

WILLOUGHBY CITY COUNCIL

SUBMISSION TO MP10_0198 S. 75W MODIFICATION 1 (PART 3A) - 6-30 ARTARMON ROAD, WILLOUGHBY (FORMER CHANNEL 9 SITE)

1. INTRODUCTION

This submission concerns the exhibition of MP10_0198 S. 75W Modification 1 application submitted by JBA Planning on behalf of LEPC9 to the Department of Planning and Environment. This Modification seeks to modify the existing Concept Plan for development at the former Channel 9 site in Artarmon Road, Willoughby.

A review of the Modification has identified concerns with the proposed increase in height and density, the motivation for pursuing these increases as well as a number of consequential issues. Council therefore wishes to object to the proposal in its current form.

APPLICANT'S POSITION

The proponent states that the primary benefits of the Modification and the revised scheme are an improvement *"in all key planning and design measures"* as well as significant additional public benefits. The Executive Summary of the JBA report states:

"The modification seeks to increase the number of dwellings and the height of a small number of buildings in comparison to the existing approval. These increases are a necessary component of the revised master plan, which includes significant additional public benefits compared to the approved plan, and the technical assessment of the CHROFI master plan demonstrates that these benefits outweigh the perceived impacts of this additional density for the local community and the State. On merit, the proposed CHROFI master plan offers a significant improvement in comparison to the current approval and should therefore be supported."

Council contests the position outlined in the Executive Summary with particular regard to:

- Design Excellence
- Public Benefit
- Governance

These fundamental issues are discussed briefly below and in greater detail later in the body of the submission.

Design Excellence

Design excellence is not a new offering from the proponent with this Modification as it is already a requirement under the existing Concept Approval. Design excellence is therefore not accepted as justification for an increase in number of dwellings, floor space ratio and height on the site.

It is Council's view that the promotion of design excellence as some new benefit of this Modification is simply a way of disguising the desire to achieve a higher dwelling yield.

Public Benefit

The “*significant additional public benefits*” identified by the proponent are discussed later in this report. None constitute what Council consider or would accept as a significant public benefit. A contribution is offered for upgrades to the Artarmon Road / Willoughby Road intersection for example although the need for the upgrade is triggered by the development. This is not in any way regarded as a ‘public benefit’ but solely a requirement to address the traffic impacts of a development of this scale on the site. Offer of a contribution to open space and local access fall far below Council’s agreed position for such contributions and the provision of affordable housing is a requirement under the WLEP not an additional ‘public benefit’.

Governance

The proposed Modification also raises significant ‘governance’ issues.

The current Concept Plan Approval was the result of deliberations involving the local community, Council, the Planning and Assessment Commission, the Land and Environment Court and ultimately delivered an outcome endorsed by all parties. The history leading to the Concept Plan Approval is discussed further under the Governance Section of this report.

Council is therefore concerned that the proposed intensification of development on the site departing from the approval that emanated from this intense process will have ramifications for public confidence in the overall planning process. It will call into question the integrity of the planning system for the community who will be unlikely to invest in future consultation.

Legal Issues

Council owns a remaining portion of Scott Street measuring 920m², which provides access solely to the Channel 9 site. Council had resolved in regards the original Concept Plan to grant owners consent for Scott Street to be included in the redevelopment of the site.

Scott Street has been included in the Modification redevelopment site.

Council has sought legal advice from Pikes and Verekers Lawyers regarding the inclusion of Scott Street in this Modification. Council has been advised that Clause 8F of the Environmental Planning and Assessment Regulation 2000 is applicable, which requires that this modification application have the consent of the owner of the land on which the project is to be carried out – which in this case includes both LEPC9 and Willoughby Council.

The consent of Willoughby Council has not been obtained for the proposed Modification.

Concern is also raised that TCN Channel Nine Pty Limited has not obtained Council’s consent to the assignment or transfer of its rights under the Deed of Agreement.

These legal matters must be resolved prior to any further consideration of the Modification.

2. DETAILED ASSESSMENT OF ISSUES AND ASSOCIATED COMMENTS

A number of issues were identified in the Council submission dated 15 May 2013 regarding the original Part 3A application. These issues have provided a framework for this submission and have been expanded to address a number of matters that have arisen in response to the current proposal, in particular design excellence, public benefit, legal and governance issues.

