

6.0 ASSESSMENT

6.1 Director General's Report

The purpose of this submission is for the Director General to provide a report on the project to the Minister to decide whether or not to grant approval of the concept plan pursuant to Section 75O(2)(a) of the Act.

Section 75I(2) sets out the scope of the Director General's report to the Minister. Each of the criteria set out therein have been addressed below, as follows:

a) a copy of the proponent's environmental assessment and any preferred project report; and

The proponent's environmental assessment and preferred project report is set out for the Minister's consideration in Documents at **Appendices F** and **C** respectively.

b) any advice provided by public authorities on the project; and

All advice provided by public authorities on the project is at **Appendix E** for the Minister's consideration.

c) a copy of any report of a panel constituted under Section 75G in respect of the project; and

No independent hearing and assessment panel was undertaken in respect of this project.

d) a copy of or reference to the provisions of any State Environmental Planning Policy (SEPP) that substantially govern the carrying out of the project; and

An assessment of State Environmental Planning Policies relevant to the project is set out at **Attachment G**.

e) except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division; and

In addition to State Environmental Planning Policies referred to above, environmental planning instruments include Regional Environmental Plans and Local Environmental Plans. None have applicable policies that substantially govern the carrying out of the project hence they do not need to be taken into account in the environmental assessment of this project.

Nonetheless, Parramatta LEP 2001 and relevant strategies have been considered as part of the assessment at **Appendix G**.

f) any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.

The environmental assessment of the project is this report in its entirety. An assessment of the concept plan proposal against issues raised is set out below.

6.2 KEY ISSUES

6.2.1 Development Density, Bulk and Scale (being out of character with the locality)

Raised By

Local residents, Council, and the Department.

Consideration

Dwelling density is an important consideration as it will impact on building envelopes, bulk and scale, as well as existing services, traffic and general amenity.

The exhibited proposal sought approval for 900 dwellings which equated to a dwelling density of 101 dwellings per hectare and an FSR of 1:1. The Department sought to negotiate a reduced dwelling density for the site along with revised development controls including appropriate dwelling mix and unit sizes.

The preferred project report submitted to the Department proposes 650 dwellings at a density of 73 dwellings per hectare. The preferred project report also revises the proposed dwelling mix and unit sizes. The Department has carefully considered the proponent's revised development parameters for the site which are discussed below.

Dwelling Numbers

The Department generally agrees with, and supports, the reduction in dwelling numbers from 900 to 650 dwellings. The reduced density equates to a reduction in dwellings per hectare from 101 dwellings to 73. The reduction of 250 dwellings will result in a better environmental outcome with regard to;

- traffic impacts,
- pressure on existing services,
- building envelopes' bulk and scale, and
- general amenity of the surrounding area.

FSR and Gross Floor Area

The reduction in dwelling numbers has brought about a reduction in approximately 10,000m² of floorspace. The Department supports this reduction, however the Department does not agree with two key points which affects the total envelope area and hence bulk and scale of the proposed development. These are;

1. the relatively low percentage applied to building inefficiencies (which includes building entrances, foyers, lobbies, stair and lift voids, underground services and car parking, plant and machinery, and communal recreation areas); and
2. the exclusion of terraces and particularly balconies as part of gross or calculable floorspace.

The Department normally applies an "80% rule" to the filling of building envelopes. This suggests that a developer will achieve only an 80% calculable floorspace within an envelope due to built-in inefficiencies as described above. It is this "80%" figure that provides the floorspace from which the FSR is calculated.

The proponent has advised that they can achieve a 92% calculable floorspace within the building envelopes proposed. This appears a particularly high percentage and low inefficiency rate from the Department's experience.

The proponent has indicated its preferred gross or calculable floor area is 79,500m², excluding 15% of that floorspace for balconies. Including the full 15% as balconies would result in 91,425m² (or an FSR of 1.03:1).

As the Department is presently dealing with only a Concept Plan for the site, and envelopes rather than a detailed design, a conservative approach to balcony calculations must be taken. This is warranted in order to determine the maximum development volume or total envelope area over the site.

This position is further emphasised when considering that balconies are included in FSR calculations (under both the Parramatta LEP and the Department's standard LEP template) when balcony walls exceed 1.5m and 1.4m in height respectively.

The preferred approach would be to include all potential balconies as part of the FSR and a calculable total floor area of 80,000m² to ensure certainty and a better design outcome. Inclusion of balconies will;

- further reduce bulk and scale; and
- encourage diversity in building, and particularly balcony design (either as a component of FSR or a non-FSR-related projection from the facades of buildings).

It should be noted that the Department's position of 80,000m² is not too dissimilar to that in the preferred project report (79,500m²) albeit with all potential balconies (with a 1.4m wall height) included. It should be further noted that if balconies are not included in the Department's position, the calculable

total floor area would be 68,000m² (or a FSR of 0.76:1 – which is similar to Parramatta Council’s nearby 2B residential zone which permits multi-unit housing up to 0.6:1).

In effect the Department’s position provides for an FSR range over the site from 0.76:1 (no terraces and balconies provided as calculable floorspace) to 0.89:1 (all potential balconies as calculable floorspace).

Parramatta Council’s LEP 2001, includes FSRs of 1.5:1 for high density residential development within the LGA, and 0.8:1 for Residential Flat Buildings (3 or more dwellings on the same parcel at 4 or more storeys). Whilst these uses are not permissible in the vicinity of this site, the proposed FSR range of 0.76:1 – 0.89:1 is a reasonable FSR in the context of the LGA and from a Metropolitan planning context which seeks to maximise urban consolidation opportunities, particularly on current underutilised sites, where employment and social and physical infrastructure exists.

Table 6.1 compares the exhibited proposal, preferred project report, and Department’s position. As can be seen, applying a conservative “80% rule” and including all balconies within envelopes for the purposes of the Concept Plan would result in a lesser total development envelope, than that proposed by the proponent – 96,000m² compared to 97,785m².

Dwelling mix and sizes

The Department has negotiated a suitable range of dwelling mix and sizes. The initial proposal sought approval for dwellings that did not comply with the dwelling size standards contained in SEPP 65. The proponent had also sought to develop the site without 1-bedroom dwellings, contrary to SEPP 65 principles. The preferred project report now provides for a minimum of 5% 1-bedroom dwellings and dwelling sizes which comply with SEPP 65 requirements.

While the Department is flexible on the dwelling types proposed, it is considered appropriate to impose a modification requiring the concept plan to provide a minimum of 5% 1 bedroom dwellings and a maximum of 15% on the largest 3 bedroom plus study dwellings, to provide a full range of dwelling types, in accordance with SEPP 65.

Public Open Space

The preferred project will not impact on the amount of open space originally proposed. The Department supports the reuse of the site for 3.1ha of public open space, particularly increasing the existing Mobbs Lane Reserve by a further 2.5ha.

Conclusion

The Department believes its position on the redevelopment of the site can achieve appropriate development outcomes. The Department’s proposed total envelope (including building inefficiencies and terraces and balconies) of 96,000m² is in the order of the proponent’s desired outcome of about 97,785m².

The developable FSR range of 0.76:1 – 0.89:1 and 73 dwellings / hectare figures are entirely reasonable from an LGA-wide and Metropolitan-wide perspective, particularly taking into consideration the opportunity to maximise reuse of this site, given its proximity to existing and planned social and physical infrastructure and employment and transport nodes.

The capping of the development envelope area to 96,000m² will assist in providing certainty (by including balcony calculations and a conservative “80% rule”) to relevant stakeholders and ensuring the overall development does not exceed its approved envelope. Each and any future application that does not include balconies as floorspace will result in a lesser FSR over the site. These matters are addressed by modification **A1** which sets the parameters for development. To further reinforce certainty, modification **B7** is also included to address the development’s staging and ensure the site is developed in accordance with the approval and in a balanced manner.

The Department’s proposed modification to limit the GFA of development to 80,000m², the total number of dwellings to 650 maximum, and number of dwellings to 73 per hectare, is consistent with the recently gazetted site-specific amendment to the Major Projects SEPP.

Table 6.1: Comparison of exhibited Concept Plan proposal, Preferred Project Report, and Department's position.

Site area = 89,190m ²	Exhibited position	Revised position Preferred Project Report (degree of change)	Department's position (comments)
No. of dwellings	900	650 (250 less)	650 max. Agree
Dwellings / ha	101	73 (28 less)	73 Agree
FSR	1:1 (adjoining 2a zone allows 0.6:1, while nearby 2b zone allows up to 3 storeys and 0.8:1)	0.89:1 (0.11:1 less)	0.89:1 max. Agree, but must include balconies within floor space used to calculate FSR.
Gross Floor Area	89,190m ² + 15% (13,379sqm) for balconies. 102,569 m ² (inc balconies) = FSR of 1.15:1 110,775 m ² total envelope area (including 8% inefficiencies) It should be noted the Dept uses 20% as a standard rule in calculating building inefficiencies.	79,500 m ² (with 8% inefficiency deducted) (9,690sqm less) 91,425 m ² (inc 15% GFA for balconies) = FSR of 1.03:1 85,860 m ² (being 1.08 times GFA) + 11,925sqm for balconies is a total envelope area of 97,785 m ² (12,990m ² less)	80,000 m ² (with 20% inefficiency deducted) 68,000 m ² (excluding balconies) = FSR of 0.76:1 96,000 m ² total envelope area (including 20% inefficiencies) Disagree with low % of inefficiencies, which includes building entrances, foyers, lobbies, stair and lift voids, underground services and car parking, plant and machinery, communal recreation areas.
Dwelling Mix	1-bed (15%) 2-bed (25%) 2 bed + study (25%) 3 bed (20%) 3 bed + study (15%)	1-bed (5%) 2-bed (18%) 2 bed + study (38%) 3 bed (27%) 3 bed + study (12%) (Less 1 bed and 2 bed dwellings; more 2 bed + study dwellings) This is a set mix, but flexibility is desired.	1-bed (5% min) 2-bed (15-30%) 2 bed + study (30-50%) 3 bed (20-30%) 3 bed + study (15% max) Agree generally. Suggested mix as earlier agreed with proponent.
Dwelling Sizes	1-bed (60sqm) 2-bed (90sqm) 2 bed + study (100sqm) 3 bed (130sqm) 3 bed + study (160sqm)	1-bed (60sqm) 2-bed (90sqm) 2 bed + study (120sqm) 3 bed (140sqm) 3 bed + study (160sqm) (2 bed + study 20sqm larger to meet SEPP65 standard; 3 bed now 140sqm from 130sqm)	1-bed (60sqm) 2-bed (90sqm) 2 bed + study (120sqm) 3 bed (140sqm) 3 bed + study (160sqm) Agree. Including balconies in calculations may result in request for smaller dwellings, or different mix.
Building heights	2-6 storeys with a 9 storey tower and 12 storey tower at the upper parts of the site.	2-6 storeys graded across site (with flexibility for 7 th storey at 6 storey locations for built form variety) (12 and 9 storey tower elements removed)	2-6 storeys graded across site Generally agree. Do not agree with 7 th storey flexibility control.
Public Open Space	3.1 ha	3.1 ha (no change)	3.1 ha Agree

