

Environmental Assessment Report

Concept Plan for a mixed use development including residential, retail and commercial land uses and public domain improvements

78-90 Old Canterbury Road Lewisham

Client: Lewisham Estates Pty Ltd
2/7 Charles Street
PARRAMATTA NSW 2150

Date: October 2010

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CERTIFICATION

This Environmental Assessment has been prepared and submitted under Part 3A of the Environmental Planning & Assessment Act 1979.


Environmental Assessment

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Address	1/16-22 Willock Avenue, Miranda NSW

Project Application

Applicant	Lewisham Estates Pty Ltd
Address	2/7 Charles Street, Parramatta NSW 2150
Proposed Development	Concept Plan for a mixed use development
Certificate	<p>I certify that I have prepared this Report in accordance with Section 75F of the Environmental Planning & Assessment Act 1979 and to the best of my knowledge:</p> <ul style="list-style-type: none">• It is in accordance with the Environmental Planning and Assessment Act 1979 and Regulation 2000.• The information contained within this Report is neither false nor misleading.

PREPARED BY

	19 October 2010	Lindsay Fletcher
Signature	Date	Managing Director, Planning Ingenuity Pty Ltd 1/16-22 Willock Avenue, Miranda NSW

1 EXECUTIVE SUMMARY

The following Environmental Assessment (EA) provides an assessment of a Concept Plan for a Major Project comprising a mixed use development for residential, commercial and retail land uses with associated car parking facilities and public domain improvement works and seeks to gain approval from the Minister under the provisions of Section 75M of the *Environmental Planning and Assessment (EP&A) Act 1979*.

The proposed Concept Plan is for Major Project comprising a mixed use development for residential, commercial and retail land uses over basement car parking, generally in accordance with the building envelopes, floor space ratio (FSR) and land uses as illustrated on the plans prepared by Tony Owen Partners. The Concept Plan is for buildings ranging in height from 4 to 9 storeys with a maximum overall FSR of 3.5:1. Public domain improvements include the creation of new streets, open space areas and pedestrian access points. The subject site and proposed Concept Plan is located on the northern portion of the *McGill Street Precinct* at No. 78-90 Old Canterbury Road, Lewisham.

The Director General's requirements (DGRs) were issued by the Department of Planning on 16 March 2009 (MP 08_0195) and this Environmental Assessment provides a response to each of those requirements where relevant to the proposed Concept Plan. It should be noted that the DGRs were issued for a Project Application which included the construction of a 14-storey mixed use development. However, the current application is for a Concept Plan (no construction activity proposed) for a mixed use development with a height ranging from 4 to 9 storeys. Future project / development applications, will be as submitted for assessment and determination with respect to detailed building design and construction works.

Consultation has been undertaken with the Department of Planning following detailed investigation of the site, the locality and the project was informed by the *McGill Street Precinct Master Plan* dated November 2009 prepared by *Hassell on behalf of Marrickville Council*.

Independent community consultation has been carried out by Urbis to gauge the local community's response to the project, which has helped to shape and refine the proposed Concept Plan.

The complete EA package provides a detailed analysis of the identified key considerations which include issues relating to built form and land uses; site amalgamation; urban design; public domain; economic impacts; environment and resident amenity; flora and fauna; transport and accessibility; traffic impacts; rail impacts; ecologically sustainable development; S.94 Contributions; flooding and drainage; noise and vibration; heritage and archaeological assessment; utilities and staging. Each of these issues have been considered and investigated by the project team in the design and development of the proposal. The conclusions and recommendations provided by the project team and accompanying studies are detailed throughout this report or provided in full as Annexures.

It is concluded that the proposed Concept Plan is appropriate to the site given its strategic location close to transport, places of employment and recreation areas. The proposal is generally consistent with the McGill Street Masterplan prepared for Marrickville Council with refinements to building layout and open space precincts to achieve the principles of good urban design. The proposal will create an attractive urban environment with support retail facilities

and public open space areas. The development is unlikely to cause any significant or unreasonable adverse impacts upon the natural or built environments, as outlined in this report.

2 INTRODUCTION

2.1 Overview

Planning Ingenuity Pty Ltd has been engaged by the Lewisham Estates Pty Ltd to prepare an Environmental Assessment Report for a Major Project Concept Plan on the subject site for mixed use purposes, associated basement car parking facilities and new public areas (open space and roads).

The McGill Street Precinct and the adjacent Allied Mills site is recognised within the NSW Department of Planning's Draft South Subregional Strategy as being a key site to provide a mixed use development as it is relatively isolated from nearby residential areas and located on a busy road. The Strategy requires an additional 35,000 dwellings to be provided by the year 2031, which represents an increase from the current housing provision of 248,600 dwellings to 283,600 dwellings. As a percentage of the South Subregion, the LGA of Marrickville currently contains 12% of the total population, which represents 76,000 people. Accordingly, Marrickville Council is required to provide an additional 4,150 dwellings by the year 2031.

The proposed Concept Plan is a refinement of Marrickville Council's McGill Street Precinct Masterplan. The Concept Plan is proposed for land that is located on the northern portion of the Precinct (refer to Figure 17 and 18 of this Environmental Assessment), which comprises approximately 50% of the McGill Street Precinct. The proposed Concept Plan does not include any land that falls outside of No. 78-90 Old Canterbury Road, Lewisham, as shown in Figures 1, 17 and 18.

However, in order to achieve a holistic and strategic outcome for the entire McGill Street Precinct, detailed plans have also been prepared for the entire Precinct including areas of the Precinct that do not form part of the subject Concept Plan application. This is to ensure that the future redevelopment of the subject site does not jeopardize, but in fact benefits, others sites that fall within the McGill Street Precinct. This strategic approach to the entire McGill Street Precinct underpins the built form and open space outcomes for the proposed Concept Plan and ensures that the future redevelopment of the subject site is harmonious with the redevelopment potential for the remainder of the McGill Street Precinct.

This report is divided into eight sections, as follows:

- Section 1 – Executive Summary
- Section 2 – Introduction
- Section 3 – Locality & Site Context
- Section 4 – Concept Plan Description
- Section 5 – Statutory Framework
- Section 6 – Environmental Assessment – Concept Plan
- Section 7 – Draft Statement of Commitments
- Section 8 – Conclusion

2.2 Consultant Team

The following consultants have assisted in the assessment of the proposed Concept Plan. Each consultant's assessment and conclusions is provided within this Environmental Assessment and annexed. The consultant team is as follows:

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, Peer Review & CPTED	Urbis
Noise and Vibration	Cardno ITC
Statutory Town Planning	Planning Ingenuity
Geotechnical	Environmental Investigations
Site Contamination	Environmental Investigations
Landscape Concept	Site Landscapes, Design & Construction
Quantity Surveyor	JPQS Pty Ltd
Stormwater Management	Cardno ITC

2.3 Key Economic, Environmental & Social Benefits

The proposal will allow for a mixed use development within an existing industrial area of Lewisham. Redevelopment of the site will result in significant positive economic, environmental and social benefits to the locality and the region. The key economic, environmental and social benefits are summarised below:

Economic benefits

- Increase in local population potentially providing an economic benefit to local businesses in the area;
- Provisions of much needed residential accommodation to help ease the current housing shortage;
- Redevelopment of under-utilised industrial land for mixed use purposes and making efficient use of existing land in an established locality within the Sydney Metropolitan Region;

- Providing increased viability for the construction and extension of a light rail network in the locality;
- Employment of construction workers utilised in the construction process and employment of maintenance staff throughout the operational life of the development; and
- Increase residential dwelling supply in an established suburb within the Sydney Metropolitan Region, providing an infill development opportunity, to make efficient use of land;

Environmental benefits

- The development will be designed and managed in accordance with ecologically sustainable development (ESD) principles and building sustainability requirements of the State Government;
- Encourage the use of alternate transport modes other than the use of a private car including, walking, cycling and public transport. The site has excellent access to local buses, train stations and cycling/pedestrian networks. To this end, the development will help to further justify the introduction of a light rail system that connects the subject site with the existing light rail, which currently terminates at Lilyfield;
- Creation of new open space areas with substantial areas of planting and pervious areas to contain storm water runoff; and
- Use of rainwater harvesting on site for re-use in toilets and for landscape irrigation.

Social benefits

- Increase the provision and variety of housing choices in the area while helping to ease the undersupply of housing in the Sydney region;
- The provision of new housing in an accessible area, well serviced by bus and train networks (and possible future light rail), education, employment, recreation areas and a range of other social infrastructure;
- Provision of new and attractive retail and commercial facilities, which is within walking or cycling distance of existing residents surrounding the site. An east-west connection is provided along the sites' southern boundary to connect with the future light rail station;
- Vibrant streetscape appearance with contemporary buildings, street planting and furniture
- Landscape design of parks with passive and active recreational spaces; and
- Removal of industrial land and activities that aren't appropriate adjacent to a residential zone.

2.4 Director General's Requirements

The Director General's Requirements (DGRs) were issued by the Department of Planning on 16 March 2009, a copy of which is included at Annexure A. Table 1 details the general requirements and where these requirements are addressed within this Report.

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:	Section 5 of this report addresses the applicable State and Local Environmental Planning Instruments.

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
<ul style="list-style-type: none"> • Objects of the EP&A Act; • SEPP (Infrastructure) 2007; • SEPP (Building Sustainability Index: BASIX) 2004; • Draft South Subregional Strategy, Sydney Metropolitan Strategy; • Marrickville Urban Strategy (April 2007); • Marrickville Employment lands Study (2008); • Marrickville IEP2001 and any relevant Development Control Plans; • SEPP 55 - Remediation of contaminated land; • SEPP 65 - Design Quality of Residential Flat Development; • Draft SEPP 66 - Integration of land Use and Transport; • Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996; and <i>(The proposal will be referred to the Sydney Airport Corporation for comment/approval in relation to the impact on the Obstacle Limitation Surface (OLS), that is, the prescribed airspace protection area for safe aircraft operation around Sydney Airport.)</i> • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justify any non-compliance. 	
<p>2. Built Form and Land uses</p> <ul style="list-style-type: none"> • The proposal shall address the height, bulk, scale and intensity of the proposed development within the context of the locality; • Demonstrate that the proposal does not have unacceptable levels of impact on views and overshadowing of adjoining sites and public domain; • The EA shall assess and give consideration to the loss of employment land in formulating final land use mix and gross floor areas for different uses: In this regard, a target of a minimum of 20% non residential GFA and a maximum 70% residential GFA is considered appropriate; • In particular, there should not be an excessive reliance on retail floor space, but rather a mix of different commercial and retail activities should be considered; • The EA shall identify the proportion of housing to be allocated to 'key worker affordable housing' and the mechanisms to facilitate this housing including any planning agreement or other binding agreement; and 	<p>Sections 4, 5.2 and 6.1 of this report, the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 and the Visual Analysis by Richard Lamb & Associates consider the height, bulk, scale, density and contextual relationship of the proposed Concept Plan.</p> <p>Refer Section 5.2.5 of this report.</p> <p>Refer to the Economic Impact Assessment provided at Annexure H and Section 6.1 of this report.</p> <p>Refer to Section 5.1.10 of this report.</p>

TABLE 1: DIRECTOR GENERAL REQUIREMENTS

Requirement	Location within report
<ul style="list-style-type: none"> The EA shall give consideration to the relevant objectives of the <i>Urban Design Study for McGill Street, Lewisham and St Peters 'triangle' that is being commissioned by Marrickville Council.</i> 	Refer to Section 5.2.3 of this report.
3. Site Amalgamation <ul style="list-style-type: none"> The proposal should seek to amalgamate with the properties at the corner of Longport Road and Old Canterbury Road so that a more appropriate and reasonable relationship is established with surrounding development and land uses, and, details shall be included in the EA, and shall include details outlining negotiations with the owners of the affected properties; If this is demonstrated to be not possible, the EA shall assess, in detail, possible alternative options for this land demonstrating that it can be appropriately and reasonably be integrated into the development and land uses proposed for the land immediately adjacent, and also give consideration to the viable future development potential of the isolated sites; and It is noted that the Marrickville Council have, as an objective, the coordinated master planning of the whole of the <i>"McGill Street Industrial Precinct"</i>, and in this regard, the EA shall give consideration to the future integration of the Concept Plan into the residential of this Precinct to the south: namely the land bounded by Old Canterbury Road, Hudson Street and the rail corridor. 	<p>Site Amalgamation is discussed in Section 4.4 of this report and correspondence is provided at Annexure S.</p> <p>The Lewisham Masterplan Study prepared by Tony Owen Partners incorporates future redevelopment of sites that do not form part of the subject site but fall within the McGill Street Precinct – refer to Annexure C.</p> <p>Integration of the site with the entire McGill Street Precinct is outlined in the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 submitted with the application – refer to Annexure C.</p>
4. Urban Design <p>The EA shall address the design quality with specific consideration of the facade, massing, setbacks, building articulation, use of appropriate colours, materials, finishes, landscaping, safety by design and public domain.</p> <p>The EA shall provide the following documents:</p> <ul style="list-style-type: none"> Comparable height study to demonstrate how the proposed height relates to the height of the existing development surrounding the subject site and the desired future character for the locality; Aircraft related height restrictions; View analysis to and from the site from key vantage points; and Options for building envelopes, massing and articulation. 	<p>Refer to the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 provided with the application – refer to Annexure C.</p> <p>Refer to Section 5.1.12</p> <p>Refer to the Visual Impact Analysis prepared by Richard Lamb Associates and attached at Annexure I of this report. See Section 6.1 of this report also.</p> <p>Refer to the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 provided with the application –</p>

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
	refer to Annexure C.
<p>5. Public Domain</p> <p>The EA shall provide details on the interface between the proposed uses and public domain, and the relationship to and impact upon the existing public domain and address the provision of linkages with and between other public domain spaces.</p> <p>The EA shall provide details of the compliance with CPTED principles, and shall include a consideration of the following:</p> <ul style="list-style-type: none"> • The provision of new areas of public domain public open space; • The provision of road Widening and refinement of the local road and laneway network including improvements to footpaths and pedestrian access/amenity; • The provision of activated building frontages and activity nodes; • Potential improvements to the existing public domain; and, • Provision of street lighting, underground power lines and GCTV. <p>The EA shall give consideration to the objectives and outcomes prescribed in the <i>"The Cooks River to Iron Cove Greenway Co-ordination Strategy"</i>.</p>	<p>Refer to the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 provided with the application – refer to Annexure C. Refer also to Section 4 of this report.</p> <p>Refer to Section 5.1.13 of this report.</p> <p>Refer to Section 5.2.6 of this report.</p>
<p>6. Economic Impact Assessment</p> <p>The EA shall address the economic impact of the proposal and include an investigation into the impact upon the retail, commercial and residential industry within the locality and including the identification of the Primary and Secondary Trade Areas (PTA & STA) and having regard to the hierarchy of centres in the relevant regional strategy and other relevant Government Policies.</p>	Refer to Section 6.1 and Annexure H of this report.
<p>7. Environmental and Residential Amenity</p> <p>The EA must address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity.</p>	Refer to the Lewisham Masterplan Study prepared by Tony Owen Partners dated October 2010 provided at Annexures B and C. Also refer to Section 6.1 of this report.
<p>8. Flora & Fauna</p> <p>The EA shall address impacts on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats and steps taken to mitigate <i>any</i> identified impacts to protect the environment, both marine and land in accordance with DECC <i>"Threatened Species"</i></p>	Refer to Section 6.2 and Annexure K of this report.

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
<p><i>Assessment Guidelines 2007".</i></p> <p>In this regard, the EA shall include a detailed survey (using a variety of survey methods by a suitably qualified person) of the endangered long-nosed bandicoot population which occurs in this area, and determine whether and how they are using the site and adjoining areas and assess any potential impact or threat to the population.</p>	
<p>9. Transport and Accessibility (Construction and Operational)</p> <p>The EA shall address the following matters:</p> <ul style="list-style-type: none"> • Provide a Transport & Accessibility Impact Study prepared in accordance with the RTA's <i>Guide to Traffic Generating Developments</i>, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages; • Undertake a Traffic Management and Accessibility Plan (TMAP) for the site. The TMAP will assess the implications of the proposed development for non-car travel modes (including public transport, walking and cycling) and the potential for implementing a location specific sustainable travel plan, with the provision of facilities to increase non-car mode share for travel to and from the site; • Provide detail of the existing pedestrian and cycle movements within the vicinity of the site and identify and resolve any barriers to efficient and safe pedestrian and cycle access, particularly to the key links at Lewisham and Summer Hill Stations and the Parramatta Road bus corridor; and • Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction stage of the project. 	<p>Refer to Section 6.1 and Annexure G of this report.</p>
<p>10. Traffic Impacts (Construction and Operational)</p> <p>The EA shall provide a Traffic Impact Study prepared in accordance with the RTA's <i>Guide to Traffic Generating Developments</i>, considering traffic generation, road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages. The Key intersections to be examined / modelled include:</p> <ul style="list-style-type: none"> • Old Canterbury Road and Toothill Street; • Old Canterbury Road and Railway Terrace/Longport Street; 	<p>Refer to Section 6.1 and Annexure G of this report.</p>

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
<ul style="list-style-type: none"> • Old Canterbury Road and Parramatta Road; • Parramatta Road and West Street; and • Railway Terrace and West Street. <p>Details of proposed accesses and parking provisions are to be provided including compliance with the requirements of the relevant Australian Standards (the turn paths, sight distance requirements, aisle widths, etc.).</p> <p>Details of service vehicle movements (including vehicle type and likely arrival/departure times) are also <i>required</i>.</p>	
<p>11. Rail Impacts</p> <p>The EA shall address the following matters:</p> <ul style="list-style-type: none"> • The applicant shall prepare a Geotechnical and Structural report, and Excavation and methodology consistent with RailCorp's requirements. In addition, cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design adjacent to the rail corridor are required; • The proponent shall provide a survey locating the development with respect to the rail boundary and infrastructure; • To ensure the safety of passenger rail services and the rail corridor, balconies and windows within 20m of the rail corridor must be designed to prevent objects being thrown onto RailCorp's facilities; • All landscaping and fencing within the 20m rail corridor are to meet RailCorp's requirements; • The portion of the development along the rail corridor must be designed and constructed to meet the redundancy requirements or the minimum collision loads specified in AS5100; and • Stormwater drainage from the site is not allowed to be discharged into the rail corridor. 	Refer to Section 6.2 and Annexes M and P of this report.
<p>12. Ecologically Sustainable Development (ESD)</p> <p>The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water and energy usage, waste minimisation and recycling strategies.</p>	Refer to Section 6.2 and Annexure N of this report.
<p>13. Contributions</p> <p>The EA shall address provision of public benefit, services and infrastructure having regard to the Council's Section 94 Contribution Plan and/or a Planning Agreement or other legally binding Instrument which would be required for a development of this size. In this regard, discussions should be undertaken with</p>	Refer to Section 5.2.2 of this report.

