

# Request for Clause 6 Declaration & Concept Plan Authorisation and Preliminary Environmental Assessment

6-30 Artarmon Road, Willoughby  
November 2010



urbis



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## Statement of Validity

### Submission of Preliminary Environment Assessment:

Prepared under Part 3A of the Environmental Planning and Assessment Act 1979.

### Preliminary Environmental Assessment prepared by:

Name:	Jennifer Cooper (Associate Director)
Address:	Urbis Pty Ltd. Level 21, 321 Kent Street Sydney NSW 2000

### Applicant and Land Details

Applicant:	PBL Media Pty Ltd
Applicant Address:	66 Goulburn Street Sydney NSW 2000
Subject Site:	Channel 9 Studios, Willoughby
Land to be developed:	6-30 Artarmon Road, Willoughby
Lot and DP	Lot 1 in DP 820327, Lot 1 in DP 748215, Lot 13 in DP 6849 and Lot 1 in DP 327266
Project Summary:	<p>The Concept Plan application will seek approval for the redevelopment of the site for a mixed-use development comprising predominantly residential development and a limited amount of retail. Public open space is also proposed to be provided and dedicated to Council. The key components are:</p> <ul style="list-style-type: none"><li>▪ Demolition of existing buildings and structures.</li><li>▪ A total gross floor area (GFA) of approximately 66,600sqm (equivalent to FSR of 2.3:1), comprising 66,000sqm of residential (approximately 663 dwellings) and 600sqm of retail floor space (approximately five retail tenancies).</li><li>▪ Built form comprised of low and medium rise buildings (2-5 storeys) along Richmond Avenue and Artarmon Road and high rise buildings (16–20 storeys) in the central portion of the site, consistent with density patterns and minimising impacts on neighbours.</li><li>▪ Ancillary car parking for residents and visitors with visitor parking accommodated within the internal road system where possible.</li><li>▪ Approximately 50% of the site will accommodate communal and public open spaces, including a village square and children's playground.</li></ul> <p>The proposal comprises a residential project with a capital investment value of approximately \$206 million.</p>

Declaration

I certify that the contents of the Preliminary Environmental Assessment to the best of my knowledge, has been prepared as follows:

- In accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000; and
- The information contained in this report is true in all material particulars and is not misleading.

-----  
Signature

Name: Jennifer Cooper

-----  
Date:

## Executive Summary

This report has been prepared on behalf of PBL Media Pty Ltd (PBL) and in association with the proposed redevelopment of the existing Channel 9 studios at 6-30 Artarmon Road, Willoughby. The report has been prepared to request:

- The Minister for Planning to form an opinion that the proposal is of a kind described in Clause 13, Group 5 of Schedule 1 of State Environmental Planning Policy – Major Development (2005) as a residential project with a Capital Investment Value of greater than \$100 million.
- The Minister for Planning to authorise the preparation of a Concept Plan in accordance with the requirements of Section 75M of the Environmental Planning and Assessment Act 1979.
- The Director-General to issue the relevant Environmental Assessment Requirements to inform the preparation of an Environmental Assessment to accompany the Concept Plan.

The site comprises approximately three hectares of land and is currently occupied by a number of buildings and structures associated with the Channel 9 television studios. It is surrounded by residential development of varying density and height.

PBL proposes to lodge a Concept Plan application to secure certainty regarding the future use and development of the site, enabling important investment decisions regarding the relocation of the existing television station operations to a more appropriate location. The Concept Plan will seek approval for the redevelopment of the site for a mixed-use development comprising predominantly residential development and a limited amount of retail. Public open space is also proposed to be provided and dedicated to Council. The proposal comprises the following key components:

- Demolition of existing buildings and structures.
- A total gross floor area (GFA) of approximately 66,600sqm (equivalent to FSR of 2.3:1), comprising 66,000sqm of residential (approximately 663 dwellings) and 600sqm of retail floor space (approximately five retail tenancies).
- Built form comprised of low and medium rise buildings (2-5 storeys) along Richmond Avenue and Artarmon Road and high rise buildings (16–20 storeys) in the central portion of the site, consistent with density patterns and minimising impacts on neighbours.
- Ancillary car parking for residents and visitors with visitor parking accommodated within the internal road system where possible.
- Approximately 50% of the site will accommodate communal and public open spaces, including a village square and children's playground.

The proposal is consistent with State, subregional and local strategic planning policies, which seek to locate residential density in nominated centres and along strategic transport corridors. The site is located close to a nominated centre where Council has sought to increase the density of the surrounding residential zoned land, including to the north, west and south of the site. The site is also located adjacent to the Willoughby Road bus corridor and in proximity of Artarmon railway station.

The proposed residential use is compatible with the surrounding development, including the lower density residential development to the north, west and south, the existing residential flat buildings to the east and the future higher density development proposed in the Draft Local Environmental Plan.

It is anticipated that the scale of the project will require a comprehensive package of supporting documentation to accompany the Concept Plan application, addressing the potential benefits and impacts of the proposal, including management and mitigation measures to address the identified impacts.





# 1 Introduction

## 1.1 Purpose of Report

This report has been prepared on behalf of PBL Media Pty Ltd (PBL) and in association with the proposed redevelopment of the existing Channel 9 studios at 6-30 Artarmon Road, Willoughby. The report has been prepared to request:

- The Minister for Planning to form an opinion that the proposal is of a kind described in Clause 13, Group 5 of Schedule 1 of State Environmental Planning Policy – Major Development (2005) as a residential project with a Capital Investment Value of greater than \$100 million.
- The Minister for Planning to authorise the preparation of a Concept Plan in accordance with the requirements of Section 75M of the Environmental Planning and Assessment Act 1979.
- The Director-General to issue the relevant Environmental Assessment Requirements to inform the preparation of an Environmental Assessment to accompany the Concept Plan.

PBL intends to submit a Concept Plan application for the demolition of the existing buildings and the redevelopment of the site. The proposed redevelopment will include approximately 663 dwellings and five retail tenancies with ancillary car parking and associated facilities and works, including stormwater, landscaping and earthworks. Public open space is also proposed to be provided and dedicated to Council.

## 1.2 Background to Proposal

PBL proposes to relocate the existing Channel 9 television studios from Willoughby to a more appropriate contemporary and accessible location.

The existing television studio facilities at Willoughby are dated and are becoming obsolete. There are clear opportunities to modernise and improve the efficiency and operations of the business, taking into account the provision of modern technology, as well as the potential for Channel 9 to co-locate with, or be in closer proximity to other PBL-affiliated companies.

Many of their competitors are now located in fringe CBD locations and/or more public transport accessible locations. ABC, Channel 7 and Channel 10 are located in Ultimo and Pyrmont, while Foxtel is located in Macquarie Park, adjacent to the railway station.

A final decision to relocate the Channel 9 operations from Willoughby will be influenced by the potential redevelopment opportunities of the existing site. As such, PBL proposes to lodge a Concept Plan application to secure greater certainty regarding the future development of the site.

