

Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

27th February 2013

Dear Sir/Madam

**Re: Submission from No Lewisham Towers Inc Committee
re Application to Modify Major Projects MP08 0195
78/90 Old Canterbury Road Lewisham**

No Lewisham Towers Inc Committee has reviewed the application to modify the above approval and wishes to object to several aspects of the application.

1. Affordable Housing

There is no plausible case made by the applicant for the waiving of the affordable housing requirement. While it may be not part of Marrickville Council policy, there are strong social equity reasons to include affordable housing in any large urban renewal project including this one, especially in such a location. In enforcing this requirement, the Department of Planning and Infrastructure (DoPI) and the Planning Assessment Commission (PAC) are simply applying current policy that is applicable across many LGAs.

It should be noted that the Allied Mills site approval has also included an affordable housing component. Compliance with the condition would ensure consistency across the two major urban renewal projects in the area.

2. ESD initiatives

Environmental sustainability must be a standard applied consistently to achieve any worthwhile results. Given the size of the project a simple BASIX compliance should be only a starting point. The extra FSR awarded to this project would provide the revenue base to more than absorb the costs involved with set up of such schemes as Photovoltaic and co-generation.

3. Design Completion

The applicant seeks to delete the requirement for future Development Application to be subject to the Director General's Design Excellence Guidelines with regard to design completions. The applicant makes no reasonable argument for their requested amendment beyond their own convenience.

Given the scale of the project and the opportunity for achieving reasonable design quality for this site, we feel this condition should be retained. Several precedents exist within Sydney where this approach has provided sound planning outcomes. (eg Victoria Square Zetland and Homebush Bay). The design development to date is preliminary at best, providing a framework only. We would assume a much greater level of detail would be required at DA stage providing opportunities for a variety of architectural language that can only enrich this new precinct. Assigning the whole project to one architectural firm could produce a uniformity of building type to the disadvantage of the end user.

4. Public Art

The applicant requests the deletion of any requirement to include public art or street activation (see Annexure 2 - requested amendments to statement of commitments).

While the Planning Report only mentioned the public art component of this requirement, the actual commitment is broader in its intent. We are particularly concerned that the developer of a site of this scale should be required to pay close attention to public spaces and ensure as part of good design practice the activation of the public realm. This should include, but not be limited to the inclusion of public art.

The developer's reasoning is that there is no requirement under the Council DCP to include public art. Whilst this might be so, the applicant did not apply for planning approval through Marrickville Council. The applicant has been granted approval under the Major Projects SEPP, and has been granted substantially greater FSRs than would be allowable under Council's LEP for this site.

Given the importance of the quality of the public space to the success of the project, we assert that the Director General's Design Excellence requirements should apply to this component of the project as well.

5. Location of the car park ramp

The car park ramp has been relocated to the Western edge of the site. This will cut off the apartments of block A and B from the street, providing only the narrowest of pedestrian paths along what should be a major link from the light rail stop to the north edge of the site.

A better planning solution would be to place the car park ramp under a building. While it may require the deletion of one or two units to comply with this, it would free the street interface and mitigate its visual impact.

Conclusion

The amendments requested by Meriton noted above, are not backed up by any rigorous planning rationale. The applicant is putting forward arguments based on costs and compliance with Marrickville Council planning policy.

The assessment of these modifications should be based on whether they are in the public interest not the applicant's profit levels. To use repeatedly the argument that the requirements are onerous because they would not be required as part of the LGA policy is ridiculous given the applicant's refusal to seek approvals through Council.

Given that the Major Projects application pathway has provided them with building densities far greater than the Council's LEP allowance for this site resulting in greatly increased profitability, we see no reason that the requirements of the original approvals should be modified.

We look forward to your positive response to these objections.

Yours sincerely



Tamara Winikoff
On behalf of No Lewisham Towers Inc Committee
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