TABLE 1: DIRECTOR GENERAL REQUIREMENTS	
Requirement	Location within report
RailCorp regarding likely future impacts on the service and capacity levels of the Lewisham Station and consideration be given to any necessary upgrade works. This matter shall be addressed in the EA.	
14. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i> .	Refer to Section 4.1 and Annexure J of this report.
15. Flooding and Drainage Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity. The EA shall address drainage issues associated with the development/site, including: stormwater drainage infrastructure and incorporation of Water Sensitive Urban Design Measures.	Refer to Section 6.2 and Annexure V of this report.
16. Noise and Vibration Assessment The EA shall address the Issue of noise from the airport and the rail corridor, and, provide detail of how this will be managed and ameliorated through the design of the buildings, in compliance with the Department of Planning's interim Guidelines for <i>Development near Rail Corridors and Busy Roads</i> relevant Australian Standards. The EA shall include a report assessing the potential impact of vibration from the rail corridor and measures required to mitigate any adverse impacts on buildings and land uses.	Refer to Section 6.2 and Annexure O of this report.
17. Statement of Commitments The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.	Refer to Section 7 of this report.

2.5 Investment Value

The Capital Investment Value for the project, calculated in accordance with the definition under *State Environmental Planning Policy (Major Development) 2005* is \$152,994,302. Refer to Final CIV estimate prepared by JPQS Pty Ltd attached at Annexure E.

2.6 Consent Authority

The Minister for Planning is the consent authority for the proposal under Part 3A of the *Environmental Planning and Assessment Act 1979*. A Clause 6 request for DGRs was lodged to the NSW Department of Planning and the Minister Declared the project was one to which Part 3A applies. The DGRs were issued on 16 March 2009 with a two year expiry.

2.7 Future Applications

Future detailed Project / Development Applications will be submitted to the Department of Planning or Marrickville Council for redevelopment of the site, as required. This application is for a Concept Plan only and it does not propose or authorize any building works.

Future Project / Development Applications will be subject to standard assessment procedures, including consultation with the public and various government departments. The future Project /Development Applications may chose to stage development on the site to enable timely commencement of construction works to ensure that the development of the site remains economically viable.

3 LOCALITY & SITE CONTEXT

3.1 Site Description

The subject site is located at 78-90 Old Canterbury Rd, Lewisham, which is legally described as Lot 11 in DP 774322 and Lots 6-8 in DP 977044. The site is an irregular shaped allotment that is currently occupied by an assortment of industrial buildings. As described in Figure 1, the site is bounded by Longport Street to the north, Old Canterbury Road to the east, Hudson Street to the south and a green corridor (redundant freight railway corridor) to the west. A few outbuildings are located within the green corridor to the west and attached to the western boundary alignment of the subject site. The north eastern corner of the site is bounded by William Street and Brown Street. The site has a total area of 13,115sqm.

Access to the property is provided at three main points including Old Canterbury Rd, Brown Street and Hudson Street. The site has street frontage to Longport Street and William Street, however vehicle or pedestrian access is not provided from these streets.



Figure 1: Aerial photograph (Subject site shown dashed red)

The land is relatively flat with a natural slope from west to east and from north to south. Longport Street is set at a higher level than the subject site with a difference in height from the street to adjacent concrete/bitumen area within the site of approximately 5m. The land is generally devoid of any vegetation with the exception of a few trees that are scattered around the site boundaries and open space on the corner of William Street and Old Canterbury Road.

The existing factories on the site are of brick and metal roof construction with a varying height of 2-3 storeys. Two storey ancillary office space is located at the south eastern corner of the site and at its' alignment with Brown Street. A free standing residential duplex is located at the northern end of the site closest to Longport Street while a residential dwelling is located on the southern side of William Street, adjacent to an existing bus depot on the corner of William Street and Brown Street. Combined, existing buildings have a surveyed floor area of 12210sqm.

Buildings are arranged in an ad hoc manner (as evident in Figure 1) with a variety of orientations. A mixture of industrial uses occupy various parts of the site.



Figure 2: Industrial buildings that occupy the site



Figure 3: Open space on the site on the corner of William St & Old Canterbury Rd



Figure 4: Existing dwelling on the site located on the southern side of William St



Figure 5: The site as viewed from the corner of Longport St and Brown St



Figure 6: Existing buildings on the site on the western side of Brown Street



Figure 7: Existing duplex located at the northwestern corner of the site

3.2 Surrounding Development

As described in Figure 1, the site is bound by Longport Street to the north, Old Canterbury Road to the east, Hudson Street to the south and a green corridor (redundant freight railway corridor) to the west. The photos below and over page provide a visual description of the areas surrounding the site.



Figure 8: Redundant rail line against western site boundary. Allied Mills site to the east.



Figure 9: Longport Street.

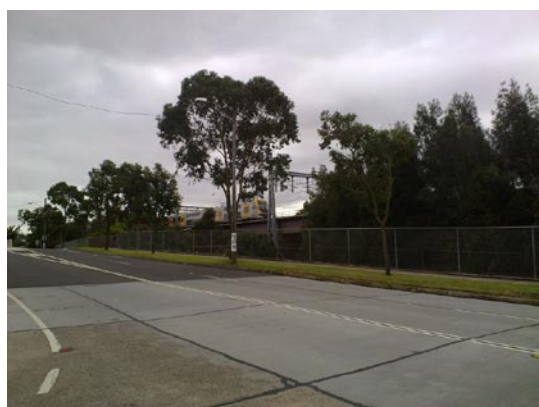


Figure 10: Western Railway Line



Figure 11: Brown Street



Figure 12: Northern side of William Street



Figure 13: Old Canterbury Road (looking south)



Figure 14: Hudson Street. Allied Mills Site in the background.



Figure 15: Dwellings on the eastern side of Old Canterbury Rd - typical for the area

It is evident from the above photographs that the areas adjacent to the site are dilapidated and in need of repair, with the exception of the existing residential areas to the east of Old Canterbury Road. Hudson Street borders the southern side of the site and it is overgrown with vegetation on its northern boundary and buildings on the southern boundary contain some structural cracks. Hudson Street offers low levels of amenity.

The redundant Rozelle Goods railway line forms the western boundary of the site. It is overgrown with weeds and it does not have any useful purpose. The former Allied Mills Site is located on the western side of the redundant railway line, which is within the Ashfield Council LGA. Heritage listing of the Allied Mills site has been deferred under the provisions of Schedule 7 of Ashfield LEP 1985. Although the *milling* process has ceased, the site is still used for the manufacture and distribution of food ingredients. It is understood that redevelopment of the Allied Mills site is currently being investigated by a private developer. At the time of writing this report there were no details available for the intended form or scale of redevelopment.

The redundant Rozelle Goods railway line is currently being considered for inclusion as part of the light railway extension from Lilyfield (where the light railway line currently terminates) to Dulwich Hill, which is the next suburb adjoining to the south of Lewisham. The details of the Light Rail extension route are still being finalised, but the draft *Sydney Light Rail – Inner West Extension Study* was on public exhibition until 7 June 2010. The *Sydney Light Rail – Inner West Extension Study* considers costs, demand, technical issues, possible stop locations,

integration with other types of transport and economic factors. At the time of writing this report there was not a contact available for consultation from the Department of Transport and Infrastructure with respect to the proposed Concept Plan. However, the extension of the light rail line is considered imminent and as such the Concept Plan has been designed on the assumption that the light rail will go ahead with direct access proposed from the western side of the site.

It should also be noted that the proponents of the subject Concept Plan have held meetings with Transport NSW, which together with various technical studies prepared by the NSW Government, reveals that the optimum location of a new light rail station is adjacent to the western boundary of the subject site. Discussions between the proponent of the subject Concept Plan and EcoTransit Sydney also reveal that they support the proposed redevelopment of the subject site 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.

Old Canterbury Road forms the eastern site boundary which is a four lane arterial road (20m width) that links the Great Western Highway (Parramatta Rd) to the north and Canterbury Road to the south. Located on the eastern side of Old Canterbury Road and beyond is a residential area that comprises Victorian cottages of varying quality and size. These residential areas offer good levels of aesthetic appeal with mature trees lining the streets.

William Street and Brown Street form the northeastern site border. These streets are two way narrow streets with an average width of approximately 6m. While the subject site is located on the southern side of William Street and the western side of Brown Street, a pocket of ten properties is located between the northern side of William Street, the eastern side of Brown Street and Old Canterbury Road. The majority of these properties are residential and they form the northeastern corner of the McGill Street Precinct. These buildings have a predominant single storey height with small businesses operating from some of these premises.

Longport Street borders the northern boundary of the site which is a three to four lane semi-arterial road that links the site with surrounding suburbs. The main western railway line is on the northern side of Longport Street with Lewisham Station located approximately 200m to the northeast of the site. Sydney Buses also regularly service the site via Old Canterbury Road and Longport Street.

Regionally, the site is in close proximity to Summer Hill, Ashfield and Dulwich Hill. The suburbs that make up the inner west inner are within a 5km radius of the site and include, Marrickville, Leichardt, Annandale, Glebe and Newtown. Sydney City is within 6km of the site.

3.3 Site zoning

The subject site and the entire McGill Street Precinct is in *Zone 4 Light Industrial* (refer to Figure 16) under the provisions of Marrickville LEP 2001, as amended. Within the zone, residential flat buildings, commercial premises (other than banks) and some retail uses are prohibited. It is because of this prohibition that approval is sought under Part 3A of the EP&A Act, 1979.

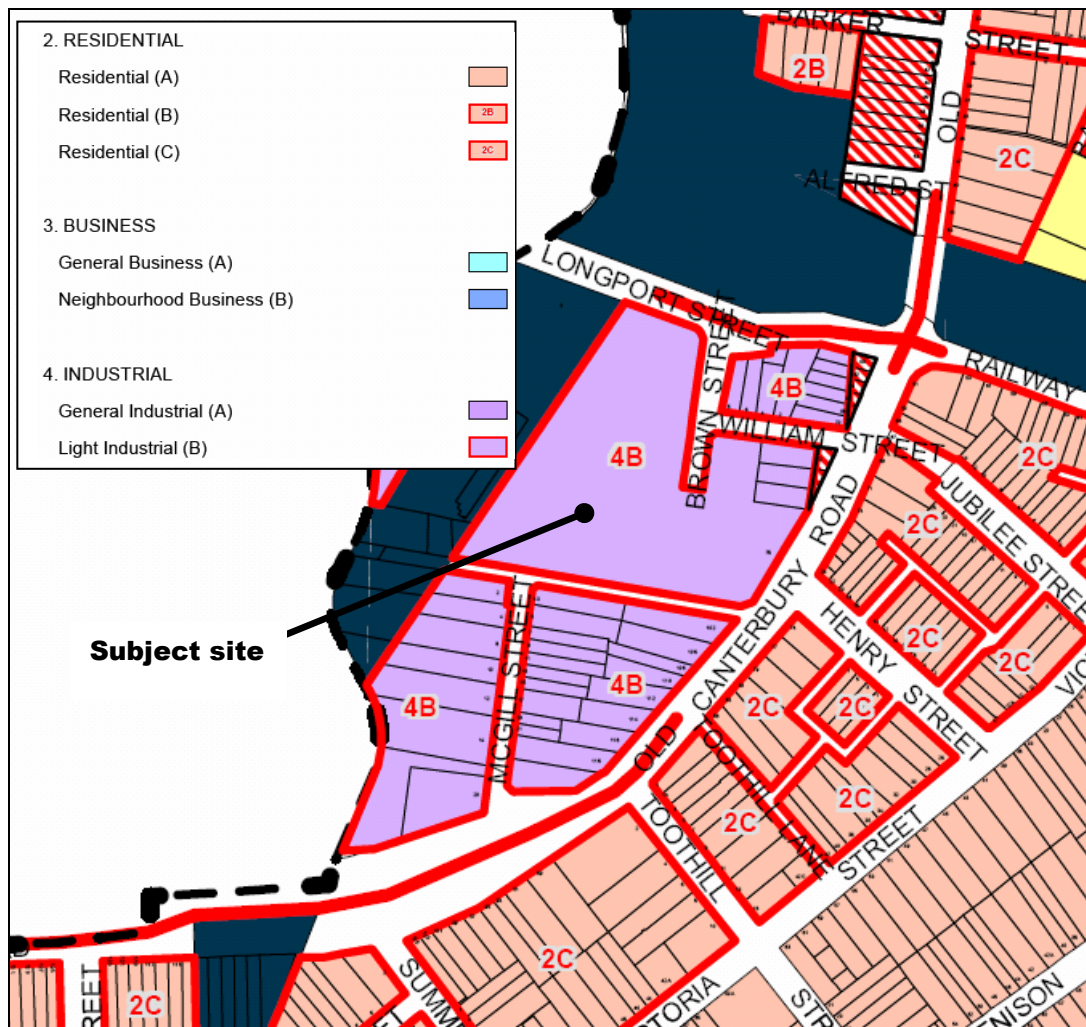


Figure 16: Current zoning of the site under Marrickville LEP 2001

Although the land uses that are proposed under the Concept Plan are not permissible forms of development under the existing site zoning, it is imminent that the McGill Street Precinct will be rezoned to reflect Marrickville Council's Masterplan for the locality for mixed use purposes. The proposed built form is generally consistent with the form of development that is anticipated by the McGill Street Precinct Masterplan and initiates the first redevelopment of the McGill Street Precinct, which will encourage other land owners within the Precinct to consider redevelopment.

The McGill Street Precinct is ideally positioned to take advantage of existing infrastructure including public transport systems and it is within close proximity to places of employment, educational facilities, recreational areas and other attractions of Sydney's inner west. Use of Part 3A of the EP&A Act 1979 to enable submission of the proposed Concept Plan merely allows for redevelopment of the Precinct to occur in a timelier, and therefore a more economically viable, manner. Further, the Draft South Subregional strategy nominates the subject site and Allied Mills Site as being suitable for redevelopment for mixed use purposes as it is *relatively isolated from nearby residential areas and located on a busy road*.

It is noted that the corner of William Street and Old Canterbury Road is set aside for road widening purposes under Marrickville LEP 2001. However, Council's McGill Street Precinct Masterplan has not been designed to account for future road widening. In addition, during

February 2001, the RTA abandoned the two road widening reservations that are noted on the McGill Street Precinct (RTA file reference number 281.5314 Part 5).

The subject site is not flood affected or subject to potential acid sulfate soils. The site is however located between the 20 ANEF and 25 ANEF contour and as such future development of the site will need to consider the acoustic attenuation requirements of AS 2021–2000—*Acoustics—Aircraft noise intrusion—Building siting and construction*. Such requirements can be appropriately dealt with under future project / development applications for specific aspects of the development.

4 CONCEPT PLAN DESCRIPTION

4.1 Consultation Undertaken

This section of the report describes the consultation that has been undertaken by the consultant project team during the preparation of this Environmental Assessment. Consultation has been carried out with government agencies and the community as required by the Director General Requirements (DGRs). The DGRs issued for the project establish the community consultation requirements for the Part 3A project as they require the Proponent to *"undertake an appropriate and justified level of consultation in accordance with the Departments Major Project Community Consultation Guidelines October 2007"*.

