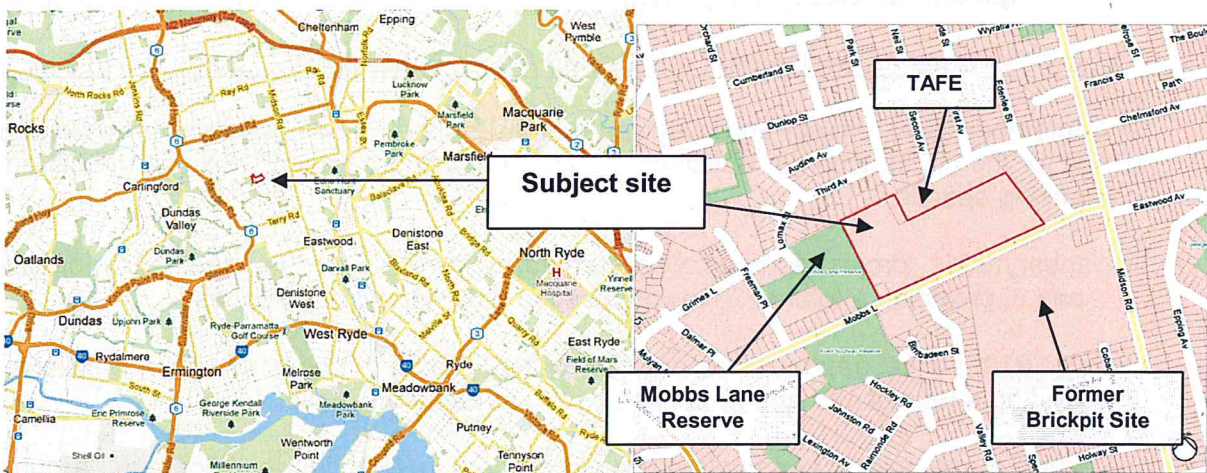


Figure 1: Site Location (Source: Google)

1.3 Approval History

State Significant Site Listing and Concept Plan Approval

In August 2006, State Environmental Planning Policy (Major Projects) 2005 (Amendment No. 6) was gazetted, which amended the Major Projects SEPP (now known as the Major Development SEPP) by listing the site as a State Significant Site in Schedule 3 of the SEPP.

In August 2006, the then Minister for Planning approved a Concept Plan (MP 05_0086) for the redevelopment of the site for residential and public open space uses. The Concept Plan was subsequently modified in February 2011 (MP 05_0086 MOD2) to increase the maximum number of dwellings from 650 to 800 dwellings. The approved building envelopes are depicted in **Figure 2** below.

2. PROPOSED MODIFICATION

2.1 Modification Description

The modification proposes the conversion of 10 two-bedroom apartments to 10 three-bedroom apartments, associated changes to car parking provision, and minor amendments to the approved elevations and landscaping for Building 6.

Details of the proposed modifications to Building 6 are listed below:

- Conversion of units G02, G13, 102, 113, 202, 213, 302, 313, 402 and 413 to three-bedroom units.
- Provision of 107 car spaces for Building 6, being an extra three car spaces, including nine visitor spaces (the basement/building footprint remains unchanged).
- Minor amendments to the building elevations including:
 - replacement of all 1.5 m wide windows with 1.8 m wide windows on all elevations
 - reduction of door panels from three panels to two panels for all ground floor apartments on the eastern and western elevations
 - replacement of pre-cast panels with glazed balustrades to eight apartments (on various floors) on the eastern elevation
 - replacement of the fences with glazed balustrades at ground floor level on units on the eastern elevation
 - realignment of external the fire stairs on the eastern elevation overlooking the tennis court
 - amendments to two pergolas on Level 2, and two pergolas on Level 5
 - removal of a portion of the roof for the air conditioning plant on the roof level.
- Minor amendments to floor layouts including:
 - internal unit layouts on the ground floor and Level 5 apartments
 - reconfiguration of the sprinkler room and the garbage room on the car park level
 - relocation of the bicycle storage on the car park level.
- Minor amendments to the landscaping overlooking tennis court.

2.2 Justification for Modification

Meriton seeks approval to modify the Stage 2 project approval MP11_0048 primarily to address market demand for three-bedroom apartments in the local area. The associated amendments to car parking are to ensure the appropriate car parking demand requirements are met. The modifications to the elevations are intended improve the visual appearance and functionality of Building 6. The proposed amendments to various internal unit layouts are to also improve the functionality of individual units.

3. STATUTORY CONTEXT

3.1 Changes to Part 3A

In accordance with clause 3 of Schedule 6A of the *Environmental Planning and Assessment Act 1979* (the Act), section 75W of the Act as was in force immediately before its repeal on 1 October 2011, and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Consequently, this assessment report has been prepared in accordance with the requirements of Part 3A and the associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75W of the Act.

