



Planning

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PBL Media Pty Ltd
c/- Urbis Pty Ltd
Ms Jennifer Cooper
Associate Director
GPO Box 5278
SYDNEY NSW 2000

Our ref.: MP 10_0198

Dear Ms Cooper,

Subject: Director-General's Requirements for a Residential Development with Ancillary Retail Floor Space and Open Space, former Channel 9 site, 6-30 Artarmon Road, Willoughby (MP 10_0198)

The Department has received your application for the above project.

I have attached a copy of the Director-General's Requirements (DGRs) for the preparation of an Environmental Assessment for the project. These requirements have been prepared in consultation with relevant government authorities, which have been forwarded separately.

The DGRs 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 Director-General may alter these requirements at any time. If you do not submit an Environmental Assessment for the project within 2 years, the DGRs will expire.

As previously advised, the Department raises concern regarding the density and height of the development, particularly the proposed height of 20 storeys, given the surrounding built form and the prominent nature of the site. A detailed justification for the proposed density and height of the proposal will be required. Concerns were also raised with the proximity of the buildings to the adjoining telecommunications tower and any impacts from the tower upon future occupants of the site.

Prior to exhibiting the Environmental Assessment that you submit for the project, the Department will review the document to determine if it adequately addresses the DGRs and those matters raised above. The Department may consult with other relevant government authorities in making this decision. Please provide 1 hard copy and 1 electronic copy¹ of the Environmental Assessment to assist this review.

If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require you to revise the Environmental Assessment. Once the Director-General is satisfied that the DGRs have been adequately addressed, the Environmental Assessment will be made publicly available for at least 30 days.

¹ File parts must be no greater than 5Mb each. File parts should be logically named and divided.

If your project is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required for your project (<http://www.environment.gov.au> or 6274 1111).

Your contact officer for this proposal, Mark Brown, can be contacted on (02) 9228 6385 or via email at Mark.Brown@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

Michael Woodland
Director
Metropolitan Projects

9/2/2011

ATTACHMENT 1
Director-General's Requirements
Section 75F of the *Environmental Planning and Assessment Act 1979*

Director-General's Requirements

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

Application number	MP 10_0198
Project	Concept Plan Application for a residential development with ancillary retail floor space, car parking, open space and building heights up to 20 storeys
Location	Former Channel 9 site, 6-30 Artarmon Road, Willoughby
Proponent	Urbis Pty Ltd, on behalf of PBL Media Pty Ltd
Date issued	9/2/2011
Expiry date	If the Environmental Assessment (EA) is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed <ul style="list-style-type: none"> Planning provisions applying to the site, including permissibility and the provisions of all plans and policies contained in Appendix A. 2. Built Form and Height <ul style="list-style-type: none"> The EA shall address the height, bulk and scale of the proposed development within the context of the locality, including the nearby Artarmon Conservation Area. In particular, detailed building envelope / height and contextual studies should be undertaken to ensure the proposal integrates with the local environment. The EA shall also provide the following documents: <ul style="list-style-type: none"> Comparative height study to demonstrate how the proposed height relates to the height of the existing / approved developments surrounding the site; View analysis to and from the site from key vantage points including the suburbs of Willoughby, Artarmon and Northbridge; and Consideration of alternative options (with varying height and density) for the siting and layout of building envelopes. 3. Urban Design <ul style="list-style-type: none"> The EA shall address massing, setbacks, building articulation, landscaping and safety by design principles (CPTED). 4. Environmental and Residential Amenity <ul style="list-style-type: none"> The EA must address overshadowing, solar access / gain, acoustic privacy, visual privacy, view loss and micro climatic issues such as wind impacts and achieve a high level of environmental and residential amenity. In this regard, the EA should consider appropriate separation distances to any adjacent residential buildings. The EA is to provide justification for the proposed density and have regard to other projects of similar context. The EA must address the design principles of SEPP 65 – Design Quality of Residential Flat Development and the Residential Flat Design Code. The EA shall address the visual impact of the adjacent telecommunications tower.

- The EA shall detail how Adaptable Housing is to be provided in accordance with the provisions of Willoughby Development Control Plan (Section C6).

5. Transport & Accessibility Impacts (Construction and Operational)

- The EA shall provide a Transport and Accessibility Impact Assessment with reference to the Metropolitan Transport Plan – Connecting the City of Cities, the NSW State Plan, NSW Planning Guidelines for Walking and Cycling, the Integrating Land Use and Transport Policy package and the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s) including service vehicle movements, car parking arrangements (including car share schemes), measures to promote public transport usage (including upgrades) and pedestrian and bicycle linkages.
- As part of the Transport and Accessibility Impact Assessment, demonstrate a minimal provision of on-site car parking for the proposed development having regard to the site's accessibility to public transport, Willoughby Development Control Plan local planning controls and RTA's *Guide to Traffic Generating Developments* (**Note:** the Department and Council supports reduced car parking rates).

6. Economic Impact

- The EA should address the loss of existing jobs on the site by conversion from employment land to residential land.

7. Local Community and Social Impact

- The EA shall assess the social impact of the proposed additional population on the local services and facilities of the local community (e.g. Community buildings, bus services, recreation, library services etc).

8. Landscaping

- The EA shall provide a concept Landscape Plan, in consultation with Council, with details of the public and private open space areas on the site. The plan should maximise deep soil landscaping.

9. Public Domain

- The EA shall address public domain improvements and the provision of linkages with and between other public domain spaces.
- Pedestrian links (suited to use by people with impaired mobility), and cycle ways between the existing Willoughby Road shopping strip and the proposed retail and residential development and associated public spaces and the Council open space and public pathways to the south of the site.