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1. Design Excellence

The existing approval already establishes a requirement for design excellence:

"Design Excellence

1. *Future Development Applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation and articulation to the buildings, and in particular to the facades of the residential flat buildings, and the incorporation of a variety of high quality materials and finishes.*
2. *Future Development Applications shall demonstrate variety in the presentation between each of the residential flat buildings, including incorporation of a different palette of materials and finishes for each building.*
3. *The future Development Application for Building G shall include design measures (such as articulation to the built form and facades) to achieve a visual relationship with the scale of the Building H to the west."*

Design excellence is not a new offering from the proponent regarding the redevelopment of this site as it is already a requirement under the existing approval. Design excellence is therefore not accepted as justification for any variation to the existing Concept Plan involving an increase in number of dwellings, floor space ratio and height on the site.

It is further noted that there is no design excellence clause in Willoughby Local Environmental Plan 2012. It is interesting to note that where such a clause exists, as in Sydney Local Environmental Plan 2012 (Clause 6.21), a building demonstrating design

excellence "is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10%." The former Channel 9 site Modification being exhibited, located in the suburb of Willoughby, is seeking additional total floor space of 23.8%. Refer to the Built Form Section of this submission for a comparison table of the approved and proposed number of dwellings, floor space and floor space ratio. This table shows that the increase proposed regarding number of dwellings, floor space and floor space ratio is close to 25% for each category when comparing like with like. This increase is considered substantial and unreasonable as justification for design excellence.

It is considered important that any discussion of increases in floor space and open space is on the basis of like with like. There are concerns with how figures are determined as well as some discrepancies between figures in the proponent's documentation. This is discussed further under the Number of Dwellings / Floor Space and Open Space / Site Linkages sections of this submission. All figures should be consistent, located on one summary page and address the concerns raised in this submission. This is required for a true comparison between the increases proposed and the relevance of a design excellence argument.

Any revised master plan for the site to achieve improvements in "all key planning and design measures" over the existing approval would be possible at either development application stage or if necessary by modification. It is unclear to Council why the requested increase in dwellings, floor space and height are a necessary component of the revised master plan. It is Council's view that the promotion of design excellence as some new benefit of this Modification is simply a way of disguising the desire to achieve a higher dwelling yield.

Council has tested the design excellence of the proposed Concept Plan by seeking architectural advice from Allan Jack and Cottier. This review is discussed below.

Concept Plan Review by Allan Jack and Cottier

The Review confirms that the Concept proposed is an improvement in many ways on the approved scheme, however the advice has concluded that the proposed scheme could be improved by reducing the density of the development currently proposed and making other design changes. The following conclusions are submitted:

- Inadequate levels of public open space commensurate with the number of proposed units and floor space.
- Ineffective pedestrian linkages through the site, in particular from the Village Square and Village Green, being adjacent the sole vehicle access ramp to the basement car parking and via narrow communal pathways surrounded by private gardens. A strong public connection is required.
- Linking the Village Square and Village Green creates the opportunity to preserve Tree 32, and would require relocation of the proposed single vehicle access ramp to the basement car parking underneath a building form to maximise ground level public open space. Improved pedestrian linkages should result in increases to public open space.
- The outlook from many units would be inferior to what has already been approved as the Modification has significantly longer residential flat building forms that face other residential flat building forms with setbacks of less than 25 metres. The opportunity exists to address this issue by increasing public open space between the Village Square and Village Green and increasing separation distances.
- Adverse amenity impacts of Building J on the outlook from units in the adjacent Castle Vale and solar access to the properties in Walter Street. These impacts could be addressed by reducing the building bulk and scale.

- Units facing Artarmon Road on the lowest level of Building B should be deleted, being inconsistent with the low scale residential context of Artarmon Road.
- Inadequate street parking for visitors. This can be addressed by widening the internal street.
- The effective functionality of the proposed single vehicle access ramp to the basement car parking is questioned. A second vehicle access to the basement car parking is suggested.

The overall conclusion is the scheme would benefit from a reduction in the number of units proposed and an increase in public open space.

The Concept Plan Review is attached.

2. Public Benefit

The proponent has stated this Modification comprises a number of "*significant additional public benefits*" and has framed them as components in a potential Voluntary Planning Agreement as follows:

1. \$3m towards the upgrade of Willoughby Rd/Artarmon Rd/Small St intersection
2. \$1m for pedestrian and cyclist connections between the local street and open space network and the Council's Walter St Reserve including bushland regeneration.
3. Affordable housing contribution of 4% of the proposed 510 units (20 units).

