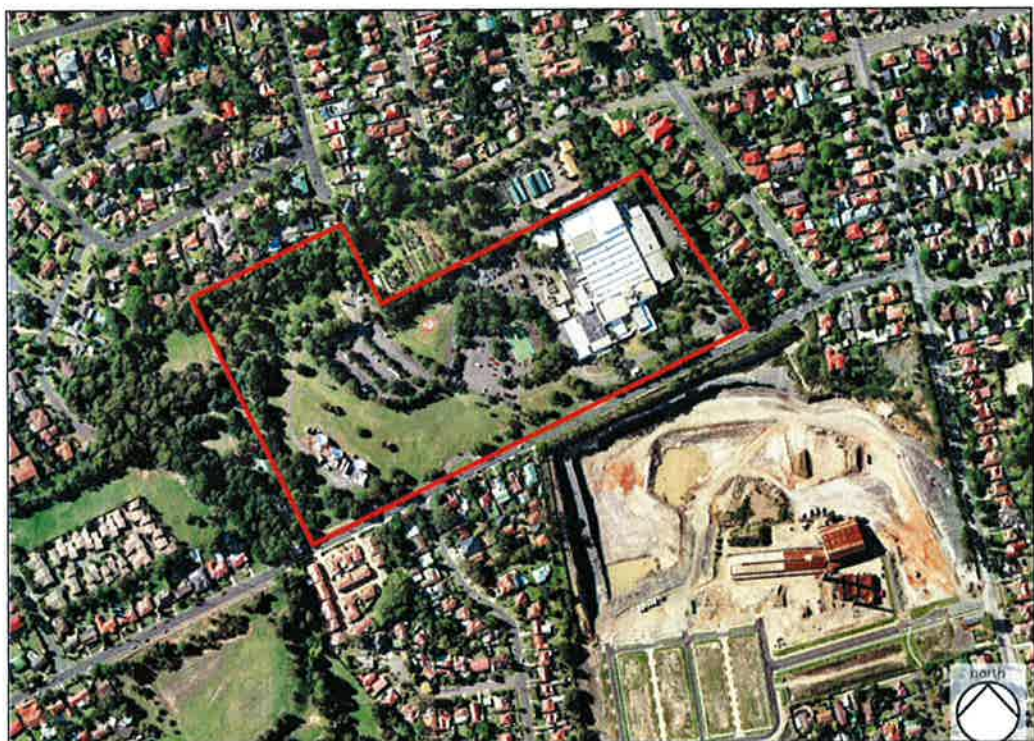


**MODIFICATION REQUEST:**  
***Modification to Residential Buildings 4 & 5***  
***61 Mobbs Lane, Epping (former Channel 7 site)***  
***MP 08\_0257 MOD 2***



**Description of Modification Request**

- Modifications to external facades including window openings, roof details, louvers and pedestrian entries; and
- Minor reduction in overall building heights.

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

June 2011



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## EXECUTIVE SUMMARY

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The purpose of this report is to determine a request from Meriton Apartments Pty Ltd. (the Proponent) to modify the approved Project Application for the construction of residential flat Buildings 4 and 5, at 61 Mobbs Lane, Epping (the former Channel 7 site). The site has an area of 8.9ha and is located within the Parramatta City Council Local Government Area.

The modification application was submitted by Meriton on 18 April 2011. In summary, the proposed modification seeks to modify the approved project by:

- Modifying finished floor levels, resulting in split level buildings;
- Reducing the maximum buildings heights by 0.05m;
- Modifying approved window arrangements;
- Modifying approved pedestrian entries;
- Modifying approved roof design and plant louvers;
- Minor modifications to basement stairs, garbage store and ventilation louvers; and
- The addition of and deletion of balcony louvers.

The proposed development remains consistent with the approved Concept Plan, as modified. Council raised no objections to the proposed modification and the Department received no public submissions.

The Department recommends that the modification application be approved subject to the modified conditions.

The modification is referred to the Planning Assessment Commission (PAC) for determination, in accordance with the PAC delegations, dated 28 May 2011, as the Proponent has disclosed a reportable political donation, made within 2 years prior to the submission of the original project application.



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## 1. BACKGROUND

The site, known as 61 Mobbs Lane, is situated on the northern side of Mobbs Lane, approximately 24km from the Sydney CBD within the Parramatta Local Government Area (**Figure 1**). The buildings on the site were previously utilised by Channel 7 as studios and associated facilities.

The site has an area of 8.9ha, with a frontage of approximately 500 metres 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.

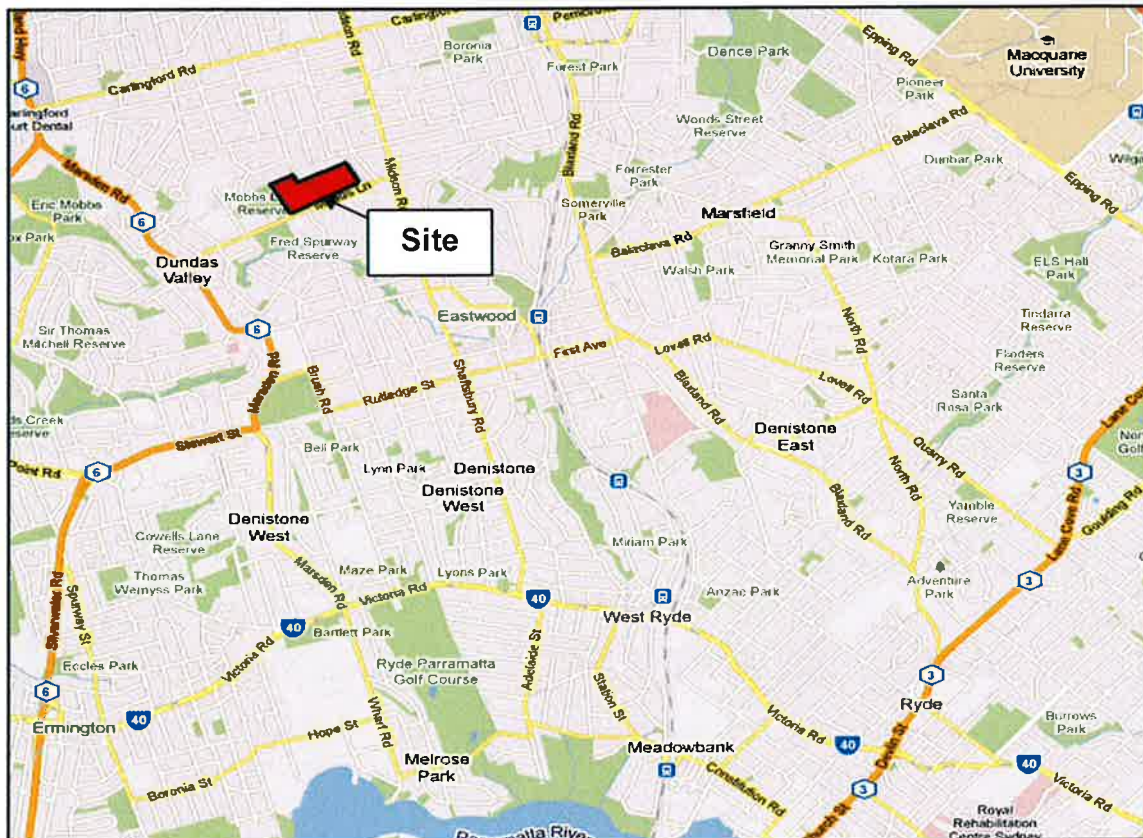


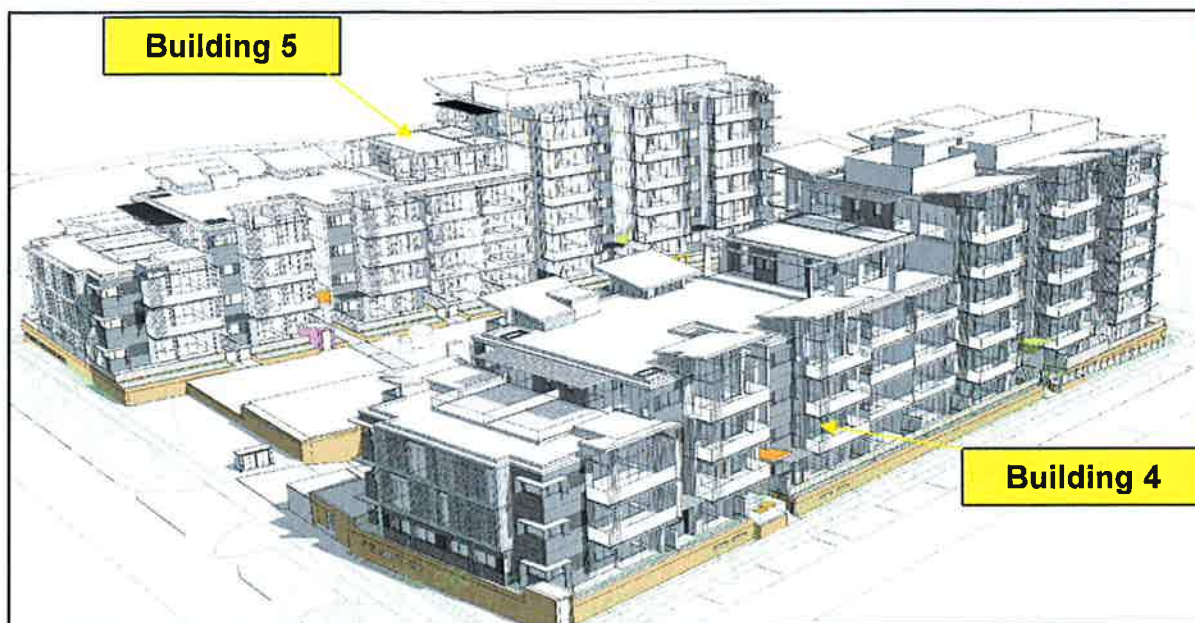
Figure 1: Site location

### BACKGROUND

On 22 August 2006, Concept Plan MP 05\_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 15 September 2010, the Planning Assessment Commission (PAC) approved MP 08\_0257, for first stage of the residential development, consisting of residential flat buildings No. 4 and 5, providing 134 units, associated basement parking and the central 'village green' and landscaping (see **Figure 2**). This project approval is the subject of the modification.





**Figure 2: Approved Buildings 4 & 5**

### **Related Approvals**

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 17 January 2011, the PAC approved the construction of residential Buildings 1, 2 and 3, located within the south-eastern part of the site, providing a total of 28 townhouses, parking and landscaping (MP 10\_0107).

