

08412
22 December 2008

The Director-General
Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Mr Michael Woodland

Dear Sir

**PRELIMINARY ENVIRONMENTAL ASSESSMENT FOR PART 3A PROJECT APPLICATION
STAGE 1 RESIDENTIAL DEVELOPMENT
61 MOBBS LANE, EPPING**

This preliminary environmental assessment report has been prepared by JBA Urban Planning Consultants Pty Ltd (JBA) on behalf of Sydney Broadcast Property Pty Ltd (SBP) to support a Part 3A Project Application for the first stage of residential development at 61 Mobbs Lane, Epping. The purpose of this submission is to provide an outline of the Part 3A Project Application and to request the Director-General's Environmental Assessment Requirements (DGRs) for the project.

A concurrent preliminary environmental assessment has also been lodged for the early works package for the site which includes, amongst other things, demolition of existing site improvements; construction of final landform; internal roads and external road works to support the development; reticulation of services; landscaping of the public domain; a child care facility; communal facilities; and subdivision.

This submission provides a description of the following:

- Background to existing Part 3A Approvals and State Significant Site listing;
- The site;
- Project outline; and
- Preliminary environmental assessment.

**1.0 BACKGROUND TO EXISTING PART 3A APPROVALS AND STATE
SIGNIFICANT SITE LISTING**

In August 2006, the Channel Seven site was listed in Schedule 3 of *State Environmental Planning Policy (Major Projects) 2006* (the Major Projects SEPP). The SEPP listing provides for residential and open space development, as well as broad development controls relating to density, height, dwelling yield and built form. Details regarding zoning provisions and the permissibility of the works proposed under this Project Application are provided in Section 4.0 below. The SEPP listing provides that torrens title subdivision on the site, and development with a capital investment value (CIV) of more than \$5million, is a Part 3A project for the purposes of Part 3A of the *Environmental Planning and Assessment Act 1979* (EPA Act).

On 22 August 2006, the Minister approved a Concept Plan (MP 05_0086) for residential development, landscaped open space, and associated facilities (consistent with the provision of the SEPP listing), which permits the following development on the site:

- Up to 650 dwellings;
- Up to 80,000m² maximum gross floor area (GFA) equivalent to a maximum floor space ratio (FSR) of 0.89:1;
- Up to 96,000m² total envelope area;
- No more than 73 dwellings per hectare on land;
- A maximum height number of 6 storeys and height distribution in accordance with figure 8.9 of the preferred project report dated May 2006;
- The development must provide a minimum of 5% one-bedroom dwellings;
- The development must not exceed 15% provision of 3-bedroom+study dwellings;
- Landscaped public open space (no less than 3.1 hectares) and private open space;
- Associated services and infrastructure;
- Land use distribution, building heights, densities, dwelling mixes and types; and
- Strata and torrens title subdivision.

The first stage of residential development is proposed within the General Residential Zone on the site and is consistent with the provisions of the SEPP listing and the approved Concept Plan. The works are included in the Minister's declaration/authorisation for the Channel Seven Concept Plan made in September 2005. A separate Ministerial declaration to establish the subject proposal as a Part 3A project is not required. This has been confirmed by the Department of Planning (the Department).

The Concept Plan approval included a number of modifications (conditions) which require the submission of certain documentation (to the satisfaction of the Department) prior to the submission of an application for development on the site (noting that the submission of a preliminary environmental assessment report is still permitted at any time). For example, a Landscaping Plan and Public Domain Management Plan are required to be formalised prior the submission of Project Application for the site. Notably, a Staging Plan is required to be submitted to the Department prior to the first application being made for *residential* development on the site (Modification B7).

A request to the Minister (or her delegate) to modify the Concept Plan approval in accordance with Section 75W of the EPA Act was submitted in early December 2008. The modification proposes the amendment of the Concept Plan approval to require the submission of additional reports/plans to satisfy the relevant modifications prior to submission of the first application for *residential* development on the site. The modification application is currently being assessed.

The Project Application for the first stage of residential development (to which this preliminary assessment relates) will be submitted following the satisfaction of the remaining relevant Concept Plan modifications.

