

To: Independent Planning Commission: Level 3, 201 Elizabeth Street, Sydney, NSW 2000

Email: [ipcn@ipcn.nsw.gov.au](mailto:ipcn@ipcn.nsw.gov.au).

Dear Commission Members

### **Modification of Concept Approval for Channel 9 Willoughby MOD 2 – Public Meeting**

I was unable to attend the Public Meeting that was held at 10:30am due to work commitments. The lower number of speakers than at the original PAC Public Meeting in 2014, which was held at 4pm, will reflect the working commitments of the residents of this community; the community remains strongly opposed to over-development of this site.

I have significant concerns about the process, as well as **significant objections** to the MOD 2 plans.

1. I understand from those who were there that the plans presented at the IPC meeting were not the same as those the community was asked to comment on that are featured on the IPC website.

At the Public Meeting on 27<sup>th</sup> November 2018, the applicant presented what they said were the final plans, which featured a roundabout at the Richmond Avenue intersection with Artarmon Road, but not at the Scott Street intersection which would now be left in/left out only. This would make Richmond Avenue, an existing residential non-through road, carry the majority of vehicles entering and exiting the site.

These are different from the plans that the public has had the opportunity to comment on, which feature a roundabout at the Scott Street intersection.

On the IPC website the “Departments Assessment Report” and the “Recommended Plans” both clearly show, as in the exhibited MOD 2 application, that there is to be a roundabout at Scott Street, and not at Richmond Avenue. These are the same as the plans featured on the Department’s website as “Final Amended Plans\_ 29 August 2018.pdf”. This would have made Scott Street, which is only used by people accessing the development, the main entrance and exit from the site.

The MOD2 application also proposed that the Richmond Avenue access could be an entrance only with no exit in the interests of the community; this does not look possible with the unapproved plans put forward:

“The Richmond Avenue access point has the ability to be limited to a one-way flow in order to reduce the number of vehicles using this local street. McLaren Traffic Engineering have determined that a one-way site entrance at this location would be feasible from a traffic engineering perspective without impacts on the performance of the Artarmon Road site access point”.

The entrance to the site on Richmond Avenue has been moved (compared to the approved plans) significantly further down Richmond Avenue away from the Artarmon Road junction, further impacting on Richmond Avenue residents.

The resulting increase to traffic on Richmond Avenue is a **significantly worse** outcome for local residents than the approved plans, and is unacceptable impact on the community for the benefit of the developer.

If there are any other changes to the plans that have previously been announced as final, the community must be given the opportunity for review and feedback before they can be accepted.

The current process of three active modification requests, that try to overturn the clearly signalled absolute maximum limits for height and density carefully reached by PAC and the L&E Court after thousands of hours of community involvement in reaching and supporting a compromise development, threaten to undermine any public faith or future engagement with the planning process. This has the potential to negatively impact trust in government and trust in the rule of law more widely.

**2.** The buildings along the edges of the development in MOD2 are significantly higher and bulkier than in the approved plans. This does not provide the appropriately gradual transition from the single-storey dwellings on the opposite sides of Richmond Avenue and Artarmon Road that featured in the approved plans. This is a **significantly worse** outcome for the whole community in maintaining the visual character of the neighbourhood and does not present good urban design. Buildings higher than in the approved plans must not be accepted.

**3.** The proposed Public Infrastructure Contributions are wrongly characterised as “public benefit” offers when they are mainly geared towards the benefit of the development or ameliorating the impact of the development on local traffic, and may be financially insufficient for the purposes that they are proposed. They are significantly lower than previous proposals. They are an insufficient contribution to the community that has to bear the impact of this development.

**4.** The maximum of 400 units was clearly set by PAC and the L&E Court after thousands of hours of community involvement in reaching and supporting a compromise development. An increase in number of units is not justified under any grounds (the argued “design excellence” was a condition of the approval in any case), and is not appropriate on this site given its isolation from essential services and mass public transport.

I ask the IPC to **reject these changes that are unacceptable** to the community and are an unacceptable abuse of the earlier determinations by PAC and the L&E court.

Yours sincerely

Andrew Cubie