Urbis have conducted community consultation for the proposed Concept Plan in accordance with the Department of Planning's guidelines for consultation *"Guidelines for Major Project Community Consultation, October 2007"*. The Department's Consultation Guidelines contain provisions relating to the assessment of the proponents consultation to determine whether it has been *"adequate and appropriate"*. The Guidelines contain the following provisions:

- *The nature of the proposal and the extent of its likely environmental, social and economic impacts,*
- *The level of consultation required in the DGRs,*
- *Consultation that occurred prior to making an application to the Minister for approval of a Major Project or Concept Plan.*
- *Whether the nature of the development will require on-going consultation once the project is constructed and has commenced operation. Where consultation is appropriate during the operational stages, the Minister may require long-term community engagement as a condition of approval.*

Furthermore the Consultation Guidelines state that the amount of consultation included in the Environmental Assessment may be considered adequate if it demonstrates that those individuals and organisations likely to have an interest in the proposal had enough opportunity to express their views. The community of interest can be broadly categorised into three groups:

- a. Those directly impacted by the project;*
- b. Individuals and groups likely to have an interest in the local or regional implications of the project; and*
- c. Organisations with a State and national interest.*

The Community Consultation Report provided at Annexure J outlines the strategy for the community consultation during the Environmental Assessment process to facilitate stakeholder understanding of the proposed development. The consultation activities which have been undertaken by the proponent to date with government agencies and the community as well as proposing additional consultation activities that are outlined in the consultation report, include the following:

- Notification letters and invitation to meet with key stakeholders – letters were distributed on 25 May, 2010, 17 June 2010 and 24 June 2010 to:
 - State and Federal Members of Parliament (MPs)
 - NSW Minister for Planning
 - Director-General of Department of Planning
 - Marrickville Councillors
 - Marrickville Council General Manager
 - Greenway Sustainability Project Committee
 - Ashfield Council General Manager
- Community newsletters – Two community newsletters distributed to local residents in Summer Hill, Dulwich Hill and Petersham including Summer Hill and Petersham shopping strips. The second newsletter was also distributed to the Centre Management at Marrickville Metro, Ashfield Mall and Leichhardt Marketplace. (Newsletter 1 – approx 2,500 distributed on 27 and 28 May, 2010 and Newsletter 2 -approx 2000 newsletters distributed on 7 July 2010).
- Project website – launched 25 May, 2010 and updated throughout the consultation period (www.lewishamestate.com.au).
- Community feedback form – posted on the website
- Set-up of a 1800 number and designated email address lewishamestate@urbis.com.au
- Individual meetings and/or presentations with local and state government agencies, key community groups and issue-specific groups (eg, Greenway Sustainability Project)
- Community Information Session - held 17 July 2010, 10am – 1pm, attended by approximately 70 people

An analysis of the community feedback from the above consultation methods is provided in the Urbis report provided at Annexure J.

A summary of the key findings of the community consultation process is provided below.

Approximately 2,500 households and businesses were notified throughout the consultation period of the proposed Lewisham Estates Development Concept Plan via community newsletter. They were invited to comment, ask questions and attend a Community Information Session.

Throughout the consultation period, a total of 50 community feedback forms, 7 emails (without feedback forms attached) and 6 telephone calls to Urbis (as of 4 August 2010) were received. One letter was received from Eco Transit Sydney. In addition, 77 members of the local community attended the Community Information Session.

There were aspects of the concept plan that the community liked, as well as suggestions about what they would like to see included. This feedback is elaborated on in Sections 3.2.1 and 3.2.2 of the consultation report.

Amongst the comments stating what people liked about the Concept Plan were:

- *Invigoration of neighbourhood by provision of new housing and re-use of industrial site*
- *Modernising and clearing of a dilapidated site*
- *A green link from Summer Hill across the Light Rail line and into Lewisham*
- *Intensification of use along future Light Rail line thus making Light Rail more feasible*
- *Inclusion of retail*
- *Trees and greenery*
- *The landscaping and public open space*

In addition, the following was said by the local community in terms of would like to see included as part of the proposal are:

- *More public open space areas*
- *Community garden space*
- *Traffic management plan and attempts to mitigate traffic congestion*
- *Sufficient parking*
- *Childcare centre, children's playground and cycle paths*
- *Local community centre or space for recreational use, meetings etc*
- *A greater sense of community space and integration into the streetscape and character of Lewisham and Summer Hill*
- *A variety of building forms- not a single estate uniformity*

Table 2 lists the key issues that were raised by the local community in relation to their concerns of the originally proposed Concept Plan and an assessment of the currently proposed Concept Plan.

TABLE 2: COMMUNITY CONSULTATION CONCERNS AND PROPOSAL'S RESPONSE	
Community Concern	Proposal's Response
Building height and relationship is out of character with the locality.	The proposed building heights and interface with surrounding development / streets is consistent with the McGill Street Masterplan prepared by HASSELL on behalf of Marrickville Council – refer to Figure 21 for a comparison of the proposed Concept Plan building heights and Council's McGill Street Masterplan building heights. It is considered reasonable to adopt Council's strategy for buildings ranging in height from 4 to 9 storeys across the site.
Traffic congestion and related impacts.	A detailed traffic and car parking report is provided at Annexure G of this report. The independent traffic consultant undertook a detailed analysis of existing traffic conditions within the locality, which includes an assessment of the road hierarchy, site access, public transport and performance of intersections. The report concludes that the proposed land uses and floor space proposed under the subject Concept Plan will result in moderate levels of traffic generation provided that

TABLE 2: COMMUNITY CONSULTATION CONCERNS AND PROPOSAL'S RESPONSE

Community Concern	Proposal's Response
	various 'interim' traffic management measures are implemented surrounding the site (refer to accompanying traffic report) until such time that the entire McGill Street Precinct is redeveloped. Importantly, the traffic report takes a conservative approach and doesn't give any discount or offset for traffic generated by the existing industrial land uses on the site nor does it take account for the likely future extension of the light rail past the site, which will significantly improve public transport linkages with the subject site.
Insufficient provision of public open space and poor amenity.	The open space proposed in the Concept Plan is larger in area in comparison to Marrickville Council's McGill Street Precinct Masterplan and has superior solar access given the penetration of open space to the north and south from the east-west boulevard. Marrickville Council's McGill Street Precinct proposes 4-6 storey buildings along the northern edge of the east-west boulevard, which would shade a large portion of this open space precinct. In addition, the Council's McGill Street Precinct Masterplan disproportionately requires a large amount of public open space dedication from the subject site in comparison to the remainder of the McGill Street Precinct (south of Hudson Street). The proposed public open space area dedications are more evenly distributed across the McGill Street Precinct.
Impacts on retail outlets within the vicinity of the site	The Economic Impact Assessment provided with the application reveals that there is the potential for the proposed supermarket to impact on the turnovers of other supermarket in the vicinity of the site, however, it is also revealed that most supermarkets in the area, and in particular the supermarkets at Dulwich Hill and Summer Hill (being the closest supermarket based centres closest to the site) are currently overtrading due to a shortage of competition. The potential redistribution of some expenditure is likely to reduce turnovers at these facilities to be more reflective of industry norms and such an outcome is unlikely to impact on the ability of these facilities to trade effectively. In addition, the catchment areas of other retail outlets are considerably larger than the likely catchment for the future retail outlets and supermarket on the subject site.

4.2 The Proposal

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.

The Concept Plan is for buildings ranging in height from 4 to 9 storeys with a maximum overall FSR of 3.5:1. The built form is proposed as 8 to 9 storeys adjacent to the future light rail line (western side of the site) 6 storeys towards the centre of the site and 4 storeys fronting Old

Canterbury Road. A building height of 8 storeys is proposed fronting Longport Street. A zero building setback alignment is proposed to Longport Street, Old Canterbury Road and Hudson Street. Buildings fronting William Street and Brown Street are proposed to have a setback of between 0m and 2m while buildings on the western side of the property will be setback from the western boundary by 10m. It is anticipated that the proposal will accommodate up to approximately 400 apartments, however, this will be further resolved under future project/development applications.



Figure 17: Proposed Concept Plan (extract)

The Concept Plan includes a 2800m² supermarket and retail shops that have a total floor area of 3218.5m². Commercial floor space is also proposed totalling approximately 287.04m². A schedule of proposed floor areas is provided at Annexure B.

A green boulevard is proposed on the southern side of Hudson Street that will link into future public open space within the site (refer to masterplan provided at Annexure B). Public domain improvements include the creation of new streets, open space areas and pedestrian access points. It is intended that the proponent will be involved in the delivery of the central open space area along with the adjacent land owners.

Overall building heights and land uses proposed under this Concept Plan are consistent with Marrickville Council's adopted McGill Street Precinct Masterplan.

The interface of the proposed development with each of the main frontages is discussed below.

4.2.1 Old Canterbury Road frontage

Old Canterbury Road is an arterial thoroughfare that has a four lane width (20m) which is occupied on the eastern side by single storey cottages. To achieve an appropriate relationship with the existing development form, the Concept Plan proposes development along the western frontage of Old Canterbury Road with a height of 4 storeys. To create appropriate activation of the street, the ground floor will be occupied by retail and commercial uses with shop top housing above.

4.2.2 Hudson Street frontage

The Concept for Hudson Street is to provide vehicular access adjacent to a central green boulevard that links Old Canterbury Road with the western side of the site and anticipated future light rail station. The southern side of Hudson Street is proposed as a wide pedestrian thoroughfare. It is anticipated that the green space on the southern side of Hudson Street will be dedicated to public ownership and it will connect with future public green spaces to the north (within the site) and to the south. These areas will offer high amenity and provide passive and active open space for people to enjoy. The area will also be extensively landscaped to encourage native fauna back to the Hudson Street and the locality in general.

4.2.3 Access Arrangements and Connectivity

The Concept Plan includes a new street that runs along the western site boundary with a general north – south orientation. The proposed street, pedestrian access and landscaping creates a 10m setback from the western boundary alignment and the future light rail. The 10m setback will provide an appropriate interface between the future light rail and future residents of the site. This will ensure suitable levels of residential amenity.

It is anticipated that the future light rail station will link into the proposed retail areas via a pedestrian bridge. This will bolster the viability of the proposed retail areas and provide other benefits such as a sense of arrival for passengers of the light rail, provide complimentary retail facilities, offer excellent passive surveillance of the locality and provide a tool for achieving economic and social cohesion of the development with the surrounding properties. In turn, the development of the site will strengthen the feasibility of extending the light rail from an economic and social viewpoint.

One of the key aspects of the design process has been the desire to use the opportunity of the new development to improve the connectivity and continuity of the site with the surrounding areas. In particular, the project team has explored ways to improve the connectivity of Lewisham railway station with the surrounding urban fabric and the proposed light rail and adjacent Greenway.

As part of the design process, detailed discussions were held with Marrickville Council Officers as well as representatives from the Greenways project, the Light Rail Alliance and the Light Rail Division of the Department of Planning. Members of the Light Rail Alliance have further met with representatives from the Department of Transport and the Minister on this issue.

All parties would like to see a better solution to the connectivity of Lewisham railway station with the local area, the subject site, the Greenway and the future light rail station. These discussions have driven a design solution for connectivity. This solution is made possible by

the fact that the proponent of the subject Concept Plan also holds ownership of an allotment of land that is located on the corner of Longport Street and Brown Street. The design solution involves a new access path extending from Lewisham Station towards the north on RTA land parallel to the rail line. In addition, an elevated light weight pedestrian bridge could be built over Longport Street and linking from the path to the allotment of land on the opposite side of Longport Street where an access stair and lift would be located. This would provide access from the station to the site. The provision of extensive circulation paths through and around the site provides easy access to the Greenways and light rail station.

Discussions with Council, the Department of Planning, Greenways representatives (Ecotransit) and the Light Rail Alliance reveals their in-principle support for such a design solution. It is proposed that the described access arrangements will be fully resolved as part of a Voluntary Planning Agreement (with future project/development applications) which dedicates part of the lot that is located on the corner of Brown and Longport Streets as an access link. In addition there is potential to create public linkages through the retail portion of the proposal to the Greenway, which in turn will further activate the Greenway and future light rail extension. During discussions with Greenways and Light Rail Alliance representatives their support was expressed for retail outlets addressing the Greenway corridor at street level to activate and encourage this linkage.

4.2.4 Staging

Full details for staging of the development will be decided under future project/development application. However, it is anticipated that the retail and commercial components of the development will be completed as part of the first stage of development together with the residential apartments above. This will also include road and pedestrian access arrangements to this part of the site from Old Canterbury Road.

The second stage of construction would include the remaining residential portions of the site, open space areas and finalised access arrangements.

The timing of pedestrian linkages from the site to the Greenway, Lewisham railway station and the surrounding areas will be determined with the finalisation of a Voluntary Planning Agreement and discussions with the relevant stakeholders.

In the event that the properties located on the southern side of Hudson Street are not available for redevelopment at the same time as the subject site, the new east-west boulevard and half of the adjacent public open space will be constructed until such time that the properties located on the southern side of Hudson Street are ready for redevelopment. It is also anticipated that the proponent of the subject Concept Plan will be involved in discussions and negotiations with adjoining properties and the relevant government bodies to ensure delivery of the entire McGill Street Precinct is achieved in a timely and orderly manner.

A full delivery strategy will be produced as part of future Project/Development Applications for approval by the relevant consent authority.

4.3 Alternatives Considered

In arriving at the proposed Concept Plan three masterplan options were considered. Each of these options produced variations in building layout, height and floor space ratios for

redevelopment of the site. The common theme in all 3 masterplan options is the east-west boulevard (Hudson Street) and the transition in height from 9 storeys on the western side of the site to 4 storeys on the eastern side of the site (Old Canterbury Road). with a green space on the northern and southern sides of the street to provide a substantial area of public open space.

Option 3 is the preferred Concept Plan for the site and options 1 & 2 are provided at Annexure C for review. Option 3 is considered to be superior to the other two Options for the following reasons:

- It offers the best solar penetration into the centrally located future public open space areas;
- It provides the largest proportion of residential apartments with an outlook over landscaped / open space areas; and
- It proposes a connection from Hudson Street to a new street that runs along the western property boundary, which provides access to the future light rail extension.

4.4 Site Amalgamation

The subject site forms part of the larger McGill Street Precinct (see Figure 18). However, the subject site and proposed Concept Plan is for the redevelopment of approximately 50% of the McGill Street Precinct. The remaining land will be developed at a later stage when all properties are available for redevelopment.

The portion of the McGill Street Precinct that is located to the south of Hudson Street contains 26 individual allotments (approximately 13,170m²) while the land located at the northeastern corner of the McGill Street Precinct contains 10 individual allotments (approximately 2172m²).

It is evident that these sites are of a size that allows for their independent redevelopment, including open space areas, basement structures and new buildings. These sites are also physically separated from the subject site by the existing road network and it is not proposed in either the Lewisham Masterplan Study prepared by Tony Owen Partners or Marrickville Council's McGill Street Precinct Masterplan to expunge the existing road network (Hudson Street, William Street and Brown Street). To the contrary, the existing road network is retained as important access links and active street frontage spaces.

Amalgamation of the subject site with adjoining properties therefore offers no advantage and is not necessary in terms of a built form outcome.



Figure 18: McGill St Precinct shown outlined red. Subject site shown outlined yellow

Director General Requirements No.3 seeks the following:

- *The proposal should seek to amalgamate with the properties at the corner of Longport Road and Old Canterbury Road so that a more appropriate and reasonable relationship is established with surrounding development and land uses, and, details shall be included in the EA, and shall include details outlining negotiations with the owners of the affected properties;*
- *If this is demonstrated to be not possible, the EA shall assess, in detail, possible alternative options for this land demonstrating that it can be appropriately and reasonably be integrated into the development and land uses proposed for the land immediately adjacent, and also give consideration to the viable future development potential of the isolated sites; and*
- *It is noted that the Marrickville Council have, as an objective, the coordinated master planning of the whole of the "McGill Street Industrial Precinct", and in this regard, the EA shall give consideration to the future integration of the Concept Plan into the residential of this Precinct to the south: namely the land bounded by Old Canterbury Road, Hudson Street and the rail corridor.*

The proponent of this Concept Plan also holds ownership over three sites that are located within the northeastern corner of the McGill Street Precinct (bounded by Longport Street, Old Canterbury Road, William Street and Brown Street). Attempts have been made to acquire the remaining sites that are located at the northeastern corner of the McGill Street Precinct, however, these attempts were not successful with the existing owners either advising that they are not willing to sell or stating an unrealistic sale price. A copy of the correspondence sent to the existing owners is provided at Annexure S of this report.

The Lewisham Masterplan Study prepared by Tony Owen Partners (attached at Annexure C) provides detailed development options for the land that is not included within the subject site but forms part of the larger McGill Street Precinct. The Masterplan study considers land uses,

floor space ratio, building heights, building form/massing, open space areas, views and solar access. On this basis, redevelopment of the remaining sites that form part of the McGill Street Precinct Masterplan can be reasonably achieved independent of the proposed Concept Plan.

4.5 Numerical Overview

A numerical overview of the proposed Concept Plan (Option 3) is provided in Table 3 below.

TABLE 3: NUMERICAL OVERVIEW	
Site Area	13,115m ²
Residential GFA	39,645.96m ²
Supermarket GFA	2,800m ²
Retail GFA	3218.50m ²
Commercial GFA	287.04m ²
Total GFA	45,902.48m ²
Total FSR	3.5:1
Building Height	4 to 9 storeys
Estimated number of apartments	Maximum 400
Public open space	6609.5m ²
New roads (approx.)	180m ²

5 STATUTORY FRAMEWORK

5.1 State Legislation and Policies

There are several Acts of NSW state legislation as well as State Environmental Planning Policies that apply to the proposal; these include:

- *Environmental Planning & Assessment Act, 1979;*
- *NSW State Plan;*
- *State Environmental Planning Policy (Major Projects);*
- *Draft South Sub-regional Strategy;*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy 55 – Remediation of Land;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and the Residential Flat Design Code (RFDC);*
- *State Environmental Planning Policy (Affordable Rental Housing) 2009; and*
- *Draft SEPP 66 – Integration of Land Use and Transport.*

It should be noted that all of the above pieces of legislation were examined in detail within the assessment undertaken by each relevant consultant and reproduced in full within the attached Annexures.