## 1.3 Project Objectives and Need

The objective of this proposal is to provide for the predominate residential redevelopment of the site and:

- Create a liveable and integrated residential community that relates well to surrounding residential development.
- Deliver quality residential apartments proximate to shops and public transport nodes.
- Provide services to benefit the local community through a small retail offer, without compromising the retail function of Willoughby.
- Strengthen linkages between the site and Artarmon railway station through improved pedestrian and cycle connections.



## 2 Site Context

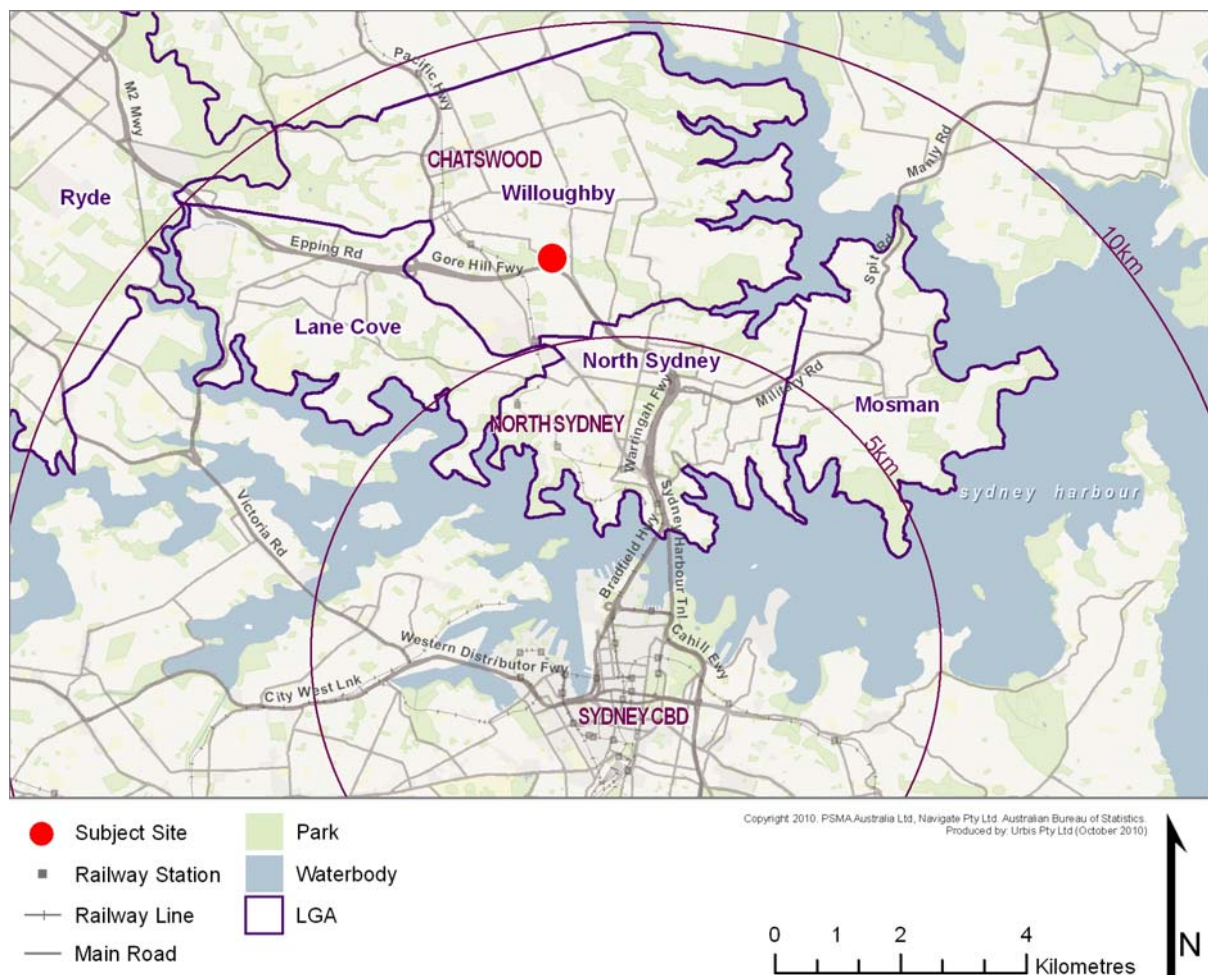
### 2.1 Regional Context

Willoughby is a suburb in the Willoughby Local Government Area (LGA), approximately nine kilometres north of the Sydney Central Business District (CBD).

The site is defined by the following key regional features:

- The site is located in the Inner North region of the Sydney Metropolitan area, comprising North Sydney, Willoughby, Ryde, Lane Cove and Mosman LGAs. The southern boundary of the region generally commences on the northern side of Sydney Harbour.
- Major transport links traverse the region, connecting northern lying areas of Sydney with the CBD. The Pacific Highway, Gore Hill Freeway and Eastern Valley Way provide north-south connections through the region.
- The region is serviced by the North Shore line as part of the CityRail network, with stations including Milsons Point at the south, and Chatswood at the northern area of the region. A rail link connects Chatswood to Epping through the Northern Line.
- The region is located generally within the North Sydney to Macquarie Park Economic Corridor, joining North Sydney CBD ('Global City' under the Sydney Metropolitan Strategy) with the Specialised Centres of St Leonards and Macquarie Park, and the Major Centre of Chatswood. These centres are located along main transport corridors, with strong connections to adjoining regions. The site lies on the intersection of two branches of this Economic Corridor.

