

Ms Clare Swan
Director
JBA Urban Planning Consultants
PO BOX 375
North Sydney NSW 2059

Our ref: MP10_0198

Dear Ms Swan

**Secretary's environmental assessment requirements for proposed modifications to the
concept approval at the Channel 9 site, 6-30 Artarmon Road, Willoughby
(MP10_0198)**

The Secretary's environmental assessment requirements (SEARs) for the above project were issued on 30 May 2016. Since then, additional information on the project has become available and the SEARs have been amended.


Please find attached a copy of the amended SEARs for the preparation of an environmental assessment (EA) for the project.

The SEARs have been prepared based on the information you have provided to date. Please note that under section 75F(3) of the Environmental Planning and Assessment Act 1979, the Secretary may alter these requirements at any time. If you do not lodge the EA within two years of the issue of these SEARs, you must consult further with the Secretary in relation to the preparation of the EA.

The Department will review the EA prior to exhibition to determine if it addresses the SEARs. Please contact the Department at least two weeks before you propose to submit your EA.

If you have any questions, please contact Brendon Roberts, Senior Planning Officer, on (02) 9228 6422 or via email at brendon.roberts@planning.nsw.gov.au

Yours sincerely



16/6/16

Ben Lusher
Director
Key Sites Assessments
Planning Services
as delegate for the Secretary

Enclosed/Attached: Amended SEARs

Secretary's Environmental Assessment Requirements

Section 75W of the *Environmental Planning and Assessment Act 1979*

Application number	MP 10_0198 (MOD1)
Project	Modification to the concept approval to increase building envelopes, development yield and associated amendments
Location	Former Channel 9 site, 6-30 Artarmon Road, Willoughby
Proponent	LEPC9 Pty Ltd
Date issued	30 May 2016
Date amended	16 June 2016
Expiry date	If you do not lodge the Environmental Assessment (EA) within 2 years of the issue of these SEARs, you must consult further with the Secretary in relation to the preparation of the EA.
General Requirements	<p>Notwithstanding the key issues specified below, the EA must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> adequate baseline data; consideration of potential cumulative impacts due to other development in the vicinity; and measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment. <p>The EA must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the EP&A Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EA must address the following specific matters:</p> <p>1. Relevant EPIs, policies and guidelines to be addressed</p> <p>The EA shall address the statutory provisions applying to the site contained in all relevant environmental planning instruments (EPIs), including:</p> <ul style="list-style-type: none"> <i>State Environmental Planning Policy (Infrastructure) 2007;</i> <i>State Environmental Planning Policy No. 19 – Bushland in Urban Areas;</i> <i>State Environmental Planning Policy No.55 – Remediation of Land;</i> <i>State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development;</i> <i>State Environmental Planning Policy (Building Sustainability Index: Basix)</i>

2004; and

- Willoughby Local Environmental Plan 2012.

The EA shall also address relevant planning provisions, goals and strategic planning objectives in the following:

- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan;
- Development Near Rail Corridors and Busy Roads - Interim Guideline;
- Guide to Traffic Generating Developments;
- NSW Bicycle Guidelines;
- NSW Planning Guidelines for Walking and Cycling;
- Crime Prevention Through Environmental Design (CPTED) Principles;
- Willoughby City Strategy; and
- Willoughby Development Control Plan.

2. Comparison with the concept approval (MP10_0198)

The EA shall:

- demonstrate how the proposed modification can be assessed and determined within the scope of Section 75W of the *Environmental Planning and Assessment Act 1979*, and in particular shall demonstrate that the proposal has limited environmental impacts beyond those already assessed for the concept approval;
- provide a comparative assessment of the proposed modification against the approved scheme (qualitative and quantitative), including comparison plans clearly identifying the proposed amendments in plan and elevation, and provide a rationale for the amendments and an analysis of benefits / impacts, including measures to mitigate any potential impacts; and
- outline and justify any proposed changes to the existing terms of approval, future assessment requirements and commitments.

3. Ecologically Sustainable Development (ESD)

The EA shall:

- identify how best practice ESD principles have been incorporated in the design, construction and ongoing operation phases of the development, and include innovative and best practice proposals for environmental building performance; and
- demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice.

4. Pre-submission consultation statement

The EIS must describe the pre-submission consultation and community engagement process, issues raised and how the proposed development has been amended in response to these issues. A short explanation should be provided where amendments have not been made to address an issue.

5. Design excellence, built form and public domain

The EA shall:

- demonstrate how the proposed modification to the concept approval is capable of achieving design excellence;
- address the height, bulk and scale of the proposed development within the context of the surrounding area and nearby Artarmon Conservation Area, demonstrating how the proposal integrates within the local environment and relates to the height of existing / approved development surrounding the site;
- include a detailed visual and view analysis to and from the site from key

vantage points, including the suburbs of Naremburn, Willoughby, Artarmon and Northbridge;

- demonstrate how the orientation, height, bulk, scale, massing, activation and building setbacks will reflect the context of the surrounding area;
- detail proposed open space provision on site, including measures to clearly define public, private and communal space, and integrate the open space, public domain and landscaping proposals within the existing area; and
- demonstrate how the proposal is capable of complying with safety by design principles (CPTED).

6. Environmental and residential amenity

The EA shall:

- provide an assessment of any environmental impacts on the surrounding area, such as overshadowing, solar access, acoustic privacy, visual privacy, view loss and micro climatic impacts and propose measures to mitigate any impacts;
- demonstrate that the concept proposal is capable of complying with *SEPP 65 – Design Quality of Residential Apartment Development* and the *Apartment Design Guide*, including justification for any compliance / non-compliance;
- address any visual impact with regards to the adjacent telecommunications tower; and
- provide details of proposed adaptable housing in accordance with Section C6 of the Willoughby Development Control Plan (Section C6).

7. Traffic and transport

The EA shall include a new or updated traffic and transport assessment taking into account any changes in relation to:

- current daily and peak hour vehicle, public transport, pedestrian and bicycle movements, together with the existing traffic and transport infrastructure provided in the area;
- existing and future performance of key intersections providing access to the site, including Artarmon Road/Willoughby Road/Small Street, and any road/intersection upgrades required to accommodate the modified development;
- the operation of transport networks, including rail and bus, having regard to service levels, usage and the ability to accommodate the forecast number of trips;
- measures to encourage users of the development to make sustainable travel choices, including proposals to improve walking, cycling, public transport and car sharing; and
- on-site car parking provision and arrangements for access, loading and deliveries, including details of service vehicle movements.

8. Drainage and groundwater

The EA shall address drainage issues associated with the development/site, including erosion and sediment control, stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures, including stormwater and grey water reuse in buildings.

9. Contributions and/or Voluntary Planning Agreement

The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94A Contribution Plan and/or provide details of any Voluntary Planning Agreements or other legally binding instrument proposed to facilitate this development as agreed between Council and the proponent.

	<p>10. Statement of commitments</p> <p>The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.</p>
Plans and Documents	<p>The EA must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>EP&A Regulation 2000</i>. Provide these as part of the EA rather than as separate documents.</p> <p>In addition, the EA must include the following:</p> <ul style="list-style-type: none"> • site analysis plan; • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; • locality / context plan; • building envelopes showing the relationship with proposed and existing buildings in the locality; • architectural drawings (to a usable scale at A3); • plans, elevations, sections and photomontages clearly showing the proposed amendments compared to the concept approval; • schedule of proposed gross floor area per land use; • shadow diagrams; • wind impact assessment; • assessment against SEPP65 and the ADG; • ESD statement; • pre-submission consultation statement; • traffic and parking assessment; • visual and view impact analysis and photomontages; • physical model; • public domain plans, including a landscape master plan; and • geotechnical and structural report.
Consultation	<p>During the preparation of the EA, you are required to consult with the relevant local, State or Commonwealth Government authorities, service providers, and the local community.</p>