State Environmental Planning Policies (SEPPs) address matters of state significance in relation to new development. They can be applied to an entire site or to particular geographical areas, or to particular development and relevant comments concerning their application are outlined below.

5.1.1 Environmental Planning and Assessment Act, 1979

The *Environmental Planning and Assessment Act 1979 (the Act)* is the principle planning and development legislation in New South Wales.

The objectives of the Act are described in Section 5. A response to each objective is provided below with relation to the proposed Concept Plan:

Objectives of the EP&A Act, 1979	
Objectives	Response
a) to encourage: i. the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare	Redevelopment of the land will create a land use that is consistent with current sustainability principles and one which enlivens the locality with new employment land, open space areas and offers the local population a place to meet for social and cultural activities.

Objectives of the EP&A Act, 1979	
Objectives	Response
<p><i>of the community and a better environment,</i></p> <p><i>ii. the promotion and co-ordination of the orderly and economic use and development of land,</i></p> <p><i>iii. the protection, provision and co-ordination of communication and utility services,</i></p> <p><i>iv. the provision of land for public purposes,</i></p> <p><i>v. the provision and co-ordination of community services and facilities, and</i></p> <p><i>vi. the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and</i></p> <p><i>vii. ecologically sustainable development, and</i></p> <p><i>viii. the provision and maintenance of affordable housing, and</i></p>	<p>The current industrial use of the site can not be sustained because of the relatively high financial cost of occupying the site. The highest and best use of the land is for mixed use purposes, consistent with the proposed Concept Plan. This will ensure the orderly and economic development of the site.</p> <p>The development will utilise and where necessary amplify existing communication and utility services.</p> <p>The Concept Plan includes the provision of new public open space areas along Hudson Street and extending into the site, and a new street along the western boundary for accessing the future light rail line.</p> <p>The Concept Plan does not propose any community services or facilities. It does however provide parklands and a small retail centre for the enjoyment and use of the community.</p> <p>The site does not contain any threatened species, conservation areas or significant habitats. Redevelopment of the site will however significantly improve the environmental quality of the site through removal of contaminated soils and introduction of new flora, which in turn will encourage fauna to the site and locality in general.</p> <p>The principles of Ecologically Sustainable Development will be incorporated into redevelopment of the site. Future Project / Development Applications will also comply with the building sustainability requirements set by the NSW government.</p> <p>It is anticipated that up to 5 affordable housing units will be provided in the development. Refer to Section 5.1.10 for further discussions.</p>
<i>b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and</i>	The proposed Concept Plan is not inconsistent with this objective.
<i>c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.</i>	Extensive community consultation has been undertaken prior to formal submission of the Concept Plan and in accordance with the Director General Requirements. Further consultation with stakeholders will be undertaken during the processing of the Concept Plan.

The proposed Concept Plan is therefore considered to be entirely consistent with the main objectives of the EP&A Act, 1979.

5.1.2 Part 3A of the EP&A Act, 1979

Part 3A of the EP&A Act commenced on 1 August 2005. Part 3A establishes the assessment and approval regime for all Major Projects previously considered under Part 4 (Development Assessment) or Part 5 (Environmental Assessment) of the EP&A Act and that are considered to be of State or regional planning significance by the Minister for Planning.

The Minister is the consent authority for the determination of Major Projects. Under the provisions of Division 1 Section 75B of the EP&A Act, development may be declared to be a Major Project by virtue of a State Environmental Planning Policy or by order of the Minister and published in the Government Gazette.

Section 75B defines 'projects' to which this part of the EP&A Act applies and it includes projects identified in a SEPP (refer to Section 5.1.4)

5.1.3 NSW State Plan

The NSW State Plan 2006 sets out goals, targets and priorities over a variety of different sectors, for the NSW Government to achieve over the next ten years.

One of the primary goals of the NSW State Plan is to improve housing affordability. Increased housing affordability is brought about by building housing that is affordable for low to moderate income households and by increasing supply of housing. The NSW State Plan sets the target of 445,000 new dwelling within existing urban areas by the year 2031.

The proposed Concept Plan is consistent with the NSW State Plan as it offers a rare opportunity to provide hundreds of new dwellings in a unique location that has excellent access to public transport, employment areas, recreation areas and entertainment. Further, the Concept Plan is consistent with policy objectives of increasing the percentage of the population living within 30 minutes by public transport of a major centre.

5.1.4 State Environmental Planning Policy (Major Development)

State Environmental Planning Policy (Major Development) 2005 commenced on 25 May 2005.

The policy applies to the whole of the state and the aims of the policy are as follows:

- " (a) to identify development to which the development assessment and approval process under Part 3A of the Act applies,
- (b) to identify any such development that is a critical infrastructure project for the purposes of Part 3A of the Act,
- (c) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State,
- (d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes,
- (e) to rationalise and clarify the provisions making the Minister the approval authority for development and sites of State significance, and to keep those provisions under review so that the approval process is devolved to councils when State planning objectives have been achieved,
- (f) to identify development for which regional panels are to exercise specified consent authority functions."

Schedule 1 of the State Environmental Planning Policy (SEPP) lists the classes of development that are projects to which Part 3A applies. The proposal falls within Group 5, Clause 13 *Residential Commercial or Retail Projects* of the SEPP as it has a Capital Investment Value greater than \$100 Million (refer to the Quantity Surveyors report provided at Annexure E).

On 16 March 2009, the Director General of the Department of Planning, as delegate of the Minister for Planning, formed the opinion that the proposal is a Major Project to which Part 3A of the EP&A Act applies.

5.1.5 NSW Draft South Subregional Strategy

Across the Greater Metropolitan Area a target of 60-70% of new housing will be accommodated in existing urban areas, focused around centres and corridors. This will take advantage of existing services such as shops and public transport and reduce development pressure in other parts of Sydney.

The South Subregion includes the Local Government Areas of Canterbury, Hurstville, Kogarah, Marrickville, Rockdale and Sutherland Shire. The South Subregion is required to provide an additional 35,000 dwellings by the year 2031, which represents an increase from the current housing provision of 248,600 dwellings to 283,600 dwellings. As a percentage of the South Subregion, the LGA of Marrickville currently contains 12% of the total population, which represents 76,000 people. Accordingly, Marrickville Council is required to provide an additional 4,150 dwellings by the year 2031.

The Subregional strategy nominates the subject site and Allied Mills Site as being suitable for redevelopment for mixed use purposes as it is *relatively isolated from nearby residential areas and located on a busy road*.

Housing types vary across the subregion. The strategy notes that Marrickville contains the highest percentage (30%) of lone households across the subregion. The south subregion contains a higher proportion of professional and managerial workers than jobs requiring these skills. This would suggest that a considerable percentage of the workforce travels out of the subregion for work. The subject site is within close proximity to Lewisham Railway Station and the anticipated future light rail line which gives it an advantage of providing the new residential population with excellent access to public transport.

The Concept Plan is proposed to contain 36,432m² of residential floor space, which is likely to translate to approximately 400 new dwellings (depending on size, market demand, circulation space etc). This will provide Marrickville Council with an ideal opportunity to achieve a substantial proportion of the required dwelling targets. The position of the site is such that there are no existing residential properties directly adjoining, which is unique compared to more typical infill development sites where numerous residential properties are often directly impacted.

In terms of housing provision, the proposed Concept Plan is consistent with the following objectives of the subregional strategy:

- 60-70% of new dwellings in existing urban areas;
- Apply sustainability criteria for new urban development;

- Plan for increased housing capacity targets in existing areas;
- Focus residential development around centres, town centres, villages and neighbourhood centres;
- Provide a mix of housing;
- Renew existing centres and improve economic viability and amenity;
- Improve the affordability of housing; and
- Improve the design of new development and urban renewal.

The proposal will contribute to the existing mix of housing types in the Marrickville LGA by providing a variety of studio, 1, 2 and 3 bedroom units in a modern mixed use residential flat building style development. It is also anticipated that up to 5 dwellings will be provided as affordable housing units for dedication and management by a community housing provider or as agreed under a Voluntary Planning Agreement. The proposal respects the cottage character of surrounding development through providing a transition in height from 4 storeys along Old Canterbury Road to 9 storeys along the western boundary, adjacent to the Greenway.

5.1.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;

This SEPP operates in conjunction with the Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure that BASIX is effectively enacted in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and planning policies in relation to any provision arising under BASIX.

The proposal is for a Concept Plan only and future project applications will include BASIX Certificates that achieve compliance with the energy, water and thermal comfort requirements.

5.1.7 State Environmental Planning Policy 55 – Remediation of Land;

This policy adopts a state wide approach for the remediation of contaminated land. It requires the consent authority to consider whether land subject of a proposed development is contaminated and if so, it must be satisfied that the land is suitable, or will be suitable after remediation, for the proposed use.

The policy makes remediation permissible across NSW, defines when consent is required, requires all remediation to comply with standards and requires that Council be notified of all remediation proposals. Clause 7 of the SEPP requires the consent authority to consider whether land is contaminated, prior to the consent for the carrying out of any development on that land.

The existing use of the site is industrial which would suggest that some areas of the site may be contaminated as a result of industrial activities conducted over the years. To ascertain the level of contamination and any measures necessary in remediating contaminated soil, an Environmental Site Assessment was carried out by *Environmental Investigations Contamination Assessment Management and Geotechnical* dated 7 October 2009 (refer to Annexure F). The report concluded that the site can be made suitable for the proposed

residential use after carrying out further testing, monitoring and sampling of specific parts of the site, following removal of all buildings.

5.1.8 State Environmental Planning Policy (Infrastructure) 2007;

Old Canterbury Road is identified as a State classified road by the RTA (MR 652). Therefore, Clause 101 of the Infrastructure SEPP 'Development with frontage to classified road' applies. Clause 101(2) of the Infrastructure SEPP requires that, prior to approval, the consent authority must be satisfied that:

- a) *Where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- b) *The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - i. *The design of the vehicular access to the land, or*
 - ii. *The emission of smoke or dust from the development, or*
 - iii. *The nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

An assessment of the proposed Concept Plan and traffic related impacts is provided at Annexure G of this report.

The proposed development is identified as traffic generating development within Schedule 3 of the Infrastructure SEPP as it proposes more than 2000m² of shops. In addition, it is also likely to propose vehicular access within 90m of Old Canterbury Road, which will provide access to more than 75 dwellings.

Clause 104 of the Infrastructure SEPP requires that for development applications involving development described within Schedule 3, the consent authority shall:

- a. *Give written notice of the application to the RTA within 7 days of after the application is made, and*
- b. *Take into consideration*
 - i. *Any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - ii. *The accessibility of the site concerned, including:*
 - A. *The efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - B. *The potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk by rail, and*
 - iii. *Any potential traffic safety, road congestion or parking implications of the development.*

Therefore, the RTA is required to be notified of this proposed development, and any submission made by the RTA within 21 days of the notification is required to be taken into consideration.

5.1.9 State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and the Residential Flat Design Code

This policy applies to the proposed development as it is defined under the SEPP as a 'residential flat building', in that it meets the criteria of being *'three or more storeys and consisting of four or more self contained dwellings'*. The proposal is for a Concept Plan only and as such the design has not sufficiently progressed to enable thorough assessment against all provisions of the Residential Flat Design Code (RFDC). Full assessment against the RFDC provisions will be provided with future Project Applications for detailed building design and apartment layout. However, conceptual apartment layout plans are provided at Annexure B with respect to cross ventilation, building separation and solar access, which demonstrates compliance with the requirements of the RFDC.

Tony Owen Partners has designed the Concept Plan having regard to the principles of SEPP 65. Tony Owen Partners has provided the following written response to the requirements of SEPP 65.

" Building Types

1) Building Heights, Massing and Scale

Performance: The building heights have been determined through analysis of the site to be of a suitable scale in response to context, view analysis, shadow studies, solar access, surrounding bulk and scale, topography and consultation with local Council Planners. See master plan document for details. The building massing has been designed with consideration of the surrounding urban fabric and the scale of public domain and urban spaces. For example, the buildings along Old Canterbury road are 4 storeys with a 2 storey setback to the street. Other buildings will include suitable setbacks at 4 storeys to create a predominant street wall podium at 4 storeys to define outdoor spaces and streets.

2) Building Depth

Performance: The building blocks have been designed with a maximum of 18m with additional balcony zone beyond to meet the requirements of the RFDC.

3) Building Separation

Performance: Generally the block massing has been design in accordance within the SEPP 65 criteria. Buildings greater than 4 storey are to have a separation of 18m between living areas. Some buildings are closer when living areas face onto blank walls or non habitable spaces. Lower buildings have a building separation of 12m between living areas with some building separations being 6m where non-habitable rooms or blank walls face each other. Typically parks, streets and public open spaces are used to provide separation between buildings.

4) Street Setbacks

Performance: The criteria for the design or setbacks and streetscape is set out in section 8.7,8.8 and 8.9 of the master plan document. These sections set guidelines for setbacks to public realm, private realm and streetscape building articulation zones.

Site Design

5) Open Space

Performance: Following consultation with the Marrickville Council and Department of Planning the master plan has been designed to incorporate substantial public open space and park land. These parks have been located to maximise permeability and connectivity to the surrounding urban fabric and for maximum exposure for the unit blocks.

6) Orientation

Performance: The master plan provides for a mixture of east-west and north-south facing unit clocks. This is in response to a range of urban design criteria including view sharing, solar access as well as to promote maximum connectivity of the surrounding urban fabric to the proposed Greenways belt and public open space and connectivity to the existing street grid.

7) Sun Penetration

Performance Criteria: 70% of the apartments should receive direct sun penetration for minimum 3 hours per day between 9 am and 3pm to living rooms on June 30.

Performance: The proposal is compliant as 74.31% of units satisfy this criteria. This is evidenced in the attached solar study drawing A300 as well as the shadow elevational studies.

8) Natural Ventillation

Performance Criteria: 60% of units should be naturally cross ventilated.

Performance: The building is compliant as 76%, are naturally cross ventilated. This achieved by units being 'through units, corner units and duplex units.'

The analysis provided above demonstrates that the Concept Plan and future Project/Development Applications have the capacity to achieve the objectives and numerical controls for the design quality of residential flat buildings, as required by SEPP 65 and the RFDC.

5.1.10 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 promotes the development of new affordable rental housing in New South Wales by providing development and design controls that assist with the delivery of housing stock for low and low-middle income earners and homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

Affordable housing is defined in the SEPP as (Clause 6) as *"housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument."*

Section 7 of Council's McGill Street Precinct Masterplan (Developer Contributions) requires either:

- i. The restriction on sales/rental prices to secure affordable housing; or
- ii. Allows for a floor space bonus where housing is dedicated to a government authority as low cost accommodation, which is to be administered through a community housing provider.

However, Section 7 of Council's McGill Street Masterplan also recognises that a Voluntary Planning Agreement is required to achieve either of these affordable housing outcomes. Neither Marrickville Council's planning framework (at the time of writing this report) or the Affordable Housing SEPP provide specific details with respect to the provision of affordable housing in new developments in terms of a percentage of overall dwelling yield or some other quantifiable figure.

Given the absence of any specific requirements and that the proposal relates to a Concept Plan where the exact number of apartments is not fully resolved, it is premature to enter into a Voluntary Planning Agreement or define an exact number of affordable housing units. However, it is anticipated that up to 5 affordable housing units will be provided within the development with specific details provided under future project/development applications.

5.1.11 Draft State Environmental Planning Policy No.66 – Integration of Land Use and Transport

Draft SEPP 66 aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve prescribed planning objectives. Provided in the table below is a response to the objectives of the SEPP.

TABLE 4: DRAFT SEPP 66 ASSESSMENT	
Objectives	Concept Plan response
1. Improving accessibility to housing, employment and services by walking, cycling, and public transport;	The site is serviced by the local bus network and it is within 200m walk of Lewisham Station. Development of the site will also increase the viability of extending the light rail network from Lilyfield past the site to Dulwich Hill. The site is located adjacent to Old Canterbury Road which is an arterial road connecting Parramatta Road to the north and Canterbury Road to the south. The site therefore offers excellent access to housing, employment and services.
2. Improving the choice of transport and reducing dependence solely on cars for travel purposes;	As previously mentioned, it is anticipated that the future light rail line will be constructed and this will provide residents of the site with excellent access to the city and surrounding suburbs. The site is also well serviced by the local bus network and it is within 200m walk of Lewisham Station.
3. Moderating growth in the demand for travel and the distances travelled, especially by car;	As already noted, the site has excellent access to various modes of existing and future public transport options.
4. Supporting the efficient and viable operation of public transport services; and	Redevelopment of the site will increase the viability of the future light rail line extension.
5. Providing for the efficient movement of freight.	Development of the site does not inhibit or restrict the movement of freight in the locality.

It is considered that the proposal satisfies the objectives of the Draft SEPP.