**Figure 1 - Regional Context**

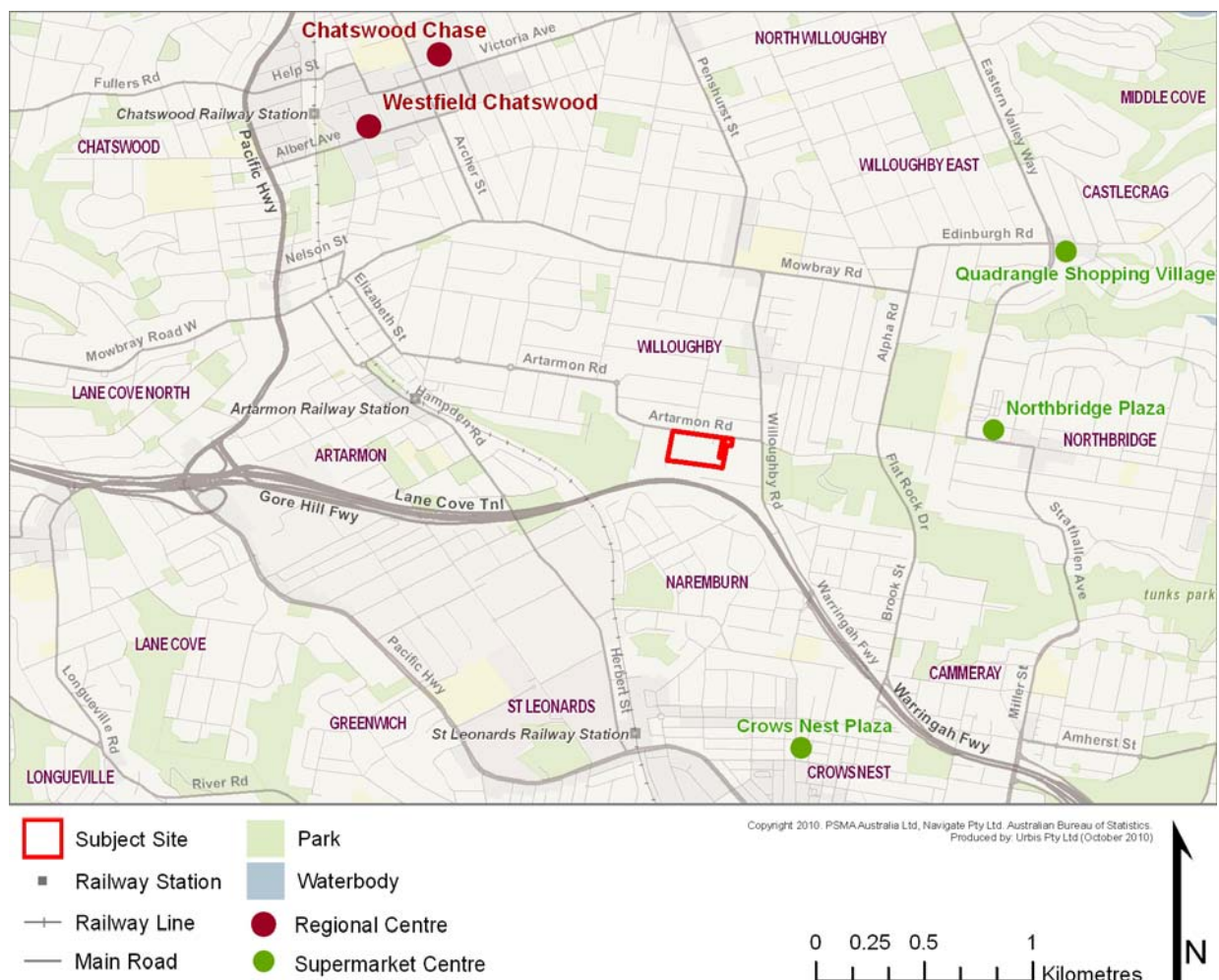


## 2.2 Local Context

Key features of the local context are summarised below:

- Willoughby is less than two kilometres from Chatswood CBD, generally located within the central portion of the Willoughby LGA. To the west lie Chatswood and Artarmon, with Northbridge, Willoughby East and Castlecrag to the east.
- The local centres include Chatswood to the north-west and St Leonards to the south. Artarmon railway station and centre is situated to the east, and Willoughby centre adjacent to the site. Willoughby, categorised as a small village, has been steadily expanding, with height and density now exceeding that of Northbridge (the next order centre).
- St Leonards Industrial Area and Gore Hill Technology Park are located to the south-west of the site. This area is defined by a concentration of small to large warehouse/bulky goods and commercial premises, generally bound by the Gore Hill Freeway to the north, Pacific Highway to the south, and the railway line to the east.
- Predominantly fine grain detached residential housing is located to the north of the Gore Hill Freeway, with higher density corridors along Willoughby Road and the rail corridor.

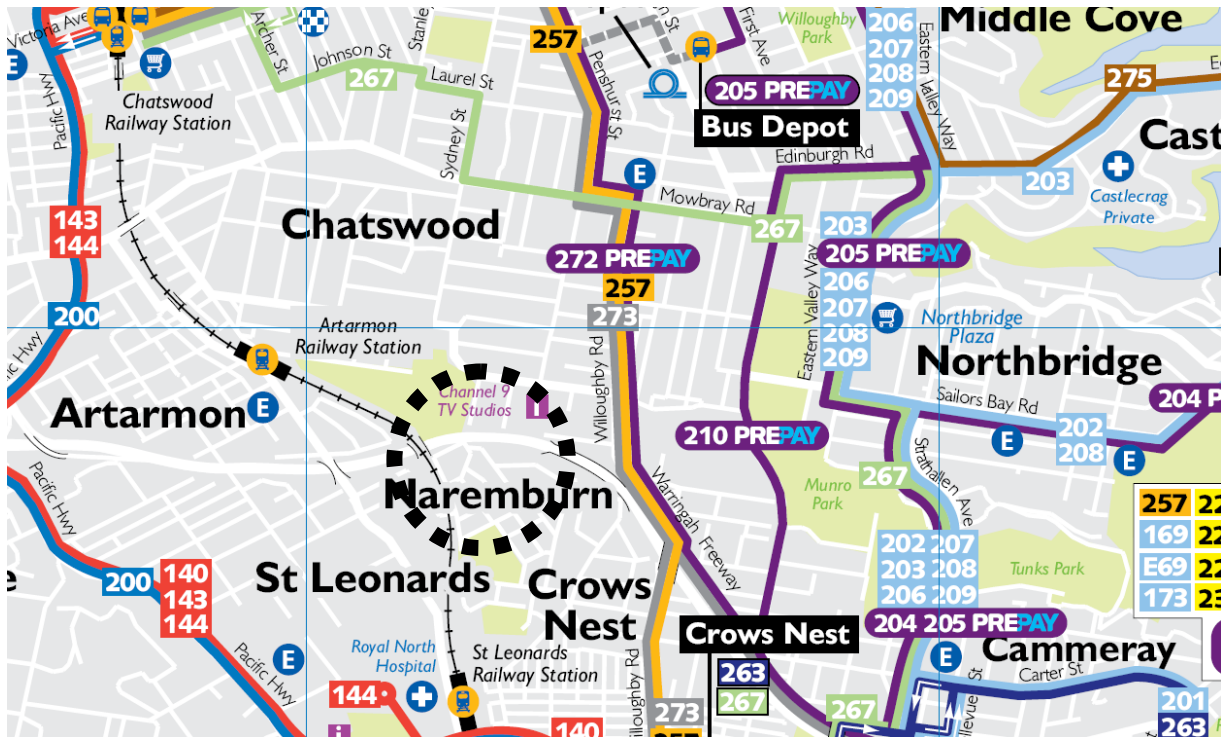
**Figure 2 – Local Context Plan**





- Public and alternative transport within close proximity of the site includes:
  - Under five minutes walk to bus routes 272 (Express – North Willoughby to the City), 257 (Chatswood to Balmoral Beach) and 273 (Chatswood to the City) along Willoughby Road.
  - Ten minutes walk to 267 (Crows Nest to Chatswood Interchange) bus route.
  - Major existing and proposed cycle paths to the south, west and east of the site.

**Figure 3 – Public Transport Services** (source: [www.131500.com.au](http://www.131500.com.au))




- The site is also highly accessible to the arterial road network, with the Gore Hill Freeway adjoining the site to the south and accessible via Artarmon Road and Willoughby Road.
- Flat Rock Creek is situated to the south, forming a tributary to Middle Harbour. An extensive open space network traverses west to east, linking major sports fields in Artarmon Reserve, Bicentennial Reserve and War Memorial Playing Fields, as well as associated riparian vegetation.
- The site lies between a residential neighbourhood and the open space system, with the opportunity to provide a strategic north-south connection to Flat Rock Creek.



