

**Submission by Marrickville Council:**  
**Proposed s.75W modification to**  
**Concept Plan for the Stage 1 expansion of**  
**Marrickville Metro shopping centre**

**February 2013**

**Introduction**

This submission relates to a December 2012 application to the consent authority the Department of Planning & Infrastructure (DP&I) by proponent AMP Capital Investors to modify the approved Concept Plan for Stage 1 of the Marrickville Metro shopping centre at 34 Victoria Road and 13-55 Edinburgh Road, Marrickville. The application is pursuant to s.75W of the Environmental Planning & Assessment (EP&A) Act.

**Summary of modifications**

The modifications are described in the proponent's s.75W report to include:

1. deletion of circular ramp design and replacement with a revised vehicle ramp;
2. extension of the building to the western boundary, replacing the vehicle ramp;
3. increased building setback to Smidmore street at ground floor level;
4. altering and extending the double height void space internally within the building to improve amenity;
5. revised retail layout design to accommodate changes to the vehicle ramp, void area and public domain improvements on Smidmore Street;
6. a modest reduction in the scale of the approved development and parking provision; and
7. a new façade design and landscape treatment.

To incorporate these design changes, it is proposed to modify the existing Conditions of Approval as follows:

- Condition A1 – update development description;
- Condition A2 – include new plans for reference;
- Condition B19 – update to reflect amended car parking numbers; and
- Condition D29 – update to reflect the removal of additional trees not previously addressed.

**Summary of Council's comments**

This submission incorporates comments from all relevant Council staff. Whilst minor issues have been raised, all staff support with the modifications in general terms, and agree with the proponent that they collectively act to improve the visual appeal and functionality of the proposed Stage 1 shopping centre.

Council's urban designer has advised that the modifications create a design that is a significant improvement from the original design, providing an improved, more open connection to the north side of the development with an enhanced Smidmore Street frontage. The new design features use of natural ventilation, attractive architectural

detailing, an appropriate industrial design theme and use of locally-appropriate materials. It will also reduce the dominance of parking structures, improve the development's sustainability outcomes and will include a well-considered landscape design.

Issues raised in this submission that deserve particular attention include:

- location of footways in relation to property boundaries;
- footway widths in the vicinity of the site;
- treatment of Smidmore Street in relation to the movement of vehicular traffic, pedestrians and cyclists, and inclusion of kerbside pickup/dropoff, taxi and community bus parking zones;
- quantity, design and location of bicycle parking; and
- specific advice on the management of individual trees, included in the attached report by Council's tree specialist.

### **Specific comments on matters listed in s.75 application**

Council's comments on each of the proposed modifications are as follows:

#### *Modification 1 - deletion of circular ramp design and replacement with a revised vehicle ramp*

Council agrees with the proponent that deletion of the circular ramp and replacement with a more traditional ramp will improve vehicular access. It also has the advantage of allowing the creation of outdoor landscaped area on the site near the Smidmore Street / Edinburgh Road intersection. This modification is therefore supported by Council.

#### *Modification 2 - extension of the building to the western boundary, replacing the vehicle ramp*

The extension of the building to the western boundary replacing the circular ramp is supported by Council subject to the extension being constructed on a suspended concrete slab as detailed in Figure 2 of the Hydrology Investigation by HydroStorm Consulting P/L dated 14/12/12 so as not to increase flood levels during a 1 in 100 year storm event.

#### *Modification 3 - increased building setback to Smidmore street at ground floor level*

Council agrees with the proponent that this modification will help create an attractive functional pedestrian activation zone on Smidmore Street. Council supports this modification, but in doing so encourages a set of smaller retail frontages onto Smidmore Street at the eastern end by breaking the large retail block into smaller retail spaces.

#### *Modification 4 - altering and extending the double height void space internally within the building to improve amenity*

Council agrees with the proponent that this modification will improve internal amenity and penetration of natural light into the building, hence it is supported.

#### *Modification 5 - revised retail layout design to accommodate changes to the vehicle ramp, void area and public domain improvements on Smidmore Street*

Council supports this modification, but the above comment in relation to Modification 3 is reiterated – that Council encourages a set of smaller retail frontages onto Smidmore Street at the eastern end by breaking the large retail block into smaller retail spaces.