5.1.12 Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996

The *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996* is designed to protect the immediate airspace around Sydney airport. This is essential in ensuring and maintaining a safe operating environment and to provide for future growth of the airport. For this reason, it is necessary to restrict some types of development and land uses in the vicinity of airports. This is to guarantee that designated airspace segments remain obstacle-free, thereby contributing to the safety, efficiency and regularity of aircraft operations.

To protect the airspace around airports, new buildings must comply with the Obstacle Limitation Surface (OLS) requirements. The subject site has an OLS of 121m AHD and the proposed Concept Plan anticipates building heights of up to 35m, which equates to approximately 50m AHD. The development therefore easily complies with the height restrictions imposed under the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*.

5.1.13 Crime Prevention through Environmental Design (CPTED)

CPTED principles will be considered in detail during the design of the development and submitted under future project / development applications. Notwithstanding, CPTED principles have been considered by Urbis with respect to the proposed Concept Plan. A copy of the assessment completed by Urbis is provided at Annexure U of this Environmental Assessment. Provided under the headings below is a summary of the findings of the assessment completed by Urbis.

Territorial definition – The current configuration of buildings defines streets and pedestrian access ways, and creates a strong separation between public, communal and private realms. Minimal setbacks from footpaths and open space is encouraged for natural surveillance (below) as well as a strong delineation of realms. All parks are defined on 3 sides with a fourth side facing streets.

Surveillance – The scheme has been designed with a high degree of surveillance of public open space. Street-based open space such as green links, and narrow aperture parks permit overlooking from apartments. Views through interconnected spaces allow alternative escape routes in the event of entrapment, and provide views into public space from adjacent high traffic areas. Where common open space lies off pedestrian paths, an access controlled space (such as keyholder parks) should be adopted, using open fencing (such as wrought iron posts) and gates, to create a visual link and permit actual egress, while inhibiting unintended loitering.

The definition of the side of parks not enclosed by built form will need to be addressed in detail design – to ensure that view lines to remote parts of public parks are maintained from the surrounding apartments, or else to control access (such as keyholders gates, as above) for communal open space.

Increased height adjacent to the light rail corridor also increases the passive surveillance (deterrence) for the wide reserve. As a practical matter, however, upper storeys beyond 6 storeys are unlikely to provide effective surveillance of spaces, and the perimeter block configuration adopted in the concept plan is favoured for this reason.

Overall, the strong relationship of buildings to public open space and streets combined with the number of apartments and the existence of two strong nodes (the proposed light rail station, and the shopping centre), all create a good environment for passive surveillance.

Access Control – Generally, access to basement car parks, loading zones and service passages should all be controlled – usually using security swipe cards or remote controls. Additional surveillance such as cameras can be incorporated into the security plan for the complex, although these should not be solely relied on. The access control regime should be dealt with at detail design stage, such as an integrated security plan prepared on behalf of the strata management.

Activity Support –The degree of cross-movement likely to be fostered by the proposed light rail station and shopping centre are cumulatively likely to make the McGill Street Precinct a highly active centre during the day and night. Location of BBQs, seating groups and other sociopetal facilities in common open space may enhance activity on weekends – particularly along the central green boulevard, although the locations are best nominated at detailed landscape design.

Analysis of the site-specific controls and suggested design outcomes is provided in the attachments to Annexure U.

It is anticipated that future landscaping of the open space areas (including lighting) will be suitable to prevent concealment opportunities and encourage, where appropriate, use of public spaces. In addition, activation of the street level with retail and commercial uses will attract people to the area, thereby deterring anti-social behavior.

The proposed Concept Plan therefore performs effectively with relation to the principles of Crime Prevention through Environmental Design.

5.2 Local Environmental Planning Instruments

5.2.1 Marrickville Local Environmental Plan 2001

The *Marrickville Local Environmental Plan (LEP) 2001* applies to the subject site. Under the LEP, the site is zoned *4 Light Industrial (B)* (see *Figure 19*). The proposed mixed use development is prohibited in the zone. It is because of this prohibition that approval is sought for the Concept Plan under Part 3A of the EP&A Act, 1979.

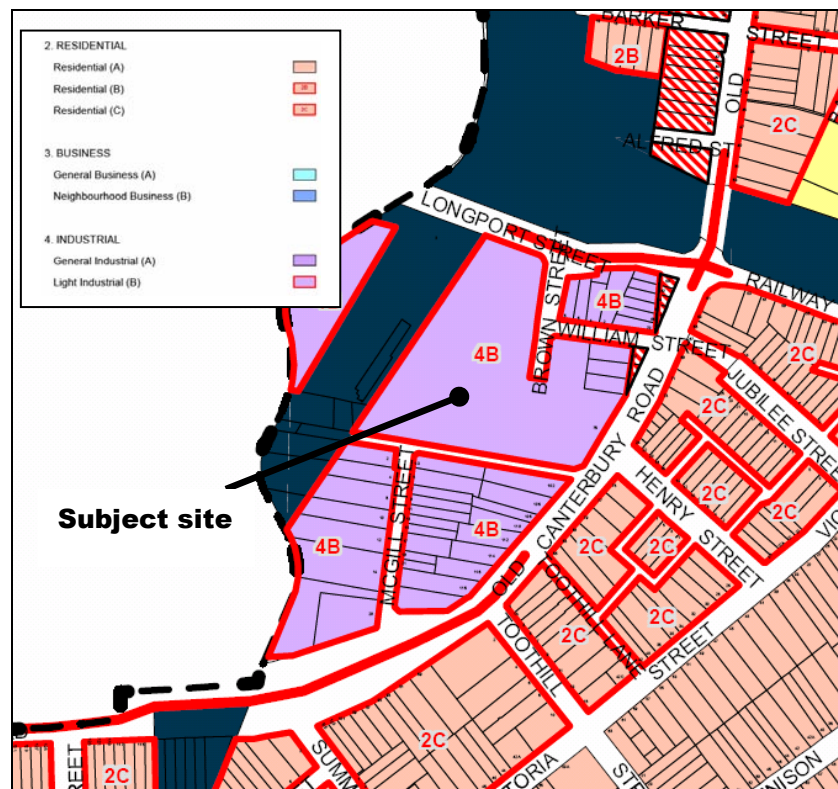


Figure 19: Marrickville LEP 2001 extract

Despite the fact that the existing zoning prohibits residential development on the site, the Minister has acknowledged that the site is suitable for redevelopment for mixed uses purposes including at least 70% as residential. In this instance, the provisions of Marrickville Council's LEP are set aside and redevelopment of the site for mixed use purposes is permitted with the development consent of the Minister under Part 3A of the EP&A Act, 1979.

As discussed in Section 3.3, the proposed Concept Plan is generally consistent with Marrickville Council's McGill Street Precinct Masterplan and rezoning of the Precinct by Marrickville Council for the purposes of achieving mixed use development is imminent. In addition, the NSW Draft South Subregional Strategy nominates the subject site and Allied Mills Site as being suitable for redevelopment for mixed use purposes as it is *relatively isolated from nearby residential areas and located on a busy road*. Use of Part 3A of the EP&A Act 1979 to enable submission of the proposed Concept Plan merely allows for redevelopment of the Precinct to occur in a timelier, and therefore a more economically viable, manner.

5.2.2 Developer Contributions and Voluntary Planning Agreements

The proposed Concept Plan does not include exact dwelling yield or dwelling size figures. Similarly, the full design and allocation of public and private open spaces is conceptual at this stage. Accordingly, it is not appropriate or possible to produce an exact quantum of monetary contributions that may be payable under S.94 of the EP&A Act, 1979, or Voluntary Planning Agreements that may be entered into with Marrickville Council under S.93F of the EP&A Act, 1979.

Discussions with respect to pedestrian linkages between the site, Lewisham railway station, the Greenway and future light rail extension are detailed in Section 4.2.3 of this report. Such discussions include the viability of a VPA for dedication of land that is under the ownership of the proponent of this Concept Plan (but does not form part of the Concept Plan) for access arrangements. Refer to Section 4.2.3 of this report for further details.

It is noted that the NSW Premier announced on 4 June 2010 that developer contributions will be capped at \$20,000 per new residential dwelling. It is anticipated that a Voluntary Planning Agreement will be entered into with Marrickville Council that (as a minimum) proposes to construct, embellish and dedicate:

- The new north-south road running along the western site boundary (10m width);
- Public open space areas to the north of Hudson Street including upgrading of Hudson Street;
- Any other parts of the site or adjacent land that will be upgraded, embellished, constructed or dedicated to the Council by the developer of the site;
- Pedestrian access links from the site to the Greenway (including the future light rail extension), Lewisham Station and surrounding residential areas;

The cost of the public benefit works proposed under the Voluntary Planning Agreement will be deducted from the quantum of contributions payable by the development under S.94 of the EP&A Act, 1979. Full details of such agreements will be provided with future Project / Development Applications.

5.2.3 McGill Street Precinct Masterplan

On 16 June 2009, Marrickville Council resolved to prepare a master plan for the land known as the *McGill Street precinct*. Hassell prepared a Masterplan for the McGill Street Precinct dated November 2009 for Marrickville Council. Council has since adopted the Masterplan for the purposes of informing redevelopment of the precinct and for inclusion in future LEP and DCP planning controls. This precinct is located in Lewisham and is bounded by Old Canterbury Road to the east and south, the Hawthorne Canal and the Rozelle Goods Line to the west, and Longport Street to the north (see figure 20).



Figure 20: McGill St Precinct Masterplan area shown outlined red (Source: McGill St Precinct Masterplan)

The objective of this study is to *'advance the directions of the Marrickville Urban Strategy 2007 through the preparation of a Master Plan which ensures that future development in the precinct is planned cohesively'*. The master plan provided broad urban design considerations and planning controls to guide the scale and density of development in the Precinct including, local area traffic management, landscaping, public domain improvements and a mix of land uses.

In addition to the aforementioned, Council's masterplan aims *to enhance the existing social character and physical structure of the McGill Street precinct by providing a framework for development and associated public domain improvements. Built upon a process of research, analysis and development of a series of practical principles, this master plan will not only contribute positively to the future evolution of this precinct, but also further strengthen its role within the Marrickville Local Government Area.*

Marrickville Council notes the following parameters that influence redevelopment of the McGill Street Precinct:

- " There are emerging conflicts upon surrounding residential uses buffering this isolated pocket of industrial zoned land. The precinct is an industrial site that is becoming increasingly redundant

and presents residential amenity conflicts. Rezoning should therefore respond to both the existing and future desired character of the surrounding area.

The DSRS and the MUS [Marrickville Urban Strategy] have designated the site be developed for mixed use and being most suitable for predominately high density residential development combined with some live/work flexibility and minor supporting retail and community service uses.

Marrickville Council has identified the vicinity around Lewisham train station and along Old Canterbury Road for medium density housing of up to 4 storeys.

The precinct is recognised as a site to cater for the increase in residential housing demand in the area. Local amenity and links across the precinct, through to the Summer Hill local centre needs to also be considered in the development of the master plan.

For the production of a Masterplan for the site and to drive the built form controls, Marrickville Council has focused on the following key considerations:

Public Transport, Traffic and Access

- Connect new roads to adjoining roads within the precinct, and add permeable links to the surrounding neighbourhood and to key locations such as the Greenway Corridor, Lewisham Train Station, and the Summer Hill village centre.
- Negative impacts which come with living in this inner-city area such as noise, vibration, pollution and safety are key issues which need to be addressed and minimised.
- Old Canterbury Road is a state road (narrow road with high traffic volumes). Vehicular access to and from the precinct will be a major issue given the current traffic congestion in peak times. Measures to address this will need to be subject to further traffic investigation.
- There is a need to consider pedestrian access from Summer Hill to Lewisham through the precinct - the prospect of a light rail station on the Rozelle Goods Line reinforces the need for this.
- Traffic generation rates must be considered across the entire precinct to resolve access.

Vegetation and Open Space

- Parks, significant trees and natural areas need to be valued alongside any future development. As the nearest park (Petersham Park) is located approximately 1km away from the precinct (and on the other side of the rail line), there is an increased need for an active and passive outdoor space in the area.
- Establish an appropriate network of streets and other public spaces to create new public areas that open up and encourage access both to and through the McGill Street precinct site. Improve links to the Greenway as currently this 'green corridor' exhibits poor connectivity and accessibility.
- Although at present the Greenway corridor has limited aesthetic appeal, it has the potential to become an attractive landscaped 'green corridor' in the future, especially when combined with walking/cycling paths and the proposed light rail.

Existing Residential Character and Heritage

- The heritage character of the area is highly valued by the community. The aim is to achieve compatibility between the existing that is to be retained and new development. New development should respect the existing built environment and any identified heritage significance.

- A recommendation was made that consideration be given to the potential significance of the existing industrial building on the site as part of any Development Application for the (Allied Mills) site.

Views and Vistas

- Improve views into the Greenway to make it more accessible as an important area of regional open space. Enhancing views to this green corridor will also help to improve not only safety, but also the success of the future light rail.

Through these key considerations listed above, Marrickville Council adopted three primary master planning strategies, as follows:

1. Accessing the greenway and provide local open space;
2. Connect existing Centres and provide local retail uses; and
3. Step building heights and improve permeability.

Council adopted the three primary masterplan strategies listed above and developed the following vision for redevelopment of the McGill Street Precinct:

Vision

The redevelopment of the McGill Street precinct is one that fits appropriately into the heart of Lewisham - that is, a village-type locality accommodating mixed use development of moderate densities and scales.

In addition to residential uses, the precinct will now also accommodate some minor service retail, commercial offices and showrooms as well as studio, cafe and restaurant spaces – a master plan design that successfully and appropriately innovates and integrates the precinct with both Lewisham and Summer Hill's long-standing heritage and the culture of today's surrounding scene.

The emergence of a new residential population, the addition of large, light-filled office and studio spaces, combined with the increased activation of the precinct through the generation of activity at the street level and the inclusion of a new area of public open space will transform the McGill Street precinct. The precinct will now be a desirable locality where people will want to live and spend time in, a locality which will deliver social and environmental value to the people of Lewisham.

The vision for the site is one that renews the uses of the site necessary for a vital mixed-use precinct, whilst building on adjoining activities so that development both complements and supports its neighbourhood setting and village-type atmosphere.

The guiding principles for the development of the master plan include:

1. Diversity of use (retail, commercial, employment and residential); of housing type (affordability, configuration and style), and of building and architecture, landscape and open space;
2. Provision of community facilities and local employment - uses that will make the precinct a place that supports local people and businesses;
3. The provision of public open space which also serves as an important gathering place and focal point for informal leisure and recreation;
4. A precinct which has a village-type atmosphere that complements and connects Lewisham and Summer Hill, not competes with them.

Attached at Annexure D of this Environmental Assessment is a copy of the Council's McGill Street Precinct Masterplan, the Development Controls and indicative Street Sections.

The Tony Owen Partners Masterplan submitted with this Concept Plan application adopts the key urban design principles in Marrickville Council's McGill Street Masterplan. In particular, the Tony Owen Partners Masterplan adopts the following:

- A central green boulevard adjacent to Hudson Street that connects Old Canterbury Road and residential areas further to the east with the future light rail line to the west of the site;
- A new north-south street adjacent to the western site boundary with landscaping and pedestrian access to create a setback between the future light rail line and the buildings located on the western edge of the site;
- A transition in height from higher buildings located on the western side of the site (fronting the Greenway) to lower buildings located on the eastern side of the site (fronting Old Canterbury Road); and
- Positioning residential buildings on the site to maximise views of open space areas to increase resident amenity.

However, there are aspects of the Tony Owen Partners Masterplan that differ from the Council's adopted masterplan for the McGill Street Precinct. It should be noted that page 35 of the Council's Masterplan states that the *draft illustrative master plan presented in this report is indicative only. It is to be used as a guide and represents one possible solution to the redevelopment potential of the McGill Street precinct.*

Tony Owen Partners reviewed Council's Masterplan and following a detailed exercise of considering the Council's three primary masterplan strategies (listed previously), the site constraints including views from future buildings on the site and solar access into future public / private open space areas, the masterplan has been amended to achieve an improved urban design outcome. A comparison of the key built form controls contained within the McGill Street Masterplan against the Tony Owen Partners Masterplan is provided below.