Figure 4 – Local Context Aerial Photograph



 Subject Site

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Produced by: Urbis Pty Ltd (October 2010)



## 2.3 Site Description

The street address of the site is 6-30 Artarmon Road, Willoughby. The legal description is Lot 1 in DP 820327, Lot 1 in DP 748215, Lot 13 in DP 6849 and Lot 1 in DP 327266.

The site has a total area of approximately 2.9 hectares, which is generally rectangular in shape. The site is on the southern side of Artarmon Road, with additional road frontage along Richmond Avenue to the west and Scott Street to the east. A Council-owned reserve adjoins the site to the south.

The site is currently occupied by the Channel 9 television studios, with large building footprints located in the centre and various smaller building footprints along the eastern and western edges to Scott Street and Richmond Avenue. As discussed in **Section 1.2**, it is proposed to relocate the television studios to a site that better meets the existing and future needs of the business.

The development site does not include the south-western corner which currently accommodates the transmission tower. This tower and the land it sits on are controlled by a separate entity (TX Australia) and is used by both Channel 9 and a range of telecommunication related businesses that are not related to Channel 9 television studio operations.

A site location plan showing the location of the Channel 9 site is provided as **Figure 5**. A Site Survey Plan showing the boundaries of the proposed Concept Plan application is provided as **Figure 6** on the following page. A site aerial photograph is provided as **Figure 7**.

**Figure 5 – Site Location Plan**





[illegible]

Figure 7 – Site Aerial Photograph



6-30 ARTARMON RD, WILLOUGHBY



## 2.4 Site Context Analysis

Artarmon Road is a major connector between Willoughby and Artarmon, with a mixed density character, including lower density development to the north and west, the existing residential flat buildings to the east of Channel 9 and future anticipated zoning changes associated with the Draft Local Environmental Plan. Richmond Avenue is a primarily residential street, with on-street car parking associated with the Channel 9 occupation. Scott Street is primarily associated with the Channel 9 activities, including access and car parking.

The site slopes downwards from a spur in the north-west corner, except for large flat areas associated with the television studio buildings, car park and helipad. There are steep slopes to the south and east, with adjoining buildings generally orienting away from the site and well below the natural ground line. Scott Street is at about the same level as the second highest storey of the adjacent residential flat buildings to the east.

**Figure 8 - Site Analysis Plan**



The following factors are considered to be of particular relevance with regard to the future development potential of the site:

- Built form on Richmond Avenue should be sympathetic to the existing low density fine grain fabric.
- Built form on Artarmon Road should relate to the existing and desired future character and function of the connector road.
- The site should be integrated into the surrounding street fabric, including extending the Edward Street axis, connecting to Scott Street and potentially connecting to Richmond Avenue.
- Built form should be located so as to minimise overshadowing of properties on Walter Street.



- 
- Open space should be located to provide for public and communal uses, with a clear distinction between public and private spaces.
  - Any public open space should seek to provide experiences not currently available within the local area, eg village square, children's playground or the like. It is also desirable to improve connections with the existing public open space and/or the pedestrian/bicycle connections to the south.
  - Communal open spaces for residents should be sized to provide for additional indoor or outdoor amenity (eg gym, pool or the like).
  - Plans should not prejudice the future development of the transmission tower site, in the event that the facility is removed in the future.



### 3 Development Description

The Concept Plan will seek approval for the redevelopment of the site for a mixed-use development comprising predominantly residential development and a limited amount of retail. Public open space is also proposed to be provided and dedicated to Council. The key components include:

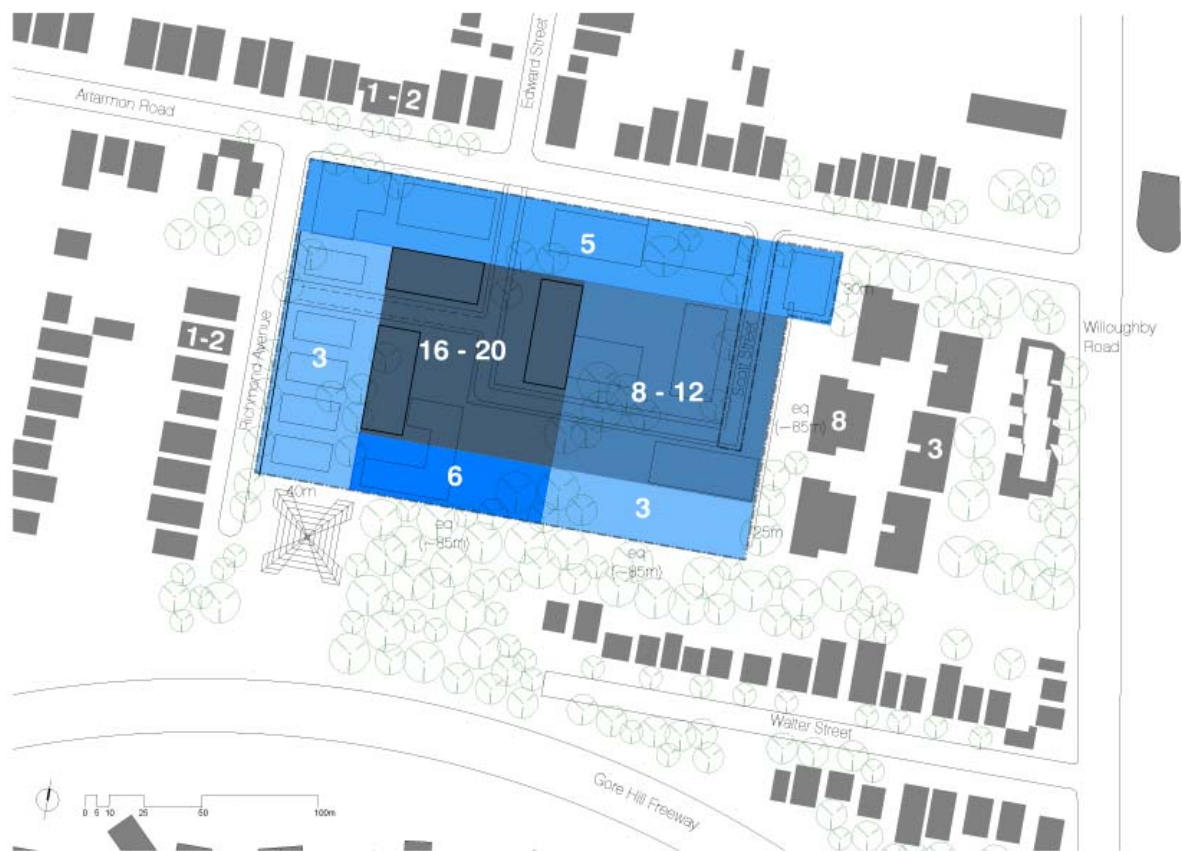
- Demolition of existing buildings and structures.
- A total gross floor area (GFA) of approximately 66,600sqm (equivalent to FSR of 2.3:1), comprising 66,000sqm of residential (approximately 663 dwellings) and 600sqm of retail floor space (approximately five retail tenancies).
- Built form comprised of low and medium rise buildings (2-5 storeys) along Richmond Avenue and Artarmon Road and high rise buildings (16–20 storeys) in the central portion of the site, consistent with density patterns and minimising impacts on neighbours.
- Ancillary car parking for residents and visitors with visitor parking accommodated within the internal road system where possible.
- Approximately 50% of the site will accommodate communal and public open spaces, including a village square and children's playground.

