



Your Reference: MP05_0086
MP08_0258
MP10_0107
MP10_0158
Our Reference: NCA/5/2011
Contact: Ashleigh Matta
Telephone: 9806 5637
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Director, Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Roy Wong

24 April 2012

Dear Mr Wong,

**Major Project 05_0086 – 6, Major Project 08_0258, Major Project 10_0107 - 61
Major Project 10_0158 – 61 Mobbs Lane - Epping - Channel 7 Site (Epping
Park)**

I refer to the proposal seeking approval to modify the above (4) Major Project Approvals.

Please be advised that Council raises issues with the proposed modification and the issues are addressed within this submission.

Traffic & Parking

As amendments are sought to modify conditions relating to traffic matters, the application was referred to the Service Manager of Traffic and Transport for review.

The following comments were provided:

"It is understood that there have been delays in the RMS processing of the proposed traffic signal plans. However, the Meriton suggestion of the signals being complete prior to the release of the Final Occupation Certificate for the part of the development over 472 is not supported.

The traffic signals are required as soon as possible to accommodate the increase in traffic from the Meriton development, but will be late in their construction (due, in part, to circumstances outside Meriton's control). The condition suggested by Meriton does not specify a time when the signals would be operational and could result in it being many years before they are complete. Accordingly, it is recommended that the condition require the signals to be complete by the end of

2012 and, if this timeframe is not met, that no further occupation certificates be issued until the signals are operating.

I also suggest that Council write to the Minister for Roads requesting RMS to expedite its assessment of the traffic signal plans."

Council raises concern with the proposed amendment to delay the installation of the traffic signals at the intersection of Mobbs Lane & Marsden Road.

Voluntary Planning Agreement

As amendments are sought to modify conditions which are identified in the Voluntary Planning Agreement (VPA), the application was referred to Council's Land Use Planner for review.

The following comments were provided:

"I refer to the modification applications MP (05_0086, 08_0258, 10_0107 & 10_0158) for which I understand you are currently preparing a report to Council.

Please be advised the Land Use Team raises concern in respect to the proposal to delay the installation of the traffic signals at the intersection of Mobbs Lane & Marsden Road.

These works and the timing of the carrying out of these works are identified in the Voluntary Planning Agreement (Schedule 1, Item 4 page 22) signed and dated 16 March 2011.

This VPA was the subject of public exhibition and is registered to the property title. Any modification to this VPA would require Council's acquiescence to this request as well as re-exhibition and consideration of any public submissions received.

It is also my understanding that the installation of traffic signals at this intersection has been presented as early as the original concept plan (2005) preparation and whilst it is appreciated that detailed design processes are still underway I am of the view that ample time has been available to progress this aspect and obligation of the development since the current proponent has been in ownership of the property (June 2010).

It may be of benefit to know the legal position regarding any modification that the DP& I may grant and the obligations of the VPA."

Council raises concern with the proposed amendment to delay the installation of the traffic signals at the intersection of Mobbs Lane & Marsden Road. The traffic signals are a key deliverable under the planning agreement and any amendments to the

timing of the traffic signals would result in inconsistencies with the Voluntary Planning Agreement.

Under Schedule 1 of the Planning Agreement, the traffic lights are required to be installed prior to the issuing of an Occupation Certificate for the 150th dwelling (where an Occupation Certificate has been issued for a Childcare Centre) or prior to the issuing of an Occupation Certificate for the 225th dwelling (where an Occupation Certificate has not been issued for a child care centre).

The proposal to amend the conditions to require the traffic signals to be installed prior to the release of the Final Occupation Certificate for the development exceeding 472 dwellings is inconsistent with the requirements of the Planning Agreement and is strongly opposed by Council.

Council appreciates the opportunity to comment on the above application and looks forward to further consultation on this matter.

Should you wish to discuss any of the above matters, please contact Council's Development Assessment Officer, Ashleigh Matta on 9806 5637.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R. Lang', with a long horizontal flourish extending to the right.

Dr. Robert Lang
Chief Executive Officer
Parramatta City Council