TABLE 5: MASTERPLAN BUILT FORM CONTROLS COMPARISON			
Development Control	Council's McGill St Masterplan	Tony Owen Partners Masterplan	Consistency
Land use	Residential – 20,344m ² Retail – 636m ² Commercial – 1,257m ² Total GFA = 22,237m ² Recalculated total GFA = 26,988m ² *	Residential – 39,645.96m ² Retail – 6305.54m ² Commercial – 287.04m ² Supermarket – 2800m ² Total GFA = 45,902.48m ²	No
Building Height	2-4 to 9 storeys	4 to 9 storeys	Yes
Public Realm Controls	- Active frontages to Hudson Street, Old Canterbury Rd and Longport Street – 80% build-to, 0m setback	- Active frontages to Hudson Street, Old Canterbury Road and Longport Street, 80% build-to, 0m setback	Yes
	- Greenway (western bdry) 80% build-to frontage	- Greenway (western bdry) 80% build to frontage	Yes
	- Active frontages to William Street and Brown Street with 80% build-to, 1.8m setback	- Active frontages to William Street and Brown Street with 80% build-to, 2.5m setback	Yes
Private Realm	- Greenway (western bdry), 10m	- Greenway (western bdry), 10m	Yes

TABLE 5: MASTERPLAN BUILT FORM CONTROLS COMPARISON			
Development Control	Council's McGill St Masterplan	Tony Owen Partners Masterplan	Consistency
(building depth & open space)	setback	setback	
	- Brown Street – 10m width	- Brown Street – 12m width	Yes
	- Res. buildings – max 20m width	- Res. Buildings – 18m (SEPP 65)	Yes
	- Private open space – min 18m width	- Private open space – min 18m width	Yes
Lot Amalgamation	Entire subject site	Entire subject site	Yes
FSR	1.7:1 (recalculated FSR 2.06:1*)	3.5:1	No

*see the Tony Owen Partners recalculated GFA figures provided at Annexure B

With specific reference to the subject site, there are three fundamental differences between Council's masterplan and the masterplan proposed under this Concept Plan, as follows:

- **Floor Space Ratio** - An increase in floor space was brought about because of the refined green boulevard that forms Hudson Street. Council's McGill Street Precinct Masterplan places the entire public open space area within the subject site whereas by comparison, the Tony Owen Partners Masterplan proposes a more equitable distribution of open space along Hudson Street. Whereas the Council Masterplan nominated all public open space to be provided on the concept plan site, under the Tony Owen Partners Masterplan the subject site and existing properties located to the south of Hudson Street would each have responsibility for dedicating some land into public ownership as open space.

Aside of the amount of open space proposed as part of the Concept Plan in comparison to the Council's master plan (which lowers the overall FSR on the site), the methodology for calculating FSR in Council's McGill Street Precinct Masterplan is unknown. To provide a clear and accurate comparison between the FSR proposed under this Concept Plan and the Council's Masterplan, the FSR under the Council's master plan was recalculated using the same methodology as the Tony Owen Partners Masterplan. This resulted, in an FSR under the Council's master plan of 2.06:1 (calculations provided at Annexure B), which is substantially higher than the 1.7:1 figure stipulated in Council's McGill Street Precinct Masterplan and closer to the FSR figure proposed under this Concept Plan.

As demonstrated in Figure 21 and within the massing diagrams provided at Annexure C, visually, the coverage and size of buildings in the Tony Owen Masterplan does not significantly differ from the coverage or size of buildings in Council's McGill Street Precinct Masterplan, as would be suggested by comparing the two FSR figures (3.5:1 and 1.7:1). Some buildings under the proposed Concept Plan are larger than the buildings described under the Council's master plan, and vice-versa. The largest variation in building height is located at the southwestern corner of the site, which is adjacent to the future light rail extension and aids in defining the Greenway corridor. The additional building height in this location does not impact in any way on the amenity of surrounding residents.

In terms of built form and the amenity of existing residents, the most sensitive aspect of the redevelopment of the McGill Street Precinct is the interface between the Precinct and the residential properties located on the eastern side of Old Canterbury Road. A comparison of building heights and footprints is provided in Figure 21 and within the massing diagrams provided at Annexure C. It reveals that the proposed Concept Plan maintained the same building height (4 storeys) but by comparison to the Council's

Masterplan, a physical break is proposed between the buildings fronting Old Canterbury Road. This will provide a visual break of the buildings along Old Canterbury Road and reduce reverberation of traffic noise.

It is therefore maintained that despite the variation in FSR the actual or real impact on existing residents to the east will be comparable and if anything reduced (because of the reduce length of buildings along Old Canterbury Road) when compared to the likely impacts created by Marrickville Council's McGill Street Precinct Masterplan. Further, FSR is typically used to control bulk and scale, and independent consultants who have reviewed the proposed Concept Plan, *Urbis* and *Richard Lamb & Associates* (reports Annexed to this Environmental Assessment), are of the opinion that the proposed scale of development is appropriate to the site and locality, and in actual fact a positive refinement of Council's McGill Street Precinct Masterplan.

Notwithstanding the statements made above, to impose a maximum FSR on the Concept Plan would serve little purpose as the proposed buildings envelopes are clearly stated, including setbacks, building depths and heights. The method of calculating the proposed FSR is therefore academic so as long as the building envelopes are maintained within future project/development applications.

The redefined open space area has in turn encouraged buildings proposed under this Concept Plan to stretch in a southerly direction to create longer buildings along the western frontage of the site (see figure 21).

The Concept Plan proposes 4 storey buildings fronting Old Canterbury Road and this is consistent with the Council's McGill Street Precinct Masterplan. It is therefore the case that in terms of built form, the additional floor space proposed will not impact on the amenity of residents on the eastern side of Old Canterbury Road in terms of privacy or overshadowing in a manner that is any greater than that proposed under the Council's masterplan.

Independent consultant reports are provided at Annexes G and H with respect to impacts that the proposed Concept Plan will have on traffic in the area and on the viability of retail / commercial businesses in the region. Traffic related aspects of the Concept Plan are considered further in Section 6 of this report.

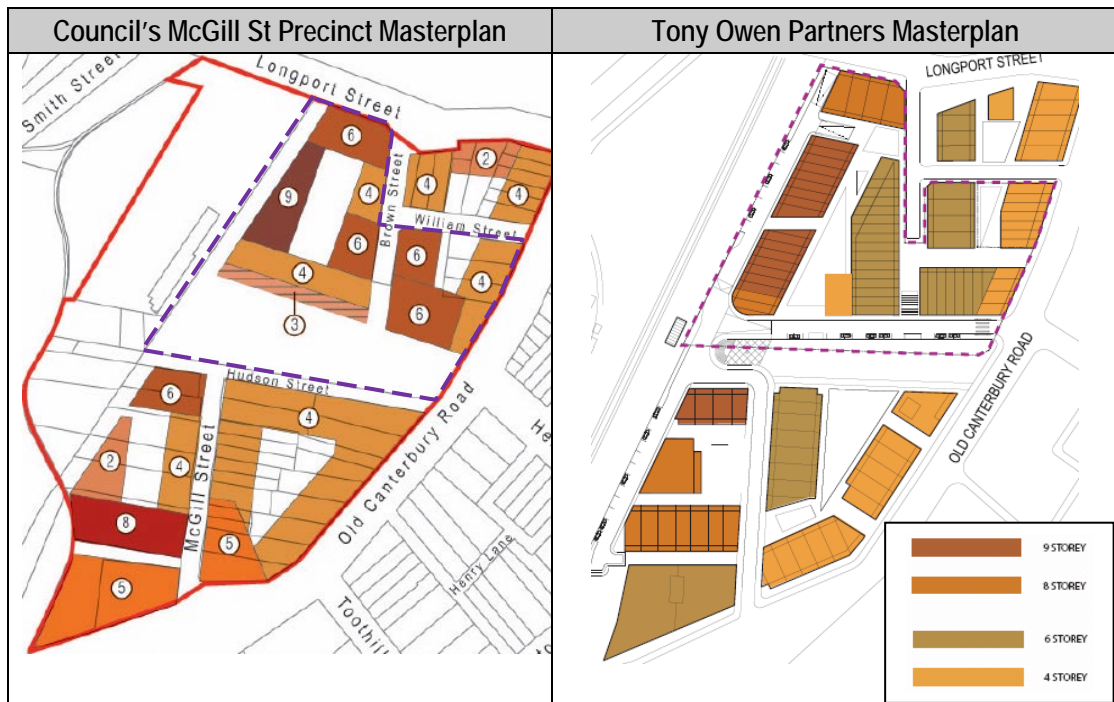


Figure 21: Building layout and height comparison (Subject site shown outlined blue)

- Building locations – Council's masterplan arranges buildings on the western portion of the subject site to produce a central courtyard that is surrounded on all sides by buildings ranging in height from 4 to 9 storeys. By comparison, the Tony Owen Partners Masterplan proposes buildings that extend on a north-south axis with less built form proposed on the southern edge of the site adjacent to the Hudson Street open space. This is considered to produce a superior urban design outcome when compared to Council's masterplan for the following four reasons:
 - i. Open space on the site will link open space proposed along Hudson Street to provide one large amalgamated space;
 - ii. It creates a space that will have superior solar access to ensure that it is an attractive and useable space (especially during the winter months);
 - iii. Proportionately, a larger number of apartments will have outlook onto the open space areas and this will increase both resident amenity and public safety through casual surveillance; and
 - iv. Building separation has generally increased to provide higher levels of resident amenity.
- Open Space Corridor – Council's Masterplan includes a central green boulevard running in an east-west direction from Old Canterbury Rd to the future light rail link. However, the open space proposed along Hudson Street does not connect with any of the open space areas of the adjoining sites (to the north or south). In addition, Council's masterplan proposes built form along the entire northern edge of the green boulevard and as a consequence this space would be in shade during the winter months, thereby limiting its usefulness for surrounding residents.

By comparison, the proposed Concept Plan creates a larger green corridor by linking the Hudson Street open space with the open space proposed within the subject site.

Further, the proposed building orientation allows for vastly improved solar penetration into the open space areas. This will improve the aesthetic appeal and viability of these spaces. Similarly, the Tony Owen Partners Masterplan anticipates that future redevelopment of the site on the southern side of Hudson Street will include an open space area that extends from the open space provided around Hudson Street, as shown in Figure 22 (subject site shown dashed red).

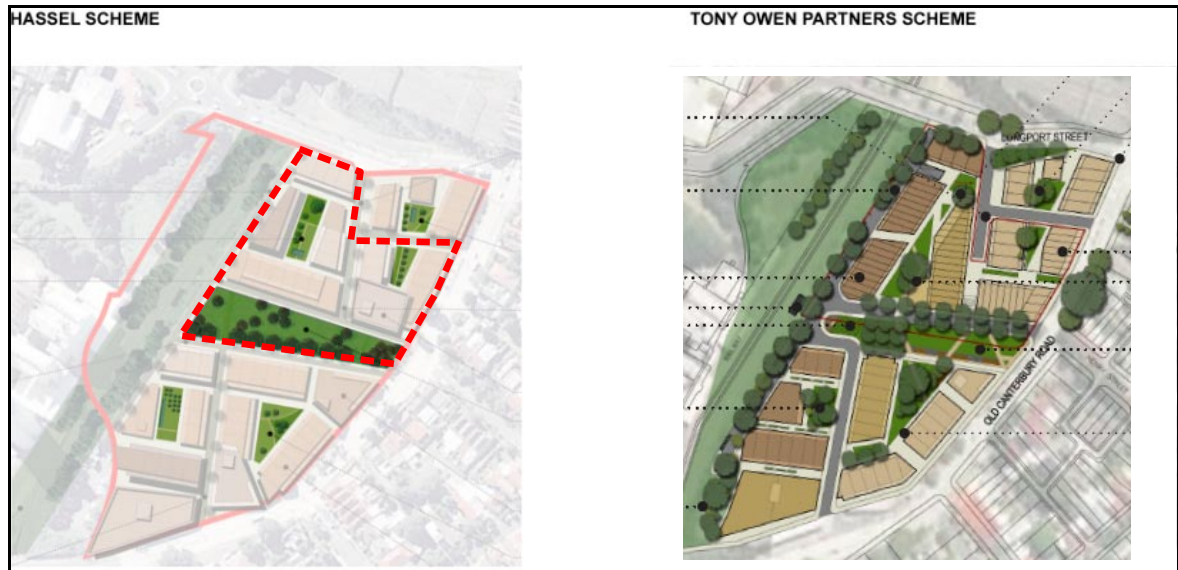


Figure 22: Public open space comparison

It is evident that, despite the Tony Owen Partners Masterplan proposing a higher overall GFA when compared to the Council's McGill Street Precinct Masterplan, it produces superior urban design outcomes in terms of built form, efficient use of open space and creates better amenity for future residents. Further, the increase in overall density on the site does not result in increased amenity related impacts for existing residents in the locality (eastern side Canterbury Rd).

An increase in the number of dwellings on the site will also help the Council to achieve its metropolitan strategy targets, as set out in Section 5.1.3 of this report.

Urbis – Peer Review of Tony Owen Partners Masterplan

The professional services of Urbis were employed to undertake an independent peer review of the Tony Owen Partners Masterplan, a copy of which is provided at Annexure U. The independent review concluded as follows:

- " Urbis supports this proposal, as providing an appropriate response to the site and context and an appropriate response to its location proximate to major transport corridors, open space and local centres. The concept plan represents a logical refinement of the McGill Street Master Plan, and takes into account the three key objectives in that plan. Further analysis and subsequent investigations support the points of departure of the concept plan from the McGill Street Master Plan, and the key elements of the proposed plan relate to sound urban design considerations, which are likely to underpin a good built form outcome in detailed design.

5.2.4 Marrickville Urban Strategy (2007)

In April 2007 Marrickville Council adopted the Marrickville Urban Strategy. The purpose of the strategy is to provide a planning context for future development across the Marrickville LGA. The Strategy establishes a vision and co-ordinates strategic planning policy with respect to planning, community and environmental issues. Essentially, the Strategy is designed to inform Council's planning policies to ensure consistency with the housing and employment related targets that need to be met under the NSW Government's Metropolitan Strategy.

The Strategy recognises the McGill Street Precinct as being suitable for rezoning from its current industrial uses to mixed use purposes. This is further evidenced through Marrickville Councils' commissioning of the McGill Street Precinct Masterplan, which was completed in November 2009. On this basis, the proposed Concept Plan is consistent with the broad planning principles of the Marrickville Urban Strategy.

5.2.5 Marrickville Employment Lands Study (2008)

The Marrickville Employment Lands Study was completed in April 2008. The Study was prepared to provide strategic planning direction for employment lands within the Marrickville LGA. The specific aims of the study were to provide:

- *An update of the strategic planning context;*
- *Identification of regional trends and issues;*
- *An overview of existing employment lands; and*
- *An understanding of future employment lands in Marrickville (including assessment of the potential to convert select industrial sites to mixed use development, as identified in the Marrickville Urban Strategy).*

The Marrickville Employment Lands Study is subordinate to the Marrickville Urban Strategy and accordingly it recognises the McGill Street Precinct as a suitable site for rezoning from industrial to mixed use purposes. The Study specifies the recommendations for redevelopment of the McGill Street Precinct. These recommendations are reproduced in Table 6 with a response also provided with respect to the proposed Concept Plan.

TABLE 6: MARRICKVILLE EMPLOYMENT LANDS STUDY	
Study recommendations	Concept Plan consistency
1. <i>Precinct should be rezoned to permit a mix of residential development and a broad range of low impact employment uses. Possible zonings could include B3 Neighbourhood Centre, B4 Mixed Use, R4 High Density Residential and RE1 Public Recreation. Areas located adjacent to busy roads could be zoned B5 Business Development or B6 Enterprise Corridor Zoning that allow a broad range of employment uses and prohibit or restrict residential uses.</i>	Although a rezoning (Planning Proposal) is not being proposed, the Concept Plan is considered to be consistent with the intention of this recommendation in that it will create a mixed use development that offers employment opportunities within the proposed supermarket, retail shops and commercial premises that form part of the proposal
2. <i>Zoning and other planning controls should seek to permit a broad range of activities that</i>	As stated above, the Concept Plan includes retail shops with the future uses of these premises to be

TABLE 6: MARRICKVILLE EMPLOYMENT LANDS STUDY

Study recommendations	Concept Plan consistency
<i>are directly or indirectly associated with cultural industries.</i>	determined under separate Project / Development Applications for each premises. At this time, it may be appropriate to pursue development that is directly or indirectly associated with cultural industries.
<p>3. <i>Rezoning of the site should be accompanied by more detailed planning controls addressing issues such as:</i></p> <ul style="list-style-type: none"> • <i>Locations of new streets, new public open space, active frontages, activity nodes;</i> • <i>Local road widening, intersection upgrades and requirements for public domain improvements;</i> • <i>Mix of uses on the site (e.g. minimum 20% commercial/retail <u>and/or</u> maximum 70% residential);</i> • <i>Preferred building envelopes and maximum floor space ratios;</i> 	<p>Rezoning of the site is not proposed although the proposed Concept Plan essentially achieves the same end. It proposes:</p> <ul style="list-style-type: none"> • New streets and new public open space areas including connection with future light rail to the west of the site; • Hudson Street, William Street and Brown Street will be upgraded as part of the development with substantial public domain improvements provided to Hudson Street; • 13.7% of the total GFA is proposed as retail / commercial use (6305.54m² of 45,902.48m² total). Consequently approximately 86.3% of the Concept plan is for residential development. <p>The proposed residential floor space as a proportion of the overall floor space is considered reasonable in the circumstances for the following reasons:</p> <ul style="list-style-type: none"> - There is high market demand in the Sydney region for new housing stock, which is reflective of the increasing house and rental prices and reduced affordability; - The provision of approximately 400 new apartments is consistent with the NSW Metropolitan Strategy and the Draft South Subregional (refer to Section 5.1.5 of this report); - The site is within a desirable location with excellent access to exiting public transport networks and adjacent to the future light rail extension, which will reduce demand on private car travel while also reducing traffic generation in the locality; and - Council's McGill Street Precinct Masterplan allows for over 90% of the site to be residential which is obviously a higher proportion of the overall floor space mix in comparison to the proposed Concept Plan. <ul style="list-style-type: none"> • The Concept Plan stipulates building footprints, heights and a maximum floor space ratio to guide future Project / Development Applications;

TABLE 6: MARRICKVILLE EMPLOYMENT LANDS STUDY	
Study recommendations	Concept Plan consistency
<ul style="list-style-type: none"> • Preferred locations of vehicular entries; and • Encouraging the provision of live/work dwellings. 	<ul style="list-style-type: none"> • Vehicular access points will be defined within future Project Applications. However the main basement entry is anticipated from the northern end of the new road proposed along the western boundary of the site; and • Shop-top-housing is proposed fronting Old Canterbury Road.

It is demonstrated in Table 6 that the proposed Concept Plan is consistent with Marrickville Council's Employment Lands Study and the site specific recommendations for redevelopment of the McGill Street Precinct.

5.2.6 Cooks River to Iron Cove Greenway Masterplan & Coordination Strategy

The Cooks River to Iron Cove Greenway vision is for a *"Recognisable environmental, cultural and non – motorized transport corridor linking the subcatchments of two of Sydney's most important waterways."*

The Greenway offers the community a place for active and passive enjoyment of a 5km long strip of land that extend from the Cooks River at Earlwood in the south to Iron Cove in the north, passing through 4 local government areas and following the line of the disused Rozelle freight rail corridor (past the western boundary of the subject site). It will also offer a quick link for commuters between busy suburbs, connecting public transport nodes such as train and light rail stations. The Greenway is also a unique biodiversity corridor and "green lung" in an urban area of Sydney that has limited open space. Biodiversity can move up and down the corridor in the same way people can.

Although commitment from the State Government has not yet been received, the Greenway corridor is being pursued by Ashfield, Canterbury, Leichhardt and Marrickville Councils. The proposed Greenway corridor is shown in Figure 23.

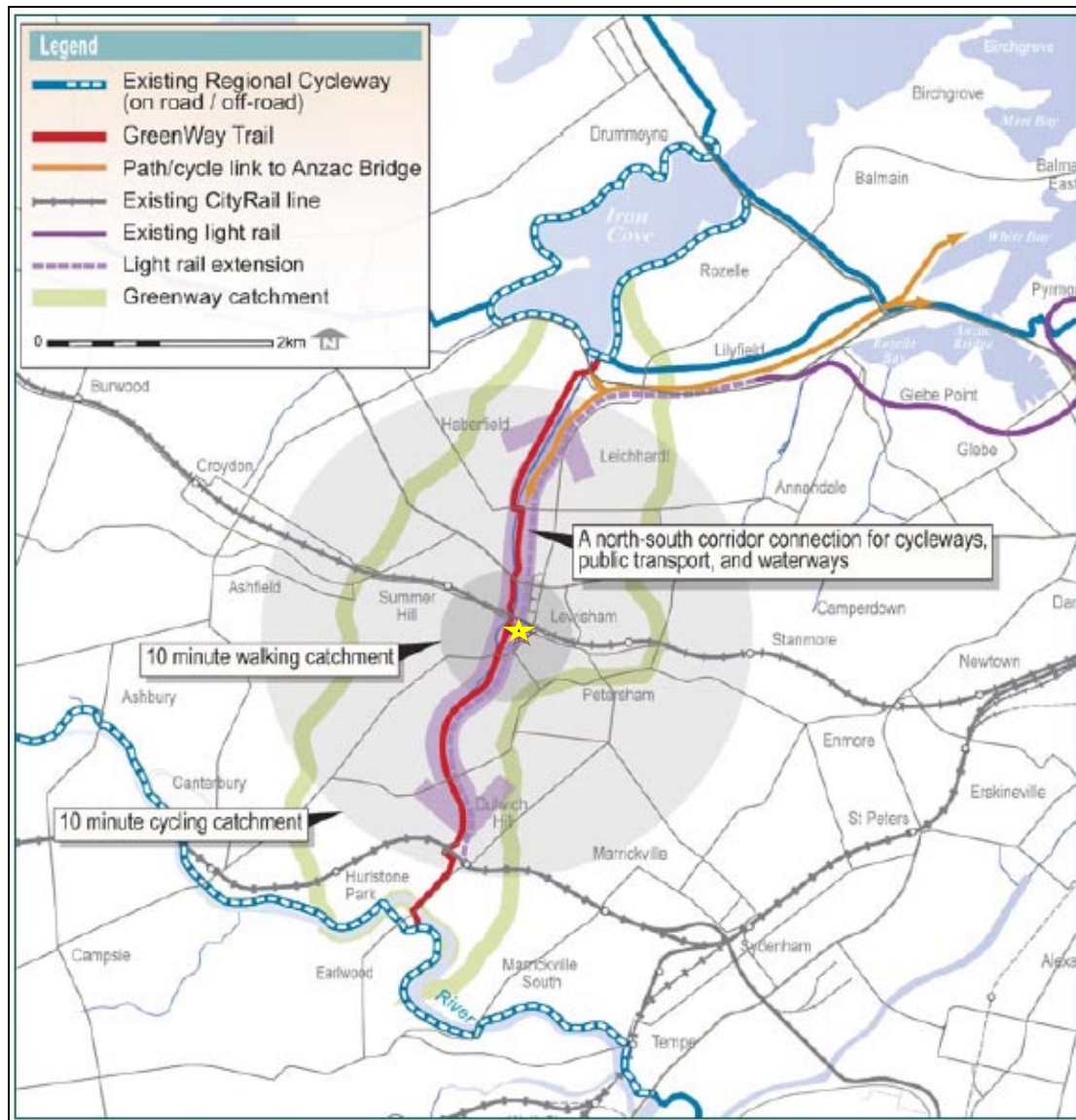


Figure 23: Proposed Greenway Corridor (Subject site marked with a star)

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.

5.2.7 Development Control Plans

Marrickville Council's *DCP No.35 Urban Housing* and *DCP No.28 Business Centres* are detailed documents used to guide the design of local development proposals. It is premature to consider the provisions of these DCPs as the proposed development is for a Concept Plan

application, which by its very nature is conceptual and aims to establish the key development controls covering building heights and location, open space areas and linkages, access arrangement, land uses and the like. It does not propose or contemplate detailed building design at this stage. Detailed building design will be considered under separate Project / Development applications at which time relevant provisions of Council's DCPs can be addressed in detail.

In addition to Marrickville DCP No.35 and DCP No.28, the following DCPs will need to be considered in the preparation and assessment of future Project / Development Applications:

- *Marrickville DCP No.19 – Parking Strategy;*
- *Marrickville DCP No.30 – Contaminated Land Management;*
- *Marrickville DCP No.31 – Equity of Access Mobility; and*
- *Marrickville DCP No.38 – Community Safety.*

The built form controls that have been the primary driver for the Concept Plan are the *Residential Flat Design Code* (RFDC) 'Rules of Thumb' (SEPP No.65). The built form controls include building depth, building separation, building orientation, apartment layout, apartment and balcony dimensions, ceiling heights, circulation and access, acoustic privacy and daylight access. Car parking for the anticipated apartment yield was derived from the *RTA Guidelines for Traffic Generating Developments* as discussed in the Traffic, Transport & Accessibility Assessment provided at Annexure G of this report. It is demonstrated in the concept building layout plans provided at Annexure B of this report that future Project/Development Applications have the capacity to achieve compliance with the numerical controls of the RFDC. The conceptual building envelopes are therefore functional with apartments able to achieve compliant levels of occupant amenity.

6 ENVIRONMENTAL ASSESSMENT – CONCEPT PLAN

This section of the report provides an Environmental Assessment of the relevant key issues for the Concept Plan, however, detailed responses to each of the Director General Requirements are provided as part of this Environmental Assessment as detailed in Table 1, Section 6.4 and Annexures.

In considering the matters raised in the Director General Requirements and the various consultant reports, the following were identified as key issues:

- Urban design, built form and visual impacts;
- Traffic, transport and accessibility; and
- Economic impacts (retail).

These key issues are discussed below. Section 6.4 then provides a discussion of the findings of various specialist consultant studies and assessments in relation to all other requirements identified by the Director-General.

6.1 *Response to Key Issues*

6.1.1 *Urban Design, Built Form and Visual Impacts*

The Concept Plan has been designed so that the proposed development is located in the most suitable part of the site in regards to functionality and environmental impact, including visual amenity, integration of new public open space, relationship to the surrounding residential areas, proximity to public transport including the anticipated future extension of the light rail line adjacent to the western boundary of the subject site, and management of traffic generation and car parking.

As detailed in Section 5.2.3 of this Environmental Assessment, the proposed Concept Plan adopts the three key masterplan strategies that were instrumental in defining Marrickville Council's McGill Street Precinct Masterplan. The three key strategies are:

1. Accessing the greenway and provide local open space;
2. Connect existing Centres and provide local retail uses; and
3. Step building heights and improve permeability.

The Concept Plan locates buildings on the site with a general north to south orientation to maximise solar access and ventilation into each building. Marrickville Council's McGill Street Precinct Masterplan positions buildings in a rectangular shape, which would create visual and aural privacy challenges when designing apartments under future project/development applications. By comparison, the proposed building layout and separation is considered superior as it will achieve higher levels of occupant amenity through superior visual and aural privacy and better solar access to proposed public open space areas.

Proposed building heights respect the existing built environment, with height grading up from Old Canterbury Road to higher density development which is concentrated adjacent to the

Greenway. Figure 21 provides a comparison of building heights. Concentration of higher densities adjacent to the Greenway defines the future light rail corridor and provided for good passive surveillance of these areas. The maximum height in storeys in the Concept Plan is equal to the maximum height in storeys proposed by Council's McGill Street Precinct Masterplan. The height of the proposed buildings are generally consistent with the height of the existing buildings located on the Allied Mills Site – refer to the massing studies provided at Annexure C as part of the Tony Owen Partners Masterplan.

The primary difference in building height is located adjacent to the future public open space area at the centre of the site (Hudson Street), which would be in shadow for a considerable part of the year under Council's Masterplan, thereby rendering this space less attractive for use by the general public. Given that the proposed building heights are consistent with the heights of building under Council' adopted masterplan, it is concluded that the urban design, contextual relationship and solar impacts of the Concept Plan with the surrounding residential areas are appropriate and acceptable.

The Residential Flat Design Code (RFDC) has been used to guide the design of the Concept Plan and it is demonstrated under Section 5 of this Report and within the plans provided at Annexure B that the proposal can readily achieve the RFDC design requirements.

The design of the Concept Plan has undergone an independent peer review with a Senior Design Consultant of Urbis Pty Ltd completing a critique of the proposal in relation to the site context and Council's McGill Street Precinct Masterplan. A full copy of that report is provided at Annexure U of this Environmental Assessment. The review supports the proposed Concept Plan as a *logical refinement of the McGill Street Precinct Masterplan* that has *sound urban design consideration*, which is likely to result in *good built form and detailed design*.

The future extension of the light rail line is an exciting opportunity to provide the local population with a transport alternative that links the region with the city and surrounding suburbs. To ensure that the site creates appropriate linkages to the Greenway, it is anticipated that pedestrian access points will be provided through and adjacent to the site as shown in Figure 24 and as detailed in Section 4.2.3 of this report.



Figure 24: Linkages through the site to the Greenway

In terms of visual connectivity, the subject site is visually prominent when viewed from various key vantage points. The main vantage points being the adjacent street network, the street network moving into the residential areas to the east from Old Canterbury Road, the freight rail line within the proposed Greenway, the Allied Mills site and the western railway line to the north of the site.

A number of urban design strategies have been incorporated into the proposal to achieve improved compatibility with the existing/surrounding built form and to produce high quality visual and residential amenity for the Concept and locality. Such design measures include street setbacks and lower buildings adjacent to Old Canterbury Road (as it is located opposite a low density residential area), increasing building heights moving to the west culminating in 9 storey building height adjacent to the future light rail extension, maximising relationship and exposure to open space areas adjacent to the buildings within the site and a 20m wide buffer zone along the Greenway allowing for a shared cycle/pedestrian link.

Future Project/Development Applications refine the architectural appearance of the buildings. It is reasonable to expect that future buildings on the site will have contemporary appearance. In comparison to the existing industrial use of the site, the proposed Concept Plan and residential use of the eastern side of the subject site will enhance the relationship between the subject site and the residential properties located on the eastern side of Old Canterbury Road and beyond. External finishes of buildings on the site will be considerate of the colours and finishes of the existing residential buildings to the east – such detail will be provided in future Project/Development Applications as necessary. Future buildings will possess high quality aesthetics and architectural standards through appropriate articulation, modulation, materials and colours. Buildings will be integrated into the surrounding open space areas to achieve appropriate relationship to these spaces while encouraging passive surveillance and pride of place.

A number of masterplan options were considered by the applicant in refining the design of the chosen Concept Plan. These masterplan options are provided at Annexure C of this Environmental Assessment. A peer review of the various masterplan options was completed by Richard Lamb & Associates, which is provided at Annexure I of this Environmental Assessment. The chosen masterplan option (Option 3) provides the highest level of amenity for the future residents of the site while significantly improving public open space arrangements, presentation of the development to the Greenway and visual permeability into the site from the adjacent street network. In comparison to the McGill Street Precinct Master Plan, the proposed Concept Plan does not result in any increased negative effects on views of the development site from the external public and private domains.

6.1.2 Traffic, Transport & Accessibility

A Traffic, Transport and Accessibility Report was been prepared by *TRAFFIX Traffic and Transport Planners*, which is provided at Annexure G of this Environmental Assessment.

The traffic report documents the findings of traffic investigations that relate to the use of the site for mixed use purposes. The traffic report deals with Council's and the RTA's responses to the Preliminary Environmental Assessment, as well as the Director General's Requirements and subsequent discussions. The development concept has been substantially informed by the limited capacity of the road system to accommodate future traffic volumes, so that every effort has been taken to moderate car travel. This includes a substantial reduction in the amount of commercial uses on the site, with the predominant use being residential units, together with retail uses that are of a local nature so as to encourage walking trips, including trips associated with the residents who reside within the site.

The traffic report takes a holistic approach and considers the traffic generated for the entire McGill Street Precinct and not just the subject site. Analysis of local traffic conditions and public transport within the locality reveals that a maximum density of 800 apartments can be accommodated within the entire McGill Street Precinct, with approximately 400 apartments from this total on the subject site. 800 apartments will accommodate up to 1,800 residents and these will be served by the other uses on the site, reducing 'external' traffic impacts. It is anticipated that each apartment will have 1 dedicated car parking space, so as to discourage private car ownership and encourage use of alternative transport modes.

Traffic assessment of the proposed Concept Plan is based on the RTA's assessment criteria. The traffic impact assessment undertaken in the traffic report is premised upon a reduction in traffic generation of 10% compared with the RTA's "unconstrained" trip rates, which reflect relatively poor access to public transport for many of the land use components under consideration. To achieve this target, various initiatives are proposed. These are discussed in the traffic report and include improved bus services, provision of pedestrian and bicycle linkages (including end-user facilities), taxi services, a constrained parking supply, car sharing arrangements and the formulation of a Transport Access Guide. While the potential for a light rail station immediately adjacent to the site would deliver significant reductions in car travel, these benefits have not been claimed or relied upon at this stage. Accordingly, traffic generated by the development would be significantly reduced with the introduction of the light rail system.

To cater for the traffic generated by the proposed development a traffic solution has been developed that requires a range of road improvements to support the development, including

improved access opportunities and 'external' road improvements. These may be regarded as interim arrangements. In addition to this, the site to the south has been assessed cumulatively (assuming the provision of approximately 400 units) and this provides an opportunity for a significant improvement in site accessibility through the introduction of a four way signal controlled intersection at the junction of Toothill Street with Canterbury Road.

An important consideration is the intention to suppress parking supply in relation to non-residential uses. . Specifically, only 169 spaces are proposed for these which is 35% less than the 262 spaces that would be provided if the site were to provide an "unrestrained" parking supply, based generally on the RTA's *Guidelines for Traffic Generating Development* and Council's DCP. This will suppress travel by non-car modes and readily achieve the DGR's target of a 10-15% reduction in private car travel, particularly in view of the other transport initiatives that are proposed. In the event that the light rail system is introduced, there may be some opportunity to further reduce parking requirements, particularly for the non-residential uses.

The road network has been assessed with the respect to the proposed Concept Plan and operates satisfactorily subject to implementation of the various improvements discussed in the traffic report. The most significant recommendation in support of the site relates to the transfer of the existing one-lane northbound flow in Old Canterbury Road (which occurs at the railway overbridge) slightly further to the south at Toothill Street. This essentially formalises what already occurs due to the heavy right turn volumes into Toothill Street and is an interim arrangement pending future construction of a four-way junction at Toothill Street to serve the subject site and the adjoining (southern) site. This can be further assessed at project/development application stage.

In addition, the cumulative impacts associated with the adjoining development site to the immediate south of the Concept Plan site have also been assessed, which have been based on higher traffic volumes than are now predicted by the RTA. Redevelopment of the McGill Street Precinct will ultimately result in an improved operation of the road system adjacent to these two sites.

In terms of pedestrian and bicycle linkages, these will be provided within the site as presented in the concept plans provided at Annexure B of this Environmental Assessment. An extensive footpath system will be provided on both sides of all internal roads. Connectivity to all footpath systems in the locality on all public roads will also be provided, with the ability to access bus and rail services (as well as light rail in the future). The entire internal road system will incorporate kerb blisters and landscaping to provide an attractive streetscape appearance and to aid in the management of vehicle speed. Safe crossing opportunities will also be provided on all major access points with these assessed within future project/development application stage.

Cyclists will use the internal road carriageways that are provided as a shared on-road facility. This is considered appropriate as these roads do not form part of a through-cycle route, rather they are at a destination. The majority of the external cycle routes are via the shared road carriageways, with exclusive cycle lanes only provided along a short section of Longport Street. As such, the provision for shared on-road facilities within the site is consistent with the overall cycle plan of the surrounding area. The subject site does not specifically form part of a cycle network and it is considered sufficient to provide access to the established routes only. Therefore, dedicated cycle lanes within the site are not considered necessary.

6.1.3 Economic Impact Assessment

Don Fox Planning Pty Ltd undertook an assessment of the potential impacts that the proposed retail components of the Concept Plan would have on existing retail outlets within the vicinity of the subject site. A copy of the report is provided at Annexure H of this Environmental Assessment.

The assessment was based on the following parameters:

- Existing strategies and planning policies;
- Description of the existing commercial centres in the area;
- Analysis of the characteristics of the population, including population projections and a description of the estimated catchment area;
- Analysis of the expenditure potential in the catchment area;
- An estimation of the support for existing facilities and the support required for the proposed development; and
- The potential impact of the proposal.

The characteristics of the population of the Ashfield Town Centre were used as a reference population for the potential future population of the residential component of the proposed Concept Plan. It is expected that the future residential population of the subject site would display the following population characteristics:

- A high proportion of persons born overseas;
- An age structure not unlike that of the Ashfield Town Centre;
- 100% of the dwellings comprising multi unit housing apartments;
- An average occupancy of 2.2 persons per dwelling;
- A low proportion of group households;
- A high proportion of rented households; and
- A median annual income similar to that of households in the Ashfield Town Centre.

For the purposes of the assessment, the catchment of the proposed retail/commercial components of the proposed development has been estimated to comprise:

- The immediate neighbourhood comprising the residential development on the subject site and, ultimately, households that may be developed on the remainder of the McGill Street precinct and on the Allied Mills site;
- A Primary Trade Area, comprising a radius of approximately 1.5 km from the subject site and bounded by the railway line to the north, Old Canterbury Road to the west and Dulwich Hill to the South (refer to illustration provided in the Economic Impact Assessment Report provided at Annexure H).
- Secondary Trade Areas – West and North (Refer to Economic Impact Assessment provided at Annexure H)

It is estimated that there is the potential for the retail component of Concept Plan to generate total sales of \$43.1 million in 2013, \$44.4 million in 2016 and \$45.3 million in 2018. Of this the

supermarket component could account for \$26 million in sales in 2013, \$26.7 million in 2016 and \$27.3 million in total sales in 2018.

Assuming the retail components of the proposed development do not commence trading until 2016 (following completion of construction), and assuming that the supermarket attracts around 40% of supermarket expenditure from households in the Primary Trade Area (PTA), the balance of supermarket expenditure (comprising \$2.35 million from each Secondary Trade Area) would be required to supplement expenditure from on site households – being households developed as part of the proposed development (assuming 70% of supermarket expenditure from those households is directed to this facility).

By 2018, assuming the proportion of supermarket expenditure from PTA households remains constant at around 40%, as a result of an increase in available on-site expenditure, only \$1.5 million would need to be attracted from each Secondary Trade Area (STA). \$1.5 million represents 8.5% of supermarket expenditure from STA households and 10.8% of supermarket expenditure from STA North households.

The specialty retail component will only need to attract around 15% of convenience retail expenditure from PTA households in 2018 in order to 'top up' expenditure from on site households.

There is the potential for the proposed supermarket to impact on the turnovers of other supermarket in the vicinity, however, most supermarkets in the area, and in particular the supermarkets at Dulwich Hill and Summer Hill (being the supermarket based centres closest to the site) are currently overtrading due to a shortage of competition. The potential redistribution of some expenditure is likely to reduce turnovers at these facilities to be more reflective of industry norms and such an outcome is unlikely to impact on the ability of these facilities to trade effectively.

The proportions of expenditure from PTA and STA households that may be directed to the retail facilities to be developed as part of the subject Concept Plan are unlikely to impact on the role and function of other established centres within the vicinity of the site as each of these centres can continue to draw trade from other households beyond the estimated catchment of the subject site. Furthermore, the proposed Concept Plan may only attract a proportion of available expenditure from its PTA and STA households leaving a significant amount of expenditure available to continue to support retail facilities in other centres.

The introduction of a new supermarket will provide some competition which can have positive impacts for consumers in the form of reduced prices. Further, the provision of an additional supermarket into an area which is undersupplied with such facilities will result in a more sustainable community with reduced travel times and distances to access these facilities.

On this basis and for the detailed reasons provided in the accompanying Economic Impact Assessment (Annexure H), the retail facilities proposed under the subject Concept Plan will not have a significant detrimental impact on other retail facilities within the region.

6.2 Response to other Director General Requirements

While the keys issues identified in respect of the proposed Concept Plan were discussed in detail above, the following sub-sections provide a discussion of the findings of various specialist consultant studies and assessments in relation to all other matters identified in the Director-General's requirements.

6.2.1 Fauna and Flora

A Fauna and Flora report was produced by Ambrose Ecological Services Pty Ltd with respect to the proposed Concept Plan, which is reproduced in full at Annexure K of this Environmental Assessment.

In compiling the findings of the report particular attention was given to technical environmental reports produced by the Department of Environment, Climate Change & Water (DECCW) and by other consultancies, while studies conducted by Marrickville and Leichhardt Council were reviewed to determine the likely presence of terrestrial and aquatic habitats, and fauna species of conservation significance within a 5km radius km radius of the subject site.

In addition, a diurnal survey of flora and fauna species, and their habitats, on and adjacent to the subject site was conducted on 20 July 2009. Nocturnal surveys (spotlighting for mammals and birds, anabat surveys) were conducted on three successive evenings (20-22 July 2009). Hair-tubes and remote motion sensor cameras were used on the subject site and adjacent areas for 14 successive days and nights (20 July to 3 August 2009). These survey efforts and techniques are in accordance with the *DECC 'Threatened Species Assessment Guidelines 2007'*.

The on-site surveys revealed no threatened flora species. In terms of native fauna, Grey-headed Flying-foxes (*Pteropus poliocephalus*) may occasionally fly over the subject site, but there are no favoured food trees of this species on the site. Seven-part Tests of Significance concluded that the proposed development would not significantly impact on the status of these species or their habitats. The Swift Parrot (*Lathamus discolor*) and Regent Honeyeater (*Anthochaera phrygia*) are migratory species listed under the Environmental Protection Biodiversity Conservation (EPBC) Act that may occasionally forage within the canopy in treed areas of the subject site, but these species are likely to be, at best, very occasional vagrants to the site. Latham's Snipe (*Gallinago hardwicki*) may very occasionally forage in grassed or weedy boundary areas of the subject site. Fork-tailed Swifts (*Apus pacificus*) and White-throated Needletails (*Hirundapus caudacutus*) may occasionally fly high over the subject site. The subject site provides negligible areas of habitat appropriate to these species.

The Endangered Inner Western Population of Long-nosed Bandicoots, *Perameles nasuta* (listed under the Threatened Species Conservation (TSC) Act) are known from other studies to use the rail freight corridor adjacent to the subject site and other nearby areas. Long-nosed Bandicoots could potentially den under buildings and forage in landscaped areas on the subject site. However, none were detected on the subject site or in adjacent rail corridor areas, despite targeted surveys for them. No bandicoot diggings or scats were observed in landscaped areas or under buildings within the subject site.

The Fauna and Flora expert recommends a number of measures to protect the long-nosed Bandicoot during construction, including education of construction workers, checking of the site

prior to demolition/construction by a qualified ecologist, Bandicoot-proof fencing around the perimeter of the subject site and cessation of demolition/construction work if Long-nosed Bandicoots are found on the subject site. In addition, it is recommended that pet cats and dogs be prohibited from the development following occupation.

6.2.2 Rail Impacts

A Rail Impact Assessment was completed by Robertbird Group Pty Ltd with respect to the proposed Concept Plan, which is reproduced in full at Annexure M of this Environmental Assessment.

The report undertakes an assessment of the proposed Concept Plan with relation to the potential impacts on adjacent Railcorp land (the Greenway). It concludes that the proposed excavation depths and construction techniques can be managed to maintain the integrity of the Railcorp land, including standards for fencing, vibrations and stormwater drainage.

6.2.3 Geotechnical

A Geotechnical Report was completed by Asset Geotechnical with respect to the proposed Concept Plan, which is reproduced in full at Annexure P of this Environmental Assessment.

An assessment was completed with the assistance of data obtained by drilling 25 boreholes (as part of the site contamination assessment) across the subject site. Future Project/Development Applications will include excavation of the site for basement levels, for creating level building platforms and for the installation of services. It is likely during the excavation phase that a range of soils will be encountered as well as sandstone bedrock.

The report recommends close monitoring during excavation and use of particular excavation techniques to ensure that excessive vibrations are not created within the adjacent Railcorp land and within surrounding properties. The report also provides recommendations for maximum batter slopes, temporary shoring/retaining walls for basement construction and slope stability.

6.2.4 Ecologically Sustainable Development

An ESD report was completed by Cardno ITC with respect to the proposed Concept Plan, which is reproduced in full at Annexure N of this Environmental Assessment.

Although the proposal is for a Concept Plan only and does not include detailed design or construction, the opportunity to consider the principles of ESD was recognised and these principles have been used to guide building design and increase the environmental performance of the future development of the site.

To achieve the broad principles of ESD including reduced greenhouse gas emissions, increased internal building amenity, water conservation and management, use of recycled materials and minimisation of natural resource consumption during the operational stages of the development, various recommendations were made including:

- Use of specific building fabrics and design elements to reduce demand on energy;
- Utilisation of waste products in renewable energy technologies;

- Measures for appropriate heating, cooling and ventilation systems;
- Use of solar energy (photovoltaic system) for domestic hot water and electricity;
- Use of water efficient fixtures and equipment within the buildings including collection and treatment of rainwater for irrigation and toilet flushing; and
- Various environmental management initiatives such as energy sub-metering, waste management system, environmental management and learning resource.

The consultant also recommended that consideration be given to the possibility of a co-generation system as an alternative to solar boosted hot water heating with the added benefit of on-site electricity generation. In this regard, a feasibility study would need to be undertaken as part of the preparation of future Project/Development Applications.

6.2.5 Site Contamination

An Environmental Site Assessment was conducted by Environmental Investigations with respect to the proposed Concept Plan, which is reproduced in full at Annexure F of this Environmental Assessment.

The purpose of the Environmental Site Assessment was to evaluate the potential for contamination within the site to determine whether the site is fit for mixed use (including residential) occupation. 'Desktop' and detailed site survey studies were conducted. The desktop survey included research into the history of use of the site and various government records while the detailed site survey included drilling of 25 bore holes, monitoring of ground water within the bore holes and laboratory analysis of soil and water samples for various contaminants.

The report concludes that the proposed use of the site for mixed use purposes is suitable provided that a number of recommendations are carried out. These recommendations include:

- The installation of three additional bore holes within specific parts of the site;
- Further laboratory analysis of collected soil, water, grass (stockpile) and chemical stain /corrosion samples within specific parts of the site;
- Preparation of a Remediation Action Plan;
- Excavation and removal of some infrastructure and fill/soils from specific parts of the site;
- Analysis of the above excavated areas for contaminants; and
- Preparation of a final site validation report.

Such investigations/works are not required until prior to commencement of physical works on site.

6.2.6 Noise and Vibration Assessment

A Noise and Vibration Assessment was completed by Cardno ITC with respect to the proposed Concept Plan and is reproduced in full at Annexure O of this report.

The report conducted an assessment of the potential for aircraft noise impacts, industrial noise emissions, rail and road noise intrusions, and rail vibration (including future light rail) with respect to the proposed Concept Plan for a mixed use development. The report concludes that various noise reduction requirements can be met through the specification of materials and systems with the appropriate acoustic rating and that noise related impacts do not preclude the site from development for mixed use purposes. The report suggests that further more detailed assessment of noise and vibration impacts be undertaken as part of future Project/Development Applications when the detailed design of buildings is resolved.

6.2.7 Landscape Concept

A Landscape Concept Plan was produced by Site Landscapes with respect to the proposed Concept Plan, which is provided at Annexure L of this Environmental Assessment.

The landscape concept is guided by the Tony Owen Partners Concept Plan for the site and the Tony Owen Partners Masterplan for the McGill Street Precinct. The landscape concept seeks to identify the landscape character of the locality including the underlying theme of local vegetation, green corridors, public open space, and pedestrian and cycle movement. Redevelopment of the site for mixed use purposes provides the opportunity to develop improved linkages to transport and amenities within the McGill Street Precinct to surrounding suburbs.

The landscape concept creates the foundation for the layout and design of future public open space, public domain and streetscape character aspects of the site and the McGill Street Precinct. The design also has consideration for climatic conditions and provides solutions for tree and vegetation planting improvements including investigation and recommendations for Environmental Sensitive Design (ESD) and Water Sensitive Urban Design (WSUD) measures. The landscape concept also provides appropriate scale and density of tree and shrub planting for public open spaces and landscaped areas to soften the bulk and scale of the development, and to achieve CPTED principles.

6.2.8 Heritage Impact Assessment

A Heritage Impact Assessment was completed by Weir Phillips with respect to the proposed Concept Plan and is reproduced in full at Annexure Q of this Environmental Assessment.

This report assesses the heritage significance of a site generally known as No. 72-76 Old Canterbury Road, Lewisham, which forms part of the McGill Street Precinct. No part of that the subject Concept Plan site, or the larger site as a whole, has been considered to be of sufficient heritage significance to warrant heritage listing.

The items where the potential impact is greatest are the state heritage listed railway bridges to the north and the Draft Conservation Area (Lewisham) to the south east, including individual items within that area.

In the case of the railway bridges, there will be minimal impact because the primary significance of these bridges lies in their technical significance and the proposed works will have no impact on this aspect of significance. In addition, the proposed works will not block any important view corridors to or from the bridges or impact on the ability to understand the significance of these railways within the context of the history of New South Wales Railways.

In terms of the Draft Conservation Area (Lewisham), existing factors which help mitigate the likely impacts include the separation provided by Old Canterbury Road and the poor quality of the streetscape along Old Canterbury Road, immediately opposite the Draft Conservation Area. Further, the stepping down of buildings on the subject site to four storeys addressing Old Canterbury Road (and thus the Conservation Area) aids in reducing the potential impact on the Draft Conservation Area while the proposed planting, some of which will be visible from the Draft Conservation Area, will provide a unifying element between the subject site and the Draft Conservation Area.

The proposed buildings will not interrupt any significant view corridors to or from any heritage items within the locality. In terms of built form, the Consultants note that the most satisfactory outcome is often achieved where the new building form is allowed to develop its own typology instead of trying to replicate or mimic the form and proportions of a single or two storey buildings. This helps to maintain design integrity of existing and future buildings. Over time, the growth of trees will break up the massing of the buildings and provide a common thread between the heavily vegetated Draft Conservation Areas and the subject site.

6.2.9 Archaeological Assessment

An Archaeological Assessment was completed by Archaeological & Heritage Management Solutions (AHMS) with respect to the proposed Concept Plan, which is reproduced in full at Annexure Q of this Environmental Assessment.

The assessment included an assessment of the potential for Aboriginal and non-Aboriginal archaeological resources on the subject site. It concludes that there is low potential for *in situ* Aboriginal archaeological objects to survive at the site. If any Aboriginal archaeological objects were encountered during ground disturbance works on the site they would likely derive from disturbed contexts. In addition, the Metropolitan Local Aboriginal Land Council advised, based on a site visit, that it considered the site was unlikely to embody Aboriginal archaeological or cultural heritage values.

With respect to the potential non-Aboriginal archaeological resources, the assessment concludes that with the possible exception of remains of George Gambling's original farmhouse (which is highly unlikely because of the impacts of subsequent development), the site's potential historical archaeological resources would not be of local or state significance and so would not be 'relics' as defined by the NSW *Heritage Act 1977*.

Overall, the assessment concludes that salvage excavation of either Aboriginal or non-Aboriginal archaeological remains was not warranted on potential survival or heritage significance grounds. The assessment report provides recommendations for managing the potential archaeological resources of the site during development works.

6.2.10 Stormwater Management

A Stormwater Management Report and plans were produced by Cardno ITC with respect to the proposed Concept Plan, which is reproduced at Annexure V of this Environmental Assessment.

The subject site is not flood prone but is bisected by a 900mm/1200mm stormwater pipe traversing from East to West and draining the low lying area of Brown Street.

The roof drainage system will be designed to cater for 20-year ARI storm event in general and 100- year ARI event where no failsafe overflow can be provided. The surface drainage system servicing the site is designed to cater for 20-year ARI storm event with overland flow paths provided around the proposed buildings for storms in excess of the design storm event.

The drainage system will be a combination of minor and major systems capable of conveying the flows to the lawful discharge point. Council advised that On-Site Detention (OSD) will be required for the proposed development, which will be in accordance with the DRAINS model provided in the consultