

DEPARTMENT OF PLANNING

Development Assessment

SUBJECT: Section 75W modification request for the reorganisation of stormwater management devices at 61 Mobbs Lane, Epping (Former Channel 7 site) **(MP08 0258 MOD 1)**

PURPOSE

The purpose of this report is to determine a request to modify the stormwater management facilities at 61 Mobbs Lane, Epping (former Channel 7 site).

THE SITE

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 meters 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 is adjoins the site on the north eastern boundary.

The eastern proportion of the site is generally flat, while the western portion is undulating. The site has a change in elevation of approximately 30 meters from east to west. A drainage line flows into Terry's Creek along the north western section of the site.

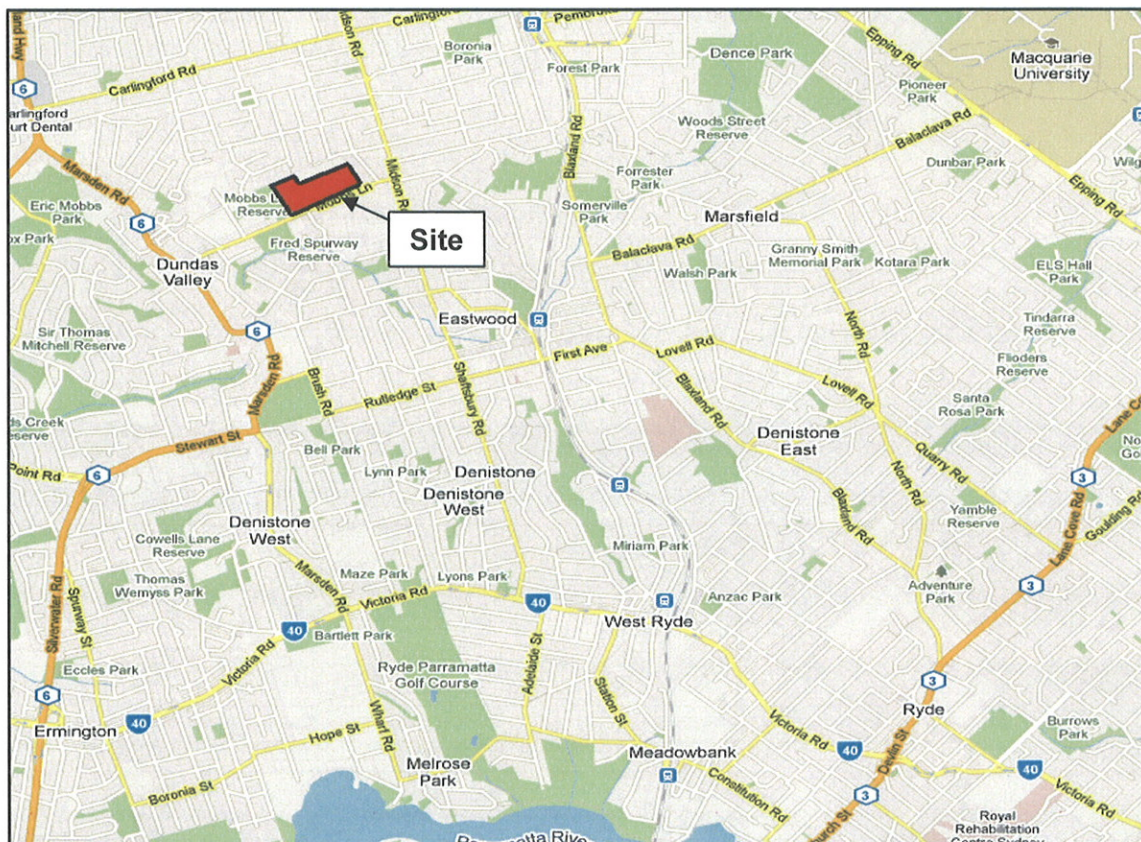


Figure 1: Site location

BACKGROUND

The buildings associated with the former Channel 7 Studios have been demolished (approved under MP08_0258). This approval also included tree removal, construction of internal and

external roads, utilities, stormwater management works as well as a child care facility and private resident facilities.

The second Project Application approved the construction of two residential flat buildings comprising a total of 134 units with associated basement level car parking and landscaping (MP08_0257).

A project application for the construction of 28 townhouses on the south eastern corner of the site is currently under assessment (MP10_0107).

PROPOSED MODIFICATION

This request seeks to modify the Early Works approved under MP08_0258. The application seeks to amend the stormwater management facilities on the site and includes:

- Replacing swales and 'rain gardens' with kerb/gutters and underground piping for stormwater to travel into the bio-detention basins in the open space area.
- Replacing the wetland basin with a bio-detention basin to decrease the time water will remain in the basin after rain events. As a result of this the tennis court is to be relocated to the central recreational area and the swimming pool is to be deleted. A turfed playing field is to be created in the basin area which can be utilised as community recreation space.

CONSULTATION

In accordance with section 75J 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 and Sydney Water for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means. Council raised no objections to the proposed modification. Sydney Water raised several areas of concern which Meriton responded to on 2 November 2010. Issues raised are discussed below under Key Issues.

DELEGATED AUTHORITY

On 25 January 2010, the Minister delegated his powers and functions under section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where there are less than 10 public submissions (not including submissions from public authorities) in the nature of objections in respect of the modification request. As no public submissions were received, the Director may determine the modification request under delegated authority.

KEY ISSUES

Issues raised by Sydney Water

- **The proposal seeks to replace water sensitive stormwater systems with more traditional hard engineered drainage systems.**

Meriton's Response (provided on behalf of AT&L Civil Engineers and Project Management)

- The proposed system provides for a single end of line water sensitive system with the inclusion of a 2500m² water quality basin along with a number of Gross Pollutant Traps (GPT's) within the system. The basin has been modelled and meets the regularity requirements in the reduction of Total Suspended Solids, Total Phosphorus, Total Nitrogen and Gross Pollutants.

Department's Comment

- Whilst the Department supports Water Sensitive Urban Design, the proposed modification will not adversely affect the stormwater management outcome as approved in the original consent and therefore does not object to the construction of kerb/gutters and underground piping to replace swales and 'rain gardens'. Condition B20 –

Stormwater and Drainage Works, will remain in force which requests the details to be submitted to Council demonstrating compliance with Council's Local Floodplain Risk Management Policy; Stormwater Design and Development Guidelines; and the Local Development Control Plan, prior to a Construction Certificate being issued. It is also noted that Council did not raise an objection to the proposed modification.

- **The stormwater system will accelerate the conveyance and increase the quantity of flood flows to downstream areas.**

Meriton's Response

- The amended proposal does not seek to change the original on site detention (OSD) system. The quantity of OSD is equal to the volume of that originally approved. The OSD is wholly contained within the proposed basin.

Department's Comment

- The Department considers the stormwater system, as modified, will provide on site detention with an equal outcome to that which was originally approved under the original application and therefore the influence on downstream flooding will not change as a result of this modification.

- **The proposed amendment is inconsistent with contemporary stormwater management practice.**

Meriton's Response

- The stormwater quality objectives adopted from Parramatta Council's DCP (2005) have been achieved.

Department's Comment

- Condition B20 – Stormwater and Drainage Works (as described above) is still valid within the approval therefore the Department is of the opinion that Parramatta Council will ensure all plans meet Council's expected standard of management practice.

Overall Comments

Further to the above replacing the wetlands with the bio-detention basin creates benefits in terms of safety and amenity.

The wetlands, located on the western side of the site adjacent to the child care facility, were to have a permanent pool depth of 1.8 meters which poses a potential risk for the children as well as residents. The proposed bio-detention basin will cover a larger area (2500m²) meaning after a rain period water will be detained and drain in a shorter period of time at a decreased depth. Furthermore the area will be turfed to create a large open area for residents thus improving the overall amenity on the site.

The relocation of the tennis court from the child care precinct to the Central Resident Facility is considered acceptable as it will become more accessible to the entire development.

The pool within the Central Resident Facility is proposed to be deleted. Meriton raised concern that a full time lifeguard may have needed to be employed for a pool of that size which may result in negative issues for future residents. The Department does not object to the deletion of the pool as it is a private facility. Furthermore an internal swimming pool, gym, sauna and changing facility at the basement level of Building 5 was approved by the Stage 1 Project Application (MP08_0257) providing adequate private facilities for future residents.

RELATIONSHIP WITH THE APPROVED CONCEPT PLAN

The proposed modifications are minor and do not result in a change to the overall design theme of the precinct. Conditions will ensure compliance with Council's controls. The proposal

maintains an adequate level of amenity for residents by increasing the area of open space available and achieves the same objectives as assessed in the originally approved development under MP08_0258.

CONCLUSION

The Department has considered the key issues associated with this modification and finds the modified proposal satisfactory for the above reasons. It is therefore recommended that the modification be approved subject to amended conditions.

RECOMMENDATION

It is RECOMMENDED that the Director:

- note the information provided in this briefing;
- approve the modification request, subject to conditions;
- sign the attached modifying instrument (Tag A); and
- sign the attached letters to notify the proponent, council and Sydney Water (Tag B).

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