1.1 Consultation

Development on the Channel Seven site has been the subject of ongoing discussions with the Department. A number of meetings have been held with the Department since Concept Plan approval was granted for the site to discuss the proposed timing, staging and details of future Part 3A project applications on the site.

2.0 THE SITE

The Channel Seven site is located at 61 Mobbs Lane, Epping in the Parramatta local government area (LGA). The site is comprised of several allotments legally described as Lots 1 & 2 DP732070, Lot 2 DP582172, Lots 1 & 2 DP570891 and Lot 4 DP219907. The Channel Seven site is 89,190m² in area, with a 500m primary frontage to Mobbs Lane which is accessed via Midson Road to the east and Marsden Road to the west. A site location plan is provided at **Figure 1** below.

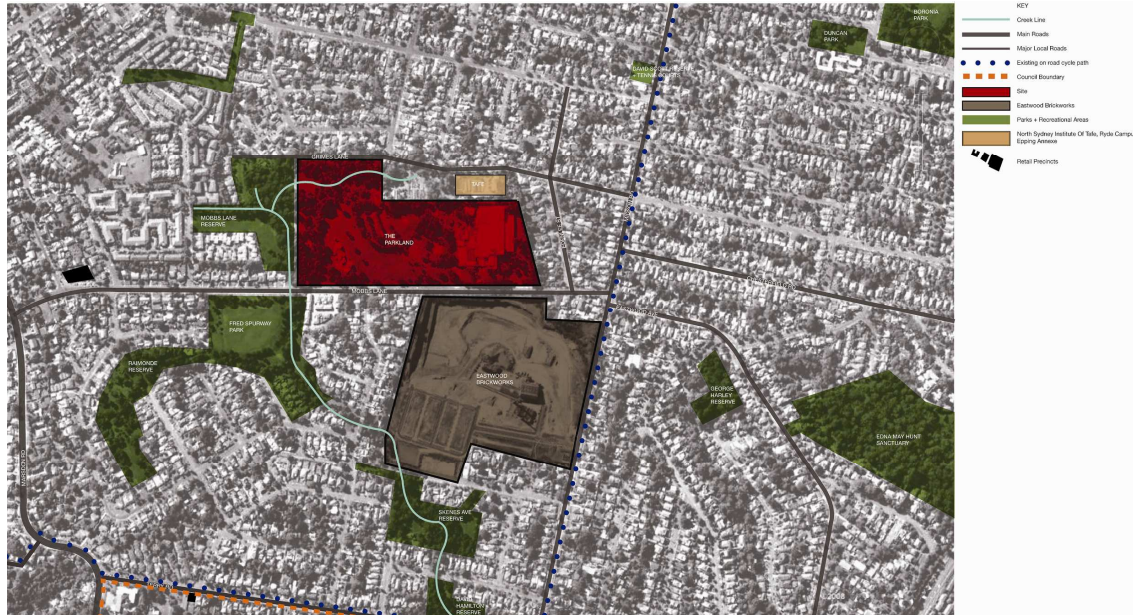


Figure 1 – Site location plan

Existing development on the site includes the following:

- Channel Seven television studios and ancillary buildings;
- Transmission tower;
- Satellite receiving station and satellite dishes;
- 790 on-site parking spaces; and
- A helipad.

2.1 Surrounding land

Both Epping and Eastwood town centres are located approximately 1.4 km east from the site. Carlingford town centre is located approximately 1.5 km to the west of the site. The surrounding area is characterised by residential development. A large-scale residential development on the former Brickpit site has commenced to the south of the site on the other side of Mobbs Lane.

3.0 PART 3A PROJECT OUTLINE

This preliminary environmental assessment relates to the first stage of residential development which is proposed in the easternmost section of the Concept Plan sites and will include Buildings 3, 4, 5 and 7 identified on the Concept Plan at **Figure 2** over.

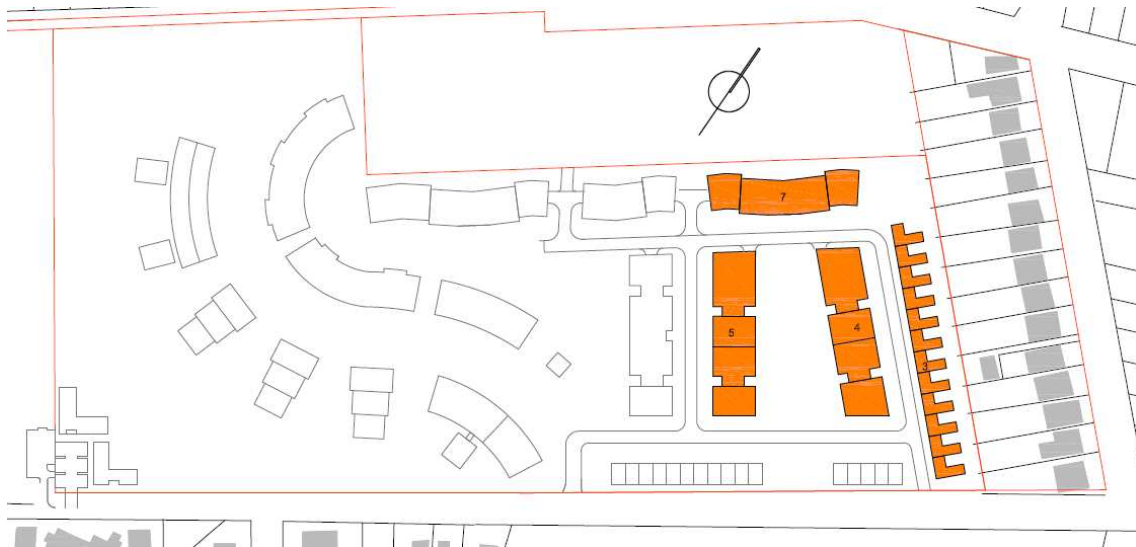


Figure 2 – Concept Plan layout

Building 3 includes 12 courtyard homes along the eastern boundary of the site. These dwellings will be two storeys each and will include at-grade parking associated with each dwelling.

Building 4 is located to the west of Building 3 on the other side of an internal road. It will accommodate approximately 67 residential units in a maximum six storey residential flat building (RFB) with basement parking.

Building 5 is a maximum six storey RFB to the west of Building 4 and will accommodate approximately 65 residential units and basement parking. Buildings 4 and 5 will define a central area of publicly accessible open space on the site which will be completed in accordance with the early works Project Application.

Building 7 is a maximum six storey RFB and will accommodate approximately 66 residential units and basement parking.

In total the first stage of residential development will accommodate approximately 198 residential units and 12 courtyard homes. The final design development is still being undertaken and therefore the final unit quantum may differ to that noted above and in Table 1 below.

Table 1 - synopsis of proposal

Building ID	Height	Dwellings (approx)	Parking
3	2 storeys	12 courtyard homes	At grade
4	max storeys	67 units	Basement
5	max storeys	65 units	Basement
7	max storeys	66 units	Basement
Total		198 units & 12 homes	

Plans illustrating the location of the proposal, building footprints and access and private landscaping for the proposed first stage of residential development on the site are provided at **Attachment A**.

The purpose of inclusion of subdivision within the proposed Project Application will be to allow sale of individual allotments and dwellings for this Stage of development upon completion.

3.1 Capital Investment Value

The proposed development in the new Project Application has an estimated capital investment value of approximately \$69,232,000. A QS summary is attached.

4.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT

The scope of environmental planning issues proposed to be addressed in an Environmental Assessment Report (EAR) to accompany the Part 3A Project Application is provided below to assist the Department and Director-General in identifying the Environmental Assessment Requirements for the project.

The key environmental planning considerations associated with the proposed development are as follows:

- consistency with planning instruments and suitability of the site;
- social and economic issues;
- built form and visual impact;
- heritage;
- ESD performance;
- traffic, transport and access;
- water management;
- waste management;
- utilities infrastructure;
- construction management; and
- BCA compliance.

The applicant intends to prepare a comprehensive EAR for the Part 3A Project Application to address the Director-General's Environmental Assessment Requirements.

4.1 Consistency with planning instruments and suitability of the site

The following legislation and planning instruments are relevant to the proposal:

- EPA Act – Part 3A;
- The Major Projects SEPP – Schedule 3;
- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure);
- State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) and the Residential Flat Design Code (RFDC); and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX).

Whilst not mandatory, also considered is the relationship to, and relevance of, the following:

- Parramatta Local Environmental Plan 2001 (LEP 2001); and
- Parramatta Development Control Plan 2005 (DCP 2005).

The compliance of the proposal with relevant planning instruments is summarised in **Table 2** over:

Table 2 – Summary of Relevant Planning Controls

Instrument	Provision	Proposal/Compliance
EPA Act	The proposal will be assessed as a Major Project in accordance with the relevant provisions of Part 3A of the EPA Act.	This preliminary environmental assessment report has been prepared to assist the Director-General in preparing his Environmental Assessment Requirements in accordance with the relevant provisions of Part 3A of the EPA Act.
Major Projects SEPP	Specific zoning and development controls are provided for the site under Part 4 of Schedule 3 of the Major Projects SEPP	Part 4 of Schedule 3 of the SEPP nominates a General Residential Zone and Public Recreation Zone on the site. The proposed residential buildings are located in the General Residential Zone on the site in which multi dwelling houses and RFBs are permissible development. Further details regarding the consistency of the proposal with the provision of Part 4 schedule 3 of the Major Projects SEPP are provided below.
SEPP 55	Before granting consent to any development on the subject site, the Department is required to consider whether the land to which the development relates is contaminated and whether it has been remediated to a level suitable for the proposed development.	In accordance with Modification B8 – Contamination Investigation of the Concept Plan consent (as modified by the modification application submitted in December 2008) a contamination study for the subject site will be formalised prior to the lodgement of an initial application for residential or open space development on the site. The proposed remediation works are considered to be Category 2 works under SEPP 55 for which consent is not required. However, should it be determined that the proposed remediation works are Category 1 works (for which consent is required) the Project Application for early works will apply for proposed remediation of the site.
SEPP Infrastructure	SEPP Infrastructure requires the referral to the RTA of any development that involves more than 300 dwellings which connects to any road, or 75 dwelling on a site which connects to a classified road.	The proposal will result in the development of more than 200 residential units on the site and will have vehicular access from Mobbs Lane. It is unclear whether Mobbs Lane is a classified road for the purposes of SEPP Infrastructure. However, it is considered appropriate to refer the application to the RTA for comment given the scale of the development. A traffic and transport report will be submitted with the proposal.
SEPP 65 and the RFDC	SEPP 65 applies to RFBs that are more than three storeys and include more than four dwellings. All RFBs that form part of the Stage 1 residential Project Application will be required to demonstrate compliance with the ten design principles in SEPP 65 and the Rules-of-Thumb in the RFDC (note: SEPP 65 does not apply to the courtyard homes).	A design statement prepared by the nominated architects will be prepared for the first stage of residential development which will demonstrate compliance with the SEPP 65 design principles. An assessment against the relevant Rules-of-Thumb in SEPP 65 will also be included.
SEPP BASIX	A BASIX certificate will be required to be submitted for all the residential buildings that form part of the Stage 1 residential development to demonstrate that the require water and energy saving targets have been met.	A BASIX certificate will be submitted for all residential buildings proposed as part for the Stage 1 residential development.
LEP 2001	The LEP does not strictly apply to the proposed Project Application. However, the general controls for development on the site will be taken into account. The Major Projects SEPP provides the key land use, floor space and height controls for the site.	<p>Clause 21 – Flood Liable Land Flooding issues were addressed in the Concept Plan. The early works package will include stormwater plans.</p> <p>Clause 22 – Contaminated Land As detailed above, a contamination investigation has been submitted in response to Modification B8 on the Concept Plan approval.</p> <p>Clause 23 – Excavation and filling of land</p>

Instrument	Provision	Proposal/Compliance
		<p>The early works Project Application will involve the re-contouring of the site to accommodate the pre-development levels for the first stage of residential development. Additional excavation is proposed for the basement carparking as part of the application.</p> <p>Clause 33 – Tree Preservation</p> <p>The removal of trees will be undertaken generally in accordance with the Concept Plan and will be included in the early works Project Application. It is unlikely that additional trees will be required to be removed as part of the Project Application for the first stage of residential development on the site.</p>
DCP 2005	The DCP provides some general guidelines for development on the site applicable to the Stage 1 residential package.	Details regarding compliance with the relevant provision of DCP 2005 (eg Environmental Amenity) will be provided as part of the environmental assessment submitted with the Project Application.

