

Channel 7 Site  
61 Mobbs Lane, Epping

August 2010

Prepared for **Meriton Apartments Pty Ltd**



Environmental Assessment  
**Section 75W Modification to Concept Plan MP05\_0086**  
**Schedule 3 Major Development SEPP Amendment**



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**Quality Assurance**

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 This document is for discussion  
 purposes only unless signed.

Appendices

<b>Appendix A</b>	Department of Planning letter dated 29 June 2010
<b>Appendix B</b>	Proposed Modifications to approved Concept Plan <i>Prepared by Architectus Group Limited</i>
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## Executive summary

This report addresses modifications to the approved Concept Plan for a 650 dwelling development on the former Channel 7 site at 61 Mobbs Lane, Epping. The Concept Plan was approved by the Department of Planning in 2006. The approval was granted as a Major Project under Part 3A of the Environmental Planning and Assessment Act 1979 for 650 dwellings with a Gross Floor Area (GFA) of 80,000m<sup>2</sup>. The site has been purchased by Meriton Apartments Pty Ltd from the previous owners Sydney Broadcast Property Pty Ltd.

The proposed modifications involve increasing the number of dwellings from 650 to 800, within the maximum building heights and gross floor area of the approved Concept Plan.

The changes that are proposed consist of the following:

- Alterations to apartment layouts and unit mix, whilst continuing to be compliant with the mix requirements of the approved Concept Plan and the apartment size guidelines of State Environmental Planning Policy 65 Design Quality for Residential Flat Development and the NSW Residential Flat Design Code 2002.
- Provision for a neighbourhood shop of up to 150m<sup>2</sup> GFA to be co-located with the child care centre.
- An additional 1600m<sup>2</sup> of common open space to be created on the western side of the site by reducing the building footprints, without any changes to the maximum height of development.
- Deletion of reference in the approved Concept Plan to a density of 73 dwellings per hectare as this is an unnecessary duplication of controls.
- Changing the definition of Gross Floor Area in the approved Concept Plan to the standard instrument definition for Local Environmental Plans.
- Increased development contributions in accordance with the Parramatta City Council Section 94A Contributions Plan.

The matters addressed in this Environmental Assessment include the following:

- A traffic assessment has shown that the road network improvements proposed for the 650 dwelling development are sufficient to cater for the increase in traffic resulting from an additional 150 dwellings.
- Existing bus services provide sufficient range and frequency to cater for the additional demand.
- The amount of publicly accessible open space on the site will remain the same at 3.1 hectares (35% of the site), which is relatively high for infill developments. The amount of private common open space will increase from 8700m<sup>2</sup> to 10,300m<sup>2</sup>. This enables the amount of common open space per dwelling on the site to remain the same for the proposed 800 dwelling development as it was for the 650 dwelling development.
- The changes to the dwelling numbers, mix and size are consistent with the relevant planning documents for Metropolitan Sydney and the West Central Subregion in terms of accommodating future population growth close to good public transport and existing services.

## 1 Introduction

### 1.1 Preliminary

This report has been prepared by Architectus on behalf of Meriton Apartments Pty Ltd. The report comprises an Environmental Assessment of modifications sought to the Concept Plan MP05\_0086 under Section 75W of the Environmental Planning and Assessment (EP&A) Act 1979. An amendment is also sought to Part 4, Clause 10 of Schedule 3 of the SEPP (Major Development) 2005.

Meriton Apartments Pty Ltd (The Proponent) are the new owners of the former Channel 7 site at 61 Mobbs Lane, Epping. Channel 7 have moved on to their new premises in Australia Technology Park, Redfern. The site fronts Mobbs Lane and backs onto Grimes Lane. The Minister for Planning granted consent in 2006 for a Concept Plan allowing up to 650 dwellings with a GFA of 80,000m<sup>2</sup> on the site under Part 3A of the EP&A Act 1979.

This report describes the proposed modifications to the Concept Plan and State Environmental Planning Policy (Major Development) 2005 Schedule 3 listing to allow up to 800 dwellings on the site within the approved Concept Plan gross floor area, and the justifications for this amendment. The increase in dwelling numbers will be accommodated within the maximum building heights and maximum Gross Floor Area in the approved Concept Plan.

A pre-lodgement report prepared by Architectus Group Limited dated May 2010 was submitted to the Department of Planning seeking confirmation that the amendments could be undertaken as a modification under Section 75W of the EP&A Act, with associated amendments to the development controls at Part 4, Clause 10 of Schedule 3 in SEPP (Major Development) 2005.

The May 2010 report also sought to delete reference in the Concept Plan to a density of 73 dwellings per hectare as this is an unnecessary duplication of controls. In addition, the Proponent is seeking that the definition of GFA in the approved Concept Plan be changed to the standard instrument definition for Local Environmental Plans.

The Proponent is seeking to provide a neighbourhood shop of up to 150m<sup>2</sup> GFA co-located with the child care centre. This requires the inclusion of neighbourhood shop in the list of uses which are permissible with consent in the RE1 Public Recreation Zone in SEPP (Major Development) 2005. The Conditions of Consent of the approved Concept Plan also requires an amendment to permit the development of a neighbourhood shop.

An additional 1600m<sup>2</sup> of common open space is proposed to be created within the approved building envelopes on the western side of the site by reducing building footprints, without any changes to the maximum height of development. The Proponent propose to dedicate the area of open space in the western part of the site adjacent the Mobbs Lane Reserve.

The Department of Planning (DoP) wrote to the Proponent on 29 June 2010 (refer **Appendix A**) and requested that a formal Section 75W modification to the Concept Plan and amendment to SEPP (Major Development) be submitted for their consideration. **Table 1** summarises the considerations which the DoP requested be considered in the preparation of this Environmental Assessment.

**Table 1. DoP 29 June 2010 letter list of EA considerations**

DoP Consideration	Reference within this report
An assessment of the impact of the proposed increase in dwellings including:	
1. The appropriateness of the proposed dwelling mix and density.	7.2, 7.3
2. Consideration of the amenity of the future residents.	7.11
3. The adequacy of the private / communal open space provided on site to meet the increased demand.	7.5
4. Revised BASIX assessment.	7.9
5. Confirmation of compliance with SEPP 65 – Design Quality of Residential Flat Development.	7.10
6. A detailed assessment of the impact the increase in dwelling numbers will have upon the locality in terms of traffic generation and the suitability / availability of access to public transport. This assessment should also determine whether any further works are required to be undertaken to Mobbs Lane or to adjoining streets / intersections in addition to those required under the current Concept Plan and proposed as part of the current Major Project for Early Works.	7.4
7. An assessment of any amended and/or additional Section 94 contributions required as a result of increased densities / dwelling mix.	7.6
8. Provide details of any proposed community consultation to be undertaken to support the proposed modifications.	7.8

## 2 The site and surrounds

The site is located at 61 Mobbs Lane, Epping and is currently occupied by the Channel 7 television broadcast facility. The site is 89,190m<sup>2</sup> in area and its legal description is Lot 2, DP 129023. It is situated approximately 1.4 kilometres from both the Epping and Eastwood railway stations. The site has close to 500 metres frontage to Mobbs Lane. It is bounded to the south by Mobbs Lane, to the east by single houses fronting Edenlee Street, to the north by a branch of Ryde Horticultural TAFE, to the northwest by rear yards of single detached dwellings and some dual occupancies, and to the west by Mobbs Lane Reserve open space/bushland.

The site is surrounded by detached residential development and is adjacent to medium density accommodation and small lot housing. It is also adjacent to a system of reserves that contain creeks that drain eventually to the Parramatta River via the Lane Cove River. Terry's Creek flows through Mobbs Lane Reserve which adjoins the western boundary of the site. Along with Fred Spurway Reserve these properties combine to provide the major open space resources in the area. Refer to the location map at **Figure 1**.

Aerial photographs of the site, showing the proximity of the subject site to Epping and Eastwood town centres are shown in **Figure 2** and **Figure 3** respectively.