The development site does not include the transmission tower, however, allowance has been made within the layout to incorporate this land if it was no longer required for transmission activities.

An Indicative Concept Plan showing the potential layout of the future development is provided as **Figure 9** below. An Indicative Height Plan is provided as **Figure 10** on the following page.

**Figure 9 – Indicative Concept Plan**



**Figure 10 – Indicative Heights (in storeys)**

## 4 Planning Context

### 4.1 Strategic Planning Policies

#### 4.1.1 NSW State Plan

The NSW State Plan includes eight key action areas, of which the following are relevant to the proposed development:

- **Better transport and liveable cities** – the site is well located in close proximity of the Sydney CBD and other major centres. The proposed development will increase the availability and diversity of housing within walking distance of major bus routes and established cycling/walking links.
- **Green state** – the proposed development is anticipated to incorporate a variety of environmental initiatives to facilitate an efficient use of resources, as well as the minimisation and management of waste in the demolition, construction and occupation phases of the development.
- **Keeping people safe** – it is anticipated that the proposed development will incorporate a variety of Crime Prevention through Environmental Design measures to minimise the opportunity for crime.

Overall, it is considered that the proposed development aligns with the policy objectives outlined in the NSW State Plan.

#### 4.1.2 Sydney Metropolitan Strategy – City of Cities

The proposal will contribute to achieving the following aims of the Sydney Metropolitan Strategy:

- **Contain Sydney's Urban Footprint** – the proposal will provide new residential and retail development in an existing urban area, which avoids impacts on non-urban land. The proposed increase to the existing density on the site is consistent with concentrating development to Sydney's existing urban footprint.
- **Fair Access to Housing, Jobs, Services and Open Space** – the proposal is located proximate to, and enjoys strong private and public transport access links to the major employment and retail servicing areas of North Sydney, St Leonards and Chatswood. The site is also within 800 metres walking radius of the Willoughby commercial zone, along Willoughby Road. Locating new dwellings on the site will also locate future residents proximate to public open space areas to the south, east and west of the site.

#### 4.1.3 Draft Subregional Strategy for Inner North Subregion

The Draft Subregional Strategy provides for an additional 6,800 dwellings to be accommodated within Willoughby LGA by 2031. A target of 60-70% of new housing will be located in existing urban areas, in the absence of land release areas in the subregion.

The proposal will assist in the timely and efficient provision of additional housing. It will contribute to the achievement of the provisions of the Draft Subregional Strategy for the Inner North Subregion, including:

- The site is located within walking distance to the transport corridor of Willoughby Road to the east. High frequency bus services traverse Willoughby Road, generally connecting northern areas of Chatswood with Balmoral Beach and Sydney CBD.
- The site is also located within walking distance to Artarmon railway station, which provides rail connections to northern Sydney and Sydney CBD to the south. The proposal for new dwellings on the site is consistent with the strategic objectives of locating residential development within corridors that have access to public transport.



**Figure 11** – Extract from Draft Subregional Strategy for Inner North

- Residential development on the site will assist to increase the proportion of people living proximate to employment areas. The site is located central to the business and retail service concentrations at Chatswood CBD, St Leonards and North Sydney.
- With the Chatswood to Epping rail link, residents will be afforded efficient travel time to the Macquarie Park business and University precinct. The site is also strategically located to accommodate residential development proximate to other employment lands, being Gore Hill Technology Park to the south-west of the site.

This site is not recognised as a key employment location within the Draft Subregional Strategy, having regard to both the 'Economy and Employment' and 'Centres and Corridors' components. It is unclear whether the proposed redevelopment would result in any loss of subregional employment as no decision has yet been made with regard to the proposed future location.

#### 4.1.4 Draft Willoughby Structure Plan

The Draft Willoughby Structure Plan lists its six key elements on page 6, as extracted below:

**Sustainable Development:** *what practical steps can be taken to develop the principles of sustainable development in planning policy formation and to improve the quality of life*

**Economic Growth:** *how the planning system should respond to the requirements of future economic development*

**Centres:** *what the future role of centres is and how can their vitality and viability be improved.*

**Housing:** *where density changes should be made and what type of housing should be built*

**Environment:** *how to protect and enhance the natural and built environment whilst still being able to enjoy its use*

**Public and Alternative Transport:** *how to improve accessibility and reduce car use*

The proposed redevelopment will satisfactorily respond to each of the applicable key elements, taking into account the following:

- The proposed residential development will be designed to address the relevant environmental criteria contained within State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and the like.
- The site is not recognised as a key employment location, taking into account its relatively small workforce and the lack of physical and economic linkages between the site and the core business and industrial areas within the LGA.
- The site is located within close proximity of existing public transport services, comprising major bus routes and established cycling/walking tracks. The proposed development will increase the diversity of housing and cater for changing household needs, including adaptable and accessible apartments.
- The proposed redevelopment will address the provisions of the acid sulphate soil management and stormwater management controls.

## 4.2 State Planning Controls

### 4.2.1 Environmental Planning and Assessment Act 1979

This report has been prepared in accordance with the provisions of Part 3A of the Environmental Planning and Assessment Act 1979 (the Act) as outlined below:

- Declaration is sought from the Minister for Planning that the proposal is a Part 3A Project, taking into account the provisions of Clause 6 and Schedule 1 of State Environmental Planning Policy (Major Development) 2005 and Section 75B of the Act.
- Authorisation is sought from the Minister for Planning for the preparation of an application for Concept Plan approval in accordance with Section 75M of the Act.
- The Director-General is requested to issue the relevant Environmental Assessment Requirements to inform the preparation of an Environmental Assessment to accompany the Concept Plan in accordance with Section 75F of the Act.

If the Minister declares the proposal to be a Part 3A Project and authorises the preparation of an application for a Concept Plan, the Minister then has the ability to approve the proposed development, taking into account the Part 3A provisions as outlined in Section 75O(3). The site is not environmentally sensitive or a sensitive coastal location so Clause 8N does not apply. Accordingly, the proposed development is permissible by way of a Concept Plan approval in accordance with the provisions of Part 3A of the Act.