*Modification 6 - a modest reduction in the scale of the approved development and parking provision*

It is anticipated that this modest reduction in the number of parking spaces will have a minimal impact on parking availability in a development of this size – therefore this modification is supported. It should be noted that Marrickville Development Control (MDCP) 2011 has in general terms constrained parking supply compared to the previous DCP. In doing so, Council aims to strike a balance between meeting peak parking demand and as a result avoiding spillover onto streets and constraining parking in the interests of reducing car use, promoting sustainable transport and reducing development/business costs. Note also that MDCP 2011 defines three parking areas according to proximity to centres and public transport, with Parking Area 1 being most constrained and Parking Area 3 being least constrained. The Marrickville Metro site is located within Parking Area 2, so a moderate constraint is appropriate.

*Modification 7 - a new façade design and landscape treatment*

Council agrees with the proponent that the new facade design is a significant improvement on the design as approved, as it adopts a more contemporary and ‘industrial’ expression consistent with the local urban character. This modification is therefore supported by Council.

In general terms, Council supports the new landscape treatment, although it is noted that Landscape Master Plan Drawing No. 100 Revision B dated 13.12.12 indicates that in certain areas the proposed Council footpath is contained wholly within the development site. There may need to be minor boundary adjustments or relocation of the proposed footpath so that the Council footpath is contained wholly within the road reserve. Further, the landscape treatments should be designed in such a way that the road reserve can be subtly delineated from the development site with the use of differing materials and treatments.

With regard to landscaping, see also detailed comments attached from Council’s tree specialist.

**Additional comments on matters not listed in s.75W application**

Following are additional comments on matters not listed in the proponent’s s.75W application that may be relevant to the application:

*Treatment of Smidmore Street for pedestrians, cyclists and vehicular traffic*

Council is aware that the treatment of Smidmore will be subject to further investigations as part of the approvals process by Council’s Pedestrian, Cyclist and Traffic Calming Committee. Council is of the view that the treatment of Smidmore Street is a critical aspect of the development that deserves considerable attention, with input from a range of stakeholders. As it stands, Council is concerned about the lack of clarity in the s.75W application about the Smidmore Street treatments. It is noted that the Concept Approval requires a Shared Zone and signalised crossing treatment, yet the s.75W plans show zebra crossings – some on raised thresholds and some not.

It is not Council’s intention to advocate a particular treatment in this submission, rather to bring the following matters to the attention of the DP&I and proponent:

- a suitable pedestrian crossing is likely to involve a choice of (or combination of) raised threshold, bollards, signage, pavement treatments, zebra crossing, Shared Zone and traffic signals, with a preference for not using traffic signals or pedestrian barrier fencing;
- the pedestrian crossing treatment will need to account for the fact that the entrances to the two buildings are not directly aligned, resulting in a pedestrian desire line that is not perpendicular to Smidmore Street;
- during peak shopping periods, there may be a continuous stream of pedestrians crossing Smidmore Street, creating a barrier to motor vehicles. This is most likely to be appropriate given that Smidmore Street is not a critical through route for motor vehicles;
- there is a need for treatments and signage to ensure that few heavy vehicles use the street and motor vehicle traffic always moves slowly along Smidmore Street;
- Smidmore Street treatments, including landscaping and outdoor dining areas, should not prevent the free movement of pedestrians (on the footway) and cyclists (on the roadway) along the street;
- there will need to be careful consideration of the traffic impact of a right-turn ban on vehicles accessing the existing Smidmore Street car park entrance;
- the location of kerbside pickup/dropoff, taxi and community bus zones should be carefully considered to maximise convenience, particularly as these facilities are often utilised by people with mobility difficulties.

#### *Footway widths in the vicinity of the development*

The s.75W plans show instances where the relocation of the footway will be necessary as a result of various changes to road layouts. Council generally does not support the narrowing of any footway or footpath. In any event, the absolute minimum width for footways (paved area of 1.8-2.0m) must be adhered to at all times.

This matter is discussed in the following parts of the s.75W report:

- Appendix B, p12: The northern kerb will require relocation to ensure a minimum lane configuration consisting of two westbound lanes (3.3m and 3.0m) and two east bound lanes(3.3m and 3.0m) separated by a 0.6m central median;
- Appendix B, p13: The northern kerb alignment will require relocation to ensure adequate carriageway width to accommodate bus layover and turning movements entering and departing the terminus; and
- Section 2.4.2.4: The existing roundabout at Smidmore Street and Murray Street will be retained in its current format. It is proposed to adjust the kerb alignment to provide adequate carriageway width for a 14.5m bus turning from Murray Street (north bound) left into Smidmore Street (west bound).

