

Resolution of Ashfield Council 8 July 2014

Draft version subject to confirmation by General Manager, draft produced for purpose of submission to Department by 9 July 2014.

That in respect of the proposed May 2014 amendment to the 2012 Concept Plan Application, for the land at 2-32 Smith Street Summer Hill, the Council advise the Department of Planning and Infrastructure that:

- 1) The Concept Plan Amendment Application has not adequately addressed the Director General Requirements requiring a detailed adequate Visual Impact Assessment to assess the impacts of increased building heights on existing low rise neighbouring residential areas in Summer Hill. Issues requiring detailed examination include:**
 - the increased height of Buildings 5B, 3A, 3D, nearer the boundary with Edward street, and their impact on existing housing along Edward Street and Spencer Street and Carrington Street.**
 - the increased bulk and height of Building 1A, within the Marrickville LGA, and the impact on predominantly one and two storey residential areas to the west in Summer Hill, and the impact on the public vista along Smith Street.**
- 2) The number of affordable housing dwellings should remain at a minimum of 10 dwellings in perpetuity, and as stated in part 15 of the approved Statement of Commitments.**
- 3) There should not be any increase in building bulk and height for Building 1A within the Marrickville LGA given the likely adverse impacts for nearby residential areas in Summer Hill, including those in Chapman Street and Fleet Street.**
- 4) There should not be any increase in building height for Buildings 5B, 3A, 3C & 3D, given the likely adverse visual impacts for nearby residential areas in Summer Hill including in Edward Street and Spencer Street and Carrington Street.**
- 5) The additional 80 apartments will result in further traffic congestion to local streets during peak times and further parking impacts on Summer Hill village.**

- 6) The Concept Plan documentation has not adequately taken into account the Hawthorne Canal Flood Study and potential impacts on proposed ground floor levels, buildings heights, and ground level entries to basement car parks.
- 7) The Department should ascertain the maximum Floor Space Ratio for the entire site, and for each individual parts of the site at Stages 1, 2, 3 and 4, by calculating the available Gross Floor Area contained within the approved Building Envelopes in the 2012 Concept Plan approval.
- 8) Ashfield Council again submits that, as public transport is already overcrowded and the road network already beyond capacity in peak periods, a co-ordinated transport study needs to be undertaken. This study should consider the local and regional impacts of the Summer Hill Flour Mill and Lewisham Estate developments, as well as future development of the 'McGill St precinct'.

Council therefore requests that the NSW Government undertakes such a study, to include submissions from City Rail, Sydney Buses and the RMS. The RMS contribution should include of the impact of Lewisham Estate and Summer Hill Flour Mill developments on local and regional traffic. This study should also take into account the impact of possible future development of other urban renewal lands in the region up to the year 2021.

Subject	2-32 SMITH STREET, SUMMER HILL CONCEPT PLAN APPLICATION AMENDMENT
File Ref:	SC684
Prepared by	Col Colot - Senior Strategic Planner & Projects
Reasons	Respond to State Department of Planning & Environment
Objective	Response to Proposed Amendment to 2012 Concept Plan Approval

1.0 Purpose of Report

An application to amend the Concept **Plan** approval for *a mixed use residential, retail and commercial development* on the former Allied Mills site in Summer Hill has been lodged with the State Department of Planning and Environment (DPE) – refer to **Attachment 1**. DPE will assess the application and if Council objects to the proposal, the Department report will be forwarded to the Planning Assessment Commission for determination.

The amendment was on public exhibition for four weeks ending on 20 June 2014. DPE have advised that they sent notification letters to local residents, and to date approx 14 submissions have been received. DPE has granted Council an extension of time for providing comments until Wednesday 9 July 2014.

The main changes being sought are for an increase in the maximum number of apartments from 300 to 380, and for this to be included within increased building heights, and for reduction in the maximum amount of Retail Gross Floor Area. The purpose of this report is to describe the latest proposed amendments, make recommendations to the Department of Planning and Environment.

2.0 Background

A Concept Plan approval has a similar function to that of an amendment to a local environmental plan, with the difference being that it may specify a larger range of matters to be permitted on a site and include these matters on architectural and landscape plans.

A Concept Plan approval will allow the land uses and concept development designs in the locations shown on the approved documents, including:

- land use type (e.g. flats, commercial, retail, etc)
- maximum amount of floor space
- maximum building height
- locational elements such the location of streets/roads, buildings, car parking
- buildings to be retained

A Concept Plan approval will also include a 'Statement of Commitments' which include a list of works the developer will undertake as part of the project. This can include payment of monies such as Section 94 contributions, or the construction of specific infrastructure works. A Concept Plan approval also has a similar function to a Development Control Plan, in that its documentation provides design guidelines for a future development application.

The Concept Plan approval for the site at 2-32 Smith Street, Summer Hill was granted on 7 December 2012, and irrespective of the contents of the Ashfield LEP 2013 permits the uses specified on that approval. **Attachment 2** contains the approval, which includes a written description together with various conditions and the Statement of Commitments, and the key approved drawings. The approval is described in approval Condition A1 as follows:

Development Description

A1 Concept approval is granted to the development as described below:

- adaptive re-use of the existing Mungo Scott Building, silo structures and 3 other buildings and 12 new building envelopes;
- staged construction over 4 stages;
- 280-300 dwellings (29,500-33,500m² GFA);
- 3,500 – 4,000m² of commercial floor space;
- 2,000 – 2,500m² of retail floor space;
- a floor space ratio of 1.4 - 1.6:1;
- up to two levels of basement car parking and 63 on-street car parking spaces;
- 4,806m² of public open space to be dedicated to Council and an additional 5,287m² of publicly accessible open space;
- new local streets serving the development;
- road works including a roundabout at Edward and Smith Streets as part of Stage 1 and a signalised intersection at Old Canterbury Road as part of Stage 3; and
- off-site pedestrian upgrade works in the surrounding area and to Summer Hill Village.

The aerial perspective in **Figure 1** gives a visual explanation of the approved proposal.

The development is proposed to be staged into 4 parts, shown on the staging plan in **Figure 2**. Stages 1, 2 & 3 are within the Ashfield LGA, which is the major component of the site. Stage 4, near the corner of Longport Street and Smith Street, is within the Marrickville LGA, but for vehicular access relies on entry through Smith Street in the Ashfield LGA.

Figure 1 follows - Aerial perspective of Proposal

Figure 2 follows - Approved Indicative Staging Plan

Figure 1- Aerial perspective of Proposal. Boundary of site is shown in red outline.



Figure 4.1

Figure 2 Concept Plan - Approved 2012 Indicative Staging Plan



3.0 Proposed 2014 changes to the 2012 Concept Plan Approval.

The proposed amendments are explained in detail in the applicant's Environmental Assessment Report in **Attachment 1**.

Noting that it will be the Department of Planning and Environment who will assess the application to amend the 2012 approval, the following is an evaluation of the key proposed amendments.

The key changes proposed for the Concept Plan approval are:

3.1 Changes affecting the entire site (including both Ashfield and Marrickville parts)

3.1.1 Increase in the maximum number of apartments from 300 to 380, together with an increase in the maximum Residential Gross Floor Area from 33,500 sqm to 34,500 sqm, in order to provide a greater dwelling mix and to better equate with the maximum FSR of 1.6:1 over the site.

Officer Comment:

With regard to the revised dwelling mix, the numerical increase in the number of apartments, provided it is within the 2012 approved building envelopes (building volumes), is not considered problematic. It will provide an opportunity for a greater housing mix, and so more opportunity for smaller dwellings and therefore relatively more affordable dwellings due to their smaller size.

However, the increase in the number apartments does affect the consideration of traffic impacts, given the context of an obviously already highly congested area at peak hour (as confirmed by various previous traffic reports), and this consideration is commented on by Council's engineers in part 4 of the report below who recommend that Council should object on traffic grounds.

With regard to building bulk and height, the applicant argues that there should be additional apartments placed in locations which create taller building envelopes and also more building bulk, for various locations on the site (see **Figure 3**), in order to achieve the numerical maximum standard of FSR of 1.6:1. However, the increase in building height and bulk leads to greater visual impact and affectation on the character of nearby low rise residential areas, and this is commented on in more detail below in Part 3.2, where it is argued that Council should object to this change.

3.1.2 Decrease in the maximum allowable Retail Gross Floor Area from 2,500 sqm to 1,500 sqm

Officer Comment:

No significant issues arise from the reduction of the maximum FSR for a retail component from 2,500 sqm to 1,500 sqm. To date, in the Stage 1 Project Application approval there has been approx 250 sqm of retail space approved, and in the current

Stage 2 development application there is approx 200 sqm proposed. It is also not clear whether there is any intention to construct any substantial amounts of retail space within Stage 3 or Stage 4 (within Marrickville LGA). For example much of the ground floor level in Stage 3, intended to have retail or commercial space, is affected by flooding.

3.1.3 Proposed Reduction in the amount of affordable dwellings

Schedule 4 Statement of Commitments, in Clause 15 requires:

15. Affordable rental housing	The provision of ten (10) 1 or 2 bedroom dwellings as affordable rental accommodation for a period of ten years for each dwelling, from the date of relevant occupation certificate.	To be provided in stages 2, 3 or 4.
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The amendment proposes to replace the text in Column 2 of Clause 15, with the following:

The dedication to Marrickville Council of three(3) 1 or 2 bedroom dwellings to be owned and managed by or on behalf of Marrickville Council in perpetuity as affordable rental accommodation.

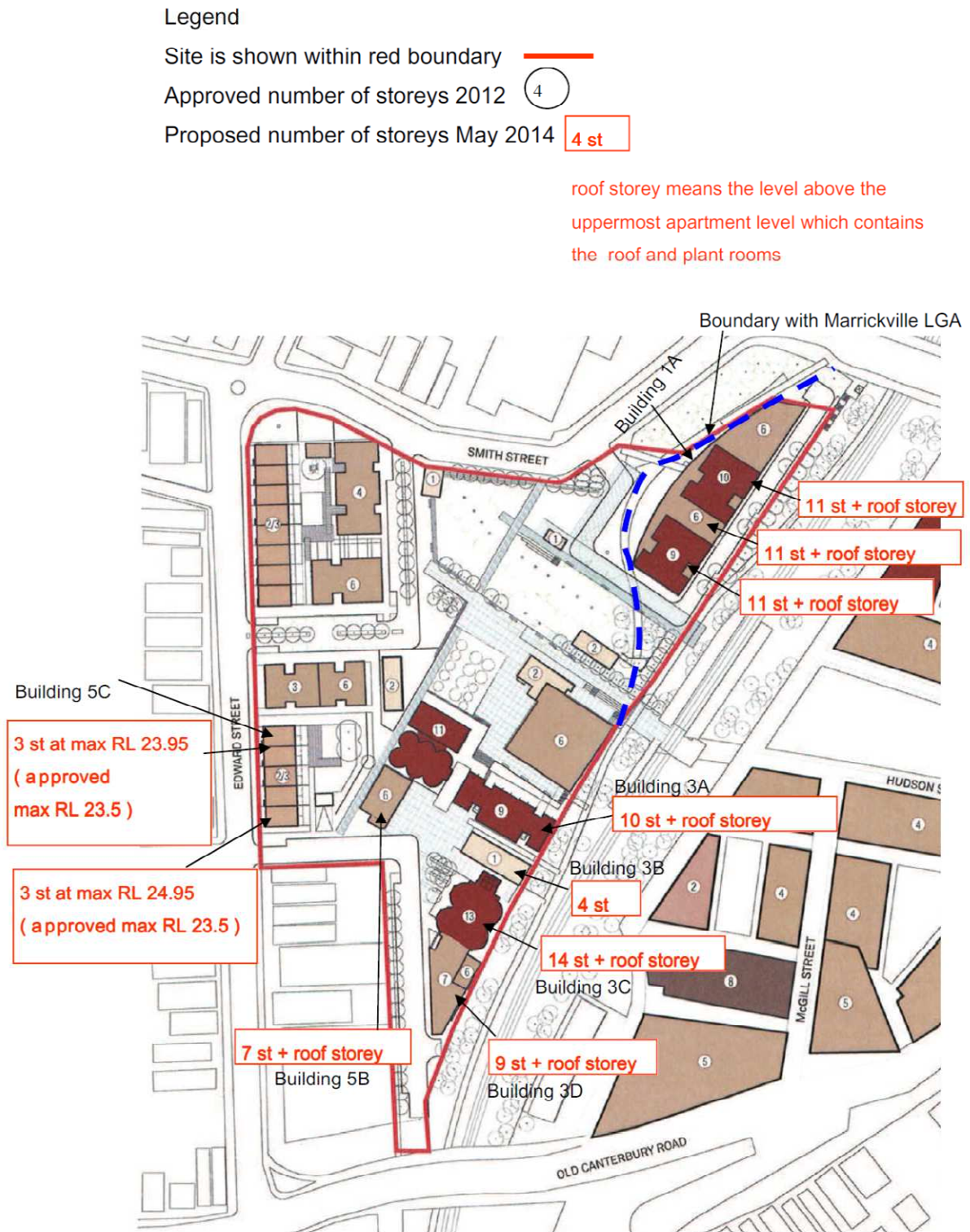
Officer Comment:

The Department should note that 3 affordable rental housing dwellings constitutes a very small 1% of dwelling yield for the 2012 approved maximum 300 dwellings on the site. A typical minimum 'industry' accepted standard is 3 percent, i.e. approx 10 dwellings. This standard is normally applied irrespective of whether the dwellings are available for a short 10 year period, or in perpetuity. Nevertheless, given the 'upzoning' of the site and the approved yield of 300 dwellings, ideally there should be a higher affordable housing yield requirement.

Council should advise the Department that it objects to a reduction in the number of affordable housing dwellings.

Figure 3 follows: Proposed 2014 changes to the 2012 Concept Plan approval regarding building heights in relation to number of storeys.

Figure 3 –Proposed 2014 changes to the 2012 Concept Plan Approval regarding building heights in relation to number of storeys.



3.2 Proposed changes in building bulk and height for particular parts of the site

The proposed changes to the building bulk and height for particular parts of the site are explained below.

3.2.1 Amendments within Marrickville LGA

The major change in building bulk and height occurs within Stage 4 in the Marrickville LGA and this also has a major impact for nearby residential areas in Summer Hill.

It is proposed to increase the building envelopes in bulk and height for Building 1 A on the Stage 4 part of the site, from part 6, 9 & 10 storeys, to part 11 and 6 storeys. The justification for this given in the applicant's Environmental Assessment Report is that the increase is required in order to accommodate the maximum Floor Space Ratio of 1.6:1 applied to the site by the Department of Planning and Environment.

Officer Comment:

The Concept Plan approval provided a maximum FSR range of 1.4:1 to 1.6:1 for the entire site, not a blanket maximum 1.6:1. Presumably, the Department provided this 'flexible' FSR maximum because the applicant had not submitted sufficiently detailed floor plans to show how the FSR was arrived at. This is one reason why the Department capped the maximum number of apartments for the whole site (Stages 1, 2, 3 & 4) at 300 dwellings (also see the comments on traffic impact consideration below in part 4.1 below).

The Marrickville part of the development, containing Building 1A accounts for the major part of the building bulk increase being sought. Once again, the applicant's Environmental Assessment Report does not detail for Building 1 A, how much Gross Floor Area results (which determines FSR) and how many apartments are proposed within the proposed larger building envelopes. Normally, this is a straightforward exercise demonstrated by submitting indicative floor plans, and this should have been submitted for the Department to measure and assess.

Previously, when approval of the Concept Plan was being considered in 2012, it was argued by the applicant that Building 1 A was modelled to have a differentiated lower building part of 6 storeys and two widely separate tower portions above that up to 9 and 10 storeys. The wide building separation of the main towers would be sufficient to ameliorate the visual impact of those two towers, i.e. so as to not make them one large monolithic block. Council objected to the height of the 2012 proposed building heights.

The current justification for the increase in Building Envelopes, from page 6/21 of the Environmental Assessment report, states that:

"the revisions to the building envelopes in Stages 3 and 4 are of a nature that does not dramatically alter the development silhouette or result in adverse impacts to future or existing development."

Some additional commentary is provided on page 18/21 to explain the visual impacts of the so called 'development silhouettes' on surrounding dormitory areas in Summer Hill. In relation to this consideration, despite the Director General requirements, there has not been any detailed 'Visual Impact Assessment' equal to that which would entail the use of modelling such as that used by Council to assess impacts of taller building heights (i.e. SIMURBAN model). Such an analysis would mean the evaluation is carried out objectively and scientifically.

Attachment 3 and an extract shown at **Figure 4** below (produced by Council officers) uses some 'base level' SIMURBAN modelling of the approved Building Envelopes, and juxtaposes over these the proposed building envelope increase. This shows that there is clearly a significant affectation for nearby residential areas. There is therefore a clear need for careful and detailed assessment of the visual impact of the proposed changes to the building envelopes by the Department of Planning and Environment.

Given the above the Department should:

- require the applicant to submit drawings which show how many apartments can be accommodated within the 2012 approved Building 1A building envelopes in Stage 4.
- require the applicant to explain the Gross Floor Area that can be contained within the 2012 approved Building 1A building Envelopes in Stage 4.
- evaluate the increase in bulk and height for Building 1 A and to report this impact in a detailed manner as required by the Director General requirements using modelling equal to SIMURBAN.
- stipulate a maximum FSR to apply for the site boundaries within Stage 4 within the Marrickville site, in order to provide certainty, and avoid any future request for variations seeking to clarify the approval conditions.

Council's position should be that it objects to any increase in building bulk and height for Building 1A given the adverse impacts for nearby residential areas in Summer Hill, including those in Chapman Street and Fleet Street.

Figure 4 –indicative 3 dimensional SIMURBAN snapshot of approved Concept Plan Envelopes and proposed increases in Building Heights.



Aerial view looking east toward Edward St

- Approved building envelope including apartment storeys
- Approved building envelope including roof /plant room
- Proposed additional building envelope height

3.2. 2 Increased Building Envelope heights within Ashfield LGA

The location of proposed increases in building height for particular buildings is marked up in **Figure 3**.

Again, the applicant is arguing that because the Department applied a maximum FSR of 1.6:1 over the entire site, it is reasonable to vary the approved building envelopes to reflect this, and is proposing an increase in building height and bulk.

Officer Comment:

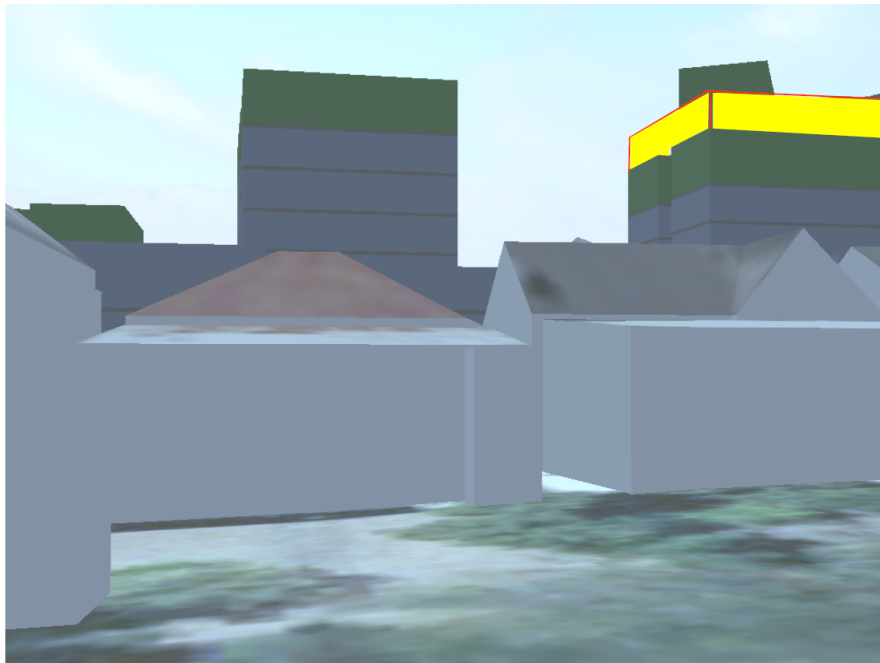
As shown in **Attachment 3** and its extract in Figure 5 below (produced by Council officers), the increase in building height for Building 5B from 6 storeys to 7 storeys will have visual impacts for dwellings along Edward Street, including from their rear gardens, and also for houses in Spencer Street from their rear gardens. Increase in height within Stage 3 for Buildings 3A, 3C & 3D (to the rear of Building 5B) will also have a similar affectation.

Given the above, and in order to provide certainty, the Department should:

- require the applicant to submit drawings which show how many apartments can be accommodated within the approved 2012 Building Envelopes for Stages 1, 2, 3 within the Ashfield LGA.
- require the applicant to explain the Gross Floor Area that can be contained within the approved 2012 Building Envelopes for Stages 1, 2, 3 within the Ashfield LGA.
- carry out a detailed evaluation of the impact of the increase in building bulk and heights on surrounding residential areas in Edward Street and Spencer Street, and to report these impacts in a manner as required by the Director General requirements using modelling equal to SIMURBAN.
- stipulate a maximum FSR to apply for the site boundaries within Stages 1, 2, & 3 of the site within the Ashfield LGA site in order to provide certainty and avoid any future request for variations seeking to clarify the approval conditions.

Council's position should be that it objects to any increase in building bulk and height for Buildings 5B, and Buildings 3A and 3D, given the adverse visual impacts for nearby residential areas in Summer Hill.

Figure 5 - View from rear garden of house in Edward Street. Proposed building height increase is shown in yellow for Building 5B. Green shows the roof level approved in the 2012 Concept Plan approval.



View from rear garden of house in Edward Street

4.0 Key Engineering Issues

4.1 Traffic Impacts

It is well known that the area around the former Allied Mills site and adjacent development zone in the Marrickville LGA is heavily congested by traffic during peak hours, and this has been confirmed in terms of traffic evidence by various past reports. The final report on the Concept Plan application, produced by DPE, included an independent traffic report commissioned by the Department. This report explained that at peak times there was an existing high level of local roadway traffic congestion, and that to a degree the Allied Mills site in combination with the Lewisham West development area in Marrickville, would make this scenario worse. The Department's reaction to this was that this scenario is acceptable because the higher residential densities are in close proximity to various public transport nodes, including the now completed Light Rail corridor and existing heavy rail line.

The applicant states that the increase in approximately 80 apartments will be offset by a reduction in retail floor space, and so there will not be any increase above the traffic impacts as approved under the 2012 Concept Plan approval. However, the Concept Plan approval provides the maximum parameters for new retail development. It does not follow that the applicant is obligated to construct any of the proposed retail space. For example, to date, approximately 20 percent of the maximum 2500 sq m allowed has been allocated. Therefore, an increase in the number of apartments (27% above current approval), in terms of peak hour impacts, cannot be dismissed as insignificant. Council engineer's comments are contained in **Attachment 4** - an extract is outlined below. The applicant should be required to provide a revised car parking plan which shows where the additional car parking spaces for the additional 80 apartments will be accommodated.

Council's engineers have advised:

"In summary, modifications to the Concept Plan are not supported for the following reasons:

The modifications will further increase traffic, in particular during the morning peaks and hence will worsen the existing poor operation, extensive delays and queues in the surrounding road network. The NSW Government has not provided a commitment to program the removal of the 'pinch point' at New Canterbury Road and Gordon Street, Petersham, which the NSW Department of Planning and Infrastructure has acknowledged is the cause of the existing congestion.

The likelihood of further road network congestion from the proposed WestConnex project has not been adequately addressed.

The modifications will increase the likelihood of motorists using the local street networks to avoid the existing congestion areas, such as Longport Street. The proponent has not provided any commitment to investigate, design, consult and

implement changes to the existing traffic calming devices to accommodate cyclists.

The modifications further increase the likelihood of motorists parking their vehicles on the surrounding local streets and hence will reduce the on-street car parking availability for residents. The proponent has not provided any commitment to support Ashfield Council introducing a Resident Parking Scheme to address this potential situation caused by their development.

The modifications further increases traffic, the potential for speeding and road safety risks for road users along Edward Street. The proponent has not provided any commitment to investigate, design, consult and implement traffic calming devices to address this situation.”

4.2 Stormwater & Flooding

Council previously expressed concern to the Department that due to the site being flood prone that the proposal's assessment needed to scrutinise carefully what the 'freeboard' habitable floor levels needed to be, and to account for any freeboard levels for entries into basement car parks. Given the latest information in the current exhibition of the Hawthorne Canal Flood Study, Council's engineers have noted that for some parts of the development there might have to be changes to the building design, resulting in an increase in ground floor levels and overall building heights. This matter is relevant for this amendment application because of the availability of recent flood mapping data.

Council's engineers comments are contained in **Attachment 4** and they have concluded that:

“The modifications further increase the potential number of residents and business tenants impacted during a flooding event. The proponent has not adopted the 100 year ARI design flood levels for the site in accordance with Ashfield Council's flood study to address this situation”.

5.0 Conclusion

The main changes being sought for the 2014 amendment to the Concept Plan approval are for an increase in the maximum number of apartments 300 to 380 with the additional apartments being included within increased building heights, and for a reduction in the maximum amount of retail Gross Floor Area.

Council's engineers have evaluated the traffic impacts and recommend that Council should object to an increase in the amount of apartments on traffic grounds due to the likelihood of further increases in traffic congestion in the immediate area. Council should also object to the increased building bulk and height, for the reasons stated in the report.

It is recommended that this planning report and recommendations be forwarded to the Department of Planning and Infrastructure for consideration in the assessment of the proposed amendment to the current Concept Plan approval.

Attachment 1	Environmental Assessment Report Application to amend 2012 Concept Plan Approval
Attachment 2	Approved Concept Plan documents
Attachment 3	Ashfield Council SIMURBAN model of proposed building envelope increases
Attachment 4	Council Engineer's comments

PHIL SARIN
Director Planning and Environment

Screenshots from Ashfield Council
“ SIMURBAN “ model, June 2014,
for 2-32 Smith Street Summer Hill.

Part of proposal within Marrickville LGA




Mungo Scott building



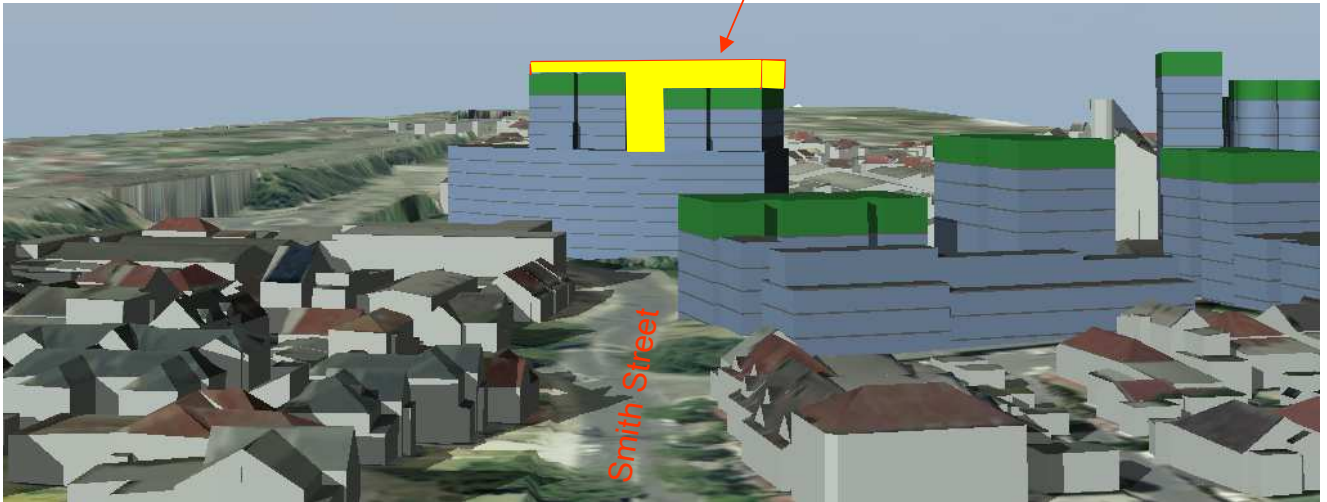
Aerial view looking south east toward site



Aerial view looking east toward Edward St

-  Approved building envelope including apartment storeys
-  Approved building envelope including roof /plant room
-  Proposed additional building envelope height

Part of proposal within Marrickville LGA



Aerial view down Smith Street looking east

- Approved building envelope including apartment storeys
- Approved building envelope including roof /plant room
- Proposed additional building envelope height

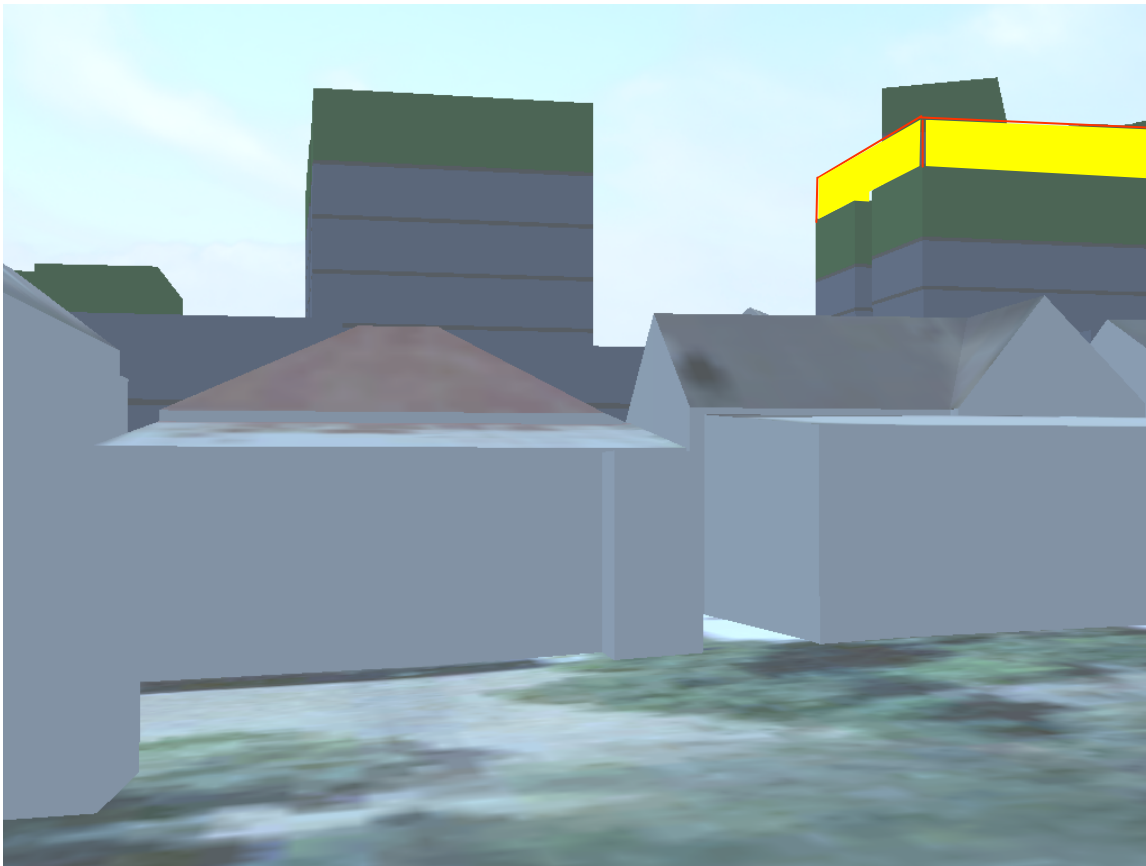
Part of proposal within Marrickville LGA



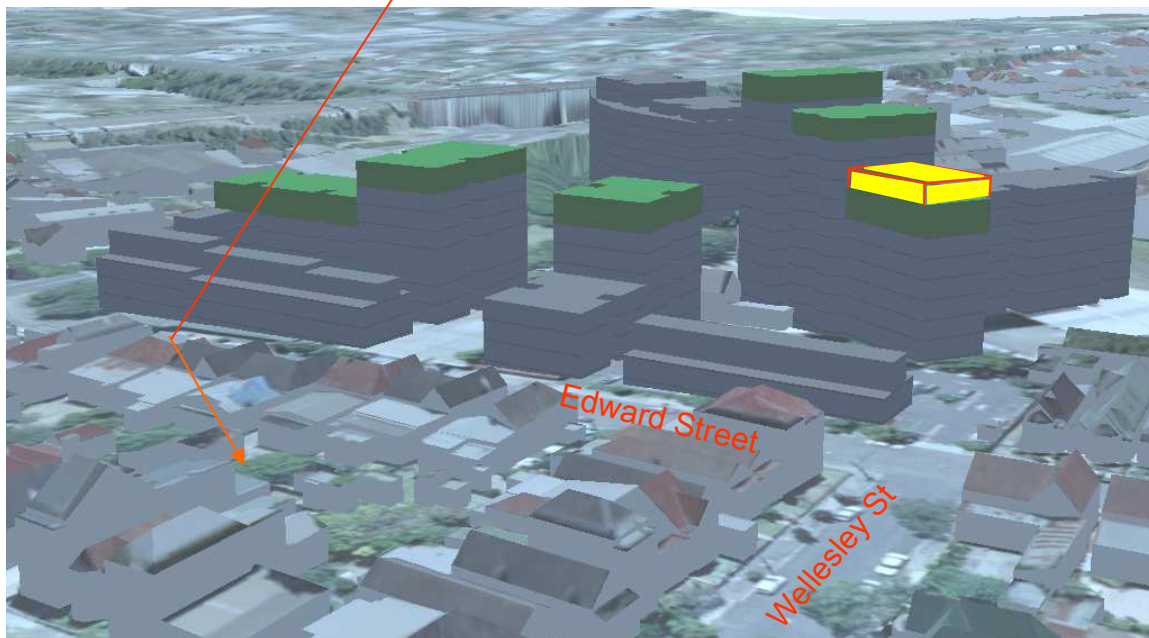
View from rear garden of house in Fleet Street



- Approved building envelope including apartment storeys
- Approved building envelope including roof /plant room
- Proposed additional building envelope height



View from rear garden of house in Edward Street



- Approved building envelope including apartment storeys
- Approved building envelope including roof /plant room
- Proposed additional building envelope height

MEMO

TO: Senior Strategic Planner & Projects – Con Colot
FROM: Senior Engineer – Infrastructure design & traffic services – Delilah Marta
DATE: 18 June 2014
SUBJECT: 2-32 Smith Street, Summer Hill – Section 75W modification to the Approved Concept Plan

The following documents were reviewed and referenced in providing comments:

- **ARUP** letter dated 28 February 2014 regarding Section 75W modification to the Approved Concept Plan
- NSW Department of Planning & Infrastructure *Concept Approval* dated 7 December 2012
- **NSW Planning and Assessment Commission** Concept Plan - former Allied Mills Flour Mill site, 2-32 Smith Street, Summer Hill dated 7 December 2012.
- **NSW Department of Planning & Infrastructure** Major Projects Assessment: redevelopment of the former Allied Mills Flour Mill site, 2-32 Smith Street, Summer Hill dated October 2012
- **Halcrow** DoPI 2011/117 Review of traffic and transport planning assessments – major project proposals for mixed used developments at Lewisham and Summer Hill, assessment report dated 12 January 2012.

The current Approved Concept Plan (ACP) requires the proponent to undertake the following traffic measures relevant to Ashfield Council.

11. Future applications shall provide for design of the two new local streets in the western portion (including road carriageway, footpath and tree planting) to the satisfaction of Council in accordance with Council's engineering guidelines/standard designs for local roads. The design shall provide for traffic calming and pedestrian safety measures where appropriate to provide a slow speed safe environment for pedestrians. The roads shall be dedicated to Council at no cost to Council.
13. Future applications shall provide for the upgrade of the footpath in Edward Street (adjacent to the relevant stage), including provision of street tree planting for the full frontage of the site to Edward Street.
15. Future applications for Stage 1 shall provide an Infrastructure and Traffic Management Plan. The plan shall include timing for proposed traffic infrastructure upgrade works and cover all proposed development stages. The plan shall be prepared by the proponent and approved by RMS in consultation with Ashfield and Marrickville Councils.
16. Future application/s for Stage 1 shall provide the concept designs of the proposed roundabout at the intersection of Edward Street and Smith Street. The roundabout shall be operational prior to occupation of the first Stage of the development.
17. Future application/s for Stage 1 shall provide details of the pedestrian/cycle improvement works in the area surrounding the site and to Summer Hill Village as outlined in Table 10 of ARUP's Traffic and Transport Report dated 12 March 2012. These works shall be completed prior to occupation of the first stage of the development.

18. Future application/s for Stage 3 shall provide the concept design for the proposed traffic signals at the intersection of Old Canterbury Road and Edward Street in accordance with the Roads and Maritime Services letter dated 30 August 2012.
32. Future applications shall ensure appropriate levels are provided, in particular:
 - (a) at least 500 mm freeboard above the adopted 100 year ARI design flood level for residential floors and basement entry crests; and

In summary the proposed modifications to the ACP are:

- Total dwellings are increasing from 267 to 380 (42% increase).
- Commercial GLA is increasing from 3752 m² to 40000m² ((7% increase)
- Retail GLA is decreasing from 2088m² to 1500m² (28% decrease).
- Building 2A – increasing from 4 levels to 5 levels and maintaining the same building height (RL35.8).
- Building 3A – increasing from 8 levels to 9 levels and increasing the building height from RL 42.3 to RL 45.0 (2.7m).
- Building 3B – increasing from 2 levels to 4 levels and lowering the ground level from RL 12.0 to RL 11.5 (0.5m). There is insufficient information to determine if the building height is changing. Basement car parking levels are not changing.
- Building 3C – increasing from 12 levels to 13 levels and maintaining the same building height (RL 57.5).
- Building 3D – increasing from 6 levels to 8 levels and increasing the building height from RL 39.35 to RL 42.9 (3.55m).
- No changes are proposed to other buildings.

ARUP states that the impacts of these modifications on traffic are:

- Car parking for Commercial land use are increasing from 44 spaces (ACP) to 50 spaces. This increases the traffic generation from 22 vehicles / hour (ACP) to 25 vehicles / hour in both the AM & PM peaks (14% increase). There is insufficient information to determine where these parking spaces are located on the site.
- Car parking for Retail land use are reducing from 31 spaces (ACP) to 19 spaces. This reduces the traffic generation from 31 vehicles / hour (ACP) to 19 vehicles / hour in the AM peak (39% decrease) and reduces from 62 vehicles / hour (ACP) to 38 vehicles / hour in the PM peak (39% decrease). There is insufficient information to determine where these parking spaces are located on the site.
- Car parking for Residential land use are increasing as the ACP shows a total of 481 spaces and the proposal shows a sub-total of 481 spaces. With the changes in the commercial and retail parking spaces, this implies that there is an increase in residential spaces. Especially as it is shown as a 'sub-total'. The exact figures have not been provided. This increases the traffic generation from 120 vehicles / hour (ACP) to 152 vehicles / hour in both the AM & PM peaks (27% increase). There is insufficient information to determine where these parking spaces are located on the site.

ARUP states that compared with the ACP, there is a slight increase in the traffic generation of 23 vehicles / hour (13%) in the AM peak and 11 vehicles / hour in the PM peak (0.5%).

The issue of achieving additional floors with minimal increases to the building heights is a matter for the Town Planners to comment on. It is understood the details of car parking arrangements will be provided at the development application stages and is not appropriate for comment in the Concept Plan.



The following issues are raised with the proposed modifications.

1. Both the Halcrow report and DPI major projects assessment report state that the roads surrounding the site are congested during peak periods and any additional traffic generated by the proposal would exacerbate the already poor performing road network. In particular the Longport Street / Smith Street intersection operates unsatisfactorily in the morning peak with extensive average delays and queue lengths.

Halcrow explains that "...the existing traffic congestion arises because of the wider regional network capacity issues elsewhere, which reverberates back to the surrounding road network near the development sites. This "pinch point" originated at the New Canterbury Road intersection with Gordon Street which created a bottleneck at this location resulting in extensive delays and queues along Longport Street and Railway Terrace extending past the subject sites to be near Summer Hill Railway Station.."

In response to addressing this matter the DPI report suggests that:

In the short term, while congestion will worsen with additional vehicle trips, this has the potential to encourage diversion of traffic to nearby arterial roads resulting in an overall improvement to the traffic conditions in the vicinity of the site.

In the long term, the road network could be returned to satisfactory operating conditions with the removal of the pinch point at New Canterbury Road and Gordon Street.

In addition, there are potential road network impacts from the stages of the proposed WestConnex project. These have not been taken into consideration. The DPI report states that "...the Western Express project is unlikely to have a substantial influence on public transport mode share for the development..." It is silent on the road network impact aspect.

The additional increase in traffic generated by the proposed modifications to the ACP of 23 vehicles / hour (13%) in the AM peak and 11 vehicles / hour in the PM peak will further exacerbate the congestion, extensive delays and queues in the surrounding road network. In particular, the morning peak is already acknowledged that it operates unsatisfactorily and this further increase just intensifies the congestion.

Further congestion to the existing road network by the development is not considered to be acceptable. The action to remove the 'pinch point' at New Canterbury Road and Gordon Street (identified cause of the congestion) needs to be undertaken earlier rather than later. The NSW Government needs to take responsibility for this decision and provide a commitment to remove the 'pinch point' at New Canterbury Road and Gordon Street. It is understood that this is outside the scope of the Concept Plan Approval for the proponent, but it can be an action for the approving authority (NSW Government).

The modifications to the Concept Plan are not supported for the following reasons:

- The modifications will further increase traffic, in particular during the morning peaks and hence will worsen the existing poor operation, extensive delays and queues in the surrounding road network.
- The likelihood of further road network congestion from the proposed WestConnex project has not been adequately addressed.
- The modifications will increase the likelihood of motorists using the local street networks to avoid the existing congestion areas, such as Longport St.



- The NSW Government has not provided a commitment to program the removal of the 'pinch point' at New Canterbury Road and Gordon Street, Petersham, which the NSW Department of Planning and Infrastructure has acknowledged is the cause of the existing congestion.

2. The increase in additional residential dwellings combined with the very limited car parking available on the development site, increase the likelihood of residents parking their vehicles on the surrounding local streets. This in combination with commuters using the light rail services and proposed customers for the commercial and retail business on the development site further increases the likelihood of motorists parking their vehicles on the surrounding local streets. This will reduce the on-street car parking availability for residents in the local surrounding streets and their amenity. It also increases the number of local streets (the area) impacted.

To address this, Council needs to introduce a Resident Parking Scheme in the surrounding local street network to improve the on-street car parking availability for residents in the local surrounding streets and their amenity due to the potential increased spread and demand for on-street parking from the development. Introducing a Resident Parking Scheme in the area also encourages future residents and tenants on the development site to use public transport and thus supports the proponents reduced car parking rates and benefits the proponent. This is considered to be an unnecessary expense to Council rate payers to pass on from the development of the site.

It is suggested that the proponent provide Ashfield Council with a proportionate contribution towards establishing a Resident Parking Scheme in the area.

3. The majority of the increased traffic generated by the proposed modifications will access the site via Edward Street. Traffic volumes along Edward Street are likely to increase in the range of 15%-20% during the morning peak period. To discourage speeding in Edward Street and any additional through traffic, traffic calming devices are needed to be implemented along Edward from Smith St to Old Canterbury Road. The proponent should investigate, design, consult and implement traffic calming devices to the satisfaction of Ashfield Council along Edward Street.

To support cycling access to and from the site the existing speed humps in Smith Street need to be modified to accommodate cyclists.

4. There is currently a disagreement between the proponent and Ashfield Council on the 100 year ARI design flood levels for the site, as part of a development application for Stage 2. Council's flood study levels across the site differ significantly from the proponent's adopted flood study level. Council's flood study was completed in October 2013 and offers comprehensive flood levels across the municipality. The proponent's flood study was completed prior to Council's flood study and focussed on flood levels within their site. This matter should be further clarified in any amendments to the Concept Plan.

The ACP states under condition 32 that "...at least 500mm freeboard above the adopted 100 year ARI design flood level for residential floors and basement entry crests...". The 'adopted' level is the critical factor. Since Ashfield Council's flood study offers the latest data and applies consistency across the entire municipality, it suggested to amend the Concept Plan condition to ensure this development does not adversely impact the floodplains and adjoining properties.



Suggest amending this condition to read either:

“...at least 500mm freeboard above the 100 year ARI design flood levels for residential floors and basement entry crests...”; or

“...at least 500mm freeboard above the adopted 100 year ARI design flood level for residential floors and basement entry crests. The adopted 100 year ARI design flood level shall be in accordance with Ashfield Council’s flood study...”

In summary, modifications to the Concept Plan are not supported for the following reasons:

- The modifications will further increase traffic, in particular during the morning peaks and hence will worsen the existing poor operation, extensive delays and queues in the surrounding road network. The NSW Government has not provided a commitment to program the removal of the ‘pinch point’ at New Canterbury Road and Gordon Street, Petersham, which the NSW Department of Planning and Infrastructure has acknowledged is the cause of the existing congestion.
- The likelihood of further road network congestion from the proposed WestConnex project has not been adequately addressed.
- The modifications will increase the likelihood of motorists using the local street networks to avoid the existing congestion areas, such as Longport St. The proponent has not provided any commitment to investigate, design, consult and implement changes to the existing traffic calming devices to accommodate cyclists.
- The modifications further increases the likelihood of motorists parking their vehicles on the surrounding local streets and hence will reduce the on-street car parking availability for residents. The proponent has not provided any commitment to support Ashfield Council introducing a Resident Parking Scheme to address this potential situation caused by their development.
- The modifications further increases traffic, the potential for speeding and road safety risks for road users along Edward Street. The proponent has not provided any commitment to investigate, design, consult and implement traffic calming devices to address this situation.
- The modifications further increase the potential number of residents and business tenants impacted during a flooding event. The proponent has not adopted the 100 year ARI design flood levels for the site in accordance with Ashfield Council’s flood study to address this situation.

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