### 4.2.2 State Environmental Planning Policy (Major Development) 2005

The Major Development SEPP lists the types and classes of development that may be considered as Part 3A projects. Group 5 of Schedule 1 includes:

#### 13 Residential, commercial or retail projects

- (1) *Development for the purpose of residential, commercial or retail projects with a capital investment of more than \$100 million.*

Capital investment value is defined in the Environmental Planning and Assessment Regulation 2000 as follows:

*Capital investment value of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment, other than the following costs:*

- (a) *amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 6 or 6A of Part 4 of the Environmental Planning and Assessment Act or a planning agreement under that Division*
- (b) *costs relating to any part of the development or project that is the subject of a separate development consent or project approval*
- (c) *land costs (including any costs of marketing and selling land)*
- (d) *GST (as defined by A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).*

The proposed development comprises a residential project with a capital investment value of approximately \$206 million. Accordingly, the proposed works will exceed the minimum threshold prescribed within the Major Development SEPP and can be considered as a Major Project under the provisions of Part 3A of the Environmental Planning and Assessment Act 1979.

#### 4.2.3 State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings

The proposed redevelopment includes over four dwellings within buildings that are three storeys or more. As such, the provisions of State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65) will apply to the proposal.

The conceptual development plans to be submitted with the Environmental Assessment for the Concept Plan will be prepared to take into account the relevant provisions of SEPP 65, including open space, solar access, privacy and the like. The future Project Application(s) will need to include detailed architectural drawings prepared by an appropriately qualified architect that satisfactorily address the provisions of the Residential Flat Design Code.

#### 4.2.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The provisions of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (the BASIX SEPP) will not apply to the Concept Plan application, however, it will need to be satisfied in order to obtain any future Project approval(s).

The plans showing the general siting and layout of the future buildings in **Section 3** were prepared with BASIX provisions in mind. The general location and separation between buildings is anticipated to allow for solar access and natural ventilation to be achieved in the future detailed design and enable BASIX certificates to be obtained for the future dwellings.

#### 4.2.5 State Environmental Planning Policy (Infrastructure) 2007

Section 104 of the Infrastructure SEPP requires a consent authority to refer a ‘*traffic-generating development*’ to the NSW Roads and Traffic Authority and consider the following matters in determining the application:

- Any submission received from the RTA within 21 days after the referral was issued.
- Accessibility of the site, including efficiency of movement, opportunity for multi-purpose trips and measures to reduce car reliance.
- Potential traffic safety, road congestion or parking implications.

The site has the potential to accommodate in excess of 300 dwellings and accordingly, it is anticipated that the Concept Plan application will be referred to the RTA for comment.

#### 4.2.6 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) seeks to ensure remediation of contaminated land is undertaken to minimise the risk of harm to human health. Clause 7 of SEPP 55 requires that a consent authority must consider whether land is contaminated prior to issuing development consent.

The Environmental Assessment will include a Preliminary Environmental Investigation to identify if there is any soil contamination on the site. If contamination is found, the Preliminary Environmental Investigation report will outline further environmental investigations to be undertaken as part of the documentation to support future Project Applications to ensure the site is suitable for its proposed use.

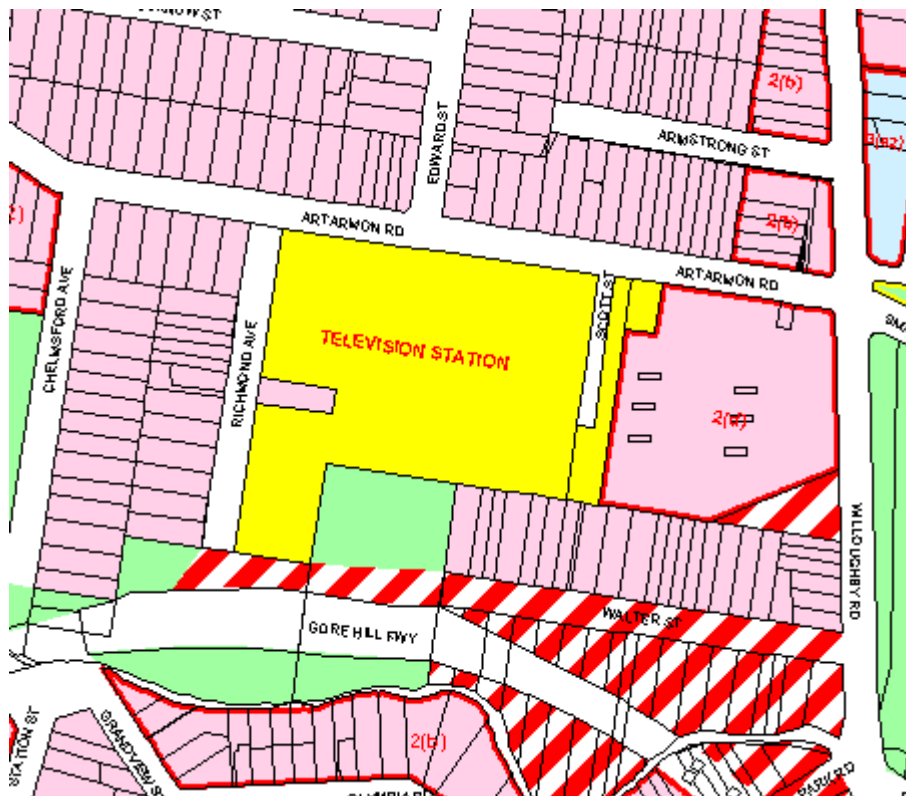
### 4.3 Local Planning Controls

#### 4.3.1 Willoughby Local Environmental Plan 1995

The site is zoned 5 Special Uses 'A' Television Station under the provisions of Willoughby Local Environmental Plan (LEP) 1995. An extract from the zoning plan is provided as **Figure 11** below.

Clause 47A prescribes the development that may be carried out with consent, which includes:

- *Demolition*
- *Development for the purpose of:*
  - *the particular land use indicated by red lettering on the map*
  - *commercial operation of school facilities and sites*
  - *community facilities*
  - *community use of schools and recreation facilities*
  - *drainage*
  - *roads*
  - *recreation areas*
  - *recreation facilities*
  - *utility installations*

**Figure 12 – Zoning Plan**

Clause 48 - Television station—Zone 5 (a) applies specifically to the site, which is described as being generally bounded by Artarmon Road, Scott Street and Richmond Avenue, Artarmon, and lettered “Television Station” in red on the map. This clause:

- Permits the development of helipads with the consent of the Council.
- Prescribes a maximum floor space ratio of 0.5:1.
- Restricts vehicle access from Richmond Avenue to:
  - outside broadcast vehicles
  - articulated vehicles
  - such other vehicles as the Council approves
 and requires the gates to be locked when not in use for these vehicles.

The site is not affected by items of State, regional or local heritage significance. The Environmental Assessment will document the relevant non-compliances with the relevant provisions under Clauses 47A and 48 of Willoughby LEP 1995.

The surrounding land is predominantly zoned for residential purposes. The land to the north, west and south-east is currently zoned 2(a) Residential ‘A’, which is generally described as a low density residential zone. The land immediately to the east is zoned 2(d) Residential ‘D’, which aims to consolidate high-rise and high density residential flat buildings in selected and accessible locations. A small area of public open space is located immediately south, which is zoned 6(a) Open Space ‘A’.