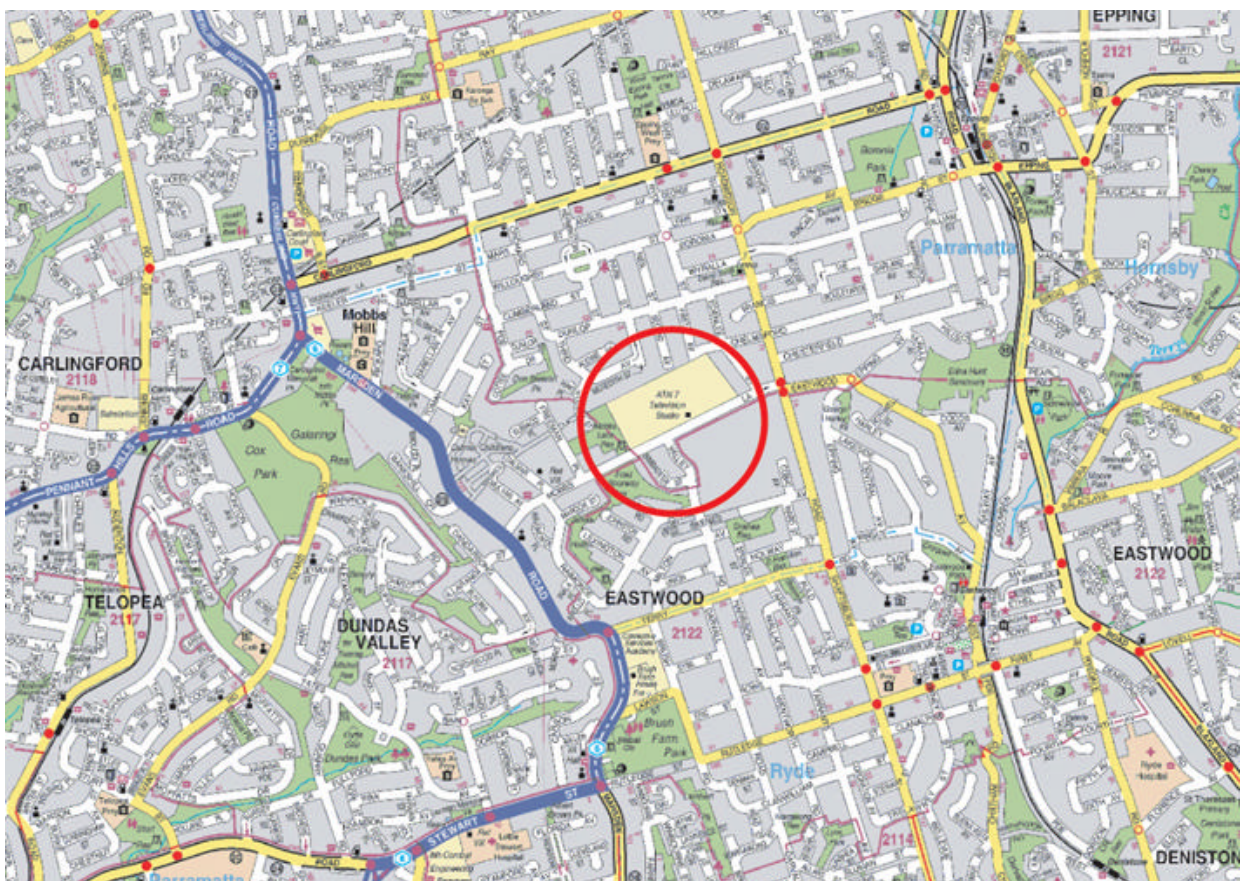


Figure 1. Location Plan



Figure 2. Oblique aerial view looking east across subject site towards Epping



Figure 3. Oblique aerial view of site looking south east across site towards Eastwood

### 3 Development Consent History

#### 3.1 Concept Plan MP05\_0086

Concept Plan MP 05\_0086 was approved by the Minister for Planning on 22 August 2006 and consists of the following elements:

- The development of 650 residential dwellings, a Gross Floor Area (GFA) of 80,000 square metres, on a site area of 89,190 square metres. Maximum total envelope area (TEA) of 96,000 square metres.
- Any terrace or balcony with a perimeter wall height exceeding 1.4m is to be included as FSR.
- A density of 73 dwellings per hectare.
- Building heights to be 2 – 6 storeys graded across the site. Height distribution to be in accordance with figure 8.9 of the preferred project report dated May 2006. (Refer to **Figure 4**).
- The dwelling mix as approved is shown in **Table 2** below:

**Table 2. Concept Plan MP05\_0086: Dwelling size, mix, GFA and number of dwellings**

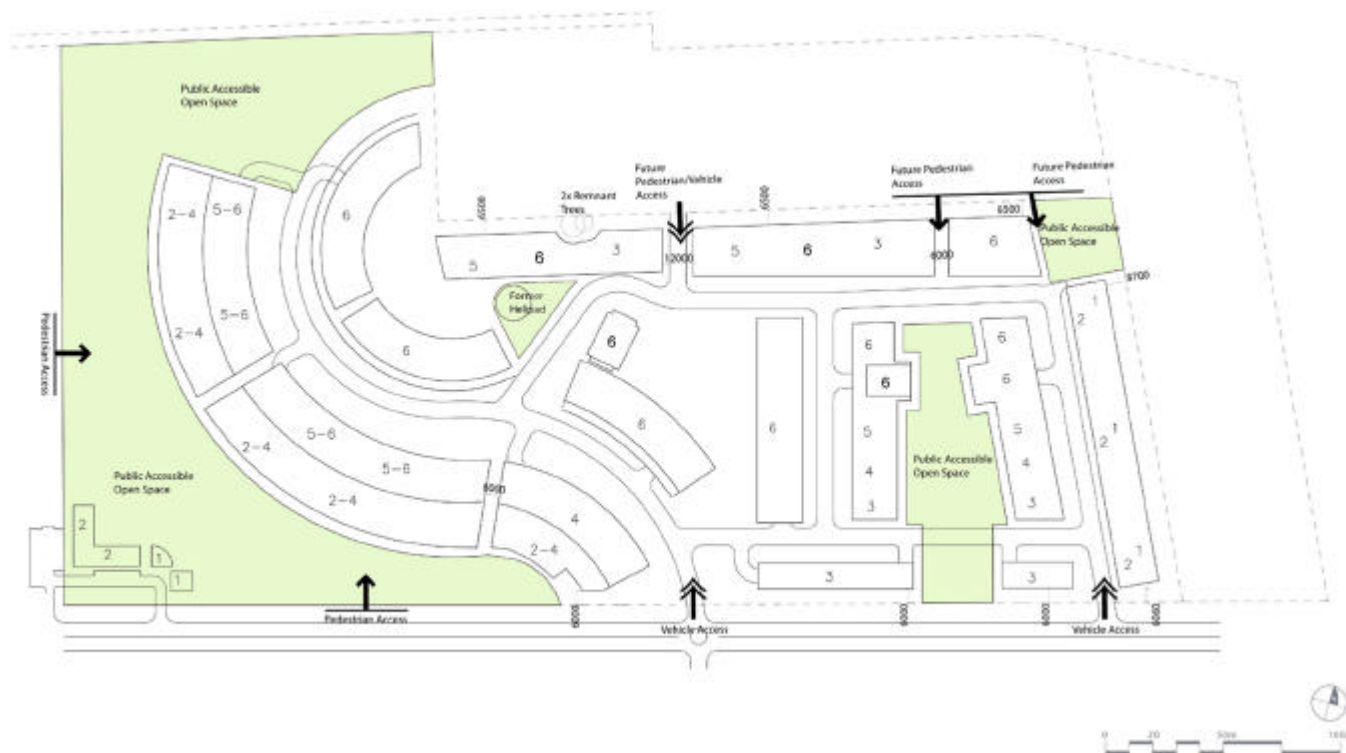
Size	% mix (eg)	GFA (m2)	No. dwellings
1-bed (60m <sup>2</sup> )	Min. 5 (5% min)	1980	33
2-bed (90m <sup>2</sup> )	15 – 30%	8730	97
2-bed + study (120m <sup>2</sup> )	30 – 50%	31,200	260
3-bed (140m <sup>2</sup> )	20 – 30%	22,820	163
3-bed + study (160m <sup>2</sup> )	15% max	15,520	97
<b>TOTAL</b>	<b>100</b>	<b>80,250</b>	<b>650 max.</b>

Notes:

GFA = Gross Floor Area

The total GFA in this table is slightly higher than the total GFA in the approved Concept Plan. Table 2 is indicative only. The total GFA in the approved Concept Plan is 80,000m<sup>2</sup>.

- The parkland grounds of the site, which are currently fenced off from the public, are to become publicly accessible. The total publicly accessible open space on the site will be 3.1ha with a range of pocket parks and open parklands. A large part (2.5ha) of the publicly accessible open space on the site is contiguous with Mobbs Lane Reserve (which is 4ha in area). Combined with the adjacent Mobbs Lane Reserve of 4ha, the publicly accessible contiguous open space would total 6.5 hectares.
- A child care centre is to be located on the site which will expand the availability of local services.



**Figure 4. Building Envelope Control Diagram**

Numbers on buildings are the maximum number of storeys.

- Contribution to the principles of ecologically sustainable development through stormwater quality management and use, greywater recycling, rainwater re-use, water efficient measures, solar hot water heating, gas space heating, photovoltaic electricity generation for part of the development, solar access and natural ventilation to dwellings, indoor/outdoor living and passive building design for energy efficiency. Compliance with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 is required.
- The approved Concept Plan of 650 dwellings would be likely to generate 3550 daily vehicle trips. It would generate in the order of on average 360 vehicles per hour during the AM and PM peak hours.
- Conditions of the approved Concept Plan, known as “Modifications to Concept Plan” require further detailed plans and documentation addressing aspects of transport and access. These modifications were addressed in the submission of the previous landowner dated 30 March 2009. In addition, a planning agreement/development contributions framework is to be prepared addressing a number of matters including traffic calming measures.
- On-site car parking numbers in the approved Concept Plan are provided in **Table 3**.

**Table 3. On-site car parking**

Concept Plan approval mix indicative 650 dwelling scheme

Unit type/ number of units	Parramatta Council DCP rate (for Residential Flat buildings not within 400m of a railway station or transit corridor)	Car parking spaces
33 x 1 bedroom	1.0 spaces/unit	33
97 x 2 bedroom	1.25 spaces/unit	121
260 x 2 bedroom + study	1.25 spaces/unit	325
163 x 3 bedroom	1.5 spaces/unit	245
97 x 3 bedroom + study	1.5 spaces/unit	145
Visitor parking	0.25 spaces/unit	163
<b>650</b>		<b>1032 spaces</b>

### 3.2 SEPP (Major Development) 2005 Schedule 3 Listing

The Major Development SEPP 2005 defines certain developments that are Major Projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning.

Schedule 3 of the Major Development SEPP identifies 61 Mobbs Lane, Epping as a State Significant Site. Part 4 of Schedule 3 provides the following controls for the subject site:

**“Development controls**

- (1) *The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the Height of Buildings Map;*
- (2) *Development for the purpose of a dwelling must not be carried out if it would result in:*
  - a. *An average density of more than 73 dwellings per hectare on the Channel 7 site, or*
  - b. *There being more than 650 dwellings (whether of the same or different types) on the Channel 7 site, or*
  - c. *The total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres”.*

4 Proposed Concept Plan modifications and SEPP (Major Development) 2005 amendments

4.1 Concept Plan modifications

The modifications sought to the approved Concept Plan are as follows:

1. To permit the development of up to 800 residential dwellings within the GFA and building envelopes of the approved Concept Plan (an indicative mix of dwellings is provided in **Table 3**); and

**Table 4. Modifications to Concept Plan: Dwelling mix and number of dwellings**

Size	% mix *	No. dwellings
1-bed	5.9%	47
2-bed	88.2%	705
2-bed + study	0%	0
3-bed	2.9%	24
3-bed + study	2.9%	24
<b>TOTAL</b>	<b>100</b>	<b>800 max.</b>

Notes for Table 4\*: The indicative dwelling mix complies with the conditions of the Concept Plan related to dwelling mix.

2. Delete references to 73 dwellings per hectare in the approved Concept Plan; and
3. Replace the definition of GFA in the approved Concept Plan with the standard instrument definition for Local Environmental Plans, which is as follows:

*“gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:*

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
  - (d) any area for common vertical circulation, such as lifts and stairs, and
  - (e) any basement:
    - (i) storage, and
    - (ii) vehicular access, loading areas, garbage and services, and
    - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
    - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
    - (h) any space used for the loading or unloading of goods (including

- access to it), and*
- (i) terraces and balconies with outer walls less than 1.4 metres high, and*
- (j) voids above a floor at the level of a storey or storey above.”*
4. Include within the Concept Plan provision for a neighbourhood shop to be co-located with the child care centre.
  5. Delete references to a planning agreement and/or development contributions framework and replace with references to a development levy using the approach established in Parramatta City Council's Section 94A Development Contributions Plan, whilst also retaining the requirement to provide a child care centre.

### **Specific Changes to Approved Concept Plan (MP05\_0086)**

The approved Concept Plan includes the following description at part A1 – Development Description:

#### **“A1. Development Description**

- (1) Up to 650 dwellings;*
  - (2) Up to 80,000m<sup>2</sup> maximum gross floor area (representing a floor space ratio of 0.89:1 over the entire Channel Seven site and including any terraces and balconies to be calculated as part of floor area or gross floor area);*
  - (3) Up to 96,000m<sup>2</sup> total envelope area (including any terraces and balconies to be calculated as part of floor area or gross floor area and all building inefficiencies comprising, but not limited to, building entrances, foyers, lobbies, stair and lift voids, underground services and car parking, plant and machinery, and communal recreation areas);*
  - (4) No more than 73 dwellings per hectare on land;*
  - (5) A maximum height number of 6 storeys and height distribution in accordance with figure 8.9 of the preferred project report dated May 2006 (note 7 storey buildings are not permitted on this site).*
  - (6) The development must provide a minimum of 5% one-bedroom dwellings;*
  - (7) The development must not exceed 15% provision of 3-bedroom+study dwellings;*
  - (8) Landscaped public open space (no less than 3.1 hectares) and private open space;*
  - (9) Associated services and infrastructure;*
  - (10) Land use distribution, building heights, densities, dwelling mixes and types; and*
  - (11) Strata and torrens title subdivision*
- subject to compliance with the modifications of this approval.”*

#### **“B5. Planning Agreements**

*A planning agreement and/or development contributions framework shall be prepared and executed within three months of the determination date in Part A of Schedule 1 of Concept Plan No.*

05\_0086, or as otherwise determined by the Director General.

The planning agreement and/or development contributions framework shall nominate the proponent, Council and other agencies (as relevant) as the affected parties and will be agreed to by the Department, in consultation with Council and other agencies where appropriate.

The planning agreement and/or development contributions framework shall address (but not be limited to) the provision and procurement of:

- (1) Community facilities – including demand for, size, and location of a child care centre.
- (2) Public open space – including design, tenure, and management.
- (3) Traffic calming measures – including design, tenure, and management.
- (4) Utilities infrastructure – including demand, capacity, and location of an electricity zone substation.”

**“B6. Child Care Centre**

The final location of the proposed child care centre referred to in “The Parklands, 61 Mobbs Lane, Epping – Preferred Project Report”, and modification B5 above, is to be determined through the Planning Agreement that will be entered into between the proponent, the Council, and any other agencies as appropriate.

The final location of the child care centre, **whether on or off site**, shall be subject to the approval of the Director General prior to the execution of the Planning Agreement.”

The proposed modifications to the Concept Plan (refer **Appendix B**) seek changes to the above as follows:

**“A1. Development Description**

- (1) Up to ~~650~~ **800** dwellings;
- (2) Up to 80,000m<sup>2</sup> maximum gross floor area (representing a floor space ratio of 0.89:1 over the entire Channel Seven site ~~and including any terraces and balconies to be calculated as part of floor area or gross floor area~~ **with gross floor area as defined in the Standard Instrument definition**);
- ~~(3) Up to 96,000m<sup>2</sup> total envelope area (including any terraces and balconies to be calculated as part of floor area or and all building inefficiencies comprising, but not limited to, building entrances, foyers, lobbies, stair and lift voids, underground services and car parking, plant and machinery, and communal recreation areas);~~
- (4) ~~No more than 73 dwellings per hectare on land;~~

...

**(12) The development of a neighbourhood shop to be co-located with the child care centre with a maximum gross floor area of 150m<sup>2</sup>.**”

As set out above, changes are sought to condition A1(1) and (2). Deletion of (3) and (4) is also sought. In addition, a new subsection (12) is proposed.

Part B5 of the Conditions of Consent relates to Planning Agreements. The Proponent is seeking that this continue to apply to the 650 dwellings approved in the Concept Plan and in addition, a new condition be included

which requires a development levy to be paid for the additional 150 dwellings. A development levy is the approach established in Parramatta City Council's Section 94A Development Contributions Plan. The proposed changes are as follows:

***"B5. Planning Agreements for development up to 650 dwellings***

*A planning agreement and/or development contributions framework shall be prepared. and executed within three months of the determination date in Part A of Schedule 1 of Concept Plan No. 05\_0086, or as otherwise determined by the Director General.*

*The planning agreement and/or development contributions framework shall nominate the proponent, Council and other agencies (as relevant) as the affected parties and will be agreed to by the Department, in consultation with Council and other agencies where appropriate.*

*The planning agreement and/or development contributions framework shall address (but not be limited to) the provision and procurement of:*

- (5) Community facilities – including demand for, size, and location of a the child care centre.*
- (6) Public open space – including design, tenure, and management.*
- (7) Traffic calming measures – including design, tenure, and management.*
- (8) Utilities infrastructure – including demand, capacity, and location of an electricity zone substation.*

***B6. Development Contributions for development from 651 to 800 dwellings***

*In accordance with Parramatta City Council's Section 94A Development Contributions Plan, a levy is to be paid to Council towards meeting the cost of provision or augmentation of new public facilities.*

***B6. Child Care Centre***

*The final location of the proposed child care centre referred to in "The Parklands, 61 Mobbs Lane, Epping – Preferred Project Report", and modification B5 above, is to be determined through the Planning Agreement that will be entered into between the proponent, the Council, and any other agencies as appropriate.*

*The final location of the child care centre, **whether on or off site**, shall be subject to the approval of the Director General prior to the execution of the Planning Agreement."*

**Section 7** contains the Environmental Assessment of the effects resulting from the proposed amendments to the Concept Plan.

**4.2 SEPP (Major Development) 2005 Amendments**

Part 4 of Schedule 3 of the SEPP (Major Development) 2005 provides the following development controls for the subject site:

***"10. Development controls***

- (1) The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the Height of*

*Buildings Map;*

- (2) *Development for the purpose of a dwelling must not be carried out if it would result in:*
- a. *An average density of more than 73 dwellings per hectare on the Channel 7 site, or*
  - b. *There being more than 650 dwellings (whether of the same or different types) on the Channel 7 site, or*
  - c. *The total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres”.*

The Proponent seeks to amend Clauses 10(2)(a) and (b) of Part 4 as shown below.

**“10. Development controls**

- (1) *The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the Height of Buildings Map;*
- (2) *Development for the purpose of a dwelling must not be carried out if it would result in:*
- ~~a. An average density of more than 73 dwellings per hectare on the Channel 7 site, or~~
  - a.b.** *There being more than 650 800 dwellings (whether of the same or different types) on the Channel 7 site, or*
  - b.e.** *The total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres”.*

In addition, the Proponent seeks the following amendment to Clause 9 of Part 4 of Schedule 3 of the SEPP (Major Development) 2005:

**“9. Public Recreation Zone**

- (1) *The objectives of the Public Recreation Zone are as follows:*
- (a) *to enable land to be used for open space or recreational purposes,*
  - (b) *to provide a range of recreational settings and activities and compatible land uses,*
  - (c) *to protect and enhance the natural environment for recreational purposes,*
  - (d) *to provide a range of community uses that serve the needs of the people who live and work in the surrounding neighbourhood.*
- (2) *Development for any of the following purposes is permitted with consent within the Public Recreation Zone:*
- car parks; child care centres; community facilities; environmental facilities; environmental protection works; kiosks; neighbourhood shops; recreation areas; recreation facilities (outdoor); roads that are not classified roads.*
- (3) *Except as otherwise provided by this Policy, development is prohibited within the Public Recreation Zone unless it is permitted by subclause (2).*

## 5 Compliance with Concept Plan and SEPP (Major Development) 2005 Schedule 3 Listing

### 5.1 Concept Plan

The modifications propose to increase the number of dwellings from 650 to up to 800 dwellings through changes to dwelling mix and size within the gross floor area and building envelopes of the approved Concept Plan. There will be more one and two bedroom dwellings and less three bedroom dwellings than contemplated at the time of the approved Concept Plan, and this is reflected in the market demand in the area. Notwithstanding the change in unit mix, the overall unit mix will remain consistent with the Concept Plan conditions of consent.

The dwellings will be designed to meet the NSW Residential Flat Design Code 2002 amenity requirements and the Concept Plan Conditions of Consent.

There will be slight changes to the building envelope in relation to the 2 – 4 storey buildings adjacent to the large area of open space on the site. Two of these buildings have been removed from the proposed development along with slight reconfiguration of the others to enable additional common open space to be provided (refer **Section 7.5**). However, the building form in this location will continue to be substantially the same as the design in the approved Concept Plan. The stepped terraced form of the development in this location will remain, from four storeys down to two storeys next to the open space area.

The traffic generated by the modified development can be satisfactorily accommodated within the surrounding road network subject to the provision of certain road network improvements (in the approved Concept Plan).

References to 73 dwellings per hectare will be deleted from the approved Concept Plan and the definition of GFA will be replaced with the Standard Instrument definition for Local Environmental Plans.

Provision is to be made within the Concept Plan for a neighbourhood shop to be co-located with the child care centre. These uses are complementary and the shop will provide a local service in a convenient location for the community.

References to Planning Agreements will be deleted from the Concept Plan conditions and replaced with a requirement to comply with Parramatta City Council's S94A Development Contributions Plan and its development levy approach. Council's contribution plan is considered to give greater certainty to Council and the Proponent for the contributions for additional dwellings.

The following aspects of the Concept Plan will remain unchanged as a result of the proposed modifications:

- GFA and building heights will remain unchanged.
- The amount of publicly accessible open space on the site will remain at 3.1ha, which is already considered generous.
- A child care centre will be developed on the site, as specified in the approved Concept Plan.
- The development will continue to be a major contributor to the principles of ecologically sustainable development, as stated in the approved Concept Plan. Compliance with the requirements of State Environmental Planning Policy (Building Sustainability

Index: BASIX) 2004 is also required.

- Residential amenity will be controlled through compliance with SEPP 65 and the Residential Flat Design Code for residential flat buildings.
- The road network will be subject to the same network changes proposed for the 650 dwelling development. This road upgrades have the capacity to accommodate additional traffic movements.

## 5.2 SEPP (Major Development) 2005 Schedule 3 Listing

Three (3) amendments to Major Development SEPP Schedule 3 are required, these being:

1. Increasing the maximum number of dwellings from 650 to 800 on the site.
2. Deleting the reference to a maximum average density of 73 dwellings per hectare.
3. Include neighbourhood shop in the list of permissible uses with consent in the RE1 Public Recreation Zone, to allow a single shop of up to 150m<sup>2</sup> to be co-located with the child care centre.

No other changes to the SEPP (Major Development) 2005 are proposed.

## 6 Relevant Planning Instruments

This section assesses the proposed modifications against the relevant legislation, environmental planning instruments, guidelines and controls.

### Legislation

- Environmental Planning and Assessment Act 1979

### Metropolitan Planning Strategy

- NSW State Plan 2010
- Sydney Metropolitan Strategy: City of Cities
- Draft West Central Subregional Strategy
- Metropolitan Transport Plan 2010

### State Environmental Planning Policies (SEPPs)

- SEPP (Major Development) 2005
- SEPP 65: Design Quality for Residential Flat Development and the Residential Flat Design Code (RFDC)
- SEPP (Building Sustainability Index – BASIX) 2004

## 6.1 Legislation

### **Environmental Planning and Assessment Act 1979**

Clause 75B of Part 3A Major infrastructure and other projects of the EP&A Act 1979 applies to the carrying out of development that is declared under this section to be a project to which this Part applies:

- (a) *“by a State Environmental Planning Policy, or*
- (b) *by order of the Minister published in the Gazette (including by an order that amends such a policy).*

*The carrying out of particular or a class of development, or development for a program or a plan of works or other activities may be so declared.”*

Section 75W of the EP&A Act 1979 provides for the proponent to request that the Minister modifies the Minister’s approval of a Major Project. The request for the Minister’s approval is to be lodged with the Director-General. The Minister may modify the approval (with or without conditions) or disapprove of the modification.

## 6.2 Metropolitan Planning Strategy

### **NSW State Plan 2010**

The NSW State Plan contains the following Priorities and Targets which are relevant to the proposed development of 61 Mobbs Lane, Epping.

- *“Increase use of walking and cycling*  
*Increase the mode share of bicycle trips made in the Greater Sydney region, at a local and district level, to 5% by 2016.*
- *Increase the number of jobs closer to home*  
*Increase the percentage of the population living within 30 minutes by public transport of a city or major centre in Metropolitan Sydney.*
- *Grow cities and centres as functional and attractive places to live, work and visit*  
*Maintain or improve the ranking of our cities and regional towns in ‘quality of life’ surveys.”*

The site is within walking and cycling distance of the Eastwood and Epping town centres thus providing ease of access to the shops and services in these centres. Both of these centres contain railway stations providing rail services which link to a number of major centres within Metropolitan Sydney. Several bus lines pass by the site and near the site and connect the site directly to the Eastwood and Epping town centres.

### **Sydney Metropolitan Strategy: City of Cities**

The Sydney Metropolitan Strategy: City of Cities which was released in December 2005 establishes a strategic planning framework for the Sydney Metropolitan Area in 2031. Seven Subregional Strategies resulted from the Metropolitan Strategy.

The Metropolitan Strategy has five aims to achieve a more sustainable city, which are:

1. Enhance Liveability
2. Strengthen Economic Competitiveness
3. Ensure Fairness
4. Protect the Environment
5. Improve Governance

### **Draft West Central Subregional Strategy**

Epping is identified as a “Town Centre” within the Subregional Strategy. Towns are characterised as having one or two supermarkets, community facilities, medical centres, schools and typically contain between 4500 and 9500 dwellings. One of the key directions of the Strategy is to plan for housing growth close to public transport corridors.

The Parramatta local government area has a dwelling target of an additional 21,000 new dwellings by 2031.

The site is a suitable location for increasing housing opportunities, given the convenient location of Epping and Eastwood town centres and railway stations.

In particular, the Subregional Strategy identifies the following centre and housing objectives that are relevant to the development of the site:

#### ***B2 Increase densities in centres whilst improving liveability:***

- *Plan for housing in centres consistent with their employment role.*

#### ***C2 Plan for a housing mix near jobs, transport and services***

- *Focus residential development around centres, town centres, villages and neighbourhood centres*

### **Metropolitan Transport Plan 2010**

The draft Metropolitan Transport Plan was advertised for submissions in March 2010. It is to be read in conjunction with the Metropolitan Strategy and following consultation and review, the two documents will be consolidated into one Metropolitan Plan.

The Transport Plan sets out a 10 year program for delivering transport infrastructure and services to meet expected population and employment growth. Some of the main aspects are:

- extra line extensions for more platforms at busy CBD stations, delivering more trains and faster journeys from Western Sydney;
- an expanded rail system to south west Sydney and commencement of construction of the North West Rail Link;
- a thousand extra buses; completion of the 43 strategic bus corridors across Sydney;
- completion of the highest priority missing links in the Sydney Strategic Cycleway Network.

The proposals within the Transport Plan will increase the accessibility of the site from other parts of metropolitan Sydney. The development of the subject site will increase the population density within the Epping-Eastwood area which supports the Transport Plan objectives by providing increased numbers of public transport users.

### 6.3 State Environmental Planning Policies (SEPPs)

#### **SEPP (Major Development) 2005**

SEPP (Major Development) 2005 defines certain developments that are Major Projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning.

Schedule 3 of the SEPP (Major Development) 2005 identifies 61 Mobbs Lane, Epping as a State Significant Site known as the “Channel 7 site”. Part 4 of Schedule 3 provides the following controls for the subject site:

#### ***“Development controls***

- (1) *The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the Height of Buildings Map;*
- (2) *Development for the purpose of a dwelling must not be carried out if it would result in:*
  - a. *An average density of more than 73 dwellings per hectare on the Channel 7 site, or*
  - b. *There being more than 650 dwellings (whether of the same or different types) on the Channel 7 site, or*
  - c. *The total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres”.*

The Proponent does not seek to alter (1) above or (2)(c) as no changes are proposed to the maximum GFA in the approved Concept Plan.

The Proponent seeks to delete (2)(a) above to remove reference to an average density for the site as this is an unnecessary duplication of controls. The Proponent also seeks to alter (2)(b) above to permit up to 800 dwellings on the site rather than 650.

In addition, the Proponent seeks to include one neighbourhood shop in the list of permissible uses with consent in the RE1 Public Recreation Zone on the Channel 7 site, to allow a single shop of up to 150m<sup>2</sup> to be co-located with the child care centre.

**Section 7** contains the Environmental Assessment of the effects resulting from the proposed amendments.

#### **SEPP 65: Design Quality for Residential Flat Development and the Residential Flat Design Code (RFDC)**

Future Project Applications will be required to meet SEPP 65 Principles and the NSW Residential Flat Design Code 2002. The modifications to the Concept Plan are assessed against SEPP 65 Design Quality Principles in **Table 5** to demonstrate the implications for increasing the number of dwellings within the approved envelopes.

**Table 5. SEPP 65 Design Quality Principles**

Principle	Compliance
<p><b>Principle 1: Context</b>  <i>Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</i></p>	<p>The Concept Plan for the site was prepared following a comprehensive contextual analysis. This was carried out in terms of the surrounding built form context and the local district context with regard to the relationship of the site to services and facilities and public transport.</p> <p>The site is large enough to provide a transition from low density housing to higher density on the site with open space at the site's northern and western edges.</p>
<p><b>Principle 2: Scale</b>  <i>Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</i></p>	<p>The building forms and heights across the site have been sensitively allocated having regard to the scale of development adjoining and adjacent to the site. No change is proposed to the building heights.</p> <p>Courtyard houses are located on the eastern side of the site adjoining existing single dwellings. Residential flat buildings are well separated from single dwellings on nearby properties by parkland separation and low buildings at the site interface with existing residential. The Concept Plan provides a transition in scale to surrounding lower scaled buildings.</p>
<p><b>Principle 3: Built form</b>  <i>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>The Concept Plan provides buildings aligned to streets and the topography of the land. The built form defines the public domain and addresses views, amenity and outlook.</p> <p>The built form does not dominate the local area because of the sympathetic nature of the design and its graduation in height from outer parts of the development towards the centre of the development.</p>
<p><b>Principle 4: Density</b>  <i>Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density.</i></p>	<p>The proposed density is appropriate for a large infill site within walking distance of two railway stations and served by a wide range of services and facilities. The Metropolitan Strategy supports greater housing densities in close proximity to public transport hubs and town and regional centres. No change is proposed to the approved floor space ratio. The density of 0.89:1 FSR is comparable with other large infill sites. There are several examples of recent and planned developments</p>

Principle	Compliance
<p><i>Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</i></p>	<p>greater than 1.0:1 FSR in metropolitan Sydney between 800m and 1600m from a rail station. Refer to <b>Section 7.3</b>.</p>
<p><b>Principle 5: Resource, energy and water efficiency</b>  <i>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</i></p>	<p>The Preferred Project Report for the approved Concept Plan contains a water sensitive urban design strategy and servicing strategy applicable to the proposed development. These strategies continue to be applicable to the proposed development and the proposed modifications addressed in this report. BASIX requirements will be complied with and further details of this and other aspects of sustainability in the design of the development will be provided at the detailed design stage.</p>
<p><b>Principle 6: Landscape</b>  <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</i></p>	<p>The Landscape Concept for the site submitted as part of the Preferred Project Report establishes a landscape vision for the site which is <i>"to create an appealing and valued, garden residential development with a strong sense of place that optimises the site's unique parkland setting and topography to create a wide variety of spaces and landscapes for use by residents and the public"</i>.</p> <p>The Landscape Concept highlights the enhancement of local open space and pedestrian networks extending from the site to build a positive relationship between the site and its surrounding community.</p> <p>The existing character of indigenous and non-indigenous native trees and shrubs on the site will be reinforced with new indigenous planting. Three character precincts will be created which provides the opportunity to vary the vegetation type and style around the development.</p> <p>Additional areas of common open space are provided for the terraced apartment buildings adjacent the large parkland area. This additional landscaped spaces will assist to soften the built form adjacent the parklands and provide usable common spaces for the residents on the site, without reducing the approved areas of public open space.</p> <p>The landscape master plan aims to enhance the appearance and amenity of the proposed residential development by sensitively</p>

Principle	Compliance
	<p>integrating architecture and landscape through effective site planning and landscape design. It aims to assimilate the site and development into the surrounding suburb through the development of an integrated landscape and open space environment.</p>
<p><b>Principle 7: Amenity</b>  <i>Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</i></p>	<p>These matters will be addressed at the detailed design stage. The NSW Residential Flat Design Code 2002 will guide the design to provide a high level of amenity for future residents.</p> <p>Apartment layout will be designed to ensure that the spatial arrangement of apartments is functional and well organised. Room dimensions will enable satisfactory natural ventilation of the apartments. The number of apartments receiving daylight access to habitable rooms and main windows will be maximised. Balconies will be integrated into the overall form and detail of the buildings. Apartments will be arranged within the development to maximise acoustic privacy.</p>
<p><b>Principle 8: Safety and security</b>  <i>Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</i></p>	<p>The development has been designed to provide for overlooking of public and common open space to provide passive surveillance of these areas. High quality public spaces will be provided for the use of residents and the public, and these will be clearly delineated from private areas.</p> <p>Safety and security will also be considered at the detailed design stage, to ensure that the development maximises the safety of the site, taking into account in particular the building design and layout, its connections with open space areas, and the landscape design and layout.</p>
<p><b>Principle 9: Social dimensions</b>  <i>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</i></p>	<p>The modifications to the Concept Plan will enable the unit mix to respond better to market demand than the approved Concept Plan as it provides for a greater number of smaller dwellings of 1 and 2 bedrooms, while still providing for some larger 3 bedroom dwellings.</p> <p>This mix reflects the lifestyles of the community and provides for more appropriate levels of affordability in the current market. Common facilities for residents are to be provided as part of the development, including the child care centre in the approved Concept Plan and a proposed neighbourhood shop adjacent to the child care centre. An additional</p>

Principle	Compliance
	1600m <sup>2</sup> of common open space is also provided.
<p><b>Principle 10: Aesthetics</b>  <i>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</i></p>	<p>The neighbourhood character contains high quality examples of Federation and California Bungalow architectural styles.</p> <p>The architectural design of the proposal in subsequent project applications is to consider the surrounding context in the selection of building materials, colours and external finishes to provide an aesthetic that complements the local character and provides for high standards of contemporary indoor / outdoor living.</p>

**SEPP (Building Sustainability Index – BASIX) 2004**

This SEPP ensures consistency in the implementation of BASIX throughout the State.

BASIX certificates and associated drawings and assessors certificates will be provided as part of the detailed design for each stage of residential development.

## 7 Environmental Assessment

This section assesses the proposed modifications against the relevant legislation, environmental planning instruments, guidelines and controls.

### 7.1 Section 75W of the EP&A Act 1979

Section 75W of the EP&A Act 1979 addresses modifications of the Minister's approval for projects under Part 3A of the Act.

#### **75W Modification of Minister's approval**

(1) *In this section:*

*Minister's approval means an approval to carry out a project under this Part, and includes an approval of a concept plan.*

*modification of approval means changing the terms of a Minister's approval, including:*

(a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*

(b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*

(2) *The proponent may request the Minister to modify the Minister's approval for a project. 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.*

(3) *The request for the Minister's approval is to be lodged with the Director-General. The Director-General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.*

(4) *The Minister may modify the approval (with or without conditions) or disapprove of the modification.*

(5) *The proponent of a project to which section 75K applies who is dissatisfied with the determination of a request under this section with respect to the project (or with the failure of the Minister to determine the request within 40 days after it is made) may, within the time prescribed by the regulations, appeal to the Court. The Court may determine any such appeal.*

Under Section 75W of the Act, the Proponent seeks to amend two conditions of the Minister's approval, add one additional condition and delete another condition.

No provisions of Section 75W impose any prohibition or limitations on the proposed modifications. Therefore it is considered that the proposed modifications satisfy the provisions of this section.

The modifications are described in **Section 4** above.

## 7.2 Dwelling numbers, mix and size

The Department of Planning letter of 29 June 2010 (refer **Appendix A**) requests consideration of the appropriateness of the proposed dwelling mix and density. The modifications propose an increase in dwelling numbers from 650 as approved in the Concept Plan to up to 800 dwellings. The building heights and GFA will not change, however the dwelling mix and sizes of dwellings will change, whilst continuing to be compliant with the mix requirements of the Concept Plan and apartment size guidelines under SEPP 65 and the NSW Residential Flat Design Code 2002.

The final mix of dwelling types will be determined at the detailed design stage. The dwelling layouts will comply with the guidelines and rules of thumb set out in SEPP 65 and the Residential Flat Design Code in order to achieve a suitable level of amenity. Refer **Section 6.3**.

The modification to the dwelling numbers is justified having regard to consistency with the strategic planning framework for Sydney, as follows:

### Consistency with NSW State Plan 2010

The NSW State Plan contains the following Priorities and Targets which are relevant to the proposed development:

- *“Increase use of walking and cycling*  
*Increase the mode share of bicycle trips made in the Greater Sydney region, at a local and district level, to 5% by 2016.*
- *Increase the number of jobs closer to home*  
*Increase the percentage of the population living within 30 minutes by public transport of a city or major centre in Metropolitan Sydney.”*

The amendments to the proposed development to increase the number of dwellings on the site are supported by the above Priorities and Targets. The site is within 15 minutes walking distance (or a short cycle ride) of two Town Centres, Eastwood and Epping. The site is also close to the Midson Road shops which are located on the Boronia Avenue intersection, 800 metres (approximately 10 minutes walk) by road from the eastern part of the site. These shops include a vet surgery, bottle shop, bakery, beautician, florist, decorator and a mixed business.

An additional neighbourhood shop is proposed on the child care centre.

### Consistency with Metropolitan Strategy and Draft West Central Subregional Strategy

The Metropolitan Strategy for Sydney *City of Cities* is a strategic framework that guides the broad ranging decisions of local councils and state government agencies. The Strategy sets out a number of planning principles that work to facilitate a compact urban form. The strategy emphasises improved housing choice in accessible locations, with a strong focus on integrated land use and transport planning principles.

A key focus of the Strategy is to renew underutilised existing areas. Under this policy direction, 60-70% of Sydney's future growth is to be accommodated within existing urban areas. New housing is to be well planned and designed with access to good public transport, services,

parks and recreation. Renewing existing areas creates opportunities to improve run down housing stock and to plan for a greater mix of housing, to buy or rent at a range of prices.

The Strategy identifies that Sydney will require around 640,000 new dwellings by 2031. The dwelling target for the Parramatta local government area between 2004 and 2031 is 21,000. The Strategy states that as there are no greenfield sites left within the subregion, most of the future dwelling growth will be located within centres or through infill development. Being in close proximity to centres is also highlighted as an important factor in the location of future residential dwellings in the subregion. Both the Epping and Eastwood town centres are approximately 1.4km from the site.

The following objectives are from the Draft West Central Subregional Strategy:

***“C1 Ensure adequate supply of land and sites for residential development***

***C2 Plan for a housing mix near jobs, transport and services***

*C2.1 Focus residential development around Centres, Town Centres, Villages and Neighbourhood Centres.*

*The Metropolitan Strategy aims to focus residential development within centres and corridors with access to public transport and local services. Subregional and LGA dwelling targets are based on an understanding of which centres may be renewed and have capacity for growth.*

*Focusing residential development around centres and corridors with access to public transport will support achieving the targets set for increasing the share of peak hour journeys on a safe and reliable public transport system (State Plan Priority S6), as well as the target set for priority E5 ‘Jobs Closer to Home’.*

*As part of Priority E5 ‘Jobs Closer to Home’, the State Plan sets a target to increase the proportion of people living within 30 minutes by public transport of a Strategic Centre. West Central councils should aim to provide at least 80 per cent of new dwellings in locations within 30 minutes by public transport of a Strategic Centre.*

*The Metropolitan Strategy establishes a proposed dwelling distribution to locate over 80 per cent of new dwellings within centres.”*

The approved Concept Plan is for the redevelopment of the Channel 7 site at Epping. The property provides a unique opportunity to reinvigorate one of Sydney’s largest infill sites for increased housing choice and to open up parkland to the community.

The redevelopment would implement the Metropolitan Strategy which requires efficient use of existing infrastructure and services by accommodating 60-70% of Sydney’s growth within existing urban areas. It is noteworthy that there is little opportunity in the areas closer to Epping and Eastwood stations to increase housing choice with smaller dwellings because of conservation areas and neighbourhood character areas between the site and Epping and Eastwood railway stations. This places additional emphasis on the potential of the site to accommodate a share of the additional housing for the west subregion.

### **Consistency with Metropolitan Development Program**

The Metropolitan Development Program 2008/09 Report was released by the DOP on 27 April 2010. The Metropolitan Development Program (MDP) is the State Government's key program for managing land supply and assisting infrastructure coordination.

The 2008/09 MDP Report includes an assessment of land supply and dwelling production. The report also reviews population growth and housing market activity and analyses greenfield submarkets. The data was collected during the MDP Cycle from late 2008 to early 2009.

The MDP Report notes that the population of the Sydney Region in 2006 was 4.3 million people. The region's population is projected to increase to 6.0 million by 2036, passing 5 million in 2019/20. The net long term dwelling need for the period 2006 – 2036 is projected to be between 24,400 and 26,600 per year. Over the same period, average household size is projected to decline from 2.61 in 2006 to 2.49 by 2036.

It is also identified in the report that the change in household types include:

- Lone person households – 259,700 (increasing from 22.5 per cent of all households in 2006 to 27 per cent in 2036);
- Couple family without children – 203,400 (increasing from 22.5 per cent to 24.1 per cent);
- Couple family with children – 157,100 (declining from 36.1 per cent to 31.4 per cent of all households); and
- Single parent family – 85,100 (increasing from 10.9 per cent to 11.1 per cent).

The MDP Report observes that this higher growth in lone person households and in couple families without children in part reflects the ageing of the population and the growth in the numbers of older people in the Sydney region.

The Report also identifies that the projected higher proportion of single or smaller family households has implications for the types of new dwellings needed over this period. Parramatta LGA is identified as the significant node in the pattern of movement in North West Sydney. A number of large population flows either converge on or move out from Parramatta.

The change to the dwelling mix for the Concept Plan enables a larger number of dwellings through the provision of a greater proportion of one and two bedroom dwellings than anticipated at the time of preparing the Concept Plan. This reflects the current and future trends towards demand for a growing number of smaller households within the Sydney Region.

### **Population NSW Bulletin April 2010**

The Department of Planning's Population NSW Bulletin No.12 was released in April 2010. The Bulletin notes over time, households of couple families with dependent children are becoming less common, while lone person households are becoming more common. In 2008, lone person households made up over a quarter of all households and were almost as numerous as couple families without children.

The modifications to the Concept Plan provide for housing choice and affordability in line with the trends in household structure of the Sydney metropolitan and local Parramatta population.

### 7.3 Relative densities

The maximum Floor Space Ratio (FSR) applying to the proposed development at 61 Mobbs Lane is 0.89:1. There are several examples of recent and planned development greater than 1.0:1 FSR in metropolitan Sydney between 800m and 1600m from a rail station. These examples are located in Sydney’s middle ring suburbs and are set out in **Table 6** below.

**Table 6. Examples of relative densities**

Site	Location	Site Area	FSR	Description
Warne Place, Marrickville	Located 1.2km south of Marrickville Station.	7403m <sup>2</sup>	1.2:1	A 103 unit residential flat development. Site is a former quarry and building heights of up to 5 storeys are proposed.
The Waterfront, Homebush Bay West	Located 900m from Olympic Park station at its closest point.	19 ha	1.8:1	Housing for 6000 people, around 3500 dwellings.
Victoria Park – western half	Joynton Ave, Zetland, 900m from Green Square Station	25 ha	1.1:1	A development of 2500 dwellings.
Shepherds Wharf, Meadowbank	Within the Meadowbank Employment Area. Its eastern end is just over 1km away from the Meadowbank Railway Station.	8 – 10 ha	1.5:1	Redevelopment project of the Meadowbank Employment Area. Floor space areas of between 127,000 and 147,000m <sup>2</sup> .
Rhodes Peninsula	Eastern shore of Homebush Bay	43 ha	1.5:1 (including roads and open space)	Rail station located just south of the centre of the site. Site is over 1km in length.

### 7.4 Transport, traffic and parking

The Department of Planning 29 June 2010 letter (refer **Appendix A**) requests:

*“a detailed assessment of the impact the increase in dwelling numbers will have upon the locality in terms of traffic generation and the suitability / availability of access to public transport. This assessment should also determine whether any further works are required to be undertaken to Mobbs Lane or to adjoining streets / intersections in addition to those required under the current Concept Plan and proposed as part of the current Major Project for Early Works.”*

Transport and Traffic Planning Associates, have undertaken an assessment of the proposed modification to increase the number of dwellings, on the local road network, as well as public transport services and facilities in the locality. The report assesses the potential traffic generation of development proposed under the amendment as compared to the approved Concept Plan. The potential traffic and public transport implications are considered.

## Traffic assessment

A preliminary traffic and parking analysis has been prepared by Halcrow (traffic engineers) dated 14 May 2010 and is provided at **Appendix C**. This report indicates that the level of traffic generated by the 800 dwelling development, child care centre and neighbourhood shop can be satisfactorily accommodated within the surrounding road network subject to the provision of certain road network improvements. These improvements principally include:

- Marsden Road / Mobbs Lane – signalisation of the existing priority intersection;
- Midson Road / Mobbs Lane – capacity improvements and provision of signalised pedestrian crossing on all approaches; and
- Mobbs Lane – widening of Mobbs Lane and formalisation of road pavement with kerb and gutter along the site's frontage.

Halcrow concludes that the expected traffic generation of the site will allow the surrounding road network to operate satisfactorily with regard to network capacity and approved road functions within the network hierarchy.

Transport and Traffic Planning Associates, have prepared an assessment of the traffic generation of the proposed additional dwellings and compared this with the estimate traffic generation of the approved Concept Plan. Refer to **Appendix D**.

Transport and Traffic Planning Associates report states that:

*“Recent traffic surveys have demonstrated that traffic movements along Mobbs Lane and on the connecting access road system have not increased since the assessment undertaken for the approved Concept Plan. In fact the volumes have decreased despite development on the Brickworks site. Accordingly, the conclusions of the previous assessment remain valid (although the traffic generation outcome for site development will most likely be lower).*

*It is anticipated that the required road upgrade works of the existing consent will be maintained”.*

The traffic surveys undertaken for the Transport and Traffic Planning Associates report indicated a decrease in traffic volumes along Mobbs Lane, when compared to previous surveys undertaken in 2005 prior to the Minister's approval of the Concept Plan. This suggests there is more capacity in the Mobbs Lane road network to accommodate additional dwellings, without exceeding the traffic volumes, previously approved.

The projected traffic generation of development under the approved Concept Plan of 650 dwellings was 360 vehicle trips per hour (vtph).

In relation to traffic generation from the proposed 800 dwelling development, Transport and Traffic Planning Associates use the following traffic generation rates for the proposed high-density residential development:

- **AM Peak:** 800 dwellings @ 0.32 vtph/Dwelling: 256 vtph
- **PM Peak:** 800 dwellings @ 0.35 vtph/Dwelling: 280 vtph

The Transport and Traffic Planning Associates report states that:

*“A generation of 360 vtph (i.e. same as existing approval) would represent a worst case (sensitivity test) assessment and for the proposed 800 dwellings than this would equate to 0.45 vtph/dwelling which is the same criteria for two bedroom apartments”.*

Further to this, the Transport and Traffic Planning Associates report states that:

*“It is quite apparent, considering all of the foregoing, that in reality the total traffic generation of development of the 800 dwellings as now proposed will be no greater than that assessed for the approved Concept Plan. What is more it is most likely that the traffic generation outcome will be significantly less.*

*Therefore, the traffic implications in terms of road/intersection capacity and traffic related environmental implications will be satisfactory (given the considerations during the approval of the existing Concept Plan). The proposed addition of a small neighbourhood shop in the development scheme will not act to increase traffic as there will be no external attraction other than from adjacent development. In fact the provision will act to reduce external trips by avoiding the need for residents to drive out of the site to make convenience purchases”.*

### Car parking

The proposed modified Concept Plan intends to provide on site car parking at a slightly reduced rate, when compared to the Council’s rate for high density development, which are more in line with the RTA Guidelines for High Density Residential development. The provision of spaces for visitors is consistent with Parramatta City Council’s DCP rate.

Refer to **Table 7**.

**Table 7. Car parking comparison**  
(Source: Traffic and Transport Planning Associates)

Dwelling type	Approved Concept Plan (car spaces) *	Proposed Amendment (car spaces) **
One-bed	33	47
Two-bed	121	705
Two-bed + study	325	-
Three-bed	245	48
Three-bed + study	145	48
Visitor	163	200
<b>Total</b>	<b>1032</b>	<b>1048</b>

**Notes for Table 8:**

\* Parramatta Council DCP rate (for Residential Flat buildings not within 400m of a railway station or transit corridor):

- 1 bed – 1 space/dwelling
- 2 bed – 1.25 spaces/dwelling
- 2 bed + study – 1.25 spaces/dwelling
- 3 bed – 1.5 spaces/dwelling
- 3 bed + study – 1.5 spaces/dwelling
- Visitor - 0.25 space/dwelling

\*\* Proposed car parking rates:

- 1 bed – 1 space/dwelling
- 2 bed – 1 space/dwelling
- 2 bed + study – 1 space/dwelling
- 3 bed – 2 spaces/dwellings
- 3 bed + study – 2 spaces/dwellings
- Visitor - 1 space/4 dwellings

**Public transport accessibility**

The site has good access to rail, bus and private vehicle networks. It is also well located with respect to local amenities such as retailing, education facilities and health facilities.

*Rail access*

The site sits between three rail stations: Epping, Eastwood and Carlingford and is within 15 minutes walking distance of Epping and Eastwood stations which is an accepted town planning standard for locating higher densities near rail stations. Both of these stations offer direct connections to local and intercity (Gosford/Newcastle) services and express services to central Sydney. The Epping to Chatswood rail line, which opened in 2009, has significantly enhanced the accessibility of Epping within the greater Sydney Metropolitan Area (refer to **Figure 5**).

*Bus services*

Several bus lines pass by the site and near the site and connect the site directly to Eastwood and Epping Town Centres which are served by railway stations. The site population will provide the impetus to expand local bus services which will benefit the local community.

The Assessment of Traffic and Transport Implications report at **Appendix D** states that there are numerous bus stops for these routes close to the site. On Mobbs Lane, there are bus stops near Edenless Street, at the entrance to Channel 7, and just west of Valley Road, for Routes 521 and 541. There are bus stops on Eastwood Avenue near its intersection with Midson Road, for Routes 521 and 541.

Epping serves as a regional bus interchange and is a major link between local bus services and the rail network. Eastwood is a major focus for locally based bus services, including routes linking the area with Parramatta, Macquarie Centre, North Ryde and the city via Victoria Road and Gladesville. (Refer to **Figure 5**).



Figure 5. Bus routes around the site

The assessment of the additional dwellings identified there is potential for an additional 20 persons per day wanting to travel by bus or bus/rail. The choice, frequency and convenience of the available bus services will be adequate to provide for the additional 20 passengers spread throughout the peak travel periods.

The Traffic and Transport Assessment Report states that:

*“Development under the proposed amendment would result in some 200 additional residents who will support the viability of the existing services and encourage the provision of additional services”.*

*It is apparent that because of the convenience, capacity and availability of the existing public transport services there will be no adverse transport implications as a result of the amendment”.*

#### Vehicular access

The site is easily accessible to the regional transport network. Pennant Hills Road, to the west of the site, serves as part of the National Highway. Epping Road and Blaxland Road are to the east, Silverwater

Road/Marsden Road is to the south and Victoria Road is to the south-east. Completion of the Lane Cove Tunnel has enhanced accessibility to the North Shore and central Sydney, particularly in terms of reduced travel times.

#### *Proximity to local shops and centres*

The Mobbs Lane local shops are less than 500m walk from the western part of the site. The Midson Road local shops are between the site and Epping Station.

Eastwood, Epping and Carlingford are major centres that offer a wide range of retail and community services. Eastwood and Epping are within 15 minutes walking distance and 5 minutes cycling distance from the site.

Convenience retailing is dispersed throughout the district which means that most trips can be efficiently multi-purpose. Refer to **Figure 6**.

A neighbourhood shop is proposed to be co-located with the child care centre, which will serve local residents.

#### *Proximity to hospitals, schools and Macquarie University*

There are five major regional hospitals within 10km of the site. Three public primary schools are within 2km of the site and two public high schools are within 3km of the site. Macquarie University is a bus ride away. Refer to **Figure 6**.

Given the unique opportunity within the district which the site represents, the potential of the site for redevelopment for residential purposes should be maximised within the approved building envelope size limits (with minor changes to the 2 – 4 storey buildings adjacent to the large open space area) and development density. The lack of other sites for infill development in the area elevates the site's importance in terms of maximising its potential for redevelopment. The site has the ability to absorb extra dwellings with minimal impact on the surrounding area through changes in the mix and size of 1, 2 and 3+ bedroom dwellings originally contemplated in the preparation of the Concept Plan.



**Figure 6. Location of community facilities in the local area**

A wide variety of local retail/service centres and educational establishments are near the site.

## 7.5 Building form and scale

The development envelopes of the approved concept plan are illustrated in the Building Envelope Plan provided at **Figure 4**. This diagram forms part of the consent under Condition A2: Development in Accordance with Plans and Documentation and B1 Development Control.

Minor amendments to the terraced apartment buildings on the western side of the site to accommodate additional common open space are proposed, which will enhance the landscaped character of the development. These amendments to the indicative building footprints will increase the amount of common open space to be provided on site. Refer to Section 7.6 with the additional open space area at ground floor level minor changes are proposed the building height. The approved 5-6 storey building envelope adjacent the large publicly accessible open space on the western side of the site is proposed to change to the maximum 6 storeys. Refer to **Figure 8**.

## 7.6 Open space

The Department of Planning in their letter of 29 June 2010 (refer **Appendix A**) request consideration of the adequacy of private / common open space provided on site to meet the increased demand.

In the approved Concept Plan there is a requirement to provide landscaped public open space of no less than 3.1 hectares and private open space.

Due to the proposed increase in dwelling numbers from 650 to 800, the Proponent is proposing changes to the building layout adjacent to the large area of publicly accessible open space on the site to provide additional common open space on the site for the increased number of residents.

In the approved Concept Plan, 8700m<sup>2</sup> of common open space is provided.

By making the changes to the building layout of the 2 – 4 storey buildings next to the large area of public open space, 1600m<sup>2</sup> of common open space can be achieved in addition to that in the approved Concept Plan as shown in the Landscape Concept Plan diagram at **Appendix E**. This is achieved by removing two of the originally proposed 2 – 4 storey buildings and reconfiguring slightly the remaining 2 – 4 storey buildings in this location.

The proposed modifications result in an additional 150 dwellings on the site. With the additional 1600m<sup>2</sup> of common open space, the total amount of open space will remain at the same rate of common open space as approved in the Concept Plan.

In addition to the 10,300m<sup>2</sup> of common open space, there will be 3.1 hectares of publicly accessible open space provided on site, achieving a total of 41,300m<sup>2</sup> of total open space. The total site area is 89,190m<sup>2</sup> therefore the percentage of total open space on the site is 46%. Refer to **Figure 7**.

The Residential Flat Design Code (RFDC) has a rule of thumb that the area of common open space should generally be at least between 25% and 30% of the site area. The area of common open space on the site is proposed at 12%, up from 9.8% in the approved Concept Plan. While this does not meet the 25-30% guideline set out in the RFDC, given that there is an unusually large proportion of the site which is publicly accessible open space, it is considered that residential amenity for the residents of the site will be more than adequately provided for. It is also noted that the open space is to be publicly accessible, however not dedicated to Council.

It is possible to alter the ratios of public and common open space to provide for a greater amount of common open space, however it is considered that a better approach is to retain a large amount of the open space for general public use rather than restricting it to residents' use only.

In conclusion, the demand for additional common open space from the additional dwellings will be adequately catered for by the provision of an additional 1600m<sup>2</sup> of common open space.



## 7.7 Section 94A contributions

The Department of Planning, in their letter of 29 June 2010 (refer **Appendix A**), request that an assessment of any amended and/or additional Section 94 contributions required as a result of increased densities / dwelling mix be undertaken in this Section 75W modification report.

Condition B5 at Appendix A: Modifications to Concept Plan of MP05\_0086 requires that a planning agreement and/or developer contributions framework is to be prepared and executed within three months of the determination date between the proponent, Council and other agencies. This is to include (but not be limited to) community facilities (including demand, size and location of a child care centre), public open space, traffic calming measures, and utilities infrastructure.

The Condition of Consent referring to the planning agreement and/or developer contributions framework from the approved Concept Plan is to be retained with the 3 month timeframe for the approval of a Planning Agreement proposed to be removed as this has proven unworkable. The requirement for a Voluntary Planning Agreement for the first 650 dwellings, as approved, will be maintained.

The Proponent seek approval for a new condition requiring that a levy be paid to Parramatta Council towards the costs of new public facilities under its Section 94A Contributions Plan for the additional 150 dwellings up to a total of 800 dwellings.

The child care centre is proposed to be suitably located on-site to provide much needed child care services directly related to new development where it is most needed. As such it is proposed to remove reference to the need to determine the location of the child care centre.

The development levy approach is in accordance with Parramatta City Council's Section 94A Development Contributions Plan which sets out a levy to be paid to Council towards meeting the cost of provision or augmentation of new public facilities. The levy is as shown in **Table 7**:

**Table 8. Section 94A Contributions Plan – Extract from summary schedule of levy by category**

Type of Development	Levy %
Multi dwelling housing	0% up to and including \$100,000 0.5 % more than \$100,000 up to and including \$200,000 1.0% in excess of \$200,000

The levy will be calculated as follows:

$$\text{Levy payable} = \%C \times \$C$$

where

**%C** is the levy rate applicable

**\$C** is the proposed cost of carrying out the development as certified.

At the detailed design approval stage, the Proponent will engage a registered quantity surveyor to complete a Detailed Cost Report for the proposed development to enable the cost of the levy to be calculated, taking into account the provision of the child care centre.

The new development contributions condition proposed for the Concept Plan is shown in **Section 4.1**.

## 7.8 Community services and infrastructure

The proposed roadworks to cater for the development (of up to 800 dwellings) would be constructed in stages. The approved Concept Plan requires that the roadworks must commence prior to the first occupation certificate being issued.

The Proponent have sought consent separately for the construction of infrastructure.

The child care centre will be constructed in the latter stages of the development with the embellishment of the large parklands in the RE1 Public Recreation Zone.

## 7.9 Community consultation

The Department of Planning letter of 29 June 2010 (refer **Appendix A**) requests details to be provided of any proposed community consultation to be undertaken to support the proposed modifications.

The Proponent has sent a newsletter to surrounding residents and a website has also been set up. The newsletter sets out the proposed changes to the approved Concept Plan, the stage that the S75W modification is at in the planning process, and the availability of the website to obtain further information on the project. The website also provides the opportunity to provide feedback on the proposed development through an online feedback form.

The website will remain in place following lodgement of the Section 75W Modification report with the Department of Planning and throughout the formal public exhibition phase of the planning process. A report on the feedback received via the website will then be provided to the Department of Planning for consideration with the formal submissions received.

## 7.10 BASIX assessment

The Department of Planning request in their 29 June 2010 letter (refer **Appendix A**) that a revised BASIX assessment be provided with the Section 75W modification. BASIX certificates are to be provided with the detailed design for each of the residential buildings.

The proposed Concept Plan amendments do not change the minimum BASIX targets for the various building types proposed, which are determined by the height of the buildings. The height of buildings is not proposed to be amended.

### 7.11 SEPP 65 assessment

The Department of Planning requested that the Section 75W modification provide confirmation of compliance with SEPP 65 – Design Quality of Residential Flat Development.

**Section 6.3** of this report provides consideration of the proposed amendments against the SEPP 65 – Design Quality Principles.

In summary, the proposed modifications are consistent with SEPP 65 for the following reasons:

- The Concept Plan for the site was prepared following a comprehensive contextual analysis.
- The building forms and heights across the site have been sensitively allocated having regard to the scale of development adjoining and adjacent to the site;
- The built form defines the public domain and addresses views, amenity and outlook.
- The proposed density is appropriate for a large infill site within walking distance of two railway stations and served by a wide range of services and facilities.
- A water sensitive urban design strategy and servicing strategy has been prepared for the proposed development.
- BASIX requirements will be complied with.
- The landscape master plan aims to enhance the appearance and amenity of the proposed development by sensitively integrating architecture and landscape through effective site planning and landscape design.
- The Residential Flat Design Code will guide the design to provide a high level of amenity for future residents.
- The Concept Plan has been designed to provide for safety and security of the future residents and visitors to the site and the detailed design will ensure that the development maximises the safety of the site.
- The modifications to the Concept Plan will enable the unit mix to respond better to market demand than the approved Concept Plan.
- Common facilities for residents are to be provided as part of the development.
- Architectural design of the proposal will have regard to the built form character in the local area and provide for high standards of contemporary indoor / outdoor living.

### 7.12 Residential amenity

The Department of Planning have requested consideration of the amenity of future residents in their letter dated 29 June 2010 (refer **Appendix A**). The SEPP 65 Assessment at Section 6.3 addresses the Design Quality Principle for residential amenity. In summary, the residential amenity will be maintained at a standard by the following measures:

- Apartment layout will be designed to be functional and well organised.
- Room dimensions will enable satisfactory natural ventilation of the apartments.
- The number of apartments receiving daylight access to habitable rooms and main windows will be optimised within the buildings.
- Balconies will be integrated into the overall form and detail of the buildings.
- Apartments will be arranged within the development to optimise acoustic privacy.
- Adequate storage space within units is to be provided.

### 7.13 Neighbourhood shop

A neighbourhood shop is proposed to be co-located with the child care centre with a frontage to Mobbs Lane. The shop is to have an area of 150m<sup>2</sup>. The purpose of the shop will be to serve the needs of local residents, particularly the future residents of 61 Mobbs Lane and those people dropping off and picking up at the child care centre and the Eastwood Brickworks site. Local residents will also find convenience in having a local shop nearby.

Co-locating the child care centre will enable these commercial activities to be grouped providing local retail convenience needs.

Likely impacts of the neighbourhood shop include a small amount of additional traffic from customers dropping in on their way past and also from deliveries to the shop. The co-location of the shop with the child care centre enables visual impacts to be minimised by grouping together the built elements within the public recreation zone on the site. The shop and child care centre will be designed to a high standard so as not to compromise the visual amenity of the adjacent large area of landscaped open space.

Parking at a rate of 1 space per 30m<sup>2</sup> of GFA will be provided for the neighbourhood shop in accordance with the Parramatta DCP 2005 retail car parking requirements.

## 8 Conclusion

This Section 75W modification report describes the proposed modifications to the approved Concept Plan and Schedule 3 of the Major Developments SEPP to allow up to 800 dwellings and complementary neighbourhood shop and child care centre to be developed on the site. The additional dwellings will be within the gross floor area and building heights of the approved Concept Plan. The child care centre will not be altered from the approved Concept Plan.

The Proponent seeks the following:

1. An increase in dwellings from 650 to 800 within the maximum approved Concept Plan building heights, and GFA as a modification to the approved Concept Plan.
2. Provision for one neighbourhood shop of 150m<sup>2</sup> GFA to be co-located with the child care centre requiring modification of the approved Concept Plan and Part 4, Clause 9 of Schedule 3 in SEPP (Major Development) 2005.
3. Deletion of reference to 73 dwellings per hectare from the approved Concept Plan and from Part 4, Clause 10 of Schedule 3 in SEPP (Major Development) 2005.
4. That the definition of GFA in Part 4, Clause 10 of Schedule 3 of SEPP (Major Development) 2005 in the approved Concept Plan be changed to the Standard Instrument definition for Local Environmental Plans.

Specifically, the Proponent seeks that Condition A1 of the Conditions of Consent for the Concept Plan be amended as follows:

*"A1. Development Description*

- (1) *Up to ~~650~~ 800 dwellings;*
- (2) *Up to 80,000m<sup>2</sup> maximum gross floor area (representing a floor space ratio of 0.89:1 over the entire Channel Seven site ~~and including any terraces and balconies to be calculated as part of floor area or gross floor area~~ with gross floor area as defined in the Standard Instrument definition<sup>1</sup>);*
- (3) *Up to ~~96,000m<sup>2</sup> total envelope area (including any terraces and balconies to be calculated as part of floor area or and all building inefficiencies comprising, but not limited to, building entrances, foyers, lobbies, stair and lift voids, underground services and car parking,~~*

<sup>1</sup> The Standard Instrument definition of GFA is the following:

**"gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
  - (b) habitable rooms in a basement or an attic, and
  - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
  - (e) any basement:
    - (i) storage, and
    - (ii) vehicular access, loading areas, garbage and services, and
  - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
  - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
  - (h) any space used for the loading or unloading of goods (including access to it), and
  - (i) terraces and balconies with outer walls less than 1.4 metres high, and
  - (j) voids above a floor at the level of a storey or storey above."

~~plant and machinery, and communal recreation areas);~~  
 (4) ~~No more than 73 dwellings per hectare on land;~~

...

*(12) The development of a neighbourhood shop to be co-located with the child care centre with a maximum gross floor area of 150m<sup>2</sup>.*

In addition, the Proponent seeks that Condition B5 be amended and a new B6 be added in relation to the Planning Agreement applying to the 650 dwellings and the Development Contribution applying to the additional 150 dwellings, as follows:

***B5. Planning Agreements for development up to 650 dwellings***

~~A planning agreement and/or development contributions framework shall be prepared. and executed within three months of the determination date in Part A of Schedule 1 of Concept Plan No. 05\_0086, or as otherwise determined by the Director General.~~

*The planning agreement and/or development contributions framework shall nominate the proponent, Council and other agencies (as relevant) as the affected parties and will be agreed to by the Department, in consultation with Council and other agencies where appropriate.*

*The planning agreement and/or development contributions framework shall address (but not be limited to) the provision and procurement of:*

- (9) Community facilities – including ~~demand for, size, and location of~~ a the child care centre.*
- (10) Public open space – including design, tenure, and management.*
- (11) Traffic calming measures – including design, tenure, and management.*
- (12) Utilities infrastructure – including demand, capacity, and location of an electricity zone substation.*

***B6. Development Contributions for development from 651 to 800 dwellings:***

*In accordance with Parramatta City Council's Section 94A Development Contributions Plan, a levy is to be paid to Council towards meeting the cost of provision or augmentation of new public facilities."*

***B6. Child Care Centre***

~~The final location of the proposed child care centre referred to in "The Parklands, 61 Mobbs Lane, Epping – Preferred Project Report", and modification B5 above, is to be determined through the Planning Agreement that will be entered into between the proponent, the Council, and any other agencies as appropriate.~~

~~The final location of the child care centre, **whether on or off site**, shall be subject to the approval of the Director General prior to the execution of the Planning Agreement.~~

With regard to the SEPP (Major Development) 2005, the Proponent seeks to amend Clauses 10(2)(a) and (b) of Part 4 of Schedule 3 as shown below:

**“10. Development controls**

(1) *The height of a building on any land is not to exceed the maximum number of storeys shown for the land on the Height of Buildings Map;*

(2) *Development for the purpose of a dwelling must not be carried out if it would result in:*

~~a. An average density of more than 73 dwellings per hectare on the Channel 7 site, or~~

~~a.b. There being more than 650 800 dwellings (whether of the same or different types) on the Channel 7 site, or~~

~~b.c. The total of the gross floor areas for dwellings within the Channel 7 site exceeding 80,000 square metres”.~~

In addition, the Proponent seeks the following amendment to Clause 9 of Part 4 of Schedule 3 of the SEPP (Major Development) 2005:

**“9. Public Recreation Zone**

(1) *The objectives of the Public Recreation Zone are as follows:*

*(a) to enable land to be used for open space or recreational purposes,*

*(b) to provide a range of recreational settings and activities and compatible land uses,*

*(c) to protect and enhance the natural environment for recreational purposes,*

*(d) to provide a range of community uses that serve the needs of the people who live and work in the surrounding neighbourhood.*

(2) *Development for any of the following purposes is permitted with consent within the Public Recreation Zone:*

*car parks; child care centres; community facilities; environmental facilities; environmental protection works; kiosks; neighbourhood shops; recreation areas; recreation facilities (outdoor); roads that are not classified roads.*

*(3) Except as otherwise provided by this Policy, development is prohibited within the Public Recreation Zone unless it is permitted by subclause (2).”*

The modifications to increase the overall number of dwellings will incorporate more one and two bedroom dwellings and less three bedroom dwellings than contemplated at the time of the approved Concept Plan, which reflects market demand in the area. However, these will be within the maximum Concept Plan building heights and GFA. Residential amenity will be controlled through compliance with SEPP65 and the Residential Flat Design Code for residential flat buildings.

The site has good access to rail, bus and private vehicle networks. It is also well located with respect to local amenities such as retailing, education facilities and health facilities.

The lack of other sites for infill development in the area elevates the site’s importance in terms of maximising its potential for redevelopment. The site has the ability to accommodate additional dwellings with minimal impact on the surrounding area through changes in the mix of 1, 2 and 3+ bedroom dwellings.

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Additional common open space can be achieved on site through a reduction in the building footprints.

The proposal is consistent with the Sydney Metropolitan Strategy and the Sydney Metropolitan Development Program which seek to provide additional housing for Sydney's increasing population within existing urban areas while reflecting the changing household structure towards smaller household sizes.

Based on traffic assessments undertaken by Transport and Traffic Planning Associates and Halcrow, it is concluded that the traffic generated by the additional dwellings can be adequately accommodated provided that the road network improvements required as conditions of the approved Concept Plan are implemented.

The existing range and frequency of bus services in the locality is able to accommodate the additional demand created by the proposed additional 150 dwellings.

**Having regard to this Environmental Assessment, it is requested that the Minister for Planning approve the proposed modifications to MP05\_0086 and gazette the proposed amendments to SEPP (Major Development) 2005.**