None of what the proponent has identified as "*significant additional public benefits*" is what Council consider or would accept as a significant public benefit. The issue of Public Benefit is further discussed in the Transport and Open Space / Site Linkages sections of this submission.

Under the current approval there is no reference to a Voluntary Planning Agreement (VPA). With the current proposed modification, Council has the opportunity to enter into negotiations over a VPA if State Government ultimately resolves to grant approval.

Independent expert analysis of the proposed VPA has been undertaken on behalf of Council, by HillPDA Consulting. Council are prepared to share the contents of that report with the Department of Planning and Environment.

Regarding point 1 of the Offer above, this is considered inadmissible for inclusion in a VPA as it relates to intersection upgrade works required for the development to proceed at all. These junction upgrades should be the subject of conditions of approval.

Point 2 relates to works for pedestrian and cyclist connections and regeneration of the Walter St Reserve. These can be dealt with as part of the amount Council should seek as part of a VPA.

The affordable housing offer at point 3 is presented as 4% of the number of units proposed on the site, whereas Council's policy stipulates that a contribution comprise 4% of the residential GFA. This will remain Council's position. In addition it should be noted that affordable housing is a requirement of Willoughby Local Environmental Plan 2012 and therefore should not be included in any VPA.

In terms of a VPA, Council will require a share of the value uplift of the site in line with Council's agreed position.

3. Governance

The proposed Modification raises significant 'governance' issues.

The current Concept Plan Approval was the result of deliberations involving the local community, Council, the Planning and Assessment Commission, the Land and Environment Court and ultimately delivered an outcome endorsed by all parties. It should be noted that it was in November 2010 that the Department of Planning and Environment declared the proposal for the redevelopment of the Channel 9 site to be a Major project under part 3A of the Environmental Planning and Assessment Act 1979. Since then, there were a number of stages where both Council and the community contributed to the process.

In October 2013, the Applicant's Preferred Project Report was exhibited, which proposed 450 dwellings. Council made a submission proposing 300 dwellings. Residents also made submissions.

The Planning and Assessment Commission (PAC) determined on 5 March 2014 to approve the Concept Plan limiting the number of dwellings to 350, gross floor area to 39,550m² and the maximum height to 8 storeys.

On 30 May 2014 Channel 9 lodged a Class 1 Appeal in the Land and Environment Court against the Minister for Planning and Environment. The Appeal sought to amend the Concept Plan Approval to allow for 450 dwellings, 46,290m² gross floor area and building heights up to 12 storeys. Following a S.34 conciliation conference on 23 September 2014, to which Council was a party, a compromise was reached with the proponent.

The specified terms amended the Concept plan for the Channel 9 site to permit the following:

- Building envelopes for five residential flat buildings above basement level parking and two rows of terrace houses incorporating:
 - Up to 400 dwellings
 - Up to 500m² floor space of non-residential uses
- 35,886m² residential gross floor area, and 37,136m² total gross floor area (1.2:1).
- Maximum height of eight storeys for part of site
- Retention and adaptive re-use of 6 Artarmon Road for retail/commercial purposes

In regards height, the approved plans show:

- Five residential flat buildings as follows:
 - Building A: 4 storeys (eastern side of site, facing Artarmon Road)
 - Building B: 8 storeys (eastern side of site, behind Building A)
 - Building E: 8 Storeys (middle of site, towards rear boundary)
 - Building F: 6 storeys (middle of site, behind proposed publicly accessible park)
 - Building G: 8 storeys (middle of site, next to Building E)
- Two rows of terrace houses as follows:
 - Building C: 2 and 3 storeys (rear boundary facing Walter Street)
 - Building H: 2 and 3 storeys (facing Richmond Avenue)

On this basis the Court Appeal was concluded.

On the 23 December 2014 the PAC approved the Concept Plan in the manner determined by the Court.

The Concept Plan Approval was therefore the result of mutual agreement, between the existing owner, the Council and the community. Prior to this agreement a number of compromises were made by all parties with particular regard to the number of dwellings, floor space ratio and height on the site. The process towards the Concept Plan Approval was taken seriously by both the Council and the community, with an expectation that this would establish the parameters for any future redevelopment on the site.

Council understands that there should be flexibility in the approved scheme where appropriate in order to ensure a desirable outcome for stakeholders. However concern is raised in the proposed dismissal of the previous Council and community involvement and contribution to the mutually agreed Concept Approval outcome, which established redevelopment parameters with particular regard to the number of dwellings, floor space ratio and height on the site. The new owner is proposing to reopen a process to consider an already well considered and agreed outcome. The proposed increases to the number of dwellings, floor space ratio and height on the site do not have mutual agreement from stakeholders like the existing approval.

Council is therefore concerned that the proposed intensification of development on the site departing from the approval that emanated from the previous intense process will have ramifications for public confidence in the overall planning process. It will call into question the integrity of the planning system for the community who will be unlikely to invest in future consultation.

4. Legal Issues

Council owns a remaining portion of Scott Street measuring 920m², which provides access solely to the Channel 9 site.

Scott Street has been included in the Modification redevelopment site.

In its previous submission on the original application, Council determined to grant owners consent in respect to the inclusion of the Council owned portion of Scott Street in the concept.

At its meeting of 13 May 2013 Council resolved in part:

"That ...

- 2. Council give owners consent to the Part 3A Application for Option A in order for the Scott Street remnant to be included in the site redevelopment;*
- 3. Council give delegation to the General Manager to commence discussions regarding the sale of remaining Council owned portion of Scott Street to Channel 9, in accordance with the required legislative processes and Council policies;*
- 4. Council enter into a Deed of Agreement for the sale of the remaining Council owned portion of Scott Street."*

As a result of the abovementioned Council Resolution, Council entered into a Deed of Agreement with TCN9 for the closure and sale of Scott Street which was to be subsumed into the new development site. The Deed of Agreement between Council and TCN Channel Nine Pty Limited, as then owners of the site, was executed on 2 June 2015.

The existing Part 3A approval also stated in the accompanying Statement of Commitments regarding a closure of Scott Street:

"The proponent shall negotiate the closure and purchase of Scott Street with Willoughby Council."

The current modification involves a new owner, LEPC9.

Council has sought legal advice from Pikes and Verekers Lawyers regarding the inclusion of Scott Street in this Modification. Council has been advised that Clause 8F of the Environmental Planning and Assessment Regulation 2000 is applicable, which requires that this modification application have the consent of the owner of the land on which the project is to be carried out – which in this case includes both LEPC9 and Willoughby Council.

The consent of Willoughby Council has not been obtained for the proposed Modification.

Concern is also raised that TCN Channel Nine Pty Limited has not obtained Council's consent to the assignment or transfer of its rights under the Deed of Agreement.

These legal matters must be resolved prior to any further consideration of the Modification.

5. Built Form

During consideration of the original application, Council raised concerns with the proposed density, bulk and height of the redevelopment on this site.

Concern is raised in regard to arguments put forward by the current proponent for the increase in number of dwellings, floor space ratio and height on the site.

Height

The Modification proposes 10 residential flat buildings ranging from 4 to 12 storeys across the site.

The applicant has not provided a compelling argument that the increased number of dwellings, floor space and height does result in a better outcome.

Concern is raised that higher buildings will be located closer to neighbouring residential properties on Artarmon Road, Richmond Avenue and in the south-eastern corner of the site, as well as parts of the Walter Street Reserve.

The height limits proposed do not respond to the current character of the locality nor do they reflect the desired future character of the locality. Under Willoughby Local Environmental Plan 2012, the northern side of Walter Street permits medium density residential development (zone R3) with a height control of 12 metres (3 or 4 storeys), and the land at Castle Vale to the east permits high density residential development (zone R4) with a height control of 27 metres (8 or 9 storeys). The remaining land around this site, with particular regard to Artarmon Road and Richmond Avenue is zoned low density residential (zone R2) with a height control of 8.5 metres.

The taller buildings proposed will also be visible from the Artarmon Conservation Area. The height of the existing adjoining transmission tower is not considered to be relevant to this issue as it is a see through structure and could be removed in the future as technology changes.

Council considers the maximum heights established in the existing approval as an appropriate outcome that responds to the neighbouring properties and the locality.

Number of Dwellings / Floor Space

The Modification proposes 510 residential dwellings, a total residential gross floor area of 44,617m², a total gross floor area of 45,966m² and a total floor space ratio of 1.5:1.

This results in an increase in the number of dwellings of 110, an increase in total residential gross floor area of 8,731m², an increase in total gross floor area of 8,830m² and a total floor space increase of 0.3:1 (being residential floor space).

Comparison Table: Site Area, Floor space, Dwellings

	Approved	Proposed	Change	%
Site Area	29,905.4m ²	30,644m ²	738.6m ²	
Number of dwellings	400	510	110	27.5% increase
Total Residential Gross Floor Area	35,886m ²	44,617m ²	8,731m ²	24.3% increase
Total Gross Floor Area	37,136m ²	45,966m ²	8,830m ²	23.8% increase
FSR	1.2	1.5	0.3:1	25% increase

The Concept Plan shows Lot 12 DP 1162507 located to the south of the transmission tower as part of the redevelopment site area. The approved Concept plans do not show this lot as part of the redevelopment site.

Concern is raised that this 738.6m² isolated and disconnected site is included as site area for the purposes of floor space and landscaping calculations on the main site. The proposed Modification Concept plan shows no development on this lot, with it to be used for the purposes of landscaping and pathways connecting Richmond Avenue and potential pathways in adjacent Council land.

Floor space is being transferred from this isolated site to the main site in order to achieve greater density on the main site.

FSR based on $45,966 / 29,905.4 = 1.54:1$ (site area of 29,905.4m² excludes 738.6m²). This calculation has been done because the approved Concept Plan does not show this lot as part of the redevelopment site. In addition this site is isolated from the rest of the main site by the television tower. Exclusion of this area for the purposes of determining site area, results in a floor space ratio of 1.54:1 over the main site, being more than the proposed 1.5:1. This is a 28.3% increase above the Concept Approval.

If this isolated lot was deleted from the site area, then the site area would be reduced to 29,905.4m², limiting the total gross floor area for the proposed Modification to 44,858.1m² (based on the proposed floor space ratio 1.5:1). This is a reduction of 1,107.9m² – a significant amount of floor space.

In a similar way, this isolated site does not effectively contribute to available open space on the main site. Any open space provided on this isolated site should be in addition to the open space calculations for the main site.

The traffic generated by the proposed development is of concern given the local and arterial road conditions and capacity of public transport.

The proposed increase in population density will inevitably place further stress on the local bus services to meet the increased demand. Peak hour patronage of services on Willoughby Road are already at or exceed capacity as indicated by the long queues at peak hours.

As such Council does not support further increases in the number of dwellings on this site.

6. Commercial land uses

Under the existing approval the following land uses are permissible on the site:

Residential accommodation; neighbourhood shops; food and drink premises; recreation areas; community facilities; exhibition homes; exhibition villages; recreation facility (indoor)

The existing approval states, that in addition to residential floor space, the following additional floor space is permitted:

- up to 500m² of non-residential GFA to support the residential use (incorporating neighbourhood shops; food and drink premises, indoor recreation facilities or community facilities);
- 1050m² adaptive retail/commercial reuse of No 6 Artarmon Road.

The Modification proposes the additional 'child care centres' land use. The child care use would be available as a use on the site but is not guaranteed under the Modification. This use would be located at 6 Artarmon Road or elsewhere on the site up to 500m². It appears from the plans that some commercial usage is planned in Building A near where Artarmon Road and the central landscape spine meet. Further details of non-residential land uses would be provided at development application stage.

Council would generally be supportive of child care centres on large sites where significant redevelopment is proposed and purpose built child care centres are possible. However, Council considers that child care centres should not be permissible given the sites exposure to electromagnetic radiation from the adjoining transmissions tower. It is considered that prior to any approval of child care on this site, this issue should be further examined and fully addressed.

7. Transport

Council has engaged ARUP to provide a Traffic Impact Assessment Review on the Modification. This report is Attachment 1 to this submission.

Access to / from the site

No concerns are raised in regards the location of the proposed vehicle access and egress points.

Arup have concluded:

"While the location of the entry points have shifted slightly from those in the approved concept plan, this is not expected to have a significant impact on the operation of the road network. The relocation of the Artarmon Road access point further east

improves the site distance for vehicles departing the site and turning right towards Willoughby Road. As previously noted in Arup's 2013 study, based on the requirements outlined in Austroads Guide to Road Design, with a road design speed of 50km/h, a safe intersection sight distance (SISD) upwards of 100m is required. The relocation of the site access point achieves this distance."

However concern is raised with the proposed roundabout at the Artarmon Road access point.

Arup have concluded:

"Given the slope of Artarmon Road (approximately 10% gradient) the provision of a roundabout to provide controlled entry and exit from the site may not be appropriate. The Austroads Guide to Road Design (Part 4B – Roundabouts) notes that "Generally, it is desirable that the gradient on approaches to roundabouts be limited to 3% to 4% and should not exceed 6%". Treatments may include the installation of wide splitter islands and blisters to reduce vehicle speeds on approach. This will have implications for the roundabout design – requiring a larger footprint compared to a typical roundabout. Therefore further investigation regarding the suitability of roundabout control at this location is required, including a concept plan of the proposed layout."

Internal traffic Circulation

Concerns are raised with the internal road system.

Arup have concluded:

"The design of the internal road system has been reviewed against relevant standards and guidelines. While the internal road allows for two standard cars to pass one another at any one time, vehicle swept path analysis indicates a 9.8m long garbage vehicle crosses the road centre line when manoeuvring within the site. This is illustrated in Figure 3, and would mean that a standard car could not pass this vehicle type when driving within the site – creating safety issues. The vehicle swept path diagram provided by the applicant does not indicate any on-street parking bays on the internal road within the site.

An amended design should be prepared which demonstrates a service vehicle can safely pass an oncoming car, including the presence of vehicles parked on the internal street.

A further issue with the internal road design noted in this review included that a medium rigid vehicle (8.8m long garbage truck) was adopted as the largest design vehicle. Given some furniture removalist trucks may be larger/longer than this, a 12.5m heavy rigid vehicle is typically adopted as the design vehicle."

On-street parking

Concerns are raised with the loss of on-street parking in Artarmon Road and Richmond Avenue. Car spaces in the public domain have more utility and value than car spaces in the private domain.

Arup have concluded:

"The introduction of the two site access points, including the roundabout 40m west

of Scott Street, will result in changes in the availability of on-street parking in surrounding streets. This is illustrated in Figure 4 below. The applicant notes that the loss of 29 on-street parking spaces on Artarmon Road and Richmond Avenue will be off-set by the increase in available parking on the internal road within the site."

Street	Parking loss / gained
Richmond Avenue (east)	-7
Scott Street (both sides)	+29
Artarmon Road (south)	-6
Artarmon Road (north)	-16
Total	0

It is important to recognise however that while there will be no net loss of on-street parking in the area, residents of Artarmon Road reliant on parking outside their properties will be impacted by the proposal. Some of these properties contain off-street car parking (accessed off Armstrong Street) however many are reliant on existing parking available on Artarmon Road.

Parking within the internal road should therefore be utilised to compensate for loss of parking on Artarmon Road. Therefore these spaces should be designated as residents parking only, with residents of Artarmon Road (between Edward Street and Willoughby Road) eligible to park in these spaces. This resident parking scheme would be implemented by Council following the occupation of the Channel 9 site."

There is concern that the loss of 29 on-street car spaces and their relocation within the redevelopment site will deter their use by the local community, and result in these car spaces being used solely by occupants of the site. Council's preferred position is that the loss of any on-street parking as a direct result from the Modification be kept to a minimum. Council seeks confirmation from the proponent that all options have been considered to minimize the loss of on-street car parking, including investigating the roundabout arrangement, and is of the opinion that this public domain issue should be addressed now rather than at development application stage.

If the Modification is to be approved in its current form, then attention would need to be given to the location of the 29 lost on-street car spaces replaced within the redevelopment site and the on-going management to ensure that the issue of their communal use and value are adequately addressed. Consideration of this public domain issue should not be tokenistic but rather meaningful with future outcomes ensured. It is considered that 22 car spaces should be located near the Artarmon Road access point and 7 car spaces located near the Richmond Avenue access point, both within the site, to accurately reflect where on-street car parking is lost. The establishment of a resident parking scheme for these spaces is considered necessary to ensure the intended residents are able to use these lost on-street car spaces. Council also seeks confirmation that replacing on-street parking is in addition to any off-street car parking required and discussed further below.

Off-street parking

The rate at which off-street car parking will be provided is consistent with Willoughby Development Control Plan rates as well as Condition 29 of the concept plan approval for the site. A total of 674 car spaces are required, with 128 of these to be visitor car spaces. The

majority of parking is to be provided within the basements of the proposed buildings, with one single access point behind Building B near the Artarmon Road site entry / exit point.