### 4.3.2 Willoughby Development Control Plan

The site and the proposed development are affected by a number of sections within the Willoughby Development Control Plan including:

- Part A – Introduction.
- Part C – General Development Guidelines.
- Part D.1 (2) – Specific Controls for Residential Development [Controls for Single Dwelling Houses and Dual Occupancies].
- Part D.1 (3) – Specific Controls for Residential Development [Naremburn, St Leonards, Artarmon, Chatswood (east of the Pacific Highway), Willoughby and Roseville residential locality areas].
- Part D.3 – Specific Controls for Residential Development [Controls for Multi-unit Housing and Mixed Use Commercial/Residential Development].

The compliance of the proposed development with the relevant matters will be considered in the preparation of the Environmental Assessment.

## 4.4 Section 94 Contributions

Willoughby Council's Section 94 Contributions Plan (revised 2008) levies a range of contributions for development within the LGA, relating to:

- Car parking.
- Childcare.
- Drainage.
- Open space, recreation and community facilities.
- Roads and traffic/transport management.

## 4.5 Draft Local Planning Controls

### 4.5.1 Draft Willoughby Local Environmental Plan 2009

The zoning map prepared and exhibited in association with the Draft LEP includes the following intentions for the site and surrounding land:

- The site retains a special uses zoning with a like-for-like zoning to SP2 Infrastructure (Television Station).
- The residential land to the south east of the Channel 9 site (along Walter Street) is proposed to be rezoned R3 Residential, which allows for increased densities compared to the current LEP.
- Retention of existing higher residential densities along the strategic bus corridor.

Preliminary consultation with Council has indicated that the Draft LEP is too advanced to consider incorporating the residential rezoning of the site. However, it is recognised that the strategic suitability of the site for medium to high density residential development will strengthen the relationship of medium to high density residential zones along major transport corridors, which converge on the site.

Further, the proposed residential redevelopment is not contrary to any of the strategic planning policies, including the Sydney Metropolitan Strategy, Draft Subregional Strategy and the Willoughby Structure Plan. The site is not recognised as a key employment location and its location on the periphery of a local centre is appropriate for a higher density residential development.

#### 4.5.2 Draft Amendments to Willoughby Development Control Plan

The draft amendments to Willoughby Development Control Plan (DCP) predominantly relate to new and/or modified sections of the DCP:

- Part C9 – Landscaping relating to dwelling houses, residential flat buildings, and commercial and industrial development.
- Part C9 – Preservation of Trees and Vegetation
- Part C16 – Awnings, Public Road Encroachment and Use of Public Footways
- Part E – Commercial and Shop Top Development (specific controls)

The Environmental Assessment will have regard to the relevant considerations of the proposed amendments to Draft Willoughby DCP, in addition to the existing Willoughby DCP instrument.

## 5 Key Issues

### 5.1 Land Uses

The proposed development comprises predominantly residential uses reflecting the surrounding land uses. Lower density development will be located on the western portion of the site, in closer proximity to Richmond Avenue. Medium to higher density residential development will be located in the central and eastern portions of the site, reflecting the location of existing/future higher density developments.

A small area of retail development is proposed to service the site and immediate locality. The retail tenancies will be centred around the village square, providing activation and natural surveillance. Additional public open space will be provided along the southern boundary, providing a physical and visual connection from the adjoining residential development to the north and the bushland to the south.

### 5.2 Built Form and Urban Design

The key built form and urban design features seek to improve the relationship between adjoining properties and the site through:

- **Built form transition:** height is concentrated at the centre of the site to avoid impacts on adjoining residential areas and afford an improved built form transition on the edges of the site:
  - Three storey residential buildings with smaller building footprints will provide an appropriate transition from low density residential dwellings on the western side of Richmond Avenue.

**Figure 13 – Built Form and Urban Design Opportunities**



- A transition from predominantly one and two storey dwellings on the northern side of Artarmon Road, to dwellings of up to five storeys on the southern side of the road within the subject site and up to nine storeys on the adjoining site to the east.
- The apparent height of the buildings within the site and along Artarmon Road will be lessened due to the slope of the site away from Artarmon Road. Further, Artarmon Road is a major connector between Willoughby Road and Artarmon Station, conducive to an increase in density than what currently exists.
- **Improved streetscape:** the proposal will activate the southern edge of Artarmon Road, and eastern side of Richmond Avenue, by removing surface parking fronting these streets and siting new buildings to address these site boundaries.
- **Building footprints:** smaller buildings are proposed along Richmond Avenue to reflect the residential character of the street. Larger buildings are located towards the centre and eastern portion of the site to complement adjoining medium to high density residential apartments and associated large building footprints.
- **Distribution of height:** taller building heights have been concentrated to the centre of the site to avoid overshadowing impacts on southern residential properties.
- **New road connections:** a new internal road structure is proposed, providing an extension of Edward Street through the site and connecting round to an extended Scott Street. There is potential for the proposed internal road to connect through to Richmond Avenue (east-west link) off the extended Edward Street connection.
- **Integration of the tower site:** allowance has been made within the general layout and siting of the proposed buildings and roads within the proposal to incorporate the tower site if the tower is no longer required for transmission activities in the future.

The built form and urban design issues of the proposal will be addressed in more detail as part of the Environmental Assessment, based on refinement of the Concept Plan.

### 5.3 Public Open Space and Landscaping

In addition to the communal open spaces to be provided for residents, a range of public open space and landscaping features are to be provided to benefit the site and local community.

**Figure 14 – Open Space Opportunities**



- **Village square** – establishing a village square to function as a community focal point, with local retail services (eg café, butcher, deli, etc) for the benefit of both on-site residents and residents within walking distance of the site.
- **Public open space** – a local park of approximately 1,300m<sup>2</sup> is proposed to accommodate passive and/or active recreation opportunities (eg children's playground). This land could potentially be integrated with the adjoining Council-owned reserve to the south.
- **Connected parks** – visual and physical links from the reserve to the south of the site to Artarmon Road to the north of the site will be established through:
  - Direct visual link through the proposed extension of Edward Street and existing Scott Street, through the site in a north-south direction.
  - Linear north-south fingers of vegetation will provide a physical connection from the reserve to the south to streetscape vegetation along Artarmon Road, through opportunities for soft landscaping between buildings.
  - Connections to the open space network can be enhanced through boardwalks and new pathways.

These matters will be addressed in more detail as part of the Environmental Assessment, upon refinement of the Concept Plan.

## 5.4 Views and Visual Impacts

The impact of the proposal on views from the north and west will need to be explored through a Visual Impact Assessment.

**Figure 15 – Views and Visual Impacts**



It is anticipated that the visual impact analysis will incorporate the following design features:

- While the site is obscured from most approaches, and houses and apartments on Walter Street and Willoughby Road face away from the site, a layered building approach will be adopted to reduce the visual impact of redevelopment.
- Extension of Edward Street through the centre of the site will create a view corridor from Artarmon Road to south lying parkland areas.
- The existing tall trees on the southern edge of the site (refer to **Figure 3 – Aerial Photograph**) will be retained, where appropriate (ie healthy native species) to maintain a green canopy.
- From views looking north from the Sydney CBD, the proposed buildings on the site will provide a minor extension to the existing skyline, which will be read in the context of an existing skyline dominated by a variety of structures.

These matters will be addressed through a Visual Impact Assessment, to be carried out particularly in relation to the visual impacts on development along Artarmon Road and Richmond Avenue, as part of the Environmental Assessment.



## 5.5 Sustainable Transport, Traffic, Access and Car Parking

Technical traffic consultants will be engaged to assess the potential transport, traffic and parking implications of the proposed residential developments, including:

- **Transport management and accessibility** – travel mode goals will be established to encourage the use of nearby rail (Artarmon station) and bus services along Willoughby Road.
- **Traffic generation and road/intersection capacity** – the projected future traffic generated by the additional residential dwellings will be assessed in the context of travel mode goals. This will determine if signal changes on Artarmon Road are required, if any.
- **Parking and servicing** – the projected future vehicular parking demands will be assessed against the relevant Council controls.

These matters will be addressed in more detail as part of the Environmental Assessment, upon refinement of the Concept Plan.

## 5.6 Acoustic Amenity

An acoustic impact assessment will be required to address the potential impact of traffic noise arising from the site's proximity to the Warringah Freeway, as well as:

- Acoustic privacy between the proposal and existing housing.
- Separation distances between proposed buildings to achieve acoustic privacy for future residents.
- Internal acoustic amenity between dwellings.

The provisions of the SEPP 65 Residential Flat Design Code will be addressed, including separation distance standards, as part of the Environmental Assessment.

## 5.7 Environmentally Sustainable Development (ESD)

It is anticipated that the proposed development will incorporate a range of ESD measures to minimise energy and water use and reduce potential greenhouse gas emissions, including:

- Innovative passive design creating good solar access and natural cross flow ventilation.
- Solar shading devices and wall and ceiling insulation.
- Solar hot water, energy efficient appliances, clothes drying areas, water efficient appliances (min. 3 Star WELS rating) and dual flush toilets.
- Rainwater harvesting for toilets and irrigation.
- Water-efficient landscaping, including planting of drought-tolerant species.
- Light motion sensors through all common areas.
- Bicycle parking within basement car parks and/or within the internal road network.

BASIX certificates will be provided for each of the buildings in the future Project/Development Applications.

## 5.8 Biodiversity

The development site has been fully developed for urban purposes and does not appear to include any areas of remnant vegetation that would require assessment under the Threatened Species Conservation Act 1995 or Environment Protection and Biodiversity Conservation Act 1999.

It is anticipated that a tree management plan will be prepared to provide broad recommendations regarding significant trees to be retained or unhealthy/unsafe trees to be removed, taking into account, whether they are native or exotic varieties and opportunities for additional planting to off-set any potential biodiversity impact.

## 5.9 Stormwater and Flooding

Technical consultants will be engaged to review the existing stormwater arrangements (including identification of the relevant stormwater catchment, pre-development flows and discharge points) and undertake post-development stormwater modelling, with recommendations to mitigate any potential water quality and quantity impacts.

Water Sensitive Urban Design measures may be incorporated to treat the quality and quantity of stormwater flows before it is discharged off-site, potentially towards Flat Rock Creek. It is anticipated that consultation with relevant officers from Willoughby Council will establish general local requirements, particularly given the proximity of the site to Flat Rock Creek.

## 5.10 Utility Servicing

Early consultation with relevant utility/service providers and relevant emergency services will ensure that any potential requirements arising from the development can be met, as outlined below:

- **Water:** consultation will be undertaken with Sydney Water to determine whether the likely water demands can be met by the current infrastructure. This assessment will factor in any initiatives to reduce water demand (eg on-site stormwater retention and re-use, water efficient fixtures, etc).
- **Sewer and Trade Waste:** consultation will also be undertaken with Sydney Water to determine whether the current sewer and waste water systems are adequate.
- **Power and Telecommunications:** consultation will be undertaken with the relevant authorities to ensure that adequate services are available through the existing services and/or proposed upgrades.
- **Gas:** calculations will be carried out to confirm the existing gas supply will be adequate and/or if any upgrades will be required to enable the staged development of the proposed facility.

## 5.11 Contamination and Geotechnical Investigations

Contamination and geotechnical consultants will be engaged to undertake a Phase 1 environmental site investigation for the site in association with the Concept Plan application. This study will identify whether there are any potential issues that may require further investigation during the preparation of the Project Application(s) for future phases.

## 5.12 Waste Management

A waste management statement will be prepared outlining the waste management systems which will be in place and applied throughout the development process. This statement will address the demolition of existing structures and construction of each stage of the proposal.

Details of the operational waste management will be provided with each subsequent Project/Development Application for relevant stages.

## 5.13 Developer Contributions

A Draft Statement of Commitment may be included to enable the negotiation of a voluntary planning agreement that recognises the value of the additional public open space and other local public domain improvements and off-sets it against any contribution that would ordinarily be payable to Council.

Alternatively, payment of contributions will be made in accordance with Council's Section 94 Contributions Plan, taking into account the number and type of residential dwellings achieved in the future Project/Development Application(s).

## 5.14 Stakeholder Consultation

A preliminary briefing has been held with officers from Willoughby Council to discuss the proposal and the format of the Concept Plan. Brief verbal discussions have been held with the Department of Planning regarding the likely timing for lodgement. It is proposed to have a more thorough briefing prior to or shortly after the lodgement of this report.

It is also proposed that additional consultation would be undertaken following the declaration of the project, the authorisation of the Concept Plan application and the release of the Director-General's Environmental Assessment Requirements, including:

- Department of Planning.
- Willoughby Council.
- Roads and Traffic Authority.
- Servicing authorities, including Sydney Water, Integral Energy and the like.
- Local community stakeholders.





## 6 Summary

This Clause 6 Request and Preliminary Environmental Assessment has been prepared on behalf of PBL Media Pty Ltd and is submitted to the Minister of Planning pursuant to Part 3A of the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy (Major Development) 2005.

The report has clearly demonstrated that the project is appropriately categorised as development described in Clause 13 in Schedule 1 of SEPP (Major Development), being a residential development with a capital investment value in excess of \$100 million. Accordingly, PBL Media Pty Ltd formally request that:

- The Minister for Planning declare; under the provisions of Clause 6, that the proposed development is a type of development to which the provisions of Part 3A applies.
- The Minister for Planning authorise the preparation of a Concept Plan in accordance with the requirements of Section 75M of the Environmental Planning and Assessment Act 1979.
- The Director-General of the Department of Planning issue the relevant Environmental Assessment Requirements for the Concept Plan in accordance with Section 75F of the Environmental Planning and Assessment Act 1979.



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