10. Ecologically Sustainable Development (ESD)

- The EA shall detail how the development will incorporate 'best practice' ESD principles in the design, construction and ongoing operation phases of the development. The buildings shall achieve maximum ESD rating.
- The EA must demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice.

11. Utilities

- In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities.

- The EA shall provide an investigation of the existing utility services and the need for upgrading, augmentation or relocation of those services as a result of the development. This should include the need for electricity supply to the site (i.e. provision of kiosk/substation and location). The investigation should also include the undergrounding of all overhead utilities (including all telecommunication services) for all frontages of the site and internally on the site.

12. Drainage and Groundwater

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

13. Contributions

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

14. Contamination

- The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55, including regard to the operation of any lead paint associated with the adjacent telecommunications tower.
- The EA shall include a Remedial Action Plan to address contamination issues associated with the proposal, prepared in accordance with SEPP55.

15. Electromagnetic Radiation

- The EA shall demonstrate the proposed development satisfies the safety limits imposed by relevant guidelines and Australian Standards and whether any buffer areas from the telecommunications tower to residential uses are required.
- The EA shall consider the impact of all existing and potential future communication facilities on the tower, and therefore the cumulative impacts, are to be considered.

16. Heritage

- A Heritage Impact Statement should be prepared in accordance with the NSW Heritage Office publication "Statements of Heritage Impact".
- The EA shall provide an Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources.

17. Noise and Vibration Assessment

- The EA should address the issue of noise and vibration impact from the Gore Hill Freeway and provide detail of how this will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards and the Department's *Interim Guidelines for Development near Rail Corridors and Busy Roads*.

18. Staging

- The EA must include details regarding the staging of the proposed development (if proposed).

	<p>19. Statement of Commitments</p> <ul style="list-style-type: none"> The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project. <p>20. Consultation</p> <ul style="list-style-type: none"> Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i> (including consultation with Willoughby City Council, NSW Department of Health, Transport NSW and interested community groups). The EA must clearly describe the consultation process and indicate the issues raised by stakeholders during consultation and how these matters have been addressed.
Deemed refusal period	60 days

APPENDIX A

Relevant EPI's policies and Guidelines to be Addressed

- Objects of the EP&A Act 1979
- NSW State Plan
- Metropolitan Plan for Sydney 2036
- Draft Inner North Sub-regional Strategy
- Willoughby City Strategy
- Metropolitan Transport Plan 2010
- Contaminated Land Act 1997
- SEPP 55 - Remediation of Land
- SEPP 65 - Design Quality of Residential Flat Development (RFDC)
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Infrastructure) 2007
- Willoughby Local Environmental Plan 1995 and relevant Willoughby Development Control Plans and policies
- Draft Willoughby Local Environmental Plan 2011 and relevant Willoughby Development Control Plans and policies
- Willoughby City Council Bike Plan
- Existing Traffic Studies for the immediate and general area
- Metropolitan Transport Plan: Connecting the City of Cities, NSW Transport and Infrastructure, 2010
- NSW Bike Plan, NSW Government, 2010
- Planning Guidelines for Walking and Cycling, NSW Department of Infrastructure, Planning and Natural Resources, Roads and Traffic Authority, 2004
- Integrating Land Use and Transport Policy Package, Department of Urban Affairs and Planning, Transport NSW, 2001
- Healthy Urban Development Checklist, NSW Heath, 2010
- Development Near Rail Corridors and Busy Roads – Interim Guideline, NSW Department of Planning, 2008
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans, directions and guidelines and justification for any non-compliance.

Plans and Documents to accompany the Application

<p><u>General</u></p>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is complete and neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Development SEPP; and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest and including State, regional and local objectives and policies.
<p><u>Plans and Documents</u></p>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale at least 1:500 and presented on large A1 or AO plans illustrating; <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A detailed, accurate Site Analysis Plan drawn to scale (at least 1:500) and presented on large A1 or AO plans must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on all neighbouring properties where relevant to the application (including windows, driveways, private open space etc) in all directions. 3. A locality/context plan drawn at an appropriate scale and presented on large A1 or AO plans, as well as an accompanying analysis should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas, the Artarmon Conservation Area, telecommunications tower and Walter Street development;

	<ul style="list-style-type: none"> • traffic and road patterns, pedestrian routes and public transport nodes. <p>4. Architectural drawings drawn at an appropriate scale (at least 1:500) and presented on large A1 or AO plans illustrating:</p> <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • floor plans and elevations of the proposed building envelopes; • the height (AHD), height in metres above existing ground level and number of stories of the proposed development in relation to the land; • the level of the lowest floor including any basements and parking areas, the level of any unbuilt area and the level of the ground; and • any changes that will be made to the level of the land by excavation, filling or otherwise. <p>5. Model of the proposed development at 1:500 scale including the existing surrounding development in Richmond Avenue, the Freeway, Walter Street, Willoughby Road and Artarmon Road. The model will be available for public consultation purposes.</p> <p>6. Other plans:</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas including surrounding streets, adjacent development, and existing open space areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site (including the Council open space area immediately south); • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • Once the EA has been determined adequate and all outstanding issues adequately addressed, 8 hard copies of the EA for exhibition; • 8 sets of architectural and landscape plans to scale (AO or A1 size), including two (2) sets at A3 size to scale; and • 8 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. <p>NOTE: Each file must be titled and saved in such a way that it is clearly recognisable without being opened. If multiple pdf's make up one document or report, these must be titled in sequential order.</p>