

# PREFERRED PROJECT REPORT – MP08\_0195

CONCEPT PLAN FOR A MIXED USE DEVELOPMENT

78-90 OLD CANTERBURY ROAD | LEWISHAM

PLANNING  
I N G E N U I T Y



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## CONCEPT PLAN FOR A MIXED USE DEVELOPMENT

78-90 OLD CANTERBURY ROAD | LEWISHAM

**CLIENT:** LEWISHAM ESTATES PTY LTD

**PROJECT REF:** 0147/09

**DATE:** AUGUST 2011

PLANNING  
I N G E N U I T Y

# CONTENTS

1	INTRODUCTION .....	3
1.1	Consultation .....	4
1.2	Project Team.....	5
2	PREFERRED PROJECT .....	6
3	RESPONSE TO SUBMISSIONS .....	8
3.1	Introduction .....	8
3.2	Government Agencies.....	8
3.2.1	Department of Planning & Infrastructure .....	8
3.2.2	NSW Transport.....	16
3.2.3	NSW Office of Water .....	17
3.2.4	NSW RailCorp .....	19
3.2.5	NSW Roads & Traffic Authority .....	19
3.2.6	Sydney Water.....	22
3.3	Marrickville Council .....	23
3.4	Public Submissions.....	33
3.4.1	Bulk and scale does is not characteristic of the area and will create unreasonable amenity impacts .....	35
3.4.2	Traffic and Parking impacts in the locality .....	35
3.4.3	The proposal contains excessive retail and commercial floor space which will result in loss of business to existing retailers in the locality .....	37
3.4.4	Insufficient public open space .....	37
3.4.5	The combined impact of this development and the Summer Hill Allied Mills site should be considered .....	37
3.4.6	There is insufficient public transport to service additional residents.....	38
3.4.7	Local schools and child care centres cannot support additional residents .....	38
3.4.8	The development will impact on Cook River to Iron Cove GreenWay project .....	38
3.4.9	The design and construction of the development is not environmentally sustainable.....	38
3.4.10	McGill Street is too narrow for loading docks .....	38
3.4.11	Devaluation of adjoining property .....	39
3.4.12	Non Compliance with Draft South Sub-Regional Strategy .....	39
3.4.13	Submission received from Sydney Airport Corporation Pty Ltd .....	39
3.4.14	GreenWay – Cooks River to Iron Cove .....	39
4	STATEMENT OF COMMITMENTS .....	43
5	CONCLUSION .....	47

## TABLES

Table 1: Response to issues raised by the Department of Planning .....	9
Table 2: Response to issues raised by NSW Transport .....	16
Table 3: Response to issues raised by NSW Office of Water .....	18
Table 4: Response to issues raised by NSW Railcorp .....	19
Table 5: Response to issues raised by NSW RTA .....	20
Table 6: Response to issues raised by Sydney Water .....	22
Table 7: Response to issues raised by Marrickville Council .....	24
Table 8: Response to issues raised during the public consultation process.....	34
Table 9: Submissions of support .....	35
Table 10: Response to GreenWay's comments .....	39

## ANNEXURES

Annexure A:	DoP Letter dated 4 February 2011
Annexure B:	Concept Plans by <i>Town Owen Partners</i>
Annexure C:	Schedule of Areas and calculation plans By <i>Tony Owen Partners</i>
Annexure D:	Traffic Impact Assessment by <i>Traffix, Traffic &amp; Transport Planners</i>
Annexure E:	Peer Review by <i>Simmons Architects</i>
Annexure F:	Stormwater Plan by <i>Cardno ITC</i>
Annexure G:	Flood Study by <i>Cardno ITC</i>
Annexure H:	Access Report by <i>Accessibility Solutions Pty Ltd</i>

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## **1 INTRODUCTION**

This Preferred Project Report (PPR) is written on behalf of Lewisham Estates Pty Ltd and responds to the submissions received by the Department of Planning (now Department of Planning & Infrastructure) during the exhibition of Major Project MP08\_0195 for a Mixed Use Development Concept Plan at 78-90 Old Canterbury Road, Lewisham.

The Environmental Assessment (dated October 2010) was submitted to the NSW Department of Planning & Infrastructure (DPI) and exhibited between 17 November 2010 and 7 January 2011. This report should be read in conjunction with the Environmental Assessment.

On the 4 February 2011, the DPI requested a PPR which responds to the submissions receiving during the public consultation process as well as other assessment related matters raised by the DPI and other government agencies. The Department's letter also requests a revised Statement of Commitments incorporating any necessary amendments to the Concept Plan.

The DPI's letter identified concerns relating to the amount of retail floor space proposed as well as detailed design issues and issues with respect to distribution of proposed building heights and public open space. A copy of the Department of Planning letter of 4 February 2011 is provided at Annexure A and a detailed response to the DPI's letter is provided at Section 3.2 of this report.

The proposed Concept Plan is for a mixed use development comprising basement car parking, residential, commercial and retail uses generally in accordance with the building envelopes, floor space ratio (FSR) and land uses as illustrated on the plans prepared by Tony Owen Partners and attached at Annexure B. A Schedule of Areas and calculation plans is provided at Annexure C of this report.

Matters raised in the submissions necessitated several significant amendments to the proposed Concept Plan. A full response to the matters raised in various public and government agency submissions is provided at Section 3 of this report.

The amended Concept Plan that forms part of this PPR is for buildings ranging in height from 4 to 10 storeys with a maximum overall FSR of 3.15:1. Whilst overall building height has not changed from the originally submitted Environmental Assessment, removal of the supermarket level, retail plaza and podium has effectively lowered the finished ground level to create a 10<sup>th</sup> storey. The built form is proposed as 9 to 10 storeys adjacent to the future light rail line (western side of the site), 5 to 7 storeys towards the centre of the site and 4 storeys adjacent to Old Canterbury Road. A building height of 9 storeys is proposed fronting Longport Street, although a height of 7 to 8 storeys will be visible from within Longport Street due to the difference in ground height between Longport Street and the subject site. A zero building setback alignment is proposed to Longport Street with a 2.5m setback to the two uppermost floors. Buildings will also have a zero setback to Old Canterbury Road and the future street proposed adjacent to the GreenWay. Buildings fronting William Street and Brown Street are proposed to have a setback of between 0m and 2m. It is anticipated that the proposal will accommodate approximately 430 apartments (including 19 SoHo apartments), however, this will be further resolved under future Project/Development Applications.

Retail floor space under the Concept Plan has been substantially reduced from 6305.50m<sup>2</sup> to 739m<sup>2</sup>. Shop-top housing (commercial) floor space is also proposed totalling approximately 726m<sup>2</sup>. Calculation plans and a schedule of proposed floor areas is provided at Annexure C of this report.

The alignment of Hudson Street has been shifted to the existing location of the street which significantly widens the Green Boulevard and physical size of public open space provided by the proposal. Public domain improvements include:

- Creation of a new street adjacent to the GreenWay,
- Open space areas;
- Pedestrian access points and connections to Lewisham Station;
- Public plaza adjacent to the proposed cafe;
- Future light rail access; and
- Green Boulevard adjacent to Hudson Street.

Overall building heights and land uses proposed under this Concept Plan are generally consistent with Marrickville Council's adopted McGill Street Precinct Masterplan. Refinements in building height have been undertaken in response to undulating site topography, which Council's Masterplan does not anticipate as it is a broadly based strategic planning document.

This Preferred Project Report is divided into 5 sections as follows:

Section 1: Introduction

Section 2: Preferred Project

Section 3: Response to submissions

Section 4: Revised Statement of Commitments

Section 5: Conclusion

This report should be read in conjunction with the plans, reports and documentation provided at Annexures A to H.

## **1.1 Consultation**

Following conclusion of the exhibition period the DPI provided copies of the submissions received from Marrickville Council, government agencies and the general public. The DPI's letter dated 4 February 2011 requested that additional information be provided with respect to:

- Building height, built form and density;
- Retail floor space;
- Traffic (including revised TMAP);
- Open space, public domain and streetscape;
- Plans detailing the finished height of each building level;
- Clarification on the number of basement car parking spaces proposed and the extent of excavation;
- Revised Statement of Commitments;
- Council's concerns in relation to flooding and drainage; and
- Clarification of open space calculations.

A response to the submissions received during the public consultation process was also requested.

Following receipt of the DPI's letter, representatives from Planning Ingenuity Pty Ltd, Lewisham Estates Pty Ltd and Tony Owen Partners met with DPI Officers to clarify and discuss matters raised by the public and the DPI.

## 1.2 Project Team

The following project team has been involved in the preparation of the proposed development (including the EA and PPR stages of the proposal):

Traffic, Transport & Accessibility	TRAFFIX, traffic and transport planners
Built form and Urban Design	Tony Owen Partners
View Analysis	Richard Lamb & Associates
Economic Impact Assessment	Don Fox Planning
Flora and Fauna	Ambrose Ecological
Rail Impacts	Robert Bird Group
Ecological Sustainable Development	Cardno ITC
Heritage	Weir Phillips & Associates
Archaeological	Archaeological & Heritage Management Solutions
Public consultation & CPTED	Urbis
Noise and Vibration	Cardno ITC
Statutory Town Planning	Planning Ingenuity Pty Ltd
Geotechnical	Environmental Investigations
Site Contamination	Environmental Investigations
Landscape Concept	Site Landscapes, Design & Construction
Quantity Surveyor	JPOS Pty Ltd
Stormwater Management	Cardno ITC
Urban Design Peer Review	Urbis (EA) & Simmons Architects (PPR)
Flood Management	Cardno ITC
Access Report	Accessibility Solutions Pty Ltd

## **2 PREFERRED PROJECT**

This Section of the report describes the Preferred Project for the proposal.

The proposal has been substantially amended in response to submissions received by the DPI during the public exhibition process as well as concerns raised by the DPI. Key amendments to the Concept Plan include:

- Relocation of Hudson Street from the original Concept Plan location back to the existing location of the road and enlargement of the Green Boulevard to the north of Hudson Street that links Old Canterbury Road with the GreenWay;
- Delivery of a Green Boulevard adjacent to Hudson Street which has an area of 3466m<sup>2</sup>. The park will be embellished and dedicated into public ownership, free of cost to Marrickville Council. Embellishment works will include re-grading, stormwater infrastructure, pedestrian pathways, soft landscaping, furniture, lighting, signage and any other works as negotiated between the proponent and Marrickville Council;
- Removal of the Supermarket and retail plaza (and loading dock) to facilitate increased public open space and reduce impact of these facilities on businesses in the region as well as reduced amenity impacts on existing and future residents, including reduced traffic impacts. The supermarket and retail plaza has been replaced in part with residential floor space and in part with open space;
- Placement of a café at the southern end of Building A and creation of public plaza to activate and link the proposed public open space with the GreenWay. In addition, new retail tenancies are proposed below the café that will help to link the site and green boulevard with the GreenWay;
- Reduction in length of Building A and deletion of the 'toe' of Building C to increase size of public open space and improve connectivity to the GreenWay;
- Stepping and reduced building height for the southern end of Building A and stepped building heights for Buildings C & D;
- Alterations to the layout and gradient of the public open space, so as to improve relationship to Hudson Street and the proposed buildings;
- Refinement of basement access points;
- Dual use / shop-top housing amended to address the proposed Green Boulevard;
- Visitor parking adjacent to the GreenWay has been removed;
- Apartment layout further refined to ensure compliance with the requirements of SEPP No.65 / RFDC;

As a result, the description of the Preferred Project, as detailed in the amended Concept Plans prepared by Tony Owen Partners and attached to this report, is as follows:

- A mixed use development containing residential apartments, support retail tenancies, shop-top housing and a café;



- Seven separate buildings ranging in height from 4 to 10 storeys over 2 levels of basement car parking;
- Proposed 430 apartments (including 19 SoHo apartments) and a maximum overall FSR of 3.15:1;
- Public domain improvements including creation of new streets, open space areas and pedestrian access points including access to public transport facilities; and
- Landscaping of private, communal and public open space areas.

An independent review of the proposal's urban design was undertaken by Simmons Architects and is provided at Annexure E of this report.

### **3 RESPONSE TO SUBMISSIONS**

#### **3.1 Introduction**

The project team of specialist consultants has assisted in preparing responses to the key issues raised in submissions. Relevant specialist studies and documentation prepared for the exhibited Environmental Assessment have been reviewed and where necessary updated to reflect the Preferred Project and some consultants have prepared additional responses to technical matters raised by the DPI or submissions, including the following:

1. Architectural and urban design;
2. Traffic management;
3. Stormwater and flood management;
4. Peer review of urban design; and
5. Accessibility report.

A summary response to each of the key issues raised in public submissions on the exhibited Environmental Assessment is provided in the following sub-sections of this report. The response to the public submissions is not provided in any specific order of importance or priority. The response to the government agencies is provided in corresponding order to their submission.

#### **3.2 Government Agencies**

The following government agencies were referred the Environmental Assessment by the Department of Planning and provided submissions on the exhibited Environmental Assessment:

- NSW Transport;
- NSW Office of Water;
- NSW Railcorp;
- NSW RTA; and
- Sydney Water

Detailed responses to each issue raised by the government agencies that made submissions are provided below. It is noted that the Department of Environment, Climate Change & Water wrote to the Department of Planning advising that no objection is raised to the proposal.

A response is also provided to the matters raised by the DPI.

##### **3.2.1 Department of Planning & Infrastructure**

On the 4 February 2011, the DPI requested a PPR which responds to the submissions receiving during the public consultation process as well as other assessment related matters raised by the DPI. The Department's letter also requests a revised Statement of Commitments incorporating any necessary amendments in response to the public submissions.

The DPI's letter identified concerns relating to the size of the retail component of the proposal, building height, built form and density, traffic, open space, public domain and streetscape, and also requests a response to other additional information matters. A copy of the DPI's letter of 4 February 2011 is provided at Annexure A.

A response to the issues raised by the DPI is provided in the following Table.

Table 1: Response to issues raised by the Department of Planning	
Issue raised by DPI	Response
<b>Schedule 1 – Key Issues</b>	
<p><b>Height, Built form and Density</b></p> <ul style="list-style-type: none"> <li><i>Further analysis of building heights is required, including options for reductions in the heights of Building D fronting Longport Street to 6 storeys and the southern portion of Building C fronting the proposed public open space to 4 storeys. The height and footprint of Building A also requires revision taking into account other requirements detailed below and should adopted a stepped form with the height at the southern end being a maximum of 6 storeys.</i></li> </ul>	<p>The revised proposal described below is the result of analysis of the Council's MSPMP and amendments to the original EA submitted scheme.</p> <p>The tight configuration of the buildings in the Council's MSPMP cuts off the residents physically and visually from the public open space. The layouts would be difficult to achieve compliance with SEPP 65 and the RFDC. The private open spaces are all overlooked and the separation distances inadequate. Only one access point is available through the site to the Greenway.</p> <p>Analysis of the distribution of buildings and heights employed in the Council's MSPMP led to a different approach to avoid the above shortcomings in the location and heights of buildings.</p> <p>The principle of defining the public and private open spaces using built forms was adopted and varying solutions using this approach were evaluated.</p> <p>The adopted scheme proposes similar building heights ranging from 4, 6 and 8 storeys, with a maximum height of 9 storeys above average ground floor level for the Council's MSPMP, and 8-10 storeys above ground for the proposed Concept Plan.</p> <p>It also allows greater than 70% of units to have north oriented light in contrast to the enclosed building proposed under the Council's MSPMP. Due to the north-south orientation of the buildings, light northern light is accessed not only by the apartments but also to the private and public open spaces.</p> <p>In the context of a more open, permeable site, Building D is an important visual element. Fronting Longport Road it is a standalone building separated from adjacent buildings. This is in contrast to the arrangement in the Council's MSPMP. In the Council's MSPMP Building D joins a 6 storey building to two others of 4 and 9 storeys respectively. This presents a greater mass to the north than that used in the proposal.</p> <p>The setting for Block D is a major road and heavy rail to the north, potential development to the east and south, and the Greenway and natural bush land to the west. The context and planning role for the proposed Block D includes marking the entry of the Greenway, the relationship to the Summer Hill flour mills, and the future development on Longport Street. The proposed scale is appropriate to this role as a visual marker for</p>

**Table 1: Response to issues raised by the Department of Planning**

Issue raised by DPI	Response
	<p>the areas surrounding the site.</p> <p>The Council's MSPMP incorporates a continuous wall of buildings of 3/4 and 6 storey scale to the north of the proposed park. It has one small opening to Brown Street to break up this mass. The proposed Concept Plan employs 4 and 6 storey scale buildings to the north of the site but with larger openings to avoid the inherent overshadowing inherent in the Council's MSPMP.</p> <p>The largest opening adjacent to building A avoids the scale and overshadowing issues which might otherwise have occurred.</p> <p>In addition building A steps down at the south end to 6 storeys.</p> <p>Block A is of a suitable scale in its role defining the Greenway light rail corridor. In contrast to the proposal in the Council's MSPMP, the building forms addressing the GreenWay are broken in two places separating it into 3 building forms. The Council's MSPMP however proposes one continuous built form for the length of the site. Building A will address a wide urban space that is bounded by built elements of a similar scale on the other side of the Greenway. The 3D modelling, included in the proposal, confirms the suitability of the transition from 4 storeys, facing Old Canterbury Road, via intermediate heights to the Blocks facing the GreenWay. The stepped form down to 6 storeys, the dramatic turning point on the south end and the public retail spaces make a suitable access point to the GreenWay and light rail.</p> <p>As a result of this further analysis, building heights and footprints have been amended as follows (refer to the building footprint comparison plan provided with the architectural plans):</p> <p>Building A – Building height at the southern end has been altered to create a stepped 9 and 10 storey building. Building length has been reduced nearest to Hudson Street and a café / outdoor seating area is now proposed with new retail tenancies below fronting the GreenWay. This will also link to the adjacent public open space. The building footprint has marginally increased to the north, east and west to enhance the functionality of apartments. Separation between Building A &amp; B is reduced from 6m to 4m.</p> <p>Building B – The northern end of Building B has been amended to include a 3m setback above the 8<sup>th</sup> storey. Building footprint has been slightly increased in an easterly and westerly direction to enhance the functionality of apartments. These changes provide increased architectural modulation as encouraged by the RFDC. Separation between buildings A &amp; B is reduced from 6m to 4m.</p> <p>Building C – Building extension into the central open space area ('toe') deleted in its entirety and height reduced from predominantly 6 storeys to 4 storeys with a 6 storey portion at the northern portion that is setback</p>

Table 1: Response to issues raised by the Department of Planning	
Issue raised by DPI	Response
	<p>from the levels below. The footprint of the building has been increased by approximately 2m in a northern direction for improved urban design.</p> <p>Building D – Building footprint or height has not been altered however the top two floors have an increased setback to Longport Street of 2.5m. Longport Street is positioned approximately 2 storeys higher than the ground level on the subject site and as such the building has a stepped appearance to Longport Street of 4 to 6 storeys.</p> <p>Building E – The footprint of the northern portion of Building E is reduced to improve the landscaping between Building E and F.</p> <p>Building F – Remains unaltered.</p> <p>Building G – A portion of the northwestern corner of Building G is reduced to create enhanced landscaped character and improved built form.</p>
<ul style="list-style-type: none"> <li><i>Further analysis and options for the location and configuration of building envelopes should be considered to provide for an increased area of public open space with improved usability, and an improved interface with the proposed light rail station/GreenWay corridor. It is considered that a larger contiguous area of public open space should be provided adjacent the rail corridor in the vicinity of the proposed station.</i></li> </ul>	<p>Following successive changes to the proposed Concept Plan design, there are on the surface very few differences in planning principles for the location and configuration between the revised proposal and the Council's MSPMP.</p> <p>Both plans include:</p> <ul style="list-style-type: none"> <li>A large central green space on the subject site.</li> <li>Buildings of similar depths which are used to define central green spaces in roughly the same locations.</li> <li>A 4 storey street wall to Canterbury Road</li> <li>A continuous wall of buildings along the greenways light rail frontage, set back approximately 10m behind an access road.</li> <li>Retail and home office uses along the northern perimeter of the green space, to activate this major circulation zone.</li> <li>A degree of permeability to the existing urban fabric and the proposed Greenways amenity</li> </ul> <p>The proposed Concept Plan is the result of analysis of the Council's MSPMP and through the revisions to the EA scheme.</p> <p>The Council's MSPMP is characterized by a tight configuration of buildings which define internal private green spaces. This results in a plan which is more closed off from the surrounding neighborhood with less public access to communal open space. The Council's MSPMP has fewer buildings facing the GreenWay, thus fewer units can benefit from this amenity.</p> <p>The revised proposal also uses buildings to define green space. However these spaces are less tightly enclosed and some like the central space are linked directly to the Green Boulevard, and are more readily accessible to the community. It appears that there is a higher proportion of open space that is for the private use of residents in the Council's MSPMP as compared to the revised proposal where there is a higher proportion of green space available to the community.</p>

**Table 1: Response to issues raised by the Department of Planning**

Issue raised by DPI	Response
	<p>As a result the revised proposal has greater permeability. It creates better linkages between the site and the surrounding neighborhood and to the GreenWay and light rail. There are a greater number of through site linkages connecting the GreenWay and light rail to the surrounding neighborhood. It has been designed in consultation with Sydney Light Rail and NSW Railcorp to maximize the connectivity and linkage between the Lewisham Railway Station and the light rail. This is enhanced with the provision of some retail activation along this route. The proposed scheme has a greater proportion of units facing the GreenWay in comparison to Council's MSPMP, which benefits resident amenity.</p> <p>Communal open space should be 25-30% of site area or more for large Brownfield sites such as this. The proposed communal and public open space is 5,322m<sup>2</sup> in size or 40% of the site area.</p> <p>The revised total landscaped area is 3,648m<sup>2</sup> which represents 28% of site area and 69% of total public and communal open space. The deep soil area therefore complies with the 25% of open space requirement.</p> <p>The proposed Green Boulevard is located wholly within the subject site with an area of 3,468m<sup>2</sup>. This allows the completed open space, together with its access road to occur in the first stage without relying on the amalgamation of other sites or lots.</p> <p>The deep soil area provided on the site is 1979m<sup>2</sup> which is 37% of the total open space provided.</p> <p>The Green Boulevard is located wholly within the subject site with an area of 3,468m<sup>2</sup>. This allows the completed Green Boulevard, together with its access road to occur in the first stage without relying on the amalgamation of other sites or lots.</p> <p>The deep soil area within the Green Boulevard is 2,305m<sup>2</sup> which is 66% of the Green Boulevard.</p> <p>The major proposed landscaped areas are the Green Boulevard, the strip adjacent to the Greenway and in the setback areas between buildings which generally are exposed to northern light. These zones are of sufficient width and size to allow a mix of permeable and impermeable surface uses.</p> <p>Due to the site configuration, buildings are proposed to be orientated in a North - South direction also to provide sunshine throughout the day to the southern parts of the site. It also allows for north oriented major landscaped areas.</p> <p>There is the capacity to provide the required amount of deep soil open space as well as shallower soil areas over the basement outline to add to the effective permeable area and landscape character.</p>
<ul style="list-style-type: none"> <li>Although the Department supports increased density on the site, it is considered that in conjunction with the reduced height and revised building envelopes, the dwelling yield should be</li> </ul>	<p>Utilisation of some of the deleted retail space has enabled a small increase in dwelling yield from the original proposal for 400 apartments to 411 apartments plus 19 SoHo apartments. The footprint and height of</p>

**Table 1: Response to issues raised by the Department of Planning**

Issue raised by DPI	Response
<i>revised to improve overall residential amenity for future occupants and minimise amenity impacts on the existing locality.</i>	buildings adjacent to the central open space area of the site together with the shifting of Hudson Street back to its existing location has enhanced the usability of the open space while also enhancing the amenity of the apartments through increased solar penetration, improved outlook and enhanced privacy due to increased building separation at this point. The arrangement of open space and buildings will significantly improve the amenity of the occupants of future developments to the south of the site that also form part of the McGill Street Precinct. The apartment mix has been altered to provide a larger number of 2 and 3 bedroom apartments in response to market demand and affordability (i.e. households are choosing to live in 2 or 3 bedroom apartments as opposed to single dwellings houses in response to reduced housing affordability in the Sydney region). Removal of approximately 5566.50m <sup>2</sup> of retail floor space from the proposal will improve the amenity of existing and future residents through reduced traffic and noise generation.
<p><b>Retail floor space</b></p> <ul style="list-style-type: none"> <li><i>The amount of retail floor space on the site is not supported and is inconsistent with the Metropolitan Plan for Sydney 2036, the draft Subregional Strategy and Council's Masterplan for the site. The proposal includes a large amount of retail floorspace on a site which is not located within an identified local centre. Further, the proposed amount of retail floorspace is a major contributor to potential traffic impacts. In this regard, a significant reduction to the proposed area of retail floor space is required to mitigate these impacts and to ensure the proposal is consistent with current local and regional strategic planning policy.</i></li> </ul>	Retail floor space under the Concept Plan has been substantially reduced from 6305.50m <sup>2</sup> to 739m <sup>2</sup> (a reduction of 88%). This reduction in retail floor space results in significant reduction in potential traffic impacts and improves site layout and amenity. Shop-top housing (Commercial) floor space is also proposed totalling approximately 726m <sup>2</sup> . A schedule of proposed floor areas is provided at Annexure C of this report.
<p><b>Traffic</b></p> <ul style="list-style-type: none"> <li><i>Further assessment and analysis of the traffic implications of the proposal, including detailed consideration of specific issues raised by the RTA and Marrickville Council should be provided. These should include additional traffic modelling, consideration of intersection upgrades and justification for trip distribution. Consideration should be given to the cumulative traffic impacts taking into account the Concept Plan proposal for the Former Allied Mills site.</i></li> </ul>	<p>Refer to the revised traffic impact assessment prepared by Traffix dated 20 May 2011 and provided at Annexure D of this report. A summary of the conclusions of the traffic report is provided below.</p> <ul style="list-style-type: none"> <li>The site is currently used for industrial purposes and is in need of redevelopment, with numerous old and dilapidated buildings;</li> <li>The amended development yield associated with the site has been limited by the road capacity that is available within the locality;</li> <li>Commercial uses have been deleted from the proposal;</li> <li>The Preferred Concept Plan provides an appropriate balance between available road capacity and the need to achieve planning objectives consistent with State Government Policy;</li> <li>The site is uniquely placed to take advantage of excellent public transport services.</li> <li>Parking for the development is expected to be suppressed with the specific intention of promoting</li> </ul>

**Table 1: Response to issues raised by the Department of Planning**

Issue raised by DPI	Response
	<p>alternate travel modes, in accordance with Council's DCP rates;</p> <ul style="list-style-type: none"> <li>• Traffic volumes associated with the subject site are substantially reduced compared with the original Concept Plan application.</li> <li>• Traffic conditions have also been assessed for the cumulative impacts of the McGill Street Precinct and the Allied Mills site. Computer modelling of traffic conditions demonstrates very satisfactory performance. New traffic signals are now proposed at Edward Street, but the originally proposed link to Toothill Street is no longer required;</li> <li>• The potential benefits of a future light rail system will be substantial. However, the traffic analysis has not taken any account of the future light rail. The future light rail will significantly reduce car dependency in the locality;</li> <li>• Construction issues will be dealt with in detail via future development / project applications.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>To minimise traffic generation and to encourage use of public transport, the car parking provision (in particular visitor car parking) should be reduced given the site's close proximity to public transport.</i></li> </ul>	<p>Car parking provision in the Concept Plan has been reduced from 669 to between 448 and 492 (dependent on adaptable housing requirements). Visitor parking has reduced from 100 spaces under the EA to 44 spaces in the preferred project while residential parking has decreased from 400 spaces in the EA to 391 spaces under the preferred project despite the slight increase in dwelling yield. There is further opportunity to reduce visitor car parking following commencement of the light rail extension.</p>
<p><b>Open Space, Public Domain and Streetscape</b></p> <ul style="list-style-type: none"> <li>• <i>Further justification and analysis of the amount of open space proposed on site should be provided. The proposed area of open space on site is inconsistent with the McGill Street Precinct Masterplan. Given the significant increase in GFA, dwelling yield and population density above and beyond the Masterplan, a larger area and proportion of the site should also be allocated to public open space. The area available for deep soil planting should also be increased in accordance with SEPP 65 and the Residential Flat Design Code.</i></li> </ul>	<p>Communal open space should be 25-30% of site area or more for large Brownfield sites such as this. The proposal has been amended to reflect these requirements.</p> <p>The provision of open space on the site has been significantly increased by the removal of a section of proposed Building C, the reduced length of Building A and relocation of Hudson Street back to its existing location. In comparison to the McGill Street Precinct Masterplan, the proposed Concept Plan achieves a similar layout for open space adjacent to Hudson Street however a larger area of public open space will be achieved by the concept Plan through extension of the open space in a northerly direction into the site between Buildings A and C. The McGill Street Precinct Masterplan includes public open space area on the site of 3032m<sup>2</sup> whereas the proposed Concept Plan includes a public open space area of 3977m<sup>2</sup>. Building heights have been modified to improve solar penetration into the open space area and into the apartments. The anticipated visual and physical connectivity between Old Canterbury Road and The GreenWay is achieved by the Concept Plan. Total landscaping of the site (including public and communal open space areas) is 5322m<sup>2</sup> whereas Council's masterplan achieves an open space area of 4451m<sup>2</sup>.</p>



**Table 1: Response to issues raised by the Department of Planning**

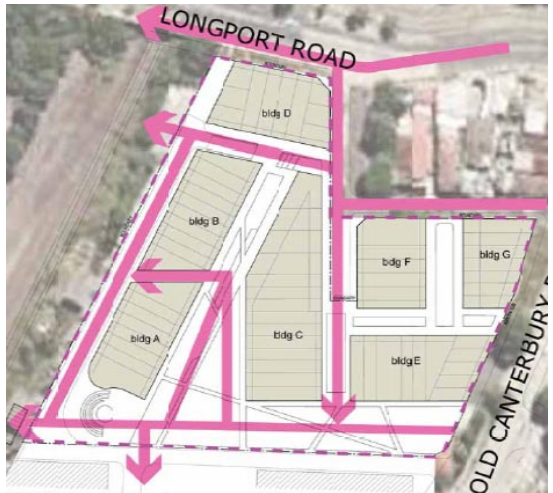
Issue raised by DPI	Response
	<p>The preferred project therefore increases open space on the site by 20% in comparison to Council's McGill Street Precinct Masterplan. 1979m<sup>2</sup> of the site is provided as deep soil landscaping (all hard surface areas excluded from the calculation) which represents 37% of the open space area provided on the site and this is easily exceeds the minimum requirements of SEPP 65 and the RFDC.</p>
<ul style="list-style-type: none"> <li><i>Consideration should be given to increasing activation of public spaces within the site, particularly the south-west corner of the site adjacent to the proposed light rail station and may involve the provision of limited additional non-residential uses at ground level, such as restaurants/cafes, retail premises and business premises.</i></li> <li><i>Building A should be provided with a high quality corner treatment as it marks the entry to the precinct from the proposed light rail station/GreenWay corridor. In particular, options for the redesign and/or relocation of loading docks and associated facilities should be considered.</i></li> <li><i>Further analysis is required of linkages between the site and surrounding transport facilities and services including options to maximise pedestrian safety and amenity. This analysis should include consideration of public domain upgrades both within and outside of the site boundaries, which may form part of a Voluntary Planning Agreement with Council.</i></li> </ul>	<p>The activity of public areas is maintained by continuous retail/commercial frontages to the Greenway, New Local Park and dual uses/ shop top housing to Old Canterbury Road. The south west corner adjacent to the future light rail station has a proposed café with extensive internal seating area, as well as external seating areas for patrons.</p> <p>This extensive public space is ideally located for train passengers and visitors as it is open to the New Local Park and visible from Old Canterbury Road. The central open space also opens from this location and allows additional northern sunlight into the New Local Park.</p> <p>It allows permeability of the site from Old Canterbury Road to the Greenway while leaving a graduation of public to communal open space near and between the other buildings.</p> <p>The southern end of Building A has been redesigned with the loading dock and supermarket removed entirely and replaced with a café and plaza which includes a café with outdoor seating. This will link the future light rail system with the site and proposed public open space. Building design will be developed at Project/Development Application stage.</p> <p>A pedestrian link (footbridge) is anticipated extending from the corner of Brown Street and Longport Street, over Longport Street and to Lewisham Station. A lift will be provided to facilitate equitable access. The footbridge will be linked through the site with signage and appropriate landscaping treatment to direct people through the site to the GreenWay and future light rail station. The anticipated location of the pedestrian bridge is preferred over other locations closer to the intersection of Longport Street with Old Canterbury Road as it will not conflict with vehicle traffic flow and the existing signaled intersection. This will also benefit pedestrian amenity. Given the high density nature of the entire McGill Street Precinct and the Allied Mills site together with the location of the future light rail station, it is appropriate that the pedestrian link to Lewisham Station be located as close as practical to the subject site. It is also appropriate that the increase in pedestrian traffic created by the redevelopment of the McGill Street Precinct and the Allied Mills site is located a considerable distance from the existing low density residential areas to the east of Old Canterbury Road to ensure that the amenity of the existing residents is preserved.</p> <p>It is premature (given that the application seeks</p>

Table 1: Response to issues raised by the Department of Planning	
Issue raised by DPI	Response
	Concept Plan approval) to provide full details of a Voluntary Planning Agreement (VPA). However, it is anticipated that a VPA will be negotiated and formalized with Marrickville Council and other relevant authorities as part of future Project/Development Applications.
Schedule 2 – Addition information required / Comments	
<p><i>In addition to any revised architectural plans and supporting documentation, including analysis of options and designs reflecting the issues raised in Schedule 1, the following information is also required:</i></p> <ul style="list-style-type: none"> <li><i>Plans detailing the level of the basement, lower ground, ground level and overall height of proposed buildings in metres AHD.</i></li> <li><i>Clarification on the number of basement car parking levels proposed and extent of excavation.</i></li> <li><i>Revised TMAP, including revised intersection modelling in accordance with the RTA's requirements, consideration of weekend traffic implications, and justification for trip distribution. Refer to the RTA's letter dated 11 January 2011.</i></li> <li><i>A revised Statement of Commitments, where appropriate, providing a response to the requirements of other agencies and the Department's key issues.</i></li> <li><i>Address Council's comments in relation to flooding and drainage.</i></li> <li><i>Clarify errors within the EA. The Department notes that the submitted EA and accompanying concept plans do not correlate in terms of open space provision. The EA states that open space provision is 6,609.5m<sup>2</sup> or 50% of the site, however the Concept plans depict significantly less open space, and detail a quantum of approx 1,300m<sup>2</sup>.</i></li> </ul>	<p>Basement plans are provided with the application. A reduced copy is included at Annexure B.</p> <p>A total of between 448 and 492 car parking spaces are proposed (dependent on adaptable housing requirements) and excavation of the site will generally be confined to the basement footprint as indicated on the amended architectural plans. Full geotechnical information and basement excavation details will be provided in future Project/Development Applications.</p> <p>A revised traffic impact assessment is provided at Annexure D of this report.</p> <p>A revised Statement of Commitments is provided in this report.</p> <p>A flood study prepared by Cardno ITC is provided at Annexure G of this report. A Stormwater Concept plan is also provided at Annexure F.</p> <p>Tony Owen Partners have clarified the open space calculations provided by the proposal and they now correlate between this report and the preferred concept plans.</p>

### 3.2.2 NSW Transport

NSW Transport provided a submission to the exhibited Environmental Assessment dated 10 January 2011. The Table below provides a response to each of the issues raised.

TABLE 2: RESPONSE TO ISSUES RAISED BY NSW TRANSPORT	
Issue raised by NSW Transport	Response
<ul style="list-style-type: none"> <li><i>Reduced car parking provision for the residential visitor component of the development, as suggested in the transport report;</i></li> </ul>	Car parking has been reduced on site from 669 car parking spaces proposed under the original application to between 448 and 492 car parking spaces (dependent

TABLE 2: RESPONSE TO ISSUES RAISED BY NSW TRANSPORT	
Issue raised by NSW Transport	Response
	on adaptable housing requirements) in the preferred concept plans. Visitor parking has reduced from 100 spaces to 44 spaces under the preferred concept plans. Car parking has been substantially reduced with the removal of the supermarket and large areas of retail floor space.
<ul style="list-style-type: none"> <li>Improvements to pedestrian and bicycle connections and to the proposed light rail stop and Lewisham Station, including the marked pedestrian crossing on Railway Terrace suggested in the transport report;</li> </ul>	The Statement of Commitments in this PPR reflects matters relating to pedestrian and bicycle access and connections. In lieu of the marked pedestrian crossing, an overhead pedestrian bridge is proposed that links the site with Lewisham Railway Station.
<ul style="list-style-type: none"> <li>Provision of car share spaces prioritised in convenient locations; and</li> </ul>	This matter will be appropriately resolved under future Project/Development Applications. This is reflected in the revised Statement of Commitments.
<ul style="list-style-type: none"> <li>Provision of a Transport Access Guide (TAG) consistent with the RTA's guidelines (located at <a href="http://www.rta.nsw.gov.au">www.rta.nsw.gov.au</a>).</li> </ul>	The Statement of Commitments in this PPR reflects the desire to have Transport Access Guides on the site. The RTA will be consulted with respect to the location and content of the Transport Access Guides on the site.
<ul style="list-style-type: none"> <li>The loading dock proposed adjacent to the light rail stop will result in a poor pedestrian environment in the immediate vicinity of the light rail stop. It will also introduce unnecessary conflict between pedestrians accessing the light rail stop and heavy vehicles.</li> </ul>	The loading dock and supermarket have been deleted from the Concept Plan. A café and outdoor plaza is now proposed at the southern end of Building A to provide a more appealing pedestrian environment.
<ul style="list-style-type: none"> <li>The proposed street layout does not offer good legibility to and from the light rail stop (particularly from the heavy rail station) and is not in accordance with the McGill Estate Master plan endorsed by Marrickville Council, which would create two legible pedestrian connections at street level to the light rail stop.</li> </ul>	<p>A pedestrian footbridge and the café plaza/central green boulevard will provide connections between Lewisham Station / the GreenWay and the site. The preferred concept plans offers increased connectivity between the future light rail and the locality with several connection points to the GreenWay. Provided below is a map indicating the pedestrian access routes that are available from surrounding areas, across the site and to the GreenWay.</p> 

### 3.2.3 NSW Office of Water

NSW Office of Water provided a submission to the exhibited Environmental Assessment dated 16 December 2010. The Table below provides a response to each of the issues raised.

TABLE 3: RESPONSE TO ISSUES RAISED BY NSW OFFICE OF WATER	
Issue raised by NSW Office of Water	Response
<p><i>Attachment A</i></p> <p><i>Groundwater:</i></p> <p><i>The EA does not include any information of groundwater in the area so it is unclear if groundwater will be intercepted by any of the associated works, in particular the basement car park or the onsite detention tank.</i></p> <p><i>If groundwater will be intercepted and if any dewatering is required as part of the construction of the basement car park and on-site detention storage tank then a licence under Part 5 of the Water Act 1912 is required, accompanied by a groundwater monitoring plan.</i></p> <p><i>All monitoring bores associated with the project must be licenced under Part 5 of the Water Act 1912 with all Form A's submitted to NOW for our records.</i></p> <p><i>Water Licencing:</i></p> <p><i>The site is located within the area currently administered under the Water Act 1912, therefore licencing requirements will be governed under the Act, until a Water Sharing Plan under the Water Management Act 2000 is gazetted for the area.</i></p> <p><i>A search of NOW's water licencing database reveals no water licences on the area in question. If any monitoring are on site or are proposed to be drilled then water licences will need to be obtained by the proponent prior to drilling.</i></p>	<p>Groundwater sampling, analysis and recommendations is provided in the Environmental Investigations report submitted with the original EA. Appropriate conditions of approval can be imposed with respect to ground water assessment to be complied with under future Project/Development Applications.</p>
<p><i>Attachment B</i></p> <p><i>1. In regard to taking or interfering with groundwater, a number of conditions apply:</i></p> <p><i>a. All groundwater licences for monitoring bores must be obtained and associated works appropriately authorised prior to works commencing. All Form A's associated with the construction of bores must be submitted to NOW at the time drilling is undertaken.</i></p> <p><i>b. For all areas on the site that require dewatering, a water licence under Part 5 of the Water Act 1912 should be obtained prior to commencement of work. This water licence application must be accompanied by a groundwater and excavation monitoring program and acid sulphate soils contingency plan, developed to the satisfaction of NOW.</i></p> <p><i>2. To aid in the protection of receiving water source quality, all stormwater runoff must be adequately treated at its source and/or diverted through the stormwater treatment process designed for the site, prior to the stormwater being discharged to surface water and groundwater sources.</i></p>	<p>See comment above.</p> <p>See comment above. In addition, an Acid Sulphate Soils management plan can be submitted as part of future Project/Development Applications.</p> <p>Full stormwater management details will be provided with future Project/Development Applications. This is reflected in the Statement of Commitments. Stormwater management is addressed in the plans prepared by Cardno ITC and attached at Annexure F &amp; G of this report.</p>

### 3.2.4 NSW RailCorp

NSW RailCorp provided a submission to the exhibited Environmental Assessment dated 18 January 2011. The Table below provides a response to each of the issues raised.

TABLE 4: RESPONSE TO ISSUES RAISED BY NSW RAILCORP	
Issue raised by NSW RailCorp	Response
<i>Key Issue Item 11 - the proponent's Geotechnical and Structural Reports, and excavation methodology are to meet RailCorp requirements. RailCorp's review indicates that the Geotechnical Report prepared by Environmental Investigations makes no reference to compliance with RailCorp's requirements. Further, the proponent has not provided a Structural Report or excavation methodology. Cross-sectional drawings were provided in the Robert Bird Report, however, these are inadequate as they do not provide accurate measurements and fail to include the excavation for the on-site detention tank along the rail corridor boundary.</i>	Such matters will be covered as part of future Project/Development Applications and RailCorp have recommended conditions of consent in this respect. This is reflected in the Statement of Commitments.
<i>Key Issue Item 11 - the Director-General's Requirements required the proponent to ensure that the landscaping and fencing within 20m of the rail corridor meets RailCorp's requirements. The documentation provided did not indicate that this requirement was complied with.</i>	Such matters will be covered as part of future Project/Development Applications and RailCorp have recommended conditions of consent in this respect. This is reflected in the Statement of Commitments.
<i>Key Issue Item 13 - the proponent was required to consult with RailCorp regarding impacts on Lewisham Station and that this matter be addressed in the EA. The EA document details that widespread consultation with other agencies and groups has occurred, however, RailCorp has not been consulted on this aspect of the proposal, despite the likelihood that any walkway would involve a significant interface with RailCorp land and facilities. This may explain the inadequate demonstration of structural, social, financial and legal considerations for this proposed linkage.</i>	Such matters will be covered as part of future Project/Development Applications and RailCorp have recommended conditions of consent in this respect. This is reflected in the Statement of Commitments.

RailCorp's submission also requests that redevelopment of the subject site, the McGill Street Precinct and the Allied Mills site be integrated and coordinated to ensure that impacts are appropriate to the locality. The Statement of Commitments reflects this desired outcome.

### 3.2.5 NSW Roads & Traffic Authority

NSW RTA (Sydney Regional Development Advisory Committee) provided a submission to the exhibited Environmental Assessment dated 11 January 2011. The RTA raised numerous concerns in their submission and also requested that an amended proposal be resubmitted for RTA review and comment prior to determination of the Concept Plan. Informal discussions have occurred between Traffix and the RTA, however, the DPI is requested to formally correspond with the RTA with respect to this Preferred Project Report.

TABLE 5: RESPONSE TO ISSUES RAISED BY NSW RTA

Issue raised by NSW RTA	Response
<b>RTA submission dated 11 January 2011.</b>	
<p><i>Traffic Management</i></p> <p>1. The RTA does not support the 'interim' traffic arrangements proposed for Stage I of the proposed development. Section 5.1 1.3 of the Transport Management and Accessibility Plan (TMAP) refers to an 'interim' arrangement at the intersection of Old Canterbury Road and Toothill Street. The current northbound lane allocation provides a through movement in lane one, with lane two a shared right turn and through movement. Section 5.1 1.3 details changes which formalises the right turn, effectively reducing the northbound movement to one lane through and one lane right turn. This reduction in lane usage will significantly effect the northbound movement causing the current pinch point at the intersection of Old Canterbury Road and Railway Terrace to be extended to this location. Furthermore, the reduction will cause increased queuing and congestion for northbound traffic.</p>	Interim arrangement no longer proposed.
<p>2. The provision of a dedicated left turn lane in Longport Street to turn left into Old Canterbury Road is not supported. Currently buses are able to turn right from this approach and outside of peak times all vehicles can turn right into Old Canterbury Road. If a vehicle is in the right lane waiting to turn right, vehicles wanting to travel through the intersection will be blocked as they will no longer be able to overtake a vehicle turning right.</p>	Dedicated left turn alterations no longer proposed. SCATES modeling is based on the existing intersection layout.
<p>3. The proposed median island at William Street is not supported due to the width of the carriageway on Old Canterbury Road. Any median island would need to be a minimum of 1.2 metres wide and Old Canterbury Road cannot accommodate this width without reducing the lane widths, which is unacceptable to the RTA.. In lieu of the above, 'No Right Turn' regulatory signposting shall be installed at this intersection to prohibit right turn movements on both the William Street and Old Canterbury Road approaches to the intersection. A 'Works Instruction' will be required from the RTA.</p>	Median no longer proposed.
<p>4. The RTA does not support the provision of a right turn storage facility in Old Canterbury Road to facilitate the right turn exit from the site via Hudson Street on road safety grounds. (As shown in Figure 5 in the submitted TMAP). As a result of the above, right turn movements on both the Hudson Street and Old Canterbury Road approaches to the intersection shall be prohibited and shall be enforced by implementing 'No Right Turn' regulatory signposting. A 'Works Instruction' will be required from the RTA. In addition, this right turn prohibition shall apply to both Stage I and 2 of the proposed development.</p> <p>5. The submitted TMAP and associated intersection modelling is to be revised to incorporate the</p>	<p>No longer proposed. Intersection will be left-in, left-out and controlled by signposting, as requested.</p> <p>The above have been incorporated into the revised traffic distributions for which the SCATES modeling</p>

TABLE 5: RESPONSE TO ISSUES RAISED BY NSW RTA

Issue raised by NSW RTA	Response
<i>abovementioned right turn prohibitions on Old Canterbury Road. The revised TMAP is to assess the implication of these right turn prohibitions on traffic movements in the vicinity of the subject site.</i>	(requested in item 8) has been undertaken.
<p><i>Traffic Signals</i></p> <p>6. The RTA is not in a position to provide any comment or determination on the TMAP with regard to the long term 'proposal to reconfigure the existing signalised intersection of Old Canterbury Road and Toothill Street to a four (4) legged intersection. The RTA requires a more detailed phasing arrangement of the proposed intersection changes accompanied by either SCATES or Linsig 3 (SCATS) modelling to assess the implications of the new intersection arrangements. Any proposed changes will require the approval of the Manager Networks Operations RTA, Traffic Management Branch.</p> <p>7. It is noted on page 27 of the submitted TMAP that the applicant states that they have had previous discussions with the RTA regarding all southbound right turn movements along Old Canterbury Road being focused at McGill Street. The RTA is unaware of any discussions having taken place for the southbound right turn movements at McGill Street. No expected traffic volumes have been provided in order for the RTA to assess whether this would be acceptable.</p>	<p>SCATES modeling has been undertaken, as requested. This demonstrates that the proposed co-ordination of these signals (including the new signals at Edward Street identified as part of the Allied Mills assessment) results in acceptable performance of all intersections.</p> <p>This was discussed 'in principle' with Ken Moon (former chairman of the Sydney Regional Development Assessment Committee – SRDAC) at a meeting held on 3<sup>rd</sup> December 2009.</p> <p>The development is expected to result in turning volumes of 22 veh/hr in the AM peak and 7 veh/hr during the PM peak for the right turn exit from McGill Street. This increases up to 29 veh/hr and 9 veh/hr when considering the overall McGill Street Precinct, as presented in the distributions provided in Appendix C1 of the addendum report. These are not a net increase and should be considered having regard for the likely current movements at this location.</p> <p>Right turn volumes from Old Canterbury Road into McGill Street will also be moderate with 14 veh/hr and 45 veh/hr during the AM and PM peaks, respectively.</p>
<p><i>Modelling</i></p> <p>8. The submitted TMAP has provided limited information with regard to the trip distribution of traffic to and from the proposed development.</p> <p>9. The modelling results from the Railway Terrace/Old Canterbury Road/Longport Street intersection propose a change in Level of Service (LOS) from F to D with the only change to the intersection being the dedicated left turn lane from Longport Street into Old Canterbury Road. It is questionable that with the additional traffic from the development that the LOS and delays would improve to this extent.</p>	<p>Further information is included in the addendum traffic report dated 20 May 2011.</p> <p>No longer relevant. No changes proposed at this intersection as mentioned in Item 2.</p>
<p><i>On-Street Parking</i></p> <p>10. Clearway restrictions cannot be implemented along this section of Old Canterbury Road as the minimum length of clearway restriction should be 5.0 kilometers. Consideration should be given to installing 'No Stopping' restrictions along the Old Canterbury Road frontage of the subject site.</p>	Accepted.

The RTA recommended conditions of consent and these are reflected in the Statement of Commitments. It is anticipated that these conditions may alter given the reduced traffic generation of the amended concept plan.

### 3.2.6 Sydney Water

Sydney Water provided a submission to the exhibited Environmental Assessment dated 20 December 2010. The Table below provides a response to each of the issues raised.

TABLE 6: RESPONSE TO ISSUES RAISED BY SYDNEY WATER	
Issue raised by Sydney Water	Response
<p><i>Water</i></p> <p><i>To service the proposed development, the existing 100 mm drinking water main needs to be upsized to a 200 mm main from Point A to Point B.</i></p> <p><i>The extensions will need to be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002). Evidence of Code compliance should be attached with the extension design.</i></p>	<p>Noted. Appropriate details will be provided as part of future Project/Development Applications. This is reflected in the Statement of Commitments.</p>
<p><i>Wastewater</i></p> <p><i>The proposed development conflicts with the location of a 150 mm wastewater main that traverses the site. A wastewater main deviation may be required, with any adjustment needing to be configured according to Sydney Water's Guidelines for Building Over or Adjacent to Sewer.</i></p> <p><i>To service the proposed development, the existing 150 mm wastewater main will need to be upsized to a 225 mm main from Point A to Point B as seen on the plan below. In addition, the wastewater main from point B to C, B to OJ and O to E are to be broken out during construction of the proposed development.</i></p> <p><i>The alterations will need to be sized and configured according to the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002). Evidence of compliance should be attached with the extension and/or adjustment design.</i></p>	<p>Noted. Appropriate details will be provided as part of future Project/Development Applications. This is reflected in the Statement of Commitments.</p>
<p><i>Stormwater Quality Management</i></p> <p><i>As the development will connect to Sydney Water's Hawthorne Canal stormwater system, compliance with Sydney Water's stormwater quality management targets is required. A Water Sensitive Urban Design (WSUD) stormwater treatment plan will need to be submitted to Sydney Water to demonstrate that the following stormwater management targets have been achieved:</i></p> <ul style="list-style-type: none"> <li><i>• A 90% reduction in the post development mean annual load of total gross pollutant loads.</i></li> <li><i>• A 85% reduction in the post development mean annual load of Total Suspended Solids.</i></li> <li><i>• A 60% reduction in the post development mean annual load of Total Phosphorus.</i></li> <li><i>• A 45% reduction in the post development mean annual load of Total Nitrogen.</i></li> </ul>	<p>Noted. Appropriate details will be provided as part of future Project/Development Applications. This is reflected in the Statement of Commitments.</p>



TABLE 6: RESPONSE TO ISSUES RAISED BY SYDNEY WATER

Issue raised by Sydney Water	Response
<i>In addition to the WSUD plan, a Model for Urban Stormwater Improvement Conceptualisation (MUSIC) will also need to be submitted to Sydney Water for review and approval. This model will need to be prepared in accordance with the NSW MUSIC Modelling Guidelines (SMCMA, August 2010).</i>	
<p><i>Trade Waste</i></p> <p><i>All customers discharging trade waste into Sydney Water's wastewater system must have written permission from Sydney Water. The trade waste requirements help Sydney Water discharge or reuse wastewater while protecting the environment and meeting regulatory requirements.</i></p> <p><i>Sydney Water will either issue the customer a trade waste permit or enter into a trade waste agreement. A trade waste permit must be obtained before any discharge can be made to the sewer system. The permit is also needed for site remediation purposes. Applications for a trade waste permit can be made to Sydney Water at the Section 73 Certificate application stage. For further information refer to the Sydney Water website.</i></p>	Noted.
<p><i>Sydney Water Servicing</i></p> <p><i>Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess if amplification and/or changes to the system are applicable. The proponent must fund any adjustments needed to Sydney Water infrastructure as a result of any development.</i></p> <p><i>The proponent should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. The Water Servicing Coordinator will ensure submitted infrastructure designs are sized &amp; configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).</i></p> <p><i>Sydney Water requests the Department to continue to instruct proponents to obtain a Section 73 Certificate from Sydney Water. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>.</i></p>	Noted. A S.73 Notice of Requirements will be obtained prior to commencement of construction works. This is reflected in the Statement of Commitments.

### 3.3 Marrickville Council

Marrickville Council provided three submissions with respect to the proposed development, as follows:

- 23 December 2010 – Preliminary submission from traffic consultants, Colston, Budd, Hunt & Kafes Pty Ltd on behalf of Marrickville Council;
- 23 December 2010 – Submission from Marrickville Council; and

- 23 February 2010 – Detailed traffic report prepared by traffic consultants, Colston Budd Hunt & Kafes Pty Ltd on behalf of Marrickville Council.

Provided below is a response to the matters raised in Marrickville Council's submission and the Colston, Budd, Hunt & Kafes Pty Ltd submission (December and February submission combined).

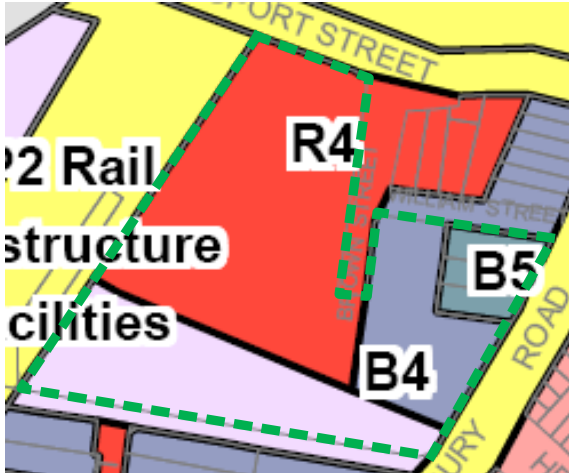
TABLE 7: RESPONSE TO ISSUES RAISED BY MARRICKVILLE COUNCIL	
Issue raised by Marrickville Council	Response
<b>23 December 2010 – Marrickville Council</b>	
<p><b>Zoning provisions</b>  <i>Under the zoning provisions of MLEP 2001 part of the north-east corner of the site is zoned Reservation – Arterial Road and Arterial Road Widening (9C). The remainder of the site is zoned Light Industrial (4B). The proposed mixed use development does not constitute a permissible use under the zoning provisions applying to the land under the MLEP 2001.</i>  <i>Under Draft MLEP 2010 the site is affected by a number of proposed zones, which are based on the land uses in the adopted by the McGill Street Precinct Masterplan. These zones include High Density Residential (R4), Mixed Use (B4), Business Development (B5), and Light Industrial (IN2). The majority of the proposed retail uses, including the proposed supermarket, is located within areas zoned High Density Residential and Light Industrial under the DMLEP 2010 and as such are prohibited under the provisions of these zones.</i></p>	<p>See submitted EA for discussion on zoning restrictions. Draft Marrickville LEP (MLEP) and DCP (MDCP) 2010 were on public exhibition between 4 November 2010 and 28 February 2011. Under the exhibited draft, the area adjacent to the northern edge of Hudson Street appears to not have a defined zoning in the draft LEP maps. However, the remainder of the subject site is affected by the R4 <i>High Density Residential</i>, B4 <i>Mixed Use</i> and B5 <i>Business Development</i> zones as described below (extract from Draft MLEP 2010 maps).</p>  <p>In terms of built form, the significant difference between the originally submitted EA plans and the preferred concept plan is the removal of the proposed supermarket and adjoining retail plaza. The preferred concept plan includes the following land uses in each zone of the Draft MLEP 2010:</p> <ul style="list-style-type: none"> <li>R4 – Residential, retail and café</li> <li>B4 – Residential and shop-top housing</li> <li>B5 – Residential and shop-top housing</li> </ul> <p>Within the R4 zone, <i>residential flat buildings</i> and <i>food and drink premises</i> are permissible. In addition, both the B4 &amp; B5 zones permit <i>shop-top housing</i> and <i>residential flat buildings</i>.</p> <p>The land uses proposed under the preferred concept plan are therefore permissible forms of development under the exhibited draft LEP. It is noted that gazettal of the draft LEP is not imminent or certain.</p>
<p><b>Land Use Issues</b>  <i>Council considers the concept plan to be largely inconsistent with Council's adopted masterplan,</i></p>	<p>The arrangement of buildings and open space areas on the site as well as comparison of the proposed Concept</p>

TABLE 7: RESPONSE TO ISSUES RAISED BY MARRICKVILLE COUNCIL

Issue raised by Marrickville Council	Response
<i>particularly in terms of proposed scale and density of development, and the provision of open space within the subject site. Council requests that the concept plan be amended to be consistent with council's masterplan for the precinct, which has in principal endorsement from the Department through approval of Draft MLEP 2010 for public exhibition.</i>	Plan against Council's McGill Street Precinct Masterplan has been discussed in detail in the submitted EA. Points raised in the EA remain valid from an urban design and town planning perspective. Building size and open space provision has been refined in response to issues raised in the submission, a discussion on which is provided in Table 1 of this PPR.
<i>Orderly and Equitable Development It is considered that considering the subject site in isolation is likely to constrain the development capacity and options for other properties within the precinct and lead to lower quality planning outcomes. Furthermore, assessing the subject site in isolation fails to assess the cumulative impact of future development within the McGill Street Precinct. For example, the concept plan for the subject site proposes to provide more than three times the amount of retail floor space than was anticipated for the entire McGill Street Precinct under Council's masterplan. In addition, the concept plan proposes to provide up to 400 residences whereas Council's masterplan anticipated approximately 500 for the entire precinct.</i>	<p>The Tony Owen Masterplan considers the entire McGill Street Precinct and not just the subject site in isolation. The supermarket and portion of retail tenancies have been removed from the proposal so that the preferred concept plan more closely aligns with Council's masterplan.</p> <p>In terms of the number of dwellings proposed, the need for additional housing in the locality is discussed in the submitted EA. Removal of the supermarket and adjoining retail plaza together with the shifted location of Hudson Street (back to its existing location), allows for a small increase in the number of dwellings and for the creation of a large public open space area for use by new and existing residents. Dwelling layout is consistent with the requirements of SEPP 65 and the RFDC, and will be further refined under future Project/Development Applications.</p>
<i>Gross Floor Area Furthermore, it is noted that the applicant has failed to highlight that the Tony Owen Associates Masterplan includes a large amount of below ground retail space, which significantly increases the scheme's overall GFA. The concept plan goes on to point out that the methods for calculating GFA between the two Master Plans were incongruent and provides a recalculated total GFA for Site 1 of the McGill Street Masterplan of "26,988m<sup>2</sup>" (still significantly less than the concept plan's 45,902m<sup>2</sup>). The concept plan also makes the assertion that the building envelopes of the two schemes are similar and therefore the question of GFA is of minor relevance.</i>	In response to submissions, the supermarket and retail floor space has been altered as previously discussed. Points raised within the EA with respect to Gross Floor Area remain relevant to the proposed Concept Plan. The FSR has been reduced from 3.5:1 to 3.15:1.
<i>Open Space Council raises concerns regarding the location of the proposed open space. Its failure to be included as part of the subject application raises serious concerns about the likelihood of its development. Council refutes the claim in the application that the open space proposed in the concept plan is larger in area in comparison to Council's masterplan. The concept plan covers only part of the McGill Street precinct and it is disingenuous of the applicant to argue that it includes more open space than Council's masterplan, as the majority of the open space referred to falls outside of the subject site. Given the above, it is considered that the subject application would lead to gross overdevelopment of the McGill Street Precinct (should the yields on the</i>	Seemingly, Council refers only to the open space provided adjacent to Hudson Street, linking Old Canterbury Road with the GreenWay. Removal of the supermarket and adjoining retail plaza together with the shifted location of Hudson Street (back to its existing location), significantly improves the size and functionality of the open space area adjacent to Hudson Street. In comparison to Council's masterplan which provides an open space area of 3032m <sup>2</sup> adjacent to Hudson Street, the proposed Concept Plan provides an open space area of 3466m <sup>2</sup> (adjacent to Hudson Street and extending into the site in a northerly direction). Public open space provided within the Concept Plan is more evenly shared between the subject site and the adjoining sites. The anticipated visual and physical connectivity between Old

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<p><i>balance of the precinct be maintained) with consequent repercussions on matters such as traffic generation (especially given the amount of proposed retail) and the cumulative effect of surrounding developments, such as the adjacent Allied Mills site. To ensure equitable and appropriate revitalisation of the McGill Street Precinct it is essential that the site be dealt with holistically. The subject application fails to achieve this through dealing with a portion of the site only. Council submits that the subject application should be amended to be consistent with Council's adopted masterplan which sets future direction for the entire McGill Street precinct to ensure good planning outcomes.</i></p>	<p>Canterbury Road and the GreenWay is achieved by the Concept Plan. Total landscaping of the site (including public and communal open space areas) is 5322m<sup>2</sup> whereas Council's masterplan achieves an open space area of 4451m<sup>2</sup>. The preferred project therefore increases open space on the site by 20% in comparison to Council's McGill Street Precinct Masterplan.</p> <p>Traffic impacts taking into consideration the proposed dwelling density for the entire McGill Street Precinct (based on the Town Owen Partners Masterplan) is discussed elsewhere in this PPR and in the amended traffic impact assessment provided at Annexure D. Removal of the supermarket and adjoining retail plaza from the proposal has significantly reduced traffic impacts.</p>
<p><i>Centres Hierarchy and Out of Centres Retailing</i> Council does not support the proposed amount of retail floorspace included in the subject application. The inclusion of this level of retail floorspace would elevate the role of Lewisham, which is not supported in any existing strategic planning documents, including those prepared and endorsed by the Department.</p>	<p>The supermarket and related retail tenancies have been entirely removed from the proposal. The only retail facilities now proposed are those adjacent to Hudson Street and those located at the southern end of proposed Building A which will serve the purpose of local neighbourhood shops. The size of the proposed retail areas will therefore not impact on the economic viability of the retail / commercial areas of Ashfield or Summer Hill. The retail tenancies proposed along with the café will activate the adjacent public open space and link the residential areas to the east of the McGill Street Precinct with the GreenWay.</p>
<p><i>Local flooding issues</i> A flood study needs to be undertaken that fully investigates the potential for flooding from the Hawthorn Canal and from overland flows from the low point on Old Canterbury Road (near Henry Street). It is noted on the stormwater plan by Cardno ITC (N09612-DA-H01 Rev 02) that the proposed location of the private OSD system is to be under a new road to be dedicated as public road. This is not acceptable. The OSD system shall be located fully on the development site and not encroach onto any future public road.</p>	<p>A stormwater concept plan and a flood report prepared by Cardno ITC is provided at Annexures F &amp; G, respective. OSD is now located entirely within the site and on common property.</p>
<p>Urban design comparison with the McGill Street Precinct masterplan Block/street/open space structure</p> <ul style="list-style-type: none"> <li>The Part 3A has only one street accessed from Old Canterbury Road (opposite Henry Street) on the north side of the central park that connects McGill Street, whereas Council's masterplan has dual streets from Old Canterbury Road on either side of the central park. The removal of the street south of the central park means there will be no address for building entries, which diminishes Council's masterplan concept of the main retail being a continuous shop frontage strip along the southern side of the central park, where it has north orientation and is adjacent to the main pedestrian movement route from Lewisham to</li> </ul>	<p>Council's masterplan includes a one way road that circles the 'new public park' in a clockwise direction and links Old Canterbury Road with the GreenWay. By comparison the proposed Concept Plan has a dual carriageway, which from a traffic flow perspective achieves the same outcome (refer to the traffic report provided at Annexure C). The Concept Plan includes retail tenancies that front the new public open space proposed and the GreenWay, which is considered to be a superior outcome in comparison to Council's masterplan as it will capture pedestrian traffic in the locality as well as business from the future residents of the site. The proposed arrangement is considered to be superior in that it will encourage a higher proportion of pedestrians to move past the shopfronts. In addition, a</p>

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<p><i>Summer Hill across the GreenWay/Light Rail through to the Allied Mills site. This loss of address also reduces pedestrian activity, and surveillance for park safety. The orientation of the street on the north side of the central park is directly east-west compared to Council's masterplan that angles slightly to the north.</i></p> <ul style="list-style-type: none"> <li><i>The central park in the Part 3A has approximately the same area as under Council's masterplan and is generally rectangular in shape. Critically, the Part 3A dedicates less than half of the total park area from the subject site, with the remaining land to be dedicated as part of developments to the south. Under Council's masterplan the whole central park was required to be dedicated from this site. Further, under Council's masterplan the central park is narrower at the Old Canterbury Road end but fans out to be wider at the western end. This feature of Council's masterplan enables the wider end to better connect to the GreenWay, Lewisham light rail stop and across to the Allied Mills site and Summer Hill. It also allows more flexible use of the wider park space at the western end.</i></li> <li><i>The Part 3A proposes a triangular shaped public open space area on top of the main shopping centre podium, between residential building blocks. It appears the levels allow access to this space off the 'green boulevard'. Given the level changes it is unclear if this will also be accessible from the north end (near the intersection of William and Brown Street).</i></li> <li><i>Council's masterplan extends Brown Street as a public street whereas the Part 3A is a pedestrian tunnel link under the main podium slab that connects the lower ground floor level that relates to the shopping centre entry front to the green boulevard and central park. This tunnel space will be unsatisfactory after retail hours due to it having no surveillance by residential dwellings above and likely to be avoided by pedestrians after retail opening hours, creating safety and security threats.</i></li> </ul>	<p>loop road around the perimeter of the park as proposed in Council's masterplan will segregate this space from adjoining land uses and be less attractive to the public. The Concept Plan is superior in terms of urban design as it will activate the spaces, which in turn will also improve security and passive surveillance of the space.</p> <p>The Concept Plan has been amended so that the original location of Hudson Street has been reinstated. This together with changes to building footprints enables a much larger area of public open space to be delivered as part of the preferred concept plan. Issues relating to quality and activation of the open space have been discussed previously.</p> <p>The Concept Plan has been redesigned in response to submissions as previously outlined.</p> <p>Concept Plan has been redesigned in response to submissions as previously outlined. Pedestrian access to and from the GreenWay is now focused towards the open space adjacent to Hudson Street with high levels of casual surveillance achieved.</p>
<p><i>Site coverage and deep soil landscape area</i> <i>As the Part 3A incorporates a large commercial floor plate to accommodate an internalized shopping centre with podium and one large basement, it has a much greater site coverage than Council's masterplan.</i></p>	<p>The supermarket and retail plaza have been removed from the proposal and Hudson Street is shifted back to its existing location. As a consequence, the area for deep soil planting is now 1979m<sup>2</sup> (excluding all hard surfaces such as paths and café plaza) which represents 37% of the total open space provided on the site. Refer to the deep soil area plan provided at Annexure C. As previously outlined, total landscaping of the site (including public and communal open space areas) is 5322m<sup>2</sup> whereas Council's masterplan achieves an open space area of 4451m<sup>2</sup>. The preferred project therefore increase open space on the site by 20% in comparison to Council's McGill Street Precinct Masterplan.</p>

TABLE 7: RESPONSE TO ISSUES RAISED BY MARRICKVILLE COUNCIL

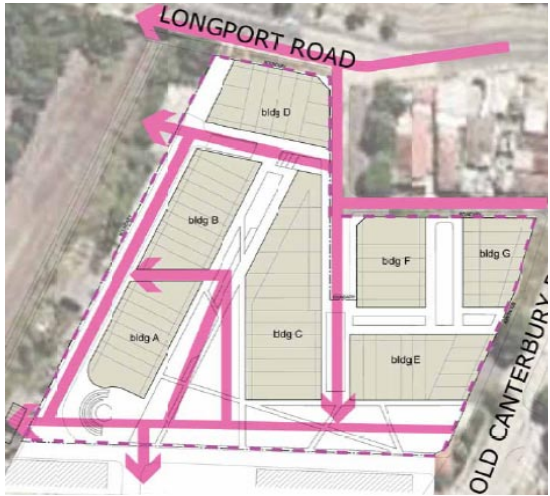
Issue raised by Marrickville Council	Response
<p><i>Movement/connections with surrounds</i>  <i>Providing a new street between the GreenWay and residential buildings. Under the Part 3A (and Part 3A alternate masterplan) the removal of the street on the south of the central park and displacement of the footpath further to the south no longer matches the direct visually legible Lewisham to Summer Hill route proposed under the combined McGill and Allied Mills Masterplans. The exact location of the Light Rail crossing proposed under the Sydney Light Rail Extension Environmental Assessment does not, however, accord with these masterplans, which will need to be addressed in combination with the masterplans and Part 3A assessments.</i></p> <p><i>The Part 3A provides additional connections than Council's masterplan through the triangular shaped open space and through the middle of the buildings adjacent to Old Canterbury Road, however it is unclear if these will allow unrestricted public through movement access, as they appear to be provided primarily to allow access to residential lift lobby entrances. The introduction of alternate pedestrian movement and open space paths disperses and fragments the main pedestrian movement paths (especially the Lewisham to Summer Hill route), creating illegibility and territorial ambiguity for pedestrians and creating potentially unsafe public spaces.</i></p>	<p>Access to and from the GreenWay has been amended and the location of Hudson Street now coincides with Council's masterplan. Access to and from the GreenWay has been discussed elsewhere.</p> <p>Pedestrian access and connections to the Green Boulevard and future light rail have been amended under the preferred project to ensure clear and unobstructed access across the site. A pedestrian footbridge and the café plaza/central green boulevard will provide connections between Lewisham Station / the GreenWay and the site. The preferred concept plans offers increased connectivity between the future light rail and the locality with several connection points to the GreenWay, as shown below.</p> 
<p><i>Orientation, street use activation &amp; connection with ground levels</i>  <i>The Part 3A primarily orientates the development to front the shopping centre onto Brown Street and onto the internalised shopping centre "piazza", compared to Council's masterplan which orientates active frontages to all the surrounding streets (whether used for commercial, retail or ground floor residential) on all building sides.</i></p> <p><i>Overall, there is less building edge facing the streets and less street use activation than Council's masterplan layout. This is particularly problematic at the south-western corner of the site which has a large building gap, a relatively blank 8 storey end wall and truck loading area for the supermarket, which is very poorly located opposite the future</i></p>	<p>The supermarket and adjoining retail plaza have been removed from the proposal.</p> <p>Removal of the originally proposed loading dock at the southwestern corner of the site, reduced length of Building and creation of a new café and plaza adjoining are considered to provide a superior urban design outcome as it will rely on pedestrian traffic in the locality and link the site and surrounding development with the Greenway. Given the relatively small size of the proposed retail tenancies and café it is likely that a considerably higher proportion of business will come from pedestrian traffic and not from motorists. The proposed location of the retail tenancies and café will activate the adjacent public open space and connect the proposed residential</p>

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Issue raised by Marrickville Council	Response
<p><i>Lewisham light rail stop and connection across to the Allied Mills site and Summer Hill. Along the western street elevation adjacent to the GreenWay the plans indicate that the small shopping centre retail spaces may relate to this elevation but are more likely to be back of house, loading and waste storage areas with poor street activation and amenity.</i></p>	<p>buildings with this space also.</p>
<p><i>Overall Massing, Form and Building Layout</i>  <i>The massing of the Part 3A application is similar to Council's masterplan, being 4 storeys along Old Canterbury Road stepping up to 9 storeys adjacent to the GreenWay. The differences are as follows:</i></p> <ul style="list-style-type: none"> <li><i>• The Part 3A has an 8 storey building addressing Longport Street compared to 6 storeys under Council's masterplan.</i></li> <li><i>• The Part 3A has 6 storey buildings directly west of Brown Street, compared to a mix of 4 storeys and 6 storeys under Council's masterplan.</i></li> <li><i>• The Part 3A building elements adjacent to the central park to the west of Brown Street are a mix of 8, 6 and 4 storeys compared to 4 storeys under the Council's masterplan (3 storeys with 4<sup>th</sup> storey setback 4m). The Part 3A incorporates a gap between building blocks but overall the Part 3A is a much larger form adjacent to the central park and will allow less solar access to the central park.</i></li> <li><i>• The Part 3A proposes a more fragmented building form with building blocks broken into smaller pieces compared to Council's masterplan. This type of layout/form has less space definition, which can create ambiguity over what is public and what is private or communal space. It does, however, create a greater building surface area, that potentially enables greater access to light and ventilation than Council's masterplan. Council's masterplan layout, by contrast, has a very strong perimeter block form by utilising continuous built edges. This creates greater definition of streets and open space, clearer definition of public front and communal internal courtyards, increases level of dwelling address towards the public streets and open space and greater street activation and surveillance of public space for increase visual interest, safety and security.</i></li> </ul>	<p>Given the difference in natural ground level height between the site and Longport Street, the visual height of the building fronting Longport Street is 7 to 8 storeys. However, the upper 2 levels are setback from the levels below to further reduce building bulk and create a prominent building height of 6 storeys when viewed from within Longport Street.</p> <p>The building to the west of Brown Street has been altered under the preferred concept plans to create a prominent 4 storey building height with 3 levels above that are recessed and positioned towards the centre of the building. The stepped building appearance will visually reduce building bulk and increase solar penetration into the surrounding spaces while also improving the amenity of the apartments.</p> <p>Council's masterplan has building heights of 4 and 6 storeys adjacent to the western side of Brown Street and the preferred Concept Plan has building heights of 4 and 7 storeys (with the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> storeys setback from the levels below). The arrangement and size of buildings on the site will allow for higher levels of solar access into the public open space adjacent to Hudson Street in comparison to Council's masterplan which proposes a building along the full northern edge of the public open space.</p> <p>The delineation between public and private (including communal) spaces will be fully resolved under future Project/Development Applications and will include a combination of built elements and landscaping. As outlined in Council's submission, the proposed Concept Plan offers higher levels of solar access, natural ventilation and privacy for the future apartments. In addition the proposed Concept Plan offers high levels of amenity to the open space areas surrounding the buildings. The preferred concept plan further refines building layout and size to achieve a superior urban design outcome. On balance, the proposed building layouts are considered to offer higher levels of resident amenity and larger areas of open space across the site in comparison to Council's McGill Street Precinct Masterplan.</p>



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Issue raised by Marrickville Council	Response
<ul style="list-style-type: none"> <li><i>The Part 3A massing has overall greater building depths and narrower separation between building blocks than Council's masterplan (however, the Part 3A layout avoids privacy problems that can occur with the perimeter block form of the masterplan at internal corners by utilising the more open layout/form).</i></li> <li><i>Generally, under the Part 3A there are few entry points via main lobbies and long central corridors are relied on. This arrangement is largely a result of the layout with the large lower ground floor shopping centre. The exception to this is the eastern end of the new green boulevard and Old Canterbury Road where there are soho frontages with multiple street entry. Overall it is expected the Part 3A would have lower street entry activation than that which could be achieved under Council's masterplan (with no large shopping centre podium form).</i></li> <li><i>In summary, overall the Part 3A is a larger form resulting in greater site coverage, less deep soil open space, greater site density, greater visual impact and less street activation. While there are a few advantages of the Part 3A layout, as discussed above, overall the proposal focuses on maximising the yield on the site and achieving internalisation of the development, compared to Council's masterplan that focuses on producing a quality public environment.</i></li> </ul>	<p>Building separation complies with the minimum requirements of SEPP 65 / RFDC.</p> <p>The supermarket and retail plaza have been removed from the Concept Plan. Ground floor apartments will have individual entry points from adjacent public spaces which will activate the frontages of the site.</p> <p>Justification for these matters is provided above. In direct response to the comments made:</p> <ul style="list-style-type: none"> <li>The proposal has less site coverage in comparison to Council's masterplan and easily achieves the minimum deep soil requirements of SEPP 65 / RFDC (figures outlined previously);</li> <li>The proposal will have similar building size but with improved visual permeability into the site with the proposed building layouts;</li> <li>The Green Boulevard and pedestrian link between the future pedestrian footbridge at the top of Brown Street and through the site to the GreenWay, is activated in the preferred concept plan as a result of the retail premises, shop-top housing and café with adjoining plaza; and</li> <li>The relationship between the communal/private and public spaces created by the preferred concept plans is considered to be far superior to Council's McGill Street Precinct Masterplan and it provides a platform for the remainder of the McGill Street Precinct to build upon for further enhancement of the Precinct.</li> </ul>
<p><i>Independent urban design review of the Part 3A App Council engaged Olsson &amp; Associates Architects Pty Ltd to undertake an independent urban design review of the Part 3A application. Key findings of the independent urban design review are:</i></p> <ul style="list-style-type: none"> <li><i>Block D (adjacent to Longport Street) and Block A (in south-western corner) adjacent to the central park are inappropriately scaled and will be visually dominant;</i></li> </ul>	<p>An independent review of the amended Concept Plan has been undertaken by Simmons Architects, a copy of which is provided at Annexure E of this report. In direct response to the points raised in Council's submission:</p> <p>The setting for Block D is a major road and heavy rail to the north, potential development to the east and south, and the Greenway and natural bush land to the west. The context and planning role for the proposed Block D includes marking the entry of the Greenway, the relationship to the Summer Hill flour mills, and the future development on Longport Street. The proposed scale is appropriate to this role as a visual marker for the areas surrounding the site.</p> <p>Block A is of a suitable scale in its role defining the</p>



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<ul style="list-style-type: none"> <li><i>The relatively wide gaps between buildings (compared to the contiguous perimeter block layout proposed in Council's masterplan) diminishes the expression and quality of streets and open space and the difference between public and private/communal space;</i></li> <li><i>Site permeability and legibility of the Brown Street extension has been compromised by blocking off with a shopping mall galleria and encroachment of building into the view shaft;</i></li> <li><i>Additional open space on top of the shopping centre is unlikely to accommodate substantial trees or landscaping;</i></li> <li><i>Recommendation that the amount of deep soil open space area be doubled from 13% to 25% of the total open space on this site and the width be doubled on this site to average 12m and the buildings north of the central park be setback 6m;</i></li> <li><i>Recommendation that the buildings north of the central park be 6 storeys (as opposed to a mix of 4, 6, 8 and 9 storeys in the Part 3A) with the 6th storey stepped back 6m;</i></li> <li><i>Recommendation that there be a greater separation between buildings in accordance with the Residential Flat Design Code (RFDC);</i></li> <li><i>That there is some poor solar and ventilation amenity with blocks C, D and F having deep building depth, Block D and F having bedrooms in the centre of buildings and high proportion of single orientation and Block D having 25% of units being south facing compared to 10% maximum under the RFDC;</i></li> </ul>	<p>Greenway light rail corridor. It will address a wide urban space that is bounded by built elements of a similar scale on the other side of the Greenway. The 3D modelling, included in the proposal, confirms the suitability of the transition from 4 storeys, facing Old Canterbury Road, via intermediate heights to the Blocks facing the Greenway.</p> <p>The McGill Street Precinct Master Plan (MSPMP) is characterized by a tight configuration of buildings which define internal communal/private green spaces. This results in a plan which is more closed off from the surrounding neighborhood with less public access to communal open space. The MSPMP has fewer buildings facing the Greenways, thus fewer units can benefit from this amenity. Only 25% of the units benefit from the New Local Park.</p> <p>The Part 3A application also uses buildings to define green space. However these spaces are less tightly enclosed, and some like the central space are linked directly to the central park, and are more readily accessible to the community.</p> <p>The shopping centre has been deleted from the proposal thus removing the perceived blockage of the view shaft.</p> <p>The shopping centre has been deleted from the proposal.</p> <p>The deep soil area provided by the amended scheme is 1979m<sup>2</sup> of the open space on the site, which represents 37% and therefore easily complies with the recommended 25% minimum. Building setbacks and separation has been amended including deletion of the supermarket, adjacent retail plaza and podium.</p> <p>The supermarket and adjacent retail plaza have been deleted and the new central park has substantially increased in size and now offers increased solar access. Building heights and separation have been altered in this respect under the preferred concept plan.</p> <p>The separation between buildings is in accordance with the Residential Flat Design Code (RFDC) and the spaces achieved fulfill the aims of that clause of the RFDC. The Council's master plan in contrast does not achieve the required separation.</p> <p>The overall percentage of south facing units is much less than 25%, whereas in the Council master plan it is at least 25% for all buildings. The implied central bedrooms are capable of resolution in the unit planning by relocation of staircases. The RFDC allows for increased depths in both cross over and single level apartments where day lighting and ventilation issues can be resolved. In both cases the issues of daylight access are resolved by the width of the units.</p>

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<ul style="list-style-type: none"> <li><i>Density is due to large shopping centre development type, minimal deep soil open space, overdevelopment of site and some poor amenity dwelling design;</i></li> <li><i>Use of few building entries due to wide spacing of lift cores and long internal corridors (largely as a result of shopping centre building type), will not provide much street activation; and</i></li> <li><i>Greater dwelling mix is required.</i></li> </ul>	<p>The shopping centre has been deleted from the proposal. The scheme will be developed in detail at the Development/Project Application stage. However the preliminary layouts indicate capacity for functional apartment layout and compliant cross ventilation and solar access.</p> <p>Due to the deletion of the shopping centre the majority of the long corridors have been deleted and buildings have appropriate street activation, identification and security, which can be further developed at the Development/Project Application stage.</p> <p>Apartment mix has been altered as part of the preferred project report to provide an increased variety of SOHO, Studio, 1 bed, 2 bed and 3 bed apartments. Apartment mix and layout will be further resolved at the Development/Project Application stage.</p>
<p><i>Developer Contributions and Voluntary Planning Agreements</i></p> <ul style="list-style-type: none"> <li><i>Marrickville Contributions Plan 2004</i></li> <li><i>Open Space, Parks, Infrastructure and Sports Facilities</i></li> <li><i>Public Libraries</i></li> <li><i>Open Space</i></li> <li><i>Pedestrian and Traffic Facilities</i></li> <li><i>Preliminary Additional Infrastructure Assessment</i></li> </ul>	<p>S.94 contributions will be paid under future Project/Development Applications. Section 4.2.3 of the EA contains information with respect to a future VPA. Full details will be provided with future Project/Development Applications.</p>
<p><b>Affordable Housing</b></p> <p>Considering the scale of the residential component proposed for the subject site, which is substantially greater than considered suitable under council's masterplan, a proposed 1.25% allocation of units for affordable housing is considered grossly inadequate. Further, it is considered unacceptable to propose a token approach to affordable housing provision on the basis that there are no specific requirements. This absence of any requirements is attributable to the Department's policy of preventing local Council's from implementing affordable housing schemes (most recently evidenced in the removal of provision from the draft MLEP 2010).</p> <p>Accordingly, as with the provision of appropriate infrastructure within the precinct Council requests that the Department coordinate appropriate and significant affordable housing contributions for development within the precinct. This would ideally be achieved through development of a VPA. Council's Director, Community Services has advised that an appropriate level of affordable housing contributions may be drawn from the examples of Landcom and City West Housing Company which are understood to have achieved at least 7.5% affordable housing in mixed residential developments.</p>	<p>The number of affordable housing units will be resolved under future Project/Development Applications as it is premature to allocate a defined number of units to affordable housing without also understanding the financial implications for redevelopment of the site. A range of units types and sizes will be provided across the site to cater for a wide cross section of the community. It is anticipated that between 5 and 7 units will be allocated as affordable rental housing. It is noted that the ARH SEPP does not apply to the proposed development and that the affordable housing provisions of Council's draft LEP have been omitted at the request of the DPI.</p>

TABLE 7: RESPONSE TO ISSUES RAISED BY MARRICKVILLE COUNCIL	
Issue raised by Marrickville Council	Response
<i>Traffic and Parking</i>	Refer to comments under separate section below and amended traffic report provided at Annexure D.
<i>Relationship between proposed Lewisham Estate development and proposed Lewisham West light rail stop &amp; GreenWay</i>	The layout of the Concept Plan has been altered with removal of the supermarket and reinstatement of a green boulevard that links Old Canterbury Road and the residential areas to the east of the site with the GreenWay. This pedestrian link is also activated with ground floor retail / soho spaces and a café.  Further and more detailed discussions will be undertaken with Council, NSW Transport, Ecotransit and the Department of Planning & Infrastructure with future Project/Development Applications, at which time the details of the any VPA will also be resolved.
<b>23 February 2011 – Colston, Budd, Hunt &amp; Kafes Traffic Consultants on behalf of Marrickville Council</b>	
<ul style="list-style-type: none"> <li>• Traffic Effects</li> <li>• Construction Traffic</li> <li>• SRDAC Advice</li> <li>• Traffic Management (TMAP)</li> <li>• Traffic Signals</li> <li>• Modelling</li> <li>• On-Street Parking</li> <li>• Parking</li> <li>• Loading Areas</li> <li>• Construction</li> <li>• Excavation</li> <li>• Noise</li> <li>• Hydraulics</li> <li>• Road Safety</li> </ul>	Whilst a number of these matters can be suitably dealt with under future Project/Development Applications, a number of issues raised are resolved by the amended traffic report. A copy of the report is attached as Annexure D.

### 3.4 Public Submissions

This section of Preferred Project Report provides a summary of the key issues raised in the public submissions, provides a response and where appropriate a description as to how the Preferred Project has been amended in response to these issues.

A total of 178 public submissions were received by the DPI during the exhibition period. Copies of all submissions were provided to the Proponent in order that issues raised could be addressed in the Preferred Project. The Table below provides a summary of the submissions received during the exhibition period, which have been considered in preparing this Preferred Project Report.

The submissions were correlated by the DPI and a response in order of the highest to lowest number of occurrences of an issue raised is provided in the Table below. Given the number of public submissions copies have not been appended to this report. It is understood that the DPI have a copy.

TABLE 8: RESPONSE TO ISSUES RAISED DURING THE PUBLIC CONSULTATION PROCESS	
Issue raised	Submission number
Bulk and scale is not characteristic of the area and will create unreasonable amenity impacts.	4, 5, 8, 10, 11, 13, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61-70, 71-80, 81-88, 89, 90, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101-110, 119, 120, 121-129, 130, 131-139, 140 -142, 143, 144, 145, 146-148, 149, 150, 151, 152, 155, 156, 157, 158, 159, 160, 161-163, 164, 165, 166, 168, 169,170,171, 172, 173, 174, 175, 177, 178
Traffic and Parking impacts in the locality	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61-70, 71-80, 81-88, 90, 92, 94, 95, 96, 97, 98, 99, 100, 101-110, 111-118, 119, 120, 121-129, 130, 131-139, 140-142, 143, 144, 146-148, 149, 150, 151, 152, 153, 154, 155, 156,157, 158, 159,160, 161-167,168, 169,170, 171,172, 173, 174, 175,177, 178
The proposal contains excessive retail and commercial floor space which will result in loss of business to existing retailers in the locality.	6, 7,8, 10, 17, 18, 19, 20, 22, 25, 27, 28, 30, 31, 34, 35, 36, 38, 39, 41, 42, 44, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61-70, 71-80, 81-88, 89, 92, 94, 95, 97, 98, 99, 100, 101-110, 111-118, 119, 120, 121-129, 130, 131-139, 140-142, 143, 144, 145, 146-148, 150, 151, 152, 153, 154, 155, 156,157, 160, 161-166,168, 170, 171,172, 173, 174, 175,177, 178
Insufficient public open space	1, 3, 8, 10, 12, 15, 18, 19, 20, 21, 24, 25, 28, 31, 34, 36, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61-70, 71-80, 81-88, 90, 92, 94, 95, 96, 97, 98, 101-110, 111-118, 119, 120, 121-129, 130, 131-137, 139, 140-142, 143, 144, 145, 146-148, 150, 151, 156, 157,158, 159,160, 161-166, 168, 169, 170, 171, 172, 173, 174, 177,178
The combined impact of this development and the Summer Hill Allied Mills site should be considered.	12, 15, 18, 19, 21, 22, 24, 25, 27, 30, 32, 44, 51, 99, 111-118, 120, 121, 122, 126, 128, 129, 140, 149, 150, 164, 163, 165, 166
There is insufficient public transport to service additional residents	8, 12, 14, 21, 24, 46, 56, 76, 111-118, 120, 121-123, 126, 128, 129, 140, 157, 167, 174
Local schools and child care centres cannot support additional residents.	8, 38, 56, 60, 65, 174
The development will impact on Cook River to Iron Cove GreenWay project.	17, 93, 145
The design and construction of the development is not environmentally sustainable.	40, 67
McGill Street is too narrow for loading docks	145, 152
Devaluation of adjoining property	29
Non-Compliance with Draft South Sub-Regional Strategy	89

The following public submissions provided points of support to the proposed Concept Plan.

TABLE 9: SUBMISSIONS OF SUPPORT	
Points of Support	Submission Number
Additional residents will utilize the proposed light rail	2, 18
There is a need for commercial space	33
There is a need for additional, more affordable housing in the area	33
It will provide a community hub	33
Neutral Point	Submission Number
Not opposed to the redevelopment of the site, just the proposed development.	11, 27, 32, 59, 74, 137, 149

In addition to the public submissions listed above, Sydney Airport and GreenWay also made submissions to the proposed development. Provided below is a response to each of the points of objection raised in the public submissions, as listed in Table 8 and in response to the submissions by Sydney Airport and GreenWay.

#### ***3.4.1 Bulk and scale does is not characteristic of the area and will create unreasonable amenity impacts***

In terms of building bulk and scale, the proposed Concept Plan is generally consistent with Council's McGill Street Precinct masterplan in that the buildings range in height from 4 to 10 storeys with the 4 storey portion located adjacent to Old Canterbury Road and the taller buildings located adjacent to the GreenWay at the western end of the site. This creates an appropriate transition in built form from the low density residential areas located to the east of Old Canterbury Road.

In response to the submissions received by the DPI during the public exhibition process building heights and size has been modified under the preferred Concept Plan. Full details of amendments are provided in Table 1 of this report under the heading *Height, Built Form and Density*.

The overshadowing, view loss and privacy impacts of the proposed Concept Plan are discussed in detail in the submitted EA. Given the separation of the site from the residential areas to the east of Old Canterbury Road and the transition of building heights proposed in the preferred Concept Plan, there will be no unreasonable amenity related impacts arising from the height and bulk of buildings on existing residents. Furthermore, building bulk and scale is generally consistent with the Council's McGill Street Precinct Masterplan and as such amenity related impacts are consistent with public expectation.

The proposed Concept Plan is therefore consistent with the desired future bulk and scale of development on the McGill Street Precinct. The major potential amenity impact is likely to be potential traffic impacts. These are discussed below.

#### ***3.4.2 Traffic and Parking impacts in the locality***

The Traffic Impact Assessment prepared by Traffix has been entirely reviewed. The Traffix report concludes as follows:

- The site is currently used for industrial purposes and is in need of redevelopment, with numerous old and dilapidated buildings. The proposed mixed use development represents a significant improvement in the locality that provides a range of local services and will result in an enhanced amenity and streetscape;
- The amended development yield associated with the site has been limited by the road capacity that is available within the locality, which is presently at capacity at critical intersections. This relates particularly to the moderate extent of retail floor area now proposed, which relates to neighbourhood retail that is intended to serve the local catchment;
- Commercial uses have been deleted from the proposal;
- The resulting development yield provides an appropriate balance between available road capacity and the need to achieve planning objectives consistent with State Government Policy;
- The site is uniquely placed to take advantage of excellent public transport services. The adopted vehicle trip rates reflect reliance on these services which is consistent with State Government Policy. The preparation of a Transport Access Guide is also expected to be required in support of any Project Applications;
- Parking for the development is expected to be suppressed with the specific intention of promoting alternate travel modes, in accordance with Council's DCP rates. Council's rates are considered a sustainable level of provision that will also encourage low car usage; but without the need to rely on on-street parking which may introduce residential amenity issues. This recognises the site's proximity to excellent public transport but should be regarded as the minimum level of provision, especially if the light rail is not implemented;
- Traffic volumes associated with the subject site are substantially reduced compared with the original Concept Plan application. There will be a reduction from 207 veh/hr to 189 veh/hr in the AM Peak; and from 474 veh/hr to 189 veh/hr during the PM Peak. In addition, traffic conditions than at the intersection of McGill Street with Old Canterbury Road. Based on these reductions, no further modelling is considered necessary;
- Traffic conditions have also been assessed for the cumulative impacts of the subject site (the northern part of the McGill Street precinct), the southern McGill Street Precinct and the Flour Mill site. This has been based on the ARUP report conducted for the Flour Mill Site, with adjustments made to reflect the changes now proposed to the subject site. These results are generally consistent with the conclusions of ARUP. In addition, further SCATES modelling has been undertaken along Old Canterbury Road, including the new signals now proposed at Edward Street, but without the new link onto Toothill Street which is no longer required. This demonstrates very satisfactory performance;
- The potential benefits of a future light rail system will be substantial. However, the traffic analysis has not taken any account of this proposal so that it is based on a worst case assessment;

- The road network has been assessed with the Part 3A development and operates satisfactorily subject to implementation of the various improvements discussed in this report as amended by the additional modelling; and
- Construction issues will be dealt with in detail through the preparation of a Construction Traffic Management Plan and this will be in response to a suitable condition of consent on subsequent Project Applications.

***3.4.3 The proposal contains excessive retail and commercial floor space which will result in loss of business to existing retailers in the locality***

In response to this concern, retail floor space under the Concept Plan has been substantially reduced from 6305.50m<sup>2</sup> to 739m<sup>2</sup> (a reduction of 88%), which has been achieved through the removal of the proposed supermarket and adjacent shopping plaza containing retail tenancies. Shop-top housing (commercial) floor space is also proposed totalling approximately 726m<sup>2</sup>. As such, the proposed retail tenancies and cafe will serve local residents only and is unlikely to result in loss of business to existing retailers in the locality. To the contrary, new residents on the site are likely to provide a degree of increased activity to existing businesses in the region.

***3.4.4 Insufficient public open space***

The provision of open space on the site has been significantly increased by the removal of a section of proposed Building C, reduced length of Building A and relocation of Hudson Street back to its existing location. In comparison to the McGill Street Precinct Masterplan, the proposed Concept Plan achieves a similar layout for open space adjacent to Hudson Street however a larger area of public open space will be achieved by the concept Plan through extension of the open space in a northerly direction into the site between Buildings A and C. Council's McGill Street Precinct Masterplan includes public open space area on the site of 3032m<sup>2</sup> whereas the proposed Concept Plan include a public open space area of 3977m<sup>2</sup> (an increase of 31%). Building heights have been modified to improve solar penetration into the open space area and into the apartments. The anticipated visual and physical connectivity between Old Canterbury Road and The GreenWay is achieved by the Concept Plan. Deep Soil landscaping on the site is 1979m<sup>2</sup> (37% of the open space area provided on the site) which is easily consistent with the requirements of SEPP 65 and the RFDC.

***3.4.5 The combined impact of this development and the Summer Hill Allied Mills site should be considered***

The DPI will consider the combined impact of the proposed Concept Plan with the Allied Mills Site. It is also noted that Marrickville and Ashfield Councils considered the combined impact of the Allied Mills Site and McGill Street Precinct Masterplan when producing development controls for each respective site.

At the time of preparing and submitting the Concept Plan for the subject site, the application for the Allied Mills Site had not been submitted to the Department of Planning for assessment and its imminence was not known. However, the amended traffic report now considers traffic generation for the entire McGill Street Precinct together with future redevelopment of the Allied Mills Site.

#### ***3.4.6 There is insufficient public transport to service additional residents***

Marrickville Council, the Department of Planning, the traffic consultant employed by Marrickville Council and the traffic consultant employed by the proponent of the Concept Plan, all conclude that the subject site has excellent access to public transport with bus services that operate in the locality, Lewisham Station nearby and the future extension of the light rail line adjacent to the site. In fact, it is widely accepted that the proposed Concept Plan will strengthen the viability of extending the light rail line.

#### ***3.4.7 Local schools and child care centres cannot support additional residents***

The proposed population density is similar to that which is anticipated by Council's McGill Street Precinct Masterplan and on this basis there is considered to be sufficient schools and child care centres within the locality. Additional population will help to strengthen the viability of local schools and child care centres.

In addition, future development of the site will require payment of S.94 monetary contributions and/or creation of a VPA by the developer which will be used by Council for the establishment of new or expanded services and facilities, as required to serve the new population.

#### ***3.4.8 The development will impact on Cook River to Iron Cove GreenWay project***

The EA submitted with the Concept provides an assessment of the project with the Cook River to Iron Cove GreenWay Project. The EA states that *the proposed Concept Plan is consistent with the proposed GreenWay Corridor as it anticipates and encourages the extension of the light rail line past the site. Increased occupation of the site will improve the commercial viability of the light rail system and the GreenWay Corridor. Open space and access points on the site can be integrated into the GreenWay Corridor to provide for improved permeability and usefulness.*

*Discussions between the proponent of this project and EcoTransit Sydney revealed that they support the proposed development as it will strengthen the case for extending the light rail line past the subject site and also provides opportunities to improve pedestrian links between Lewisham Station and the future light rail station adjacent to the site. A copy of their letter of support is attached at Annexure T of the EA.*

Further, GreenWay have provided their written support to the proposed development (refer to subsection 3.4.14 of this report). We note that the light rail project has been approved by the DPI but no works have commenced at the time of writing this report.

#### ***3.4.9 The design and construction of the development is not environmentally sustainable***

Future applications will exceed the minimum requirements of *SEPP (BASIX) 2004*, which is the benchmark for environmental sustainability in new development across NSW.

#### ***3.4.10 McGill Street is too narrow for loading docks***

The loading dock and supermarket have been removed from the proposal.



### 3.4.11 Devaluation of adjoining property

The impact of redevelopment of the site on property values is not a matter to be considered in the assessment of the Concept Plan as it is not prescribed in the DG requirements for Concept Plan site or under Part 3A of the EP&A Act, 1979. However, it could be reasonably argued that removal of the existing industrial buildings and replacement with new buildings and open space areas will in fact improve residential amenity and property values in the local area.

### 3.4.12 Non Compliance with Draft South Sub-Regional Strategy

As discussed in the EA submitted with the Concept Plan, the proposal is entirely consistent with the draft south sub-regional strategy in terms of the site's proximity to public transport, provision of new housing and proximity to employment and shopping areas.

### 3.4.13 Submission received from Sydney Airport Corporation Pty Ltd

Sydney Airport Corporation Pty Ltd provided a submission to the exhibited Environmental Assessment dated 12 January 2011. The submission raises no objections to the proposed Concept Plan and provides consent conditions with respect to building height restrictions and aircraft noise impacts. These matters are reflected in the amended Statement of Commitments.

### 3.4.14 GreenWay – Cooks River to Iron Cove

GreenWay provided a submission to the exhibited Environmental Assessment dated 29 November 2011. Provided in the table below is a response to the comments raised in the submission.

TABLE 10: RESPONSE TO GREENWAY'S COMMENTS	
GreenWay Comment	Response
<i>Addressing the GreenWay – new developments should address the GreenWay as a frontage property recognising the space as an active frontage with substantial visual and environmental benefits, as well as an active transport corridor.</i>	Buildings A, B and D of the Concept Plan address the GreenWay in anticipation of the light rail extension. The public open space adjacent to Hudson Street has been amended to achieve enhanced connectivity of the GreenWay with heavy rail and Lewisham Station and Old Canterbury Road and the existing residential areas to the east.
<i>Contribution to the GreenWay – developments adjacent to the GreenWay are encouraged to contribute to the GreenWay as part of the VPA or s94 contribution. The GreenWay provides considerable benefits to residents of new developments in the GreenWay catchment and will use its facilities.</i>	Future Project/Development Applications will be subject to S.94 monetary contributions and a VPA / public benefit offer will be considered with future Project/Development Applications. As discussed previously, it is anticipated that a pedestrian footbridge will be created that links Lewisham Station with the site and the GreenWay.
<i>Avoid the creation of a GreenWay tunnel – it is essential that developments are planned in consideration of the development on the opposite side of the GreenWay to avoid the creation of a 'GreenWay tunnel' between two high rise developments.</i>	Buildings fronting the GreenWay are setback with a 10m wide road and landscaping to avoid 'tunnel' affect. It is anticipated that the separation distance between buildings on the subject site and any development to the west of the GreenWay will be approximately 50m.
<i>Spaces Adjoining the GreenWay - developments' landscape plans should include areas of open space designed to provide sympathetically linkage to, or integration with,</i>	The GreenWay is linked with the site and adjacent areas through soft and hard landscaped areas and with the use of building design. Such matters will be fully resolved under future Project/Development Applications in consultation with the

TABLE 10: RESPONSE TO GREENWAY'S COMMENTS

GreenWay Comment	Response
<i>the GreenWay; physically, visually and environmentally</i>	GreenWay.
<i>General Access – should be prohibited to light rail corridor other than at stops however developments should provide ready access to the GreenWay where possible.</i>	Access is provided to the GreenWay from and through the subject site.
<p><i>Pedestrian and cycle access – new developments should provide:</i></p> <ul style="list-style-type: none"> <li><i>Internal bicycle and pedestrian networks which link to the GreenWay</i></li> <li><i>Opportunities for existing and new regional bicycle and pedestrian networks to link to the GreenWay and light rail stops via the development's new internal networks</i></li> <li><i>For permeability across the GreenWay/Light Rail Corridor where possible. In accordance with the design principles of the light rail extension this will mean that developments to the east of the corridor should provide networks which connect to the GreenWay via light rail stops, whereas developments to the west of the corridor should provide access directly to the GreenWay</i></li> <li><i>New, and enhanced existing, links to both the GreenWay and light rail stops</i></li> <li><i>All public access should provide safe and permanent access 24 hours per day, 7 days per week. To facilitate this all necessary contractual obligations must be met including the provision of easements or dedication of the land to the public domain</i></li> </ul>	<p>Provided on the preferred Concept plans.</p> <p>Potential exists to link the site with future pedestrian and bicycle network systems within the GreenWay.</p> <p>Pedestrian and bicycle links are provided for within the proposed Concept Plan and for existing residential areas to the east of Old Canterbury Road, which would access the GreenWay across the open space area proposed adjacent to Hudson Street.</p> <p>The proposal will create entirely new links with the GreenWay from the site and surrounding areas.</p> <p>New public open space will be dedicated into public ownership that sits on the northern side of Hudson Street. This will facilitate continued and uninterrupted access to the GreenWay.</p>
<i>Overshadowing – overshadowing of GreenWay should to be avoided, particularly during the winter months.</i>	Overshadowing of the GreenWay is consistent with the extent of overshadowing anticipated by Council's McGill Street Precinct Masterplan.
<i>View Corridors – new developments should be designed to create new, and enhance existing, view corridors both to and through the GreenWay.</i>	View corridors to and from the GreenWay will be improved through the removal of unappealing industrial buildings and replacement with a contemporary mixed use development and extensive public open space areas.
<i>Overlooking – overlooking of the GreenWay and light rail is to be encouraged to increase passive surveillance, however care should be taken in the detailed design of residential properties to minimise their impact on the privacy of neighbouring residential properties.</i>	Excellent passive surveillance will be available from the living and balcony areas of the proposed apartments.
<i>Impact of Light Rail – all new developments should be designed to minimise the impact of noise, vibration, lighting and privacy issues associated with the light rail.</i>	A preliminary assessment of acoustic and vibration treatment of the future buildings with relation to the light rail is discussed in the Acoustic and Vibration report provided with the EA. Such matters will be further resolved under future Project/Development Applications when the layout and construction material is established. The Statement of Commitments has been revised accordingly.
<i>Height, scale and bulk – buildings are to be set back a minimum of 10 metres from the GreenWay, to minimise overshadowing, provide</i>	Buildings are setback 10m from the GreenWay. Built form is consistent with Council's McGill Street Precinct Masterplan. Landscaping is provided adjacent to Buildings A, B & D which

TABLE 10: RESPONSE TO GREENWAY'S COMMENTS

GreenWay Comment	Response
<i>adequate open space buffers to permit easy access between new structures and the GreenWay. A minimum of 3 metres of this must be a vegetation buffer. Buildings should also be stepped back to ensure that a "human scale" is maintained immediately adjacent to the GreenWay.</i>	will soften the built form without providing a security risk.
<i>Visual Form – developments should use materials and colours that enhance the visual amenity of the GreenWay.</i>	Materials and finished will be fully resolved under future Project/Development Applications, however, provision has been inserted into the amended Statement of Commitments.
<i>Materials in Spaces Adjoining the GreenWay – any furniture/structures adjoining the GreenWay should be designed to complement both the GreenWay's visual and philosophical concepts. In accordance with the sustainability philosophies of the GreenWay all timber structures associated with adjoining spaces (including fencing, barriers and furniture) should use materials from verifiable sustainable sources and any heavy duty plastic furniture/structures should use recycled products.</i>	Such matters will be suitably resolved under future Project/Development Applications. This is reflected in the amended Statement of Commitments.
<i>Sustainability - In accordance with the sustainability philosophies of the GreenWay adjacent developments should be encouraged to achieve 4 green star minimum</i>	Future buildings will comply with the requirements of SEPP (BASIX) 2004 and Section J of the BCA (retail/commercial buildings).
<i>Water Sensitive Urban Design (WSUD) – developments should demonstrate best practice WSUD (eg swales, recycled water, rain water tanks, retention basins, artificial wetlands)</i>	Such details will be covered under future Project/Development Applications in accordance with SEPP (BASIX) 2004, Section J of the BCA and an engaged stormwater consultant.
<i>Biodiversity – developments' landscape plans should ensure that they use locally indigenous native species in areas adjacent to the GreenWay. Such landscaping should be designed to provide opportunities for compatible and appropriately varied habitats. Selection of appropriate species may be guided through the GreenWay's documentation "Bushcare Management Plan" and Missing Jigsaw Pieces: bushland plants of the Cooks River Valley by D Benson, D Ondinea and V Bear</i>	Landscaping details will be resolved under future Project/Development Applications. The desired species is reflected in the amended Statement of Commitments.
<i>Accommodation of Flora Needs – developments should provide landscaping which reflects and complements the flora of adjacent portions of the GreenWay including both duplication of existing vegetation and companion planting</i>	Landscaping details will be resolved under future Project/Development Applications. A suitable undertaking is provided in the amended Statement of Commitments.
<i>Accommodation of Fauna Needs – development should be designed to ensure that they are sensitive to the needs of the fauna of the GreenWay including:</i> <ul style="list-style-type: none"> <li><i>• Provision of lighting which minimises lighting impacts on nocturnal fauna and the GreenWay generally</i></li> <li><i>• Reinforcement of permeability between the</i></li> </ul>	Such matters listed below will be fully resolved under future Project/Development Applications. This is reflected in the amended Statement of Commitments.

TABLE 10: RESPONSE TO GREENWAY'S COMMENTS

GreenWay Comment	Response
<p><i>GreenWay and the built environment for local fauna, wherever practical (e.g. raised footpath/cycle way sections at appropriate locations)</i></p> <ul style="list-style-type: none"> <li>• <i>Provision of a native vegetation buffer between the GreenWay and the development of a minimum of 3 metres.</i></li> </ul>	
<p><i>Way finding – developments should provide way finding &amp; information signage in accordance with the signage convention established for the GreenWay/Light Rail Corridor, including GreenWay branding and logo.</i></p>	<p>This will be resolved under future Project/Development Applications. This is reflected in the amended Statement of Commitments.</p>
<p><i>Community and Cultural – developments adjacent to the GreenWay should provide opportunities for street activation and/or public art and animation, particularly in the vicinity of the light rail stops. This may include (but should not be limited to) public art, community meeting places, community celebrations and where appropriate, cafes, convenience stores adjacent light rail stops. Community spaces should facilitate community events and other elements supporting social cohesion. Formal spaces should generally be designed as fully accessible, multi-function areas suitable for adaptation to the varying needs of the community.</i></p>	<p>It is anticipated that embellishment of the site for the purposes of defining the locality and the GreenWay will form part of a VPA / Public Benefit Offer. The site connects the GreenWay with the surrounding residential areas through the embellishment and dedication of public open space on the site and strategic placement of retail premises, a café and ground floor apartment courtyards with individual entrance points. Such matters will be resolved under future Project/Development Applications. This is reflected in the amended Statement of Commitments.</p> <p>In addition as discussed previously, it is anticipated that a pedestrian footbridge will be created that links Lewisham Station with the site and the GreenWay.</p>
<p><i>Community Involvement - the community at large should be provided opportunities to be actively involved in the design and development of spaces adjoining the GreenWay.</i></p>	<p>The subject Concept Plan and future project/development application are subject to public exhibition processes and community engagement.</p>
<p><i>Heritage –the need to conserve and enhance heritage aspects of the GreenWay itself and the built areas adjacent to it.</i></p>	<p>A heritage report is provided with the EA which concludes that the subject site does not have any heritage significance and that the proposed Concept Plan does not adversely impact on surrounding heritage items or conservation areas.</p>

## **4 STATEMENT OF COMMITMENTS**

The Draft Statement of Commitments provided in the Environmental Assessment has been revised to respond to the issues raised during the exhibition period. The proponent confirms that the proposed Concept Plan does not involve any construction works. Separate Project/Development Applications will be submitted for construction works.

This statement of commitments related to the following matters:

- Construction Management;
- Traffic Management;
- Roads & Traffic Authority;
- Waste Management;
- Noise & Vibration ;
- Flora & Fauna;
- Ecologically Sustainable Development;
- Heritage & Archaeological;
- Geotechnical;
- Site Contamination;
- Affordable Housing;
- Stormwater Management;
- Building Height;
- Pedestrian and bicycle access;
- Transport Access Guide;
- NSW Office of Water;
- Sydney Water;
- Landscaping;
- Light Rail;
- Building materials and finishes; and
- Community & Cultural.

### **Construction Management**

A detailed Demolition and Construction Management Plan will be prepared and submitted as required with future Project/Development Applications or at the Construction Certificate Stage, prior to the commencement of any demolition or construction works on site.

### **Traffic Management**

A detailed Traffic Management Plan will be prepared and submitted as required with future Project/Development Applications or at the Construction Certificate Stage, prior to the commencement of any demolition or construction works on site.

Within the site, car share spaces will be prioritised in convenient locations under future Project/Development Applications.

### **RTA**

The proponent commits to complying as far as practicable with the parking, loading, construction, excavation, noise, hydraulic and road safety requirements of the RTA as described in Attachment A of their submission dated 11 January 2011 and subject to any modification as a consequence of the RTA's assessment of the preferred project.

### **Waste Management**

A detailed waste management plan (construction and operational) will be prepared and submitted with future Project/Development Applications or at the Construction Certification Stage, prior to the commencement of any works on site.

### **Noise and Vibration**

The recommendations of the Noise and Vibration Report provided at Annexure O of the EA will be adopted and reflected in future Project/Development Applications. In addition, future Project/Development Applications will comply with the requirements of the Sydney Airport Corporation in terms of minimising the impacts of aircraft noise on residential premises.

### **Flora and Fauna**

The recommendations of the Flora and Fauna Report attached at Annexure K of the EA will be adopted and reflected in future Project/Development Applications. In consideration of competing constraints on the site and adjacent GreenWay, the development will be designed where practicable to be sensitive to the needs of the fauna of the GreenWay including:

- Provision of appropriate lighting which minimises impacts on nocturnal fauna and the GreenWay generally; and
- Reinforcement of permeability between the GreenWay and the built environment for local fauna, wherever practical (e.g. raised footpath/cycle way sections at appropriate locations).

### **Ecologically Sustainable Development**

The development commits to the consideration of sustainability measures as detailed in the ESD report provided at Annexure N of the EA. Details of adopted measures will be detailed in future Project/Development Applications.

### **Heritage and Archaeological**

The recommendations of the Heritage Impact Assessment and the Archaeological Assessment provided at respective Annexures Q and R of the EA respectively will be adopted and reflected in future Project/Development Applications.

### **Geotechnical**

The recommendations of the Geotechnical Report provided at Annexure P of the EA will be adopted and reflected in future Project/Development Applications and during the construction process. In addition the following reports will be updated and/or additional matters provided to reflect the following requirements of NSW RailCorp:

- Geotechnical and Structural Reports, and excavation methodology to meet RailCorp requirements; and
- Updated cross-sectional drawings providing accurate measurements and including excavation for on-site detention tank along the rail corridor boundary.

### **Site Contamination**

The recommendations of the Environmental Site Assessment provided at Annexure F of the EA will be adopted and reflected in future Project/Development Applications and during the construction process.

### **Affordable Rental Accommodation**

The proponent commits to include affordable housing units in the future redevelopment of the site. The quantum of units proposed will be resolved under future Project/Development Applications.

### **Stormwater Management**

The recommendations and design outcomes of the stormwater management report and the flood report (see respective annexures F & G) will be adopted and reflected in future Project/Development Applications. In addition, the requirements of Water Sensitive Urban Design will be reflected in the stormwater design, including:

- A 90% reduction in the post development mean annual load of total gross pollutant loads.
- A 85% reduction in the post development mean annual load of Total Suspended Solids.
- A 60% reduction in the post development mean annual load of Total Phosphorus.
- A 45% reduction in the post development mean annual load of Total Nitrogen.

The stormwater design will be accompanied by a Model for Urban Stormwater Improvement Conceptualisation (MUSIC) for submission and approval to Sydney Water. This model will be prepared in accordance with the NSW MUSIC Modelling Guidelines (SMCMA, August 2010).

### **Building Height**

In terms of aircraft safety, the building height inclusive of all lifts, over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc. shall not exceed 79 metres above Australian Height Datum (AHD). In the event that the building does exceed this height, a new application will be submitted to Sydney Airport Corporation under the Civil Aviation Safety Authority. Should the height of any temporary structure and/or equipment be greater than 45.72 metres above existing ground height (AEGH), a new approval will be sought in accordance with the Civil Aviation (Buildings Control) Regulations Statutory Rules 1988 No. 161.

### **Access**

The proponent commits to providing pedestrian and bicycle access connections to the future light rail stop and to Lewisham Station, including a new public footbridge extending from the northern end of Brown Street (to be resolved as part of a VPA / public benefit offer). Consultation will be held with RailCorp and Marrickville Council with respect to requirements for linking the site with Lewisham Station.

### **Transport Access Guide (TAG)**

A TAG will be provided on the site in accordance with the requirements of the RTA. The RTA will be consulted with respect to the location and content of the TAG on the site as required.

### **NSW Office of Water**

The requirements of the NSW Office of Water will be met where necessary under future Project/Development Applications, including all licencing and stormwater treatment measures.

### **Sydney Water**

- The existing water main that traverses the site will be amplified as required to meet the demand of the new population on the subject site. Similarly, the existing sewer main that traverses the site will be diverted and amplified as required by the new population on the subject site. The proponent reserves their right to seek suitable compensation from Sydney Water, as may be necessary.

- A Section 73 Notice of Requirements will be obtained prior to the commencement of any works on site, noting that the proposal is for a Concept Plan only and no construction works will be authorised.

### **Landscaping**

- Landscaping and fencing within 20m of the rail corridor will be designed to meet the requirements of RailCorp.
- Landscaping will contain locally indigenous native species in areas adjacent to the GreenWay. Such landscaping will be designed to provide opportunities for compatible and appropriately varied habitats. Selection of appropriate species may be guided through the GreenWay's documentation *"Bushcare Management Plan" and Missing Jigsaw Pieces: bushland plants of the Cooks River Valley* by D Benson, D Ondinea and V Bear.
- Landscaping will reflect and complement the adjacent portions of the GreenWay including both duplication of existing vegetation and companion planting.

### **Light Rail**

- Future Project/Development Applications will be designed in consideration of the anticipated impacts created by the future light rail in terms of noise, vibration, lighting and privacy.
- A way finding and information strategy will be produced in accordance with the signage convention established for the GreenWay/Light Rail Corridor, including GreenWay branding.

### **Building Materials and Finishes**

Buildings, furniture and structures on the site will utilise materials and colours that enhance the visual amenity of the GreenWay.

### **Community and Cultural**

Investigations will be made into opportunities for street activation and/or public art and animation, particularly in the vicinity of the Light Rail stops. This may include public art, community meeting places, community celebrations and where appropriate, cafes, convenience stores adjacent Light Rail stops. Community spaces may facilitate community events and other elements supporting social cohesion. Formal spaces may generally be designed as fully accessible, multi-function areas suitable for adaptation to the varying needs of the community. Such matters will be fully resolved under future Project/Development Applications and may also form part of a VPA/public benefit offer.



## 5 CONCLUSION

The proposed development at 78-90 Old Canterbury Road, Lewisham, seeks approval for a preferred Concept Plan as depicted in the plans prepared by Town Owen Partners and submitted as part of this PPR, comprising:

- A mixed use development containing residential apartments, support retail tenancies, shop-top housing and a café;
- Seven separate buildings ranging in height from 4 to 10 storeys over 2 levels of basement car parking;
- A maximum of 430 apartments (including 19 SoHo apartments) and a maximum overall FSR of 3.15:1;
- Public domain improvements include:
  - Creation of a new street;
  - Open space areas including a Green Boulevard adjacent to Hudson Street;
  - Open space embellishment works including required infrastructure, hard and soft landscaping, furniture, lighting and signage;
  - Pedestrian access points;
  - Community public plaza; And
  - Future light rail access.
- Landscaping of private, communal and public open space areas.

The Concept Plan has been amended in response to submissions received by the Department of Planning during the public consultation process and this is reflected in the amended Statement of Commitments provided in this PPR. The key changes to the Concept Plan are as follows:

- Relocation of Hudson Street from the original Concept Plan location back to the existing location of the road and enlargement of the Green Boulevard to the north of Hudson Street that links Old Canterbury Road with the GreenWay;
- Removal of the Supermarket and retail plaza (and loading dock) to facilitate increased public open space and reduce impact of these facilities on businesses in the region as well as reduced amenity impacts on existing and future residents;
- Placement of a café at the southern end of Building A and creation of public plaza to activate and link the proposed public open space with the GreenWay;
- Reduction in length of Building A and deleted 'toe' of Building C to increase size of public open space and improve connectivity to the GreenWay;
- Stepping and reduced building height for the southern end of Building A and stepped building heights for Buildings C & D;
- Alterations to the layout and gradient of the public open space, and improved relationship to Hudson Street and the proposed buildings;
- Refinement of basement access points;

- Dual use / shop-top housing amended to address the proposed Green Boulevard;
- Visitor parking adjacent to the GreenWay has been removed;
- Apartment layout refined to ensure that it meets the requirements of SEPP No.65 / RFDC;

The Preferred Concept Plan is consistent with Part 3A of the *Environmental Planning and Assessment, Act 1979* and the applicable Director General's Environmental Assessment Requirements for the project. This Preferred Project Report has addressed all of the agency and public submissions received with suitable amendments made to the design to reflect the concerns raised. Accordingly, the Preferred Concept Plan is within the public interest and it is recommended that the Minister for Planning and Infrastructure / Planning Assessment Commission approve the subject Concept Plan subject to the revised Statement of Commitments.