It is considered that the subject site can sustain a dwelling density of 73 dwellings per hectare for the following reasons.

- The total FSR is not dissimilar to the nearby residential 2(b) Zone under the Parramatta LEP which permits 0.6:1-0.8:1. The proposal seeks a maximum FSR of 0.89:1 including balconies

or minimum 0.76:1 excluding balconies. The proposed FSR is therefore considered to be similar to a locally adopted numerical development standard, particularly from an LGA-wide perspective;

- the traffic report considering the revised dwelling density indicates that the proposal will be acceptable, this matter is discussed in further detail in section 6.2.4 of the report;
- the building height of the proposal has been reduced as a result of the revised dwelling density and is also considered acceptable. This is discussed in further detail in section 6.2.2 of this report.

In terms of meeting the objectives of the Metropolitan Strategy, the above scenario will;

- provide greater housing supply and housing choice;
- contribute to the Metropolitan Strategy's targets for the West Central region (which includes Parramatta LGA) which require 30,608 dwellings by 2013 and 95,000 additional dwellings in existing areas within the next 25 years;
- better utilise land for residential purposes which is currently underutilised for a purpose which is out of character with the surrounding area; and
- fulfil the objectives of the Metropolitan Strategy and State Environmental Planning Policies, particularly these which seek to encourage urban consolidation.

Resolution

It is therefore considered that the concept plan be modified to provide for a revised set of Development controls. Modification **A1** requires that;

- the maximum number of dwellings permitted on the site is 650.
- the maximum permitted gross floor space is 80,000m² and an FSR of 0.89:1.
- the maximum total envelope area is limited to 96,000m².
- the development density must not exceed 73 dwellings per hectare.
- the development must provide a minimum of 5% one bedroom dwellings.
- the development must not exceed 15% provision of 3-bedroom+ study dwellings.
- the development must provide a minimum of 3.1ha of open space
- any terrace or balcony with a perimeter wall height exceeding 1.4m is to be included as FSR.

6.2.2 Building Height

Raised By

Council, local residents, and the Department

Consideration

The exhibited proposal sought approval for residential towers of up to 9 and 12 storeys which were considered unacceptable. Such building heights would dominate the site, be out of context with the immediate locality, and have a negative impact on the streetscape and visual amenity of the surrounding area.

The Department raised this issue with the proponent who accordingly amended the proposal. The preferred project report now provides for a maximum of 6 storey buildings in the central sections of the site gradually tiering down to 2-4 storeys adjacent to the site boundaries. A flexibility provision has been proposed by the proponent that allows 7 storey elements over 25% of the 6 storey envelopes to provide for built form and variety. The Department considers this to be unacceptable as built form and variety can be provided within the maximum 6 storey envelope without requiring an additional storey. The Department has therefore rejected this proposition and has recommended modifications restricting the height to a maximum of 6 storeys. .

The proposed building heights (i.e.: a maximum of 6 storeys) are considered acceptable as:

- the building heights have been distributed within the site to form an appropriate transition between the interface of the proposal and the existing residential development surrounding the site; and

- the generous setbacks, provision of open space and the established vegetation will also help absorb the height, bulk and scale of the proposal.

Resolution

It is therefore considered that the concept plan be modified to provide for a maximum height limit of 6 storeys. Modification **A1** requires that;

- the maximum number of storeys permitted is not to exceed 6 storeys.
- the height distribution must be in accordance with figure 8.9 of the preferred project report dated May 2006 (note 7 storey buildings are not permitted on this site).

6.2.3 Urban Design

Raised by

Council, local residents, and the Department.

Consideration

Urban design was one of the main concerns raised during the exhibition period. Many of the submissions received suggest that the design of the concept plan should be better integrated into the surrounding area through the provision of low density residential development, and based upon a more conventional street pattern. Despite the concerns raised during the exhibition period, the proponent maintains that the urban design philosophy adopted has merit and has chosen to retain the overall urban design proposed under the original concept plan exhibited.

The preferred urban design outcome was chosen as a result of an in-house design competition by the proponent involving Cox Richardson, Kann Finch/Annand Alcock, Jackson Teece Chesterman Willis, PTW, and Architectus. The chosen scheme is a joint PTW / Architectus design and was taken to deliver the best possible design outcome for the site, considering the various opportunities and constraints of the site.

Urban design has been considered under the following headings:

Visual impact

Concern was raised regarding the visual impact of the proposal. However, it is considered that the proposed development is unlikely to have a negative impact on the visual amenity of the surrounding area. Further information was submitted by the proponent at the request of the Department in order to fully appreciate the potential visual impact of the proposal. The applicant has provided photographs and photomontages indicating an outline of the proposal from a number of vantage points including:

- The TAFE site
- Mobbs Lane and the adjoining former Eastwood Brickpit site; and
- Terry's Creek

Photographs / photomontages of these views are contained in **Appendix C** pg 113, 115. After carefully assessing the submission it is considered that the visual impact of the proposed development will be acceptable for the following reasons;

- the building heights have been distributed within the site to form an appropriate transition between the interface of the proposal and the existing residential development surrounding the site; and
- the generous setbacks, provision of open space and the intended retention of established vegetation will also help absorb and mitigate the height, bulk and scale of the proposal.

Accordingly, the proposal is considered to be satisfactory with respect to visual impact.

Appearance / building design / finishes

Concern has been raised regarding the proposed contemporary design of the development being inconsistent with the streetscape and the surrounding area generally. While the proposal does not replicate predominant built forms in the immediate locality, it is considered that the proposed development will be acceptable for the following reasons;

- the proponent has committed to subsequent applications complying with SEPP 65 Design principles;
- the proponent has committed to a design philosophy which incorporates design principles from the surrounding Californian bungalow and federation housing; and
- the development is not in a conservation area or in the vicinity of a heritage item.

Residential Amenity

The proponent has committed to all future project applications to comply with SEPP 65 urban design principles including, solar access, ventilation, maintenance of views, minimise overshadowing of public open space and maintain privacy between dwellings. This is considered to be sufficient to ensure residential amenity is provided.

It is considered that the concept plan and statement of commitments will provide for sufficient residential amenity. Further consideration shall be given to this issue during the assessment of future major project applications and/or development applications (whichever is the case).

Built Form

For the purposes of the concept plan the proposed development pattern displays appropriate built form. The concept plan provides for buildings which align to the streets and existing and future topography of the land. The proposed layout physically addresses the public domain providing safe access and street surveillance and is located and proportioned to positively structure space in the locality, fit into the surrounding built context and contribute to a cohesive urban form. The proponent has also committed to complying with SEPP 65 principles to address this issue.

Built form will be addressed further by the submission of future applications for the site. The proponent has committed to comply with SEPP 65.

Urban grain

It is considered that the urban grain of the proposal is adequately addressed by the strong enclosure and definition of the street system and open space. In addition the proposed terraced curvilinear envelopes have been designed as a transitional edge adjacent the open space. Further consideration of this matter shall be given during the submission of further design development during subsequent applications. Particular attention should be made to:

- reinforcing the definition between the buildings and open space by a footpath and landscape design; and
- a design approach in keeping with the bushland character and informal nature of the Mobbs Lane Reserve and the current garden setting on the site.

Privacy

Concern was raised regarding possible overlooking from the proposed development. It is however considered that the proposed development will have little impact on the privacy of the surrounding residents for the following reasons:

- privacy to the west of the site will be maintained by the parkland setting;
- the opportunity for overlooking existing dwellings opposite Mobbs Lane is reduced by the distance of separation between the proposal and the subject dwellings;

- the opportunity for overlooking the former Eastwood Brickpit site development is also reduced by separation distances and the fact that the former Eastwood Brickpit site sits well below the natural ground level and will therefore not be visible from the subject site; and
- the opportunity for overlooking from the town houses adjoining the existing development along the eastern boundary is possible, however further measures normally associated with such development can be assessed at the time of the detailed application where provision of landscaping and privacy screening can be incorporated.

In addition the applicant has committed to address privacy as an issue at the project application stage of the proposal.

Conclusion

Many of the concerns raised during the exhibition period focussed on the specific design issues. It must be noted that the aim of the concept plan is to provide broad development controls to allow for the future development of a site. Therefore specific design issues cannot be assessed in detail during the concept planning of the site.

Parramatta Council raised specific issues concerning the overall design philosophy, street pattern, provision of uses to create activity and passive surveillance, permeability, privacy, and extension of adjoining functions into and through the site.

Resolution

It is considered that the design philosophy adopted by the proponent is acceptable. The design and site layout responds to both existing built and natural features. The location of open space attracts use of the site and enhances permeability which is presently unavailable. The rezoning of the site also enables a wide range of uses which augments any access into and through the site by creating activity, such as potential for small shops, cafes, and childcare facilities and the like. The statement of commitments also adequately addresses these issues.

Should this concept plan not be employed, modification **B1** allows for further modification of the approved concept plan, subject to satisfying a range of relevant considerations and matters. These include:

- (1) an urban design strategy, including detailed analysis of the physical, environmental, social, cultural and economic aspects of the site informing opportunities and constraints, resulting in an agreed urban design outcome.
- (2) an analysis of existing buildings, including building height and footprints, significant vegetation, surrounding street and block pattern, existing delineation of public and private open space, topography and view corridors.
- (3) an appropriate street pattern, built form, building height, open space, view corridors, density, vegetation strategy, entry points, detention basin, car parking and traffic management and road hierarchy.

For the reasons outlined above and the on the basis of Modification B1, no further general urban design matters require resolution at this stage.

6.2.4 Traffic and Transport

Raised By

Local residents, Council, DEC, Sydney Buses and the Department.

Consideration

Traffic was one of the main concerns raised by surrounding residents, Council and the Department. It was considered that the concept plan proposal may lead to an unacceptable increase in vehicular traffic movements on the existing road network to the detriment of existing residential amenity. A further issue raised was the date of the traffic study used (compared to more recent information available).

The current use of the site by Channel 7 generates around 2000 vehicle movements per day. There are 543 permanent employees, however depending on the production schedule anywhere between 1,000 to 1,500 people (estimated) could be working at the site on any given day. The current traffic movements on Mobbs Lane are less than 650 vehicles per hour in both directions in the morning peak and less than 600 in the evening peak (worst case scenario). Additionally, there are two bus stops along the site's Mobbs Lane frontage with the site serviced by bus links to Parramatta and Epping (and stations en route eg Carlingford).

The proponent submitted a transport assessment as part of its original submission to support the redevelopment of the site. Under the exhibited 900 dwelling scheme the total vehicle trips per hour would have equated to 469 vehicle trips / hr or about 4690 vehicle trips / day. The report concluded that the road network could accommodate the identified traffic generation of 4690 vehicle trips / day without significantly affecting existing residential amenity and the site is readily accessible by public transport.

A range of stakeholders questioned the adequacy of the submitted information and were unconvinced that the capacity of the local road network could accommodate the traffic generated by the number of dwellings proposed despite the proponent's traffic advice suggesting otherwise.

The applicant's traffic engineer subsequently conducted further analysis to support the preferred project report which considered the revised dwelling numbers along with the impact that implementing the previous recommendations (aimed at improving the capacity of the local roads and intersections surrounding the development) would have. The traffic generation anticipated under the revised scheme is outlined in Table 6.1 and Table 6.2 below which respectively summarise the vehicles / hour movements (and consequently daily vehicle trips) and AM and PM peak vehicle movements on Mobbs Lane.

Table 6.1: Vehicle trips per hour – proponent's preferred scheme.

	Unit type / number of units	RTA rate	Vehicles / hr (AM & PM peak hours)
	395 x 2-bedroom	0.5 trips / hr	198
	175 x 3-bedroom	0.6 trips / hr	105
	80 x 3-bedroom + study	0.65 trips / hr	52
	Visitor parking	-	
Total	650		355 > 355 x 10 (approx daily vehicle trips) = 3550

Table 6.2: AM and PM peak vehicles per hour 2-way (Mobbs Lane)

	AM Peak	PM Peak	Daily (peak x 10) - worst case / highest volume
Existing (2001)			
E of Marsden Road	533	369	5330
W of Midsen Road	615	563	6150
Existing (2004) including Brickpit site- less Ch7 use now			
E of Marsden Road	495	373	4950
W of Midsen Road	578	507	5780
Future (650 dwellings + Brickpit site less existing Channel 7 use)			
E of Marsden Road	548	456	5480
W of Midsen Road	610	557	6100
% change			
E of Marsden Road	+2.8 - +10.7%	+22.3 - +23.5%	+10.7%
W of Midsen Road	-0.9 - +5.5%	-1.0 - +1.0%	+5.5%

As can be seen from the above, the proponent's preferred scheme is likely to generate approximately 3550 daily vehicle trips compared to the current Channel Seven situation of 2000 daily vehicle movements. The proposal will generate in the order of 360 vehicles per hour during the AM and PM peak hours.

The proponent's traffic report concludes that the greatest increases are expected on Mobbs Lane, however traffic volumes will remain consistent with the roles the various roads fulfil in the road network. The traffic report further concluded that the proposed new access intersections on Mobbs Lane would operate at good levels of service during peak hours under sign controls.

In relation to public transport, the report acknowledged that the subject site is serviced by local bus routes with two bus routes linking the site to two railway stations approximately 1.4km away. In doing so, the report concluded that the proposed pedestrian access to and from the site complements the public transport availability. Improvements to pedestrian facilities including the construction of footpaths along Mobbs Lane would further assist.

As a result of the findings the following key recommendations were made in the traffic report in order to mitigate traffic impacts;

- Mobbs Lane be widened to allow construction of left and right turn bays at the new access road intersection;
- provision an additional lane in Mobbs Lane at Midson Road and installation of traffic signals at Marsden Road and Mobbs Lane to ensure good levels of service during peak hours;
- widening of Mobbs Lane for a parking lane each side of the road (noted that this is a Council proposal);
- installation of a roundabout at the intersection of the western access road and the intersection of the Brickpit access road;
- improved pedestrian and cycleway infrastructure along Mobbs Lane; and
- review of bus stops along Mobbs Lane.

The findings of the traffic report were carefully considered and it was concluded that the impact on traffic as a result of the proposed development will be acceptable for the following reasons:

- the proposed capacity improvements will cater for the increased traffic demand on local roads and the RTA supports the proposed measures;
- the proposed development is serviced by two bus routes which link the site to Epping and Eastwood train stations which will reduce the reliance on private vehicles.
- the reduction in dwelling numbers from 900 to 650 will have an appreciable reduction in traffic down, from 469 to 355 vehicles per hour.

The traffic report's recommendations were supported by the RTA on the basis that the capacity of existing signalised intersections is presently satisfactory-to-good in rating. The RTA did however advise that the increased traffic will also require the installation of a short left turn and right lane in Mobbs Lane at Midson Road (together with through lane), and installation of traffic signals at the intersection of Mobbs Lane and Marsden Road, to ensure that intersections operate to at least the same current standard.

The proposed traffic signals for Marsden Road and Mobbs Lane and the road and signalling improvements proposed for the intersection at Midson Road and Mobbs Lane can both be approved under Section 87 of the Roads Act, 1993 subject to conditions. The RTA has recommended these matters be required through "conditions" as well as other "conditions" requiring:

- detailed design in accordance with RTA's guidelines;
- noise and amenity issues to be addressed in accordance with the DEC/EPA criteria for road noise; and
- all acquisition costs in attaining road-widening to be borne by the proponent.

Resolution

The Department has taken into account the findings of the relevant transport reports as well as the advice received from the RTA. This includes an earlier set of traffic data as well as more recent traffic counts. The earlier data included a greater vehicle count and was taken to represent the current (or at least a recent) worst-case scenario.

The Department's assessment concluded:

- surrounding intersections all currently operate at a satisfactory level of service during peak hours;
- the proposal will generate in the order of 360 vehicles per hour during the AM and PM peak hours;
- whilst traffic volumes will increase compared to the current situation, particularly on Mobbs Lane (between 5-11%), the traffic volumes will remain consistent with the roles the various roads fulfil in the road network;
- Mobbs Lane, despite the increases, will still operate as a Collector Road, with less than 650 trips per hour;
- all existing intersections will operate at good levels of service despite the increase.

The proponent has committed to working with traffic authorities and Council to optimise the design and safety of roads and intersections both within and surrounding the site (Appendix B). This includes undertaking works such as road widening, construction of roundabouts, footpath improvements, and installation of traffic calming measures.

Whilst the proposal will increase traffic, the Department is satisfied that the concept plan proposal can be satisfactorily accommodated on the site through fulfilment of the proponent's commitments and implementation of the recommendations in the traffic report. These include (amongst other things):

- road widening of Mobbs Lane for turning bays at the new access road intersection;
- additional lane on Mobbs Lane at Midson Road;
- signals at Marsden Road and Mobbs Lane; and
- enhanced bus routes / increased frequencies.

Modification B4 formalises the proponent's commitments, the traffic reports recommendations and further advice provided by the RTA. Modification B5 which requires the preparation and execution of a planning agreement identifies traffic calming measures as a key matter to be addressed.

6.2.5 Car Parking

Raised by

Local residents, Council and the Department.

Consideration

Concern has been raised regarding the possibility of increased on street car parking as a result of the proposed development. Council is also concerned that the concept plan does not provide enough detail regarding the car parking needs of the child care centre.

The current Channel Seven use of the site provides for 600 car parking spaces to service approximately 540 fulltime employees, although this figure varies depending on production demands (at which time staff numbers may be in the order of 1000 - 1500).

Under the exhibited 900 dwelling scheme the total amount of car parking would have equated to 1396 spaces. However following the proponent's reduction in dwelling numbers, the preferred project report proposes 1040 car parking spaces based on the proponent's preferred dwelling mix as outlined in Table 6.4 below.

Table 6.4: On-site Car parking (proponent's proposed 650 unit scheme)

Unit type / number of units	Council DCP rate (for Residential Flat buildings not within 400m of a railway station or transit corridor)	Car parking spaces
395 x 2-bedroom	1.25 spaces/unit	494
175 x 3-bedroom	1.5 spaces/unit	263
80 x 3-bedroom + study	1.5 spaces/unit	120
Visitor parking	0.25 spaces/dwelling	163
Total	650	1040 spaces

The above car parking figures are based on the proponent's preferred mix of dwellings at the Preferred Project Report stage. The Concept Plan which the Department is recommending approval for is subject to modifications which seek a differing mix with 1-bedroom units. Tables 6.5a and 6.5b respectively outline the indicative mix the Department would be willing to support and the potential car parking requirements that such a proposal would generate.

Table 6.5a: Concept plan approval dwelling mix (indicative)

Size	% mix (eg)	m ² total	No. dwellings
1 bedroom (60m ²)	Min. 5 (5%)	1980	33
2 bedroom (90 m ²)	15-30 (15%)	8730	97
2 bed + study (120 m ²)	30-50 (40%)	31200	260
3 bedroom (140 m ²)	20-30 (25%)	22820	163
3 bed + study (160 m ²)	15 Max. (15%)	15520	97
TOTAL	100	80,250	650 max.

Table 6.5b: On-site car parking (Concept Plan approval mix indicative 650 unit scheme)

Unit type / number of units	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/dwelling	163
Total	650	1032 spaces

The 650 dwelling scenario (with the Department's indicative dwelling mix) reduces the overall impact from the exhibited 900 dwelling scenario by about 364 car parking spaces. The required number of car spaces can be accommodated on the site through the provision of basement car parking. Furthermore, the RTA has not raised car parking as an issue.

Car parking associated with the proposed child care centre is recommended to be finalised through the relevant development / project application, once the final location of the centre is determined through the planning agreement process (see Section 6.2.7).

Nonetheless, the proponent's commitment to comply with the Parramatta City Council's Car Parking Code, the proposed upgrade works to Mobbs Lane to accommodate some further parking, and the opportunity to revisit car parking at project /development application stage suggest that car parking will

be adequate and the proposal is therefore unlikely to result in unacceptable levels of on street car parking.

Resolution

The Department supports the applicant's statement of commitments at Attachments **B** regarding compliance with the Parramatta City Council Car Parking Code for all future applications. Ensuring further reinforcement also achievable through future Director-General requirements for subsequent applications.

6.2.6 Landscaping / Open Space

Raised By

Local residents, Council, DEC and the Department.

Consideration

Landscaping has been considered under the following headings.

Existing Vegetation

The existing landscaping on this site is an important feature of the site. The existing vegetation is mature and provides a significant natural buffer between the proposed development and the surrounds and greatly contributes to the visual absorption of the proposed development on the site.

It is therefore considered that the existing mature vegetation where possible, be preserved and adapted into the landscaping of the site. To this affect it is considered appropriate to impose a modification, that a Landscaping Plan and Public Domain Management Plan be submitted providing greater detail and certainty on this issue and to ensure a large proportion of the existing vegetation is retained. The retention of the existing vegetation shall be to the satisfaction of the Department.

Proposed Landscaping

The submitted landscape plan for the site represents an effective landscaping solution. The plan incorporates a selection of species including native species which are strategically located throughout the site to soften and lessen the visual impact of the built form from the street and surrounding area. It is considered that the proposed landscaping solution contributes to the positive image and contextual fit of the development within the parklands setting.

The applicant has also committed to ensure that adequate on-site landscaping is provided along with street planting and integration of landscaping and stormwater treatment. For these reasons it is considered that the proposed landscaping plan is acceptable, subject to the retention of existing mature vegetation as detailed above.

Open space

The open space within and around the site links into the existing open space at Mobbs Lane Reserve. This will complement and enhance the existing public domain. The submitted landscape plan allows pedestrian links through the site and provides a useable communal area for passive and active recreational use by future residents and the public. Overall, it is considered that the open space as proposed within the site is considered to be acceptable.

Resolution

To address any unresolved open space, landscaping and vegetation issues, modification **B9** seeks further detailed information prior to the initial application for development being lodged. This includes ensuring public access to the site and the retention of significant vegetation.

6.2.7 Developer Contributions / Planning Agreement

Raised By

Council, and the Department.

Consideration

Council expressed particular concern that the concept plan does not adequately address the capacity of the local area to provide community services. Council's other concerns broadly related to the proposal's lack of communal on site facilities such as a play ground, meeting hall and the capacity of existing infrastructure to cater for the new population.

The Department acknowledges that the development may place additional demand on existing Council community services and provision of new facilities may therefore be entirely reasonable. The proponent has committed to the preparation and execution of a planning agreement to provide for community facilities and infrastructure demand. The Department agrees with this approach on the basis that the planning agreement will be project specific and therefore provide for community and infrastructure facilities directly associated with the project.

Council has expressed some concern that the proposed child care centre is somewhat dislocated from the residential component of the development and that the proponent has provided little detail in general. The Department does not object to the notion of a child care centre but agrees that a more appropriate design and location may be available. For this reason, the final demand, size and location of the child care centre is to be determined through the planning agreement at the Director General's discretion. All other planning agreement matters are to be negotiated between the proponent, Council and other relevant agencies subject to the Department's agreement.

Resolution

Modification **B5** requires that a planning agreement and/or developer contributions framework to be prepared and executed within three months of the determination date between the proponent, Council and other agencies. This will 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 (including demand, capacity, and location of an electricity zone substation. Pursuant to Modification **B6** the Director General shall determine the final location of the child care centre whether on or off site.

6.2.8 Heritage matters and the cultural significance of the site

Raised By

Surrounding residents, Council, DEC, and the Department.

Consideration

During the exhibition period, the site's heritage status and its proximity of the Epping/Eastwood and Wyralla Avenue Conservation Areas were raised as concerns. Aboriginal heritage and the implementation of an Art and Cultural plan as required by Council's DCP were also raised.

The Channel Seven site is not identified as an item of environmental heritage nor does the site adjoin any items of environmental heritage significance as identified within the Parramatta LEP 1986 (Heritage and Conservation).

The proponent undertook a heritage assessment to determine the heritage significance of the site. The key findings of the report are summarised below:

- the site was first associated with the Astronomer James Dunlop from the early nineteenth century. The site was then associated with the Mobbs family who ran a commercial orchard from the site. Both of these historical associations have a limited current connection to the site as the site was found vacant until ATN 7 developed the land. The boundaries of the site do

however retain the original land grant alignment which represents the only connection to the history of this site.

- the television studio was not the first to be developed in Sydney nor was it the first for the Channel Seven network to be constructed in a national context.
- due to the lack of development of the site it is not expected that the site would have much archaeological potential.
- whilst recent broadcasting activities carried out on the site have an intangible social value for the audiences of Sydney, those activities are not connected to the site itself rather than the television personalities and the characters represented on site. This type of significance is not specifically embodied by the existing development on the site. Therefore the site has limited heritage significance at a local level.

While the existing development on the site has no heritage significance, the history and former uses of the site are rich and should be recognised as a part of any redevelopment of the site. The heritage report therefore recommended the need to represent the Crown grantee Astronomer James Dunlop, the Mobbs Orchard Enterprise, and the period of use as a television station through the implementation of an interpretation strategy.

The revised statement of commitments (attached at **Appendix B**) submitted as a part of the preferred project report commit the proponent to:

- the preparation of a cultural significance interpretation strategy for the site to recognise the important historical and social significance of the site;
- commemorate the history of the site through the naming of new facilities, parks and roads in accordance with the recommendations in the interpretation strategy; and
- work with Channel 7 to ensure that any materials deemed to be of archival relevance will be retained to be held by Channel 7 in their archive.

The proponent has not undertaken an Aboriginal heritage assessment of the site, however the extensive history of the site suggests that Aboriginal heritage issues are unlikely to arise. Notwithstanding this, Aboriginal heritage can be addressed through provision of appropriate report(s) prepared by suitably qualified person(s) at the time of future project and / or development applications. Modification **B10** seeks to formalise this arrangement.

Whilst the site lies approximately 200m from the Epping/Eastwood and Wyralla Avenue Conservation Areas, the distance from these conservation areas is considered ample to minimise the risk of the development comprising their conservation value. It is therefore considered that the proposal will not have an adverse impact the cultural / heritage significance of the site or conservation areas in the wider vicinity of the site.

Resolution

The proponent has prepared statement of commitments which provide for a cultural significance interpretation strategy for the site respond to the site's cultural significance. The proponent has also provided a statement of commitments to ensure the site has a historical connection to its past. These appear to be based upon the recommendations provided within the proponent's heritage assessment report and are considered appropriate. The statement of commitments is attached at **Appendix B**.

The Department considers the statement of commitments to be adequate in addressing this matter, however, additional modifications have been recommended to address heritage concerns raised during assessment. Modifications **A2**, **B10** and **B12** collectively require:

- development to be generally consistent with the preferred project report and supporting appendices (subject to the modifications);
- future applications to be accompanied by an Aboriginal heritage and archaeological investigation prepared and undertaken by a suitable qualified person(s); and

- full compliance with the recommendations set out within “*The Parklands, 61 Mobbs Lane, Epping – Preferred Project Report – Appendices*” (including the heritage report).

6.2.9 ESD

Raised By

Council, DEC and the Department.

Consideration

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to BASIX affected buildings for which the Regulation requires a BASIX certificate to accompany a development application. The SEPP and Regulation however do not apply to Part 3A proposals.

It is considered that although the proposal has not been assessed against BASIX, the development achieves a number of ESD principles that are consistent with the State Government’s objective of reducing greenhouse gas emissions and use of potable water. Building envelope design will encourage living areas of units to be generally oriented towards the north or east to maximise solar access.

Furthermore, the proponent has committed to sustainability initiatives including:

- creation of a stormwater detention basin (subject to approval) and retention of the water within the basin for irrigation of common landscape areas;
- landscaping with drought resistant plant species and soft landscaping to be maximised;
- building envelopes oriented to minimise heating and cooling costs balances with aspect and providing cross ventilation;
- use of WSUD initiatives;
- rainwater harvestings, collected on site with rainwater tanks and detention tanks;
- solar access;
- fittings and whitegoods to reduce energy and water usage; and
- use of recyclable materials.

For these reasons it is considered that the proposal performs adequately in terms of ESD.

Resolution

The Department is committed to ensure the proposal can achieve a high standard of ecological sustainability. Any future application under either Part 3A or Part 4 of the Act will therefore need to demonstrate compliance with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*. Modification **B15** requires future applications to demonstrate compliance with BASIX.

6.2.10 Other remaining issues

In finalising the modifications to the proposal, the Department also considered other remaining issues related to:

- the proponent undertaking a technical audit to ensure full consistency between plans and documentation (modification **B2**);
- a detailed programme for ongoing community consultation (modification **B3**);
- an investigation of any contamination on the site (modification **B8**);
- the need for geotechnical investigations for future applications (modification **B11**);
- stormwater modelling in accordance with the Department of Environment and Conservation’s Guidelines – “Managing Urban Streams and Urban Stormwater: Treatment Techniques” (modification **B13**); and
- Stormwater management (modification **B14**).