On 27 January 2011, the Director of Metropolitan Projects approved MP 08\_0257 MOD 1, which approved modified timing for the completion of the required Voluntary Planning Agreement with Council.

On 21 February 2011, the then Minister for Planning approved modifications to the approved Concept Plan (MP 05\_0086 MOD 2), 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 8,700m<sup>2</sup> to 12, 965m<sup>2</sup>.

The Department is currently assessing MP 10\_0158, for the construction of residential flat buildings No. 7 and 8, located along the northern boundary of the eastern part of the site (see **Figure 3** below).





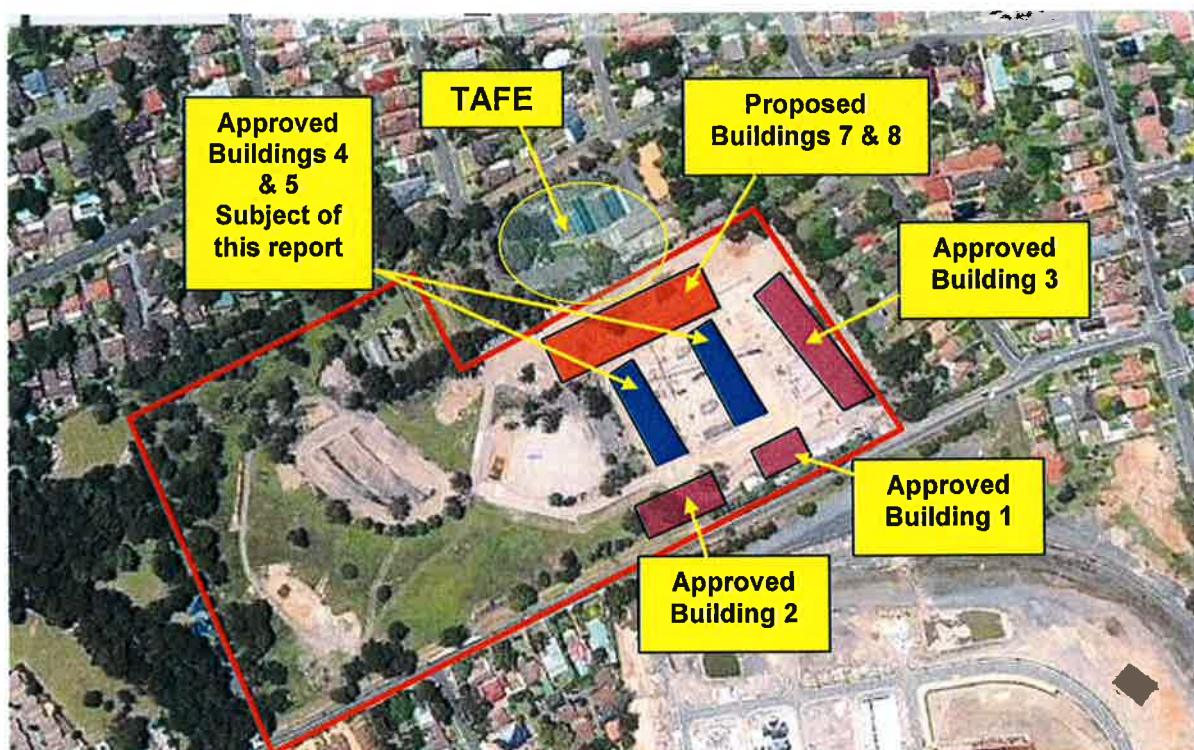


Figure 3: Location Plan- Approved and Proposed Buildings

## 2. PROPOSED MODIFICATION

### 2.1 Modification Description

This request seeks a number of minor modifications to approved buildings 4 and 5, set out in **Table 1** below:

Building 4	Building 5
<ul style="list-style-type: none"> <li>Modified finished floor levels, resulting in a split level building and a reduction in the maximum building height of 0.05m.</li> </ul> <p><u>Ground Floor level:</u></p> <ul style="list-style-type: none"> <li>Reduced window size to unit G06</li> <li>Reduced window size to unit G05</li> <li>Re-orientation stairs to basement, resulting in reduction in private open space to unit G05</li> <li>Deletion of stairs to lobby 4 and provision of paved area (due to required change in levels)</li> <li>Modified window arrangement to unit G09</li> <li>Recessed western entry adjacent to unit G08</li> </ul> <p><u>Upper Floor Levels:</u></p> <ul style="list-style-type: none"> <li>Modified window and awnings to sw corner units, all levels</li> <li>New louvers to side elevations of</li> </ul>	<ul style="list-style-type: none"> <li>Modified finished floor levels, resulting in a split level building and a reduction in the maximum building height of 0.05m.</li> </ul> <p><u>Ground Floor Level:</u></p> <ul style="list-style-type: none"> <li>Modified window arrangement to nw elevation window to unit G16</li> <li>Modified entry stairs and addition of air intake shaft to pedestrian entries to west elevation</li> </ul> <p><u>Upper Floor Levels:</u></p> <ul style="list-style-type: none"> <li>Modified window arrangement to nw elevation window, at all levels</li> <li>New louvers to side elevations of balconies to units on east elevation, all levels</li> <li>Deletion of louvers to side elevation of balcony to centrally located units (east elevation), levels 1-4</li> <li>Modified window arrangement to centrally located units (east elevation) levels 1-4</li> </ul>



<p>balconies to units on west elevation, all levels</p> <ul style="list-style-type: none"> <li>Modified window arrangement to centrally located units (west elevation) levels 1-4</li> <li>Deletion of louvers to side elevation of balcony to centrally located units (east elevation), levels 1-4</li> <li>Minor modifications to layout of centrally located units on levels 1-3</li> <li>Modified window arrangement to south elevation units at level 3</li> <li>Enlarged unit size and private open space to unit 413 on level 4</li> <li>Modified windows to south elevation windows, level 5</li> <li>2m high screen to gas boiler plant</li> </ul> <p><u>External:</u></p> <ul style="list-style-type: none"> <li>Modified roof details</li> <li>Replace approved timber fences with concrete pillars and aluminium fencing to east and west elevations</li> <li>Modified garbage storage area and sub-station to south elevation</li> <li>Modified location of basement ventilation side louvers</li> </ul>	<ul style="list-style-type: none"> <li>Minor modifications to layout of centrally located units on levels 1-3</li> <li>Modified window arrangement to south elevation units at level 3</li> <li>Enlarged unit size and private open space to unit 420 on level 4</li> <li>Modified windows to south elevation windows, level 5</li> <li>2m high screen to gas boiler plant</li> </ul> <p><u>External:</u></p> <ul style="list-style-type: none"> <li>Modified roof details</li> <li>Replace approved timber fences with concrete pillars and aluminium fencing to east and west elevations</li> <li>Reduction in number of basement ventilation side louvers</li> <li>New parapet to south elevation, level 2</li> </ul>
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Table 1: Proposed Modifications

### 3. STATUTORY CONTEXT

#### 3.1 Modification of the Minister's Approval

Under Section 75W (2) of the EP&A Act, the Minister's approval for a modification is not required if the project, as modified, will be consistent with the existing approval under this Part. In this instance, it was concluded that the proposed modification required a formal application to modify the approval.

#### 3.2 Delegated Authority

On 28 May 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to the Planning Assessment Commission where:

- the application is not for major infrastructure development and the proponent is not a public authority (other than a local authority), or
- a statement has been made disclosing a reportable political donation in relation to the project, or
- a statement has been made disclosing a reportable political donation in connection with any previous concept plan or project application.

The project meets the above criteria as the Proponent has disclosed a reportable political donation, made within the period 2 years prior to the submission of the original project application. The Planning Assessment Commission can therefore determine the modification request under delegated authority.





## 4. CONSULTATION AND SUBMISSIONS

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### 4.1 Exhibition

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification request was made available on the Department's website and referred to Parramatta City Council. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

Parramatta Council advised that they have no objections to the proposal subject to:

- No further non-compliances with the approved Concept Plan (as modified);
- No increase in building height;
- No further encroachments into setbacks of neighbouring properties;
- Solar access to internal living areas and the Village Green is maintained or improved;
- Modifications comply with SEPP 65 requirements; and
- Modifications comply with BASIX requirements.

The proposed modifications will not result in any further non-compliances with the approved Concept Plan (as modified) and the maximum height of Buildings 4 and 5 will be marginally reduced. In addition, the approved building footprints will not be modified. Approved solar access will be maintained and the modifications comply with SEPP 65 and BASIX requirements.

No public submissions were received in relation to the modification request.

## 5. ASSESSMENT

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### 5.1 External Facades

Several of the proposed modifications including the modified pedestrian entrances, the stepped floor levels within the buildings and the altered basement ventilation arrangements, have resulted from existing Condition B1. This condition required the basement level to be lowered to comply with the definition of 'Basement' within the State Environmental Planning Policy (Major Development) 2005. The proposed modifications will not have any negative impacts on streetscape or amenity.

The proposal also seeks consent for additional louvers to side elevations of a number of balconies within both buildings. This will act to provide additional privacy to units. The proposed deletion of side louvers to balconies of the centrally located units within both buildings will not result in any negative impacts as neighbouring areas of private open space will be satisfactorily screened.

The proposed modifications to the roof level are cosmetic only and are consistent with the character of the approved building.

### 5.2 Residential Amenity

The proposed modifications to window openings, has largely resulted from the form of precast concrete panels being used in the development and will not result in a reduction in window size.

A corner window in two ground floor units in Building 4 will be reduced in size due to modifications to the garbage storage area and basement stairs arrangement. The reduction in size would not have any detrimental impacts on the amenity of residents and the modification is therefore considered acceptable.



### 5.3 Roof Level Plant

Condition B1 required the screen louvers to the roof level plant to have a maximum height of 1.4m above roof finished floor level. The modification plans illustrate a 1.4m high screen surrounding the roof plant on each building however, also include a 2m high screen surrounding the gas boiler plants to each roof. The gas boiler plants will have a floor area of approximately 15m<sup>2</sup> and will be located centrally on the buildings, therefore reducing their impact when viewed from the surrounding area.

To protect the amenity of surrounding residents a new part has been added to Condition B1. requiring the roof above level 5 on both buildings to remain non-trafficable, except for maintenance purposes.



## 6. CONCLUSION AND RECOMMENDATIONS

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The Department has considered the key issues associated with the proposed modifications and finds the proposed modifications to be minor. The proposed modifications do not result in any further non-compliances with the approved Concept Plan (as modified), and will maintain approved building envelopes and solar access.

The proposed changes to the building design are consistent with the character of the approved building and will improve residential amenity to a number of units.

Subject to the recommended amended conditions, the Department is satisfied that all the impacts of the proposed modifications have been satisfactorily addressed within the Proponent's submission.

The s75W request is being referred to the PAC for determination, as the Proponent has disclosed a reportable political donation, made within the period 2 years prior to the submission of the original project application.

### 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 modification request, subject to conditions; and
- **sign** the attached modifying instrument.

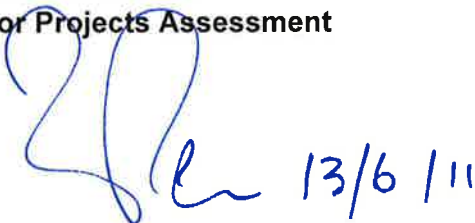


Michael Woodland  
**Director**  
**Metropolitan & Regional Projects South**



10.6.11

Chris Wilson  
**Executive Director**  
**Major Projects Assessment**



13/6/11

Richard Pearson  
**Deputy Director-General**  
**Development Assessment**  
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## APPENDIX A      MODIFICATION REQUEST

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See the Department's website at [www.http://majorprojects.planning.nsw.gov.au](http://majorprojects.planning.nsw.gov.au)





## APPENDIX B SUBMISSIONS

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See the Department's website at [www.http://majorprojects.planning.nsw.gov.au](http://majorprojects.planning.nsw.gov.au)



## APPENDIX C    RECOMMENDED MODIFYING INSTRUMENT

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