#### *Bicycle parking*

Council notes in the s.75W report that the provision of bicycle parking is under further design revision, including the note that it will *“not be possible to accommodate 80 spaces within the proposed amended Edinburgh Road building”*. Council has also noted that the s.75W plans show 5 racks (for 10 bicycles) on the Edinburgh Road side of the building and 5 on the Smidmore Street side. These racks are well-located and are supported by Council, although it is mentioned below that racks should be near a trolley return and adjacent space allocated should additional racks need to be provided.

With regard to bicycle parking, MDCP 2011 states that Council aims to ensure that parking facilities meet peak demand, with provision for a modest growth in demand in the future. It is always desirable to allocate extra space, and if demand exceeds supply, additional racks can be installed. Council has observed heavy use of existing bicycle racks at Marrickville Metro and is aware that bicycle use is higher in this LGA than most other LGAs in NSW. Notwithstanding, MDCP 2011 states that Council wishes to avoid over-provision, which may be the case if 80 spaces were to be provided. MDCP 2011 also points out the critical nature of location of bicycle parking in determining actual use. For shoppers, standard 'racks' near building entrances, with trolley returns adjacent is appropriate. Weather protection is desirable but not essential. For employees, racks or lockers in a car park location close to building entrances may be the most appropriate arrangement. Council strongly advises the proponent to seek the advice of an experienced bicycle planning consultant and the local bicycle user group to plan and design bicycle parking facilities.

#### *Building code matters*

Council's building inspectors have reviewed the s.75W plans and the accompanying documentation. It is noted the s.75W Building Code Report states that compliance for most matters will be achieved by way of Alternative Solutions. Although these solutions have not been explored as yet (which is not uncommon) it is sufficient to state they will be. Given this, Council supports the s.75W modifications regarding the National Construction Code (BCA Volume 1).

## **ATTACHMENT: DETAILED COMMENTS BY COUNCIL'S TREE SPECIALIST**

### *Summary*

This report reviews the proposal for a modified concept plan in relation to the existing trees on the site, whether they are removed or retained and how they are managed, and proposals for planting new trees on the site.

Twenty-one trees along Edinburgh Road were previously not assessed and are now proposed for removal. There is agreement virtually all aspects of the arborists report (Tree iQ, 2012) with the exception of the retention value of four cabbage tree palms. I recommend that these four palm trees are transplanted to another location rather than just cut down. They are considered worthy of retention and this can be achieved without any impact on the proposed development design.

Notwithstanding, the recommendation to remove the 21 trees along Edinburgh Road is considered acceptable.

Two eucalypts in Smidmore Road previously being retained are now proposed for removal. Whilst these trees would not normally be permitted to be removed, it is considered reasonable in the context of the proposed development to permit their removal.

The tree protection and management measures included in the arborists report are comprehensive and detailed and fully supported. Soil moisture monitoring during construction by the project arborist and after construction by a computerised irrigation systems is also recommended.

Regular ongoing inspections and certification by the project arborist throughout the project are vital to ensure that the tree protection measures are adequately maintained.

It does not appear from the landscape plans that adequate soil volumes have been provided for the trees to be planted. The project arborist will be able to recommend strategies that ensure adequate soil volumes to ensure the maintenance of health and ability to grow by the new trees.

In conclusion, there is no fundamental opposition to the proposal in relation to trees being removed, retained and planted on the condition that the recommended tree protection measures are implemented and complied with and the new trees are effectively planted and maintained.

*Site inspection:* 6 February 2013

### *Plans & documents cited:*

- Section 75W Application to Modify Concept Plan MP\_09\_0191, Urbis Pty Ltd, Dec 2012;
- comments on Tree and Landscape Issues, Lisa Durland, undated;
- Aboricultural Impact Assessment Report & Tree Protection Specification, Tree iQ (formerly IVM), 17/12/12;
- Aboricultural Impact Assessment Report & Tree Protection Specification, IVM, 2/11/10;
- Cover Sheet 000B, Site Image Landscape Architects, 13/12/12;
- Landscape Design Statement 001 B, Site Image Landscape Architects, 13/12/12;
- Landscape Design Statement 001 C, Site Image Landscape Architects, 17/12/12;

- Landscape Character Plan 002 B, Site Image Landscape Architects,13/12/12;
- Tree Removal Plan, Site Image Landscape Architects,13/12/12;
- Colour Landscape Masterplan C100 B, Site Image Landscape Architects,13/12/12;
- Landscape Masterplan 100 B, Site Image Landscape Architects,13/12/12;
- Landscape Plan 101 B, Site Image Landscape Architects,13/12/12; and
- Landscape Plan 102 B, Site Image Landscape Architects,13/12/12.

### *Description of trees*

Trees protected under Council's Tree Management Controls:

There is a total of 31 trees around the perimeter of the subject site, bounded by Smidmore Road, Murray Street and Edinburgh Road. They are numbered 75-84 and 88-108 in the tree removal plan and arborist report (Tree iQ, 2012):

- 9 x *Corymbia maculate/citriodora* hybrid (spotted / lemon-scented gum);
- 2 x *Eucalyptus nicholii* (narrow-leaved black peppermint);
- *Eucalyptus scoparia* (Wallangarra white gum);
- 5 x *Acmena smithii* (lilli pilli);
- *Syzygium australe* (brush cherry);
- 2 x *Elaeocarpus reticulatus* (blueberry ash);
- 2 x *Leptospermum petersonii* (lemon-scented tea tree);
- 2 x *Melaleuca quinquenervia* (broad-leaved paperbark);
- *Pistacia chinensis* (pistacia);
- 2 x *Callistemon viminalis* (weeping bottlebrush); and
- 4 x *Livistona australis* (cabbage tree palm).

### *Discussion*

#### *Overview*

The proposed amendments include the removal of an additional 23 trees (nos. 79, 83, 88-108). These include two eucalypts on Smidmore Road and 21 other trees along Edinburgh Road, not previously assessed,

Trees 75-78, 80-82 and 84 are recommended for retention, and detailed recommendations for their protection and management have been provided in the arborist report.

Proposed landscaping includes planting eucalypts, evergreen ash and olive trees to replace lost trees and urban forest cover.

#### *Removal of trees*

Trees 79 and 83 are two *Eucalyptus nicholii* (narrow-leaved black peppermint) inter-planted amongst the comparably majestic *Corymbia maculata* / *citriodora* hybrid (spotted / lemon scented gums) that adorn the northern side of Smidmore Road and provide an excellent treescape for the proposed development. The retention value of the two peppermints is 'consider for retention' and normally their removal would not be condoned. However, within the context of the proposed development the assessment by Tree iQ that these two trees should be removed is considered reasonable.

Trees 88-108 provide a range of species, size, age and useful life expectancy (ULE). The arborist report rates their retention value based on the ULE and landscape significance. Their ULEs are short term 5-15 years (9 trees) to medium term 15 -40 years (12 trees). Their landscape significance is generally rated as low except for the two broad-leaved paperbarks, which are rated as having moderate landscape significance. All trees are rated as having 'consider for removal' retention value except for the two paperbarks which are rated as 'consider for retention'.

The recommendation by TreeiQ for the removal of these 21 trees is considered acceptable with the qualification regarding the four cabbage tree palms discussed below.

#### Cabbage tree palms

I agree with all the tree retention assessments except for the four *Livistona australis* (cabbage tree palms) at the eastern end of Edinburgh Road. I consider they have long term 40+ years ULE and moderate landscape significance. The palms are currently healthy, there are no overhead power lines and no other impediment to their long term survival and usefulness as street trees (notwithstanding the current proposal). Reviewing the tree retention methodology in Appendix 1 of the arborist report (2012), the four palms fall clearly within the moderate range of landscape significance and equally as clearly do not fit within the low range.

A combination of long term ULE and moderate landscape significance raise the retention value of the palms two categories (out of a total of four categories) from 'consider for removal' to 'priority for retention'.

Palm trees are relatively good candidates for transplanting to a new location. Given that the four cabbage tree palms are the only trees along the Edinburgh Road frontage that have a 'priority for retention' value, it seems logical to transplant the four palms to a new location, not necessarily on the subject site. In addition, the four palms would be quite valuable as saleable items.

#### *Protection and management of retained trees in Smidmore Road*

The increased building setback along the Smidmore Road frontage is considered beneficial to the existing trees being retained along that frontage and is supported.

It is noted that there is encroachment into the Tree Protection Zones (TPZs) and Structural Root Zones (SRZs) of the trees being retained and that the need for tree sensitive design and construction techniques discussed in Section 3.2 of the arborist report (2012) is absolutely vital for the effective and safe retention of the trees, and it is recommended that these are incorporated into the design and/or included as conditions of consent.

The General Tree Protection Specification (Appendix 1, Tree iQ, 2012) is considered to be comprehensive and detailed, and is fully supported. The details of the specification are recommended as conditions of consent.

In addition to the afore-mentioned recommended conditions, it is further recommended that a detailed monitoring and certification schedule be recommended by the project arborist and included as a condition of consent. This would include:

- regular site inspections by the project arborist no less frequently than once per fortnight, to monitor the tree protection measures and the condition of the retained trees;



- certification by the project arborist at strategic stages, that tree protection measures have been implemented and are being adhered to, and that the design and construction-related impacts are being appropriately managed. Certification stages should include at a minimum when Tree Protection Zone (TPZ) fencing and other measures are established prior to the commencement of demolition and following site establishment, construction, landscaping and at practical completion.
- soil moisture levels around the trees being retained is monitored and maintained by the project arborists.
- a computerised soil monitoring and irrigation system is installed and monitored for the existing trees and new trees to ensure that soil moisture is maintained at appropriate levels.

### *Landscaping*

The proposed planting of 10 *Eucalyptus paniculata* (grey ironbark) along Edinburgh Road is supported but it is considered that required soil volumes for these trees may not have been adequately considered. The landscape plans shows the planting strip ranges between about 1.5 and 4 metres in width with planting centres ranging from 8 metres upwards. The landscape plans depict the crown spread of the ironbarks as about 6 metres diameter. However, the crown spread is considered to be more likely 10 metres and possibly more. The anticipated size of the trees, based on expected height and crown spread helps determine the minimum soil volume for the trees to grow and survive healthily.

Trees with the depicted 6 metre crown spread would require soil volume of about 20 m<sup>3</sup> while the more realistic 10 metre crown spread requires about 50 m<sup>3</sup>. The preferred soil depth of 0.6 to 1 metre requires an area of soil of 20 to 30 m<sup>2</sup> for 20 m<sup>3</sup> soil volume up to 50 to 70 m<sup>2</sup> for the larger potential size trees. Lack of adequate soil volume will result in trees whose health is compromised and that grow slowly.

Relative amounts of soil will be required for the evergreen ash and the olives, potentially a minimum of 20 m<sup>3</sup> per tree.

There are various strategies for providing adequate soil volume such as structural soil vaults that provide for soil beneath load-bearing surfaces. The project arborist should provide advice about these strategies prior to the completion of design to ensure that the proposed tree planting is effective.

Electrical cables should be underground or on the other side of the street where there are large trees. This is pertinent for all street frontage of the development.

### *Recommendation*

It is recommended that in relation to the proposed removal, retention and planting of trees the project is considered acceptable, with the following recommended conditions.

1. Transplant the four *Livistona australis* (cabbage tree palms) to a new location either on the subject site or elsewhere.

Reason: These four palms are considered as 'priority for retention' and have some monetary value.

2. Incorporate the General Tree Protection Specification (Appendix 1, Tree iQ, 2012) into the conditions of consent. In addition, add soil moisture monitoring and maintenance throughout the project.

Reason: To ensure the effective protection of the retained trees.

3. Include monitoring and certification by the project arborist at appropriate strategic stages, including post TPZ establishment prior to demolition, site establishment, during and following construction, completion of landscaping, and practical completion.

Reason: To ensure that protection measures are maintained throughout the project and to identify any problems with the trees or their protection before any significant problems occur.

4. Install permanent computerised soil moisture monitoring and irrigation for all retained and planted trees.

Reason: To help ensure the ongoing health of the trees that have been retained and the trees that are planted.

5. Design tree planting pits for all trees so that there is adequate soil volume to ensure the health and growth of the new trees.

Reason: To ensure that the trees have sufficient soil so that they remain healthy and are able to grow.

6. Ensure electrical cables will not be located above the *Eucalyptus paniculata* (grey ironbarks) and *Fraxinus griffithii* (evergreen ash).

Reason: To save ongoing damage to valuable trees from repeated pruning for power line clearance and to avoid the unnecessary cost of such pruning.



Cabbage tree palms on Edinburg Road