5. ASSESSMENT

The key issues associated with the proposed modifications are discussed below.

5.1 Conversion of two-bedroom Units to three-bedroom Units

Unit Mix

The modification proposal seeks approval to convert 10 two-bedroom units to 10 three-bedroom units. The proposed unit mix is seen below in **Table 1**.

Table 1: Proposed Unit Mix for Building 6

Unit Type	No. of Units	
	MP11_0048	MP11_0048 MOD 1
1-bedroom	0	0
2-bedroom	74	64
3-bedroom	2	12
Total	76	76

The concept plan as modified (MP05_0086 MOD 2) specifies an overall maximum of 800 units across the Mobbs Lane site. In terms of unit mix, the concept plan specifies that a minimum of five per cent of the units must be one-bedroom units, and no more than 15 per cent on the units are to be three-bedroom units.

A total of 84 three-bedroom units have been approved overall – 82 in Stage 1 of the development and two in Stage 2 of the development. This represents approximately 18 per cent of all units across the site. The modification application proposes the conversion of 10 two-bedroom units to three-bedroom units. If approved, the overall quantum of three-bedroom units would be increased from 84 to 94 units, or approximately 20 per cent of units across the site.

The concept approval allows for a maximum of 800 units across the overall site. As a maximum of 15 per cent of all units are to comprise three-bedroom units, a maximum of 120 (15 per cent of 800) three-bedroom units are permitted. Therefore, if the subject modification is approved, a maximum of 26 three-bedroom units would be permitted in Stage 3 of the development. At the time of writing this report, the EA for Stage 3 was lodged for test of adequacy. A review of the EA concluded that Stage 3 includes 14 three-bedroom units, which does not exceed the 15 per cent maximum specified in the Concept Plan.

The department considers that there is ample opportunity during Stage 3 for the proponent to comply with the unit mix requirement of the concept approval. A maximum of 324 apartments are yet to be approved on the Mobbs Lane site, so the proposed increase of 10 three-bedroom units in Stage 2 raises no significant concerns. The distribution of three-bedroom units is also improved by the modification proposal, bringing more variety in housing stock in the central area of the Mobbs Lane site.

Residential Amenity

The modification proposal was considered against the amenity requirements contained within SEPP 65 and the Residential Flat Design Code (RFDC). The proposed internal layout of the three-bedroom units was reviewed with respect to cross ventilation and natural ventilation for kitchens. All other RFDC requirements were considered in the MP11_0048 project approval and are not relevant to the subject modification.

visitors prior to the issue of a Construction Certificate is recommended. The condition contained in the Instrument of Modification is provided below:

- B2 Prior to the issue of any Construction Certificate for Building 6, the proponent shall provide the Certifying Authority with plans identifying the location of two additional on-street visitor car spaces. A copy of the approved car parking plans shall be forwarded to the Director-General for information.*

5.3 Unit Size

The proposed three-bedroom units have a typical floor area of 103m². This is consistent with the 'Rules of Thumb' contained within the RFDC guidelines relating to affordable housing as suggested by the Affordable Housing Service. Whilst the RFDC guideline for three-bedroom apartments is 124m², the department considers that the provision of smaller and possibly more affordable units would be beneficial to the local area and accordingly the proposal is considered acceptable.

5.4 Modification to Elevations and Floor Plans

The proposed amendments to the building elevations and internal floor plans listed in Section 2.1 are considered minor and will not significantly alter the building design approved in project approval MP11_0048.

The proposed widening of windows on all elevations will provide greater sunlight access and amenity to the future occupants of the building and will not detract from the appearance of the building. The replacement of the fence with glazed balustrades on the ground floor overlooking the tennis court will provide additional views and amenity to the occupants of the ground floor apartments, and provide passive surveillance of the public domain. The proposed modifications would not result in any changes to the bulk, scale or height of the building.

The proposed changes to the internal layouts, including a new sprinkler room are minor in nature. Overall, the building will retain the variation in its building materials and articulation and the proposed amendments are considered acceptable.

5.5 Floor Space

Parramatta City Council queried whether the minor floor space increases were considered in the overall calculation of floor space across the site.

The modification request does not propose increases in floor space in Building 6. Notwithstanding, the project approval MP11_0048 requires that prior to the issue of an Occupation Certificate for the last building in Stage 2 that the cumulative total of gross floor area is confirmed by a surveyor to assist the department to calculate the remaining floor area available for Stage 3 of the development. The department has also confirmed with the proponent that floor areas will be scrutinised in the assessment of Stage 3 to ensure compliance with the concept approval.

5.6 Administrative Changes

Revision of Condition E8

As the application proposes modifications to the approved unit mix the proponent has provided a revised BASIX Certificate. It is recommended that Condition E8 be modified to reflect the revised BASIX Certificate number.

APPENDIX A MODIFICATION REQUEST

See disk attached.

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