Consistency with the Major Projects SEPP

In addition to zoning controls, the Major Projects SEPP establishes height controls for the site and overall density controls.

Proposed Residential Building 3 is proposed in a zone in which a maximum storey height limit of two storeys applies. All other RFBs (that form part of the Stage 1 residential Project Application) are located in a height zone which accommodates a maximum of six storeys. The proposal will be fully compliant with the relevant height controls.

Part 4 Schedule 3 of the Major Projects SEPP also establishes the following overall density controls for the site:

- A maximum of 650 dwellings;
- Up to 80,000m² GFA; and
- An average density of no more than 73 dwellings per hectare.

The proposed Stage 1 residential development will not result in an overall development on the site that is non-compliant with these density controls.

4.2 Social and economic issues

The Stage 1 residential development will allow for the transformation of this currently underutilised site into an attractive residential neighbourhood consistent with the character of the surrounding residential area. It will provide additional housing to support Sydney's growing housing demands and will result in increased economic activity through the influx of residents to the site.

4.3 Built form and visual impact

The EAR will include an assessment of the scale, bulk, height, form and design of the proposed residential buildings within their context. Visual impact and overshadowing will be addressed in the EAR. The proposal is consistent with the SSS listing and Concept Plan approval in terms of building locations and heights.

4.4 Heritage

In accordance with Modification B10 (Aboriginal Archaeological and Archaeological Investigation) of the Concept Plan approval, an Aboriginal heritage and archaeological investigation was submitted to the Department on 9 December 2008. The study identified a small area of the proposed development that

has Aboriginal archaeological potential in the south-west corner of the site and provided recommendations for further assessment and management of that area. The assessment found that the remainder of the study area has been subject to moderate-high levels of prior land-use disturbance and as a result has nil archaeological potential. The proposed residential buildings are not within the vicinity of the area identified as having archaeological potential.

4.5 ESD Performance

The EAR will include a commitment to the required BASIX ratings and compliance. Compliance with the relevant provisions of SEPP 65 and the RFDC will also ensure that the proposal can achieve an appropriate level of natural daylight access and natural ventilation within the buildings which will improve its energy efficiency.

4.6 Traffic, transport and access

Details regarding address access for the site, traffic generation and capacity of the road network, visitor parking and road layout arrangements, service and delivery area, parking and pedestrian and bicycle access will be provided with the environmental assessment. Car parking, consistent with DCP 2005 will be provided for the residential units.

A Traffic Report was prepared following consultation with the RTA, State Transit Authority and Parramatta City Council and lodged with the Department in April 2008 in response to the requirements of Modification B4.

4.7 Water management

A stormwater management plan and report will be prepared and included in the EAR to address stormwater management issues including on-site detention, reuse, discharge volumes/rates and water quality. The EAR will also include a description of the measures proposed in buildings and landscaping for the conservation of water resources that will contribute to the BASIX rating.

4.8 Waste management

A waste management plan will be included in the EAR to address the waste generated by the proposed development including any specialised and recycled waste in accordance with waste management principles that contribute to achieving the ESD rating.

4.9 Utilities Infrastructure

The EAR will include a description and plans for utilities infrastructure – water, sewer, electricity, gas and telecommunications – connections and reticulation to service the proposed development.

4.10 Construction management

A construction management strategy will be included in the EAR to address the potential impacts of construction activities including management of site security and access, construction traffic, erosion and sediment controls, materials storage, construction waste, noise, and staging.

4.11 BCA compliance

A BCA statement will be included in the EAR to address compliance of a number of building designs with the relevant provisions of the Building Code of Australia.

5.0 CONCLUSION

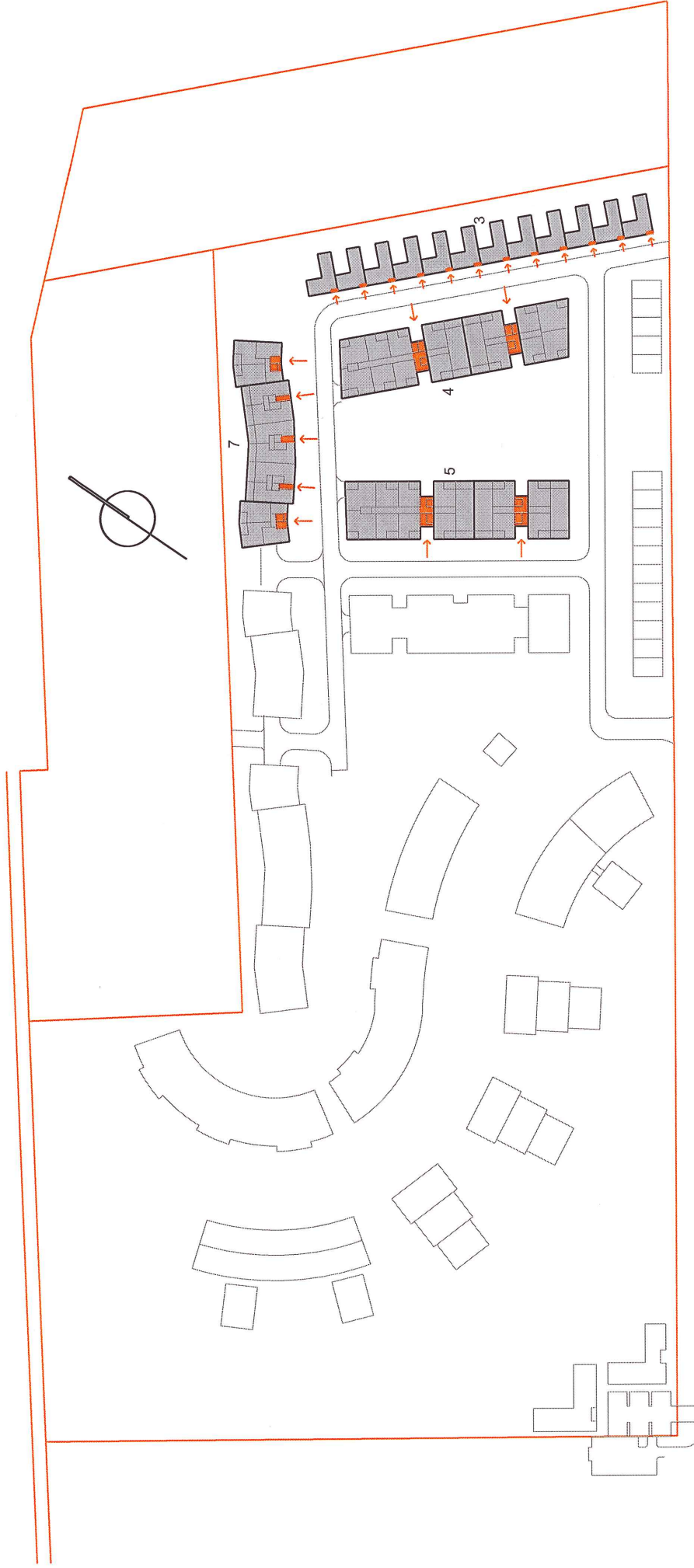
On behalf of Sydney Broadcast Property, we request that the Director-General issue Environmental Assessment Requirements for the proposed Part 3A Project application as described above.

If you have any queries or would like to discuss this matter further, please contact me on Ph.9409 4940.

Yours sincerely

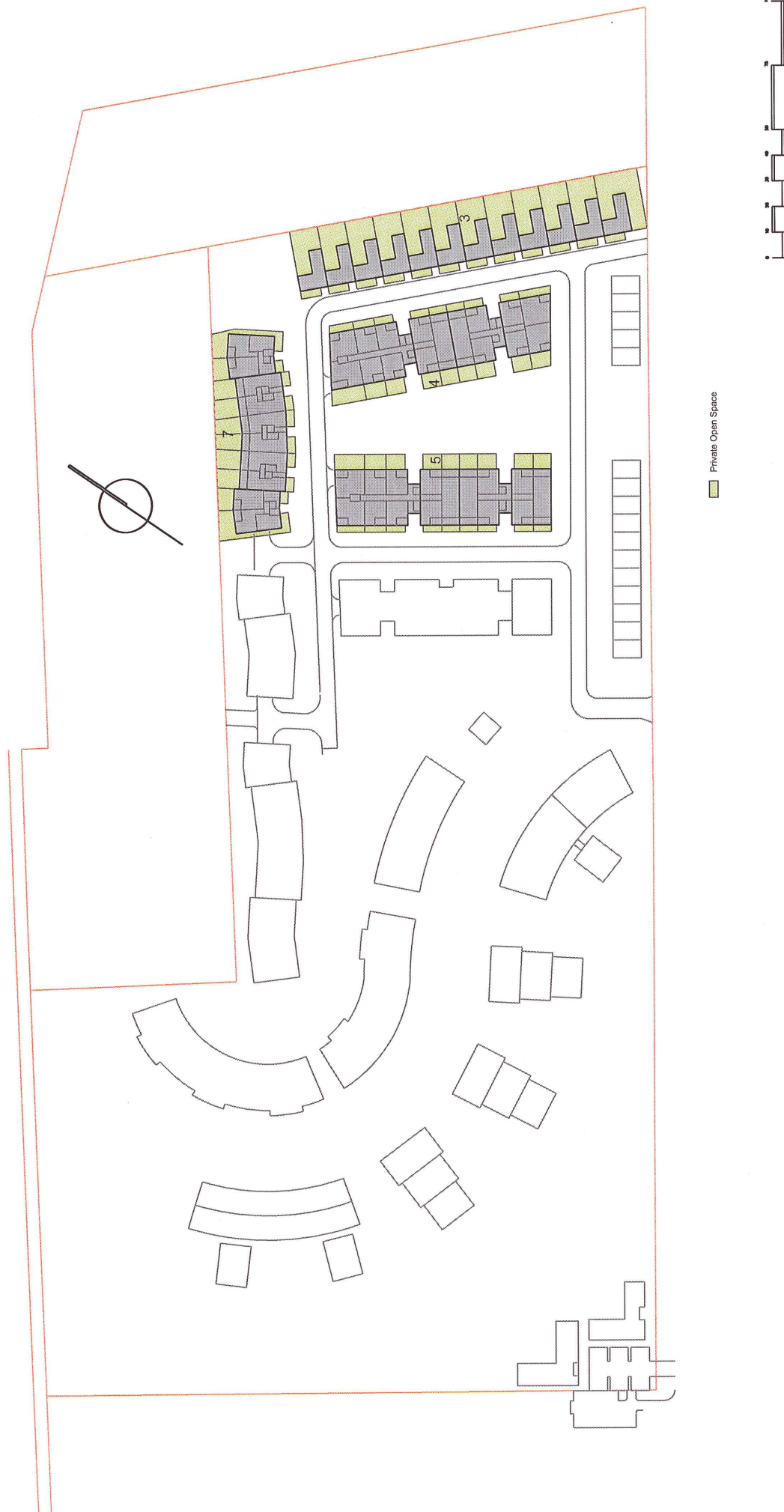
A handwritten signature in black ink, appearing to read 'O Klein', with a stylized flourish at the end.

Oliver Klein
Principal Planner



Author : PTW / ASPECT
 Address : 61 Mobbs Lane, Epping
 Date : December 2008
 Note : Indicative

Residential Stage 1 Access Diagram



Author : PTW / ASPECT
 Address : 61 Mobbs Lane, Epping
 Date : December 2008
 Note : Indicative

Residential Stage 1
 Private Open Space