Concern is raised with the location of visitor car parking.

Arup have concluded:

"on-street parking was intended to replace that lost on Artarmon Road and Richmond Avenue and therefore may not be available for visitor use."

The Modification does not propose to change Condition 30 of the existing approval, which states:

"30. Visitor parking required by condition 29 shall be provided where possible as kerbside parking at street level. In this regard all streets are to incorporate visitor kerbside parking."

The extent of visitor kerbside parking and how Condition 30 is to be addressed requires clarification. While the above comments relating to on-street parking are relevant, a reasonable percentage of visitor parking should be easily accessible and not hidden within basement car parking areas.

Traffic Modelling Approach

Arup state:

"Traffic generation rates used in this analysis for the Channel 9 site were consistent with the Arup 2013 study as well as the GTA 2016 report supporting the concept plan modification."

The forecast site traffic generation during the AM, PM and Saturday peak hours is summarised below.

Peak Hour	Existing Channel 9 Traffic Generation	Forecast Traffic Generation	Difference
Weekday AM (8am – 9am)	198	175	-23
Weekday PM (5pm – 6pm)	176	175	-1
Saturday (11am – 12pm)	24	128	+104

Arup state that based on existing travel patterns of Willoughby residents and workers, the majority of trips will be directed to the Artarmon Road / Willoughby Road intersection. The breakdown is as follows:

- 43% - Heading east to Artarmon Road / Willoughby Road intersection, then turning right.
- 29% - Heading east to Artarmon Road / Willoughby Road intersection, then turning left.
- 28% - Heading west from site along Artarmon Road.

Arup have confirmed that their traffic modelling undertaken as part of this report has considered the impact of known and potential future developments in the vicinity of the site. It is noted that no additional development was considered in the modelling undertaken by GTA consultants to support the concept plan modification.

The Arup Traffic modelling has been on the basis of the intersection upgrade proposed in the Modification. This proposed upgrade will provide a 100 metre right turn bay for northbound vehicles on Willoughby Road and provide a slip left turn lane out of Small Street into Willoughby Road.

Concern is raised with the proposed Willoughby Road / Artarmon Road intersection upgrade plan which does not show the full extent of any required acquisition land for road widening. A complete intersection plan is required showing all affected land including all traffic related features. Acquisition land should include dimensions and area. This plan is to clearly show what is impacted in any required acquisition land for road widening, including trees along the Willoughby Road / Bicentennial Reserve frontage. This plan should also acknowledge any owners impacted and whether agreement has been obtained.

The Arup Modelling has been based on 2 scenarios, with comments provided.

- Proposed Willoughby Road / Artarmon Road intersection upgrade without a pedestrian crossing over Willoughby Road on the south side of the junction

Comment: Arup conclude:

"The traffic modelling indicates the increase in dwellings on the Channel 9 site will have a relatively minor impact on the operation of the (upgraded) Willoughby Road / Artarmon Road intersection. The modelling does however indicate the additional number of vehicles turning right from Willoughby Road into Artarmon Road (as a direct result of the development) will result in this movement operating at a degree of saturation above 1.0 – i.e. it is over capacity. This issue is exacerbated on occasions when a southbound travelling bus is stopped on Willoughby Road immediately north of Small Street and a vehicle is waiting to turn right into Artarmon Road. In these situations all southbound (through) traffic on Willoughby Road is blocked – resulting in long vehicle delays and queues.

The lack of a right turn bay into Artarmon Road, or a dedicated traffic signal phase, results in the poor performance of this traffic movement. The provision of a right turn bay (similar to that proposed on the southern approach of Willoughby Road into Small Street) would ameliorate this impact."

- Proposed Willoughby Road / Artarmon Road intersection upgrade with a pedestrian crossing over Willoughby Road on the south side of the junction

Comment: Arup conclude:

"Current RMS policy is that for any new or upgraded signalised intersection, pedestrian crossings must be provided on all approaches unless it can be demonstrated that it is impractical to do so.

The presence of an additional pedestrian crossing on the southern leg of the intersection is preferable given the pedestrian demand generated by the development – particularly between the site and active open space on the eastern side of Willoughby Road. This includes the Willoughby squash centre, Willoughby leisure centre and Bicentennial reserve."