

22 October 2012

Mr Warwick McInnes
Project Director Development
Lend Lease
30 The Bond, 30 Hickson Road
MILLERS POINT NSW 2000

Dear Mr McInnes

I am writing to you regarding the proposed development of the Channel 9 site in Artarmon Road, Artarmon following our meeting of 9 October 2012. I understand that Channel 9 is seeking to continue with this project under the former Part 3A of the Environmental Planning and Assessment Act 1979 and is therefore required to prepare and submit the Environmental Assessment to the Department of Planning and Infrastructure by 30 November 2012 in order to have the project determined under Part 3A.

The following preliminary information is provided for your consideration in the preparation of the Environmental Assessment. Further information may be forwarded at a later date and as part of the consultation programme, however this preliminary advice should assist the applicants by specifying the additional issues which should be considered in the Environmental Assessment and also by detailing Council's expectations for the development of the site and preferred outcomes.

A number of the issues raised are required to be addressed in the Environmental Assessment by the Director-General's Requirements.

Community consultation process

Condition 20 of the Director General's requirements specified that an appropriate and justified level of consultation should be undertaken with Council, state government departments and interested community groups and that the Environmental Assessment (when submitted) should indicate how matters raised during the consultation have been addressed.

Adequate consultation on this project is extremely important and local Progress Associations should be involved along with neighbouring and other interested residents and businesses and Council staff. Given the short timeframe for preparing the Environmental Assessment, it seems unlikely that an appropriate and justified level of consultation and adequate environmental assessment can be undertaken and Council has serious concerns in this regard. In particular, it is doubtful that there is sufficient time to establish meaningful consultation and input into the determination of the preferred option with the broader community, not just a few representatives.

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Change of use/ retention of employment lands

The loss of the current television studio and associated uses is of concern to Council.

Issue 6 of the Director General's requirements requires the EA to address the loss of existing jobs on the site by conversion from employment land to residential land.

As previously stated, Council encourages the Channel 9 operation to be continued in part of the site redevelopment or alternatively in the nearby Artarmon industrial area where a number of business associated with television production exist.

Built form

The Preliminary Environmental Assessment discussed potential heights on the site to 20 storeys. The Department of Planning and Infrastructure expressed concerns with this proposed height at the time of issuing the Director General's requirements and Council is also concerned with the proposed height of the development.

The proposed height is of concern to Council in the following respects:

1. Relationship of the proposed development to the surrounding low density, low scale residential areas, including the Artarmon Conservation Area, Walter Street (which adjoins the site to the south) and parts of Naremburn in the vicinity of Olympia Road.
2. Potential shadowing impacts to Walter Street
3. Shadowing impacts on the proposed public domain to be provided on site. This is discussed further in the letter below.
4. The interface with "Castle Vale" the adjoining development immediately to the east of the site, which due to the topography, presents as a 3-4 storey development to the Channel 9 site.

The EA should provide a detailed justification for the proposed density and height as specified in the Director-General's Requirements. The required view analysis should also consider views from Naremburn (in the vicinity of Olympia Road).

Transmission tower

The Department of Planning and Infrastructure expressed concerns with the potential impacts of electromagnetic emissions on the future residents of the development at the time of issuing the Director General's requirements. The Environmental Assessment should include information as per Issue 15 of the DGR's.

The potential impact of the proposed buildings on transmissions from the tower should also be investigated. This issue was explored with the development of the former ABC site on the Pacific Highway in Artarmon and the height limit for the adjacent site was amended to minimise impacts on the transmissions from the adjoining TV tower.

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Provision for public facilities/ open space

Council would prefer a monetary contribution for open space as required under Section 94 rather than the provision of public open space on site. This contribution would be used toward the nearby proposed Willoughby Leisure Centre redevelopment as outlined in the Willoughby Leisure Centre Masterplan (attached).

Any communal open space provided on site should be publicly accessible (but not owned or maintained by Council) and be provided in a location which has good solar access and easily accessible by residents from surrounding areas. The site indicated in the concept plan in the Preliminary Environmental Assessment would be completely overshadowed by the taller buildings on the site.

A linkage to the existing public open space south of the site should be incorporated into the design. For your information the Willoughby Open Space and Recreation Plan is attached.

Transport

There may be a need for a set of traffic signals at the intersection of Artarmon Rd and Edward Street to cater for additional traffic generated by the development and exiting at this point to Artarmon Rd. A roundabout could be another option however as the location is at the crest of a hill there are concerns about the safety of this option.

To prevent traffic infiltration from the development into adjacent residential streets, the closure of Edward Street at Artarmon Rd may be an option. If this were to occur, traffic from the residential streets to the north of Artarmon Rd could exit left and enter left from Willoughby Rd via Gorman, Borlaise or Julian Streets with safety. Right turns to and from these streets would however be difficult to achieve with safety so residents from these streets would still be reliant on making right turns to and from Willoughby Rd at Artarmon Road. This option would therefore only be proposed with some caution.

The Preliminary Environmental Assessment suggests that the developer may be seeking to give the new roads within the development to Council. Council will not accept responsibility for any new roads and they should remain in private ownership and maintained by the owners of the land.

Scott Street should be incorporated within the land to be developed with the developer to purchase that land from Council (as previously discussed with Council some years ago). Scott Street does not perform a vital traffic function or provide access to any residential development not included in the land to be redeveloped. This is discussed further below.

There may be a need to undertake some intersection modifications at the intersection of Willoughby Rd and Artarmon Rd to cater for development related traffic. These modifications could include:

- 1) creation of an additional eastbound lane on Artarmon Rd.
- 2) creation of an additional lane on Willoughby Rd to provide for turning or through traffic movements on Willoughby Road north or southbound, purchase/dedication of some land on the Bicentennial Reserve side of Willoughby Road would be required.

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- 3) modifications to the phasing arrangements to cater for amended traffic patterns resulting from the redevelopment.
- 4) provision of a signalised pedestrian phase on the southern leg of the intersection.

It should be noted that the Traffic Study completed in conjunction with the Willoughby Leisure Centre Masterplan proposes upgrades to the intersection of Willoughby Rd/Small St and Artarmon Road. Most notably a right turn bay and phase from Willoughby Road into Small St together with an extra lane exiting from Small Street to Willoughby Road.

A monetary contribution should be provided by the site developers towards the provision of shuttle bus services between the development, Artarmon Station and Northbridge Town Centre. Council currently has a shuttle service between Northbridge and Chatswood via Artarmon Rd which operates on Wednesdays and Fridays during off peak times only, from 10:15am to 3:30pm. There may be scope to extend this service to other week days, to operate it during peak periods or to operate it on Saturdays during the winter sport season but only if a developer contribution could be obtained. Expanding the service is unlikely without developer contributions. This service provides an important cross-City link.

It is unlikely that we would be seeking the provision of a bicycle link through the development site to connect with the Gore Hill Freeway Cycleway. The gradients at the lower end of the site are excessive and not conducive to cycling and the Gore Hill Freeway cycleway is on the southern side of the Freeway so a link to that facility would be problematic. A shared path link along the southern side of Artarmon Rd across Willoughby Rd via a signalised pedestrian/cyclist phase and linking with existing shared paths within Bicentennial Reserve could be pursued. There is also an on-road cycle route currently being introduced along Julian Street and Hector Street. A link from the development site to this bike route via Edward Street could be explored. If this were to occur, a safe crossing facility for cyclists over Artarmon Rd (preferably signalised) would be necessary. It should be noted that Council's bike plan which was updated this year proposes no new bike routes past the Channel Nine site.

Council has some traffic data available including Saturday intersection counts at Willoughby Rd/Artarmon Rd and will also obtain weekday peak period counts at Willoughby Rd/Artarmon Rd and at Artarmon Rd/Edward Street so we have some background data representing existing conditions.

Parking for the site should be provided in accordance with Council's Willoughby Development Control Plan.

Ecologically Sustainable Development

Council notes the requirements under Issue 10 of the DGR's. Council also requests that the development incorporate a co-generation plant on site and solar power generation so that the site maximises its energy self-sufficiency.

Contamination

The potential for land contamination on the site should be investigated given its former use as part of the Hallstrom refrigerator factory. Potential contamination impacts from the TV tower should also be considered given the use of lead paint on the tower. These two issues are reflected in Issue 14 in the Director-General's Requirements.

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Scott Street land

As mentioned in the transport comments above, Council considers that the remaining portion of Scott Street should be acquired from Council and included in the proposed development site.

Acoustic privacy

In accordance with issue 17 of the DGR's, the noise impacts on future residents from the Gore Hill Freeway should be considered in the design of the proposed dwellings.

Due to the scale of the development, the potential noise impacts of the proposed development on the existing surrounding residents should also be considered, including impacts during construction and noise impacts from the additional traffic and different traffic patterns associated with the proposed development in Artarmon Road.

Stormwater

In relation to Issue 12 of the DGR's, development should be consistent with Council's WDCP for Stormwater Detention.

Developer Contributions

As required by Item 11 of the DGR's developer contributions will be required in accordance with Council's S94 Plans in place at the time of the lodgement of the Part 3A proposal, which are:

- Open Space, Recreational Community Facility's
- Childcare;
- Road and Traffic Transport Management
- Drainage

Affordable housing

The development should provide affordable housing consistent with the requirements of Clause 6.8 of Draft Willoughby Local Environmental Plan 2012. Normally, under a Planning Proposal for the rezoning of the site, under Council's inclusionary zoning policy for affordable housing, the site would be included at that stage as part of Area 3 on the Special Provisions Area Map under the Draft WLEP 2012 (and therefore required to provide affordable housing in accordance with Clause 6.8). As this application is made under Part 3A but involves introducing residential development to the site, it is important that the standard affordable housing requirements for any site rezoned for additional residential development are applied.

This would involve 4% of the floor space of the dwellings being provided as affordable housing. The units would be dedicated to Council in perpetuity and managed by the local community housing organisation.

Retail component

The Preliminary Environmental Assessment proposed 600m² of retail development.

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Council requests that the Environment Assessment includes an analysis of the impact of the proposed additional retail development on the nearby Willoughby Road shops.

Social Impact

In relation to Item 7 of the DGRs, Council requests that the Environmental Assessment include an analysis of the impact of the additional population on the local public education facilities in particular Artarmon Public School, Willoughby Public School and Willoughby Girls High School.

Yours faithfully,



Nick Tobin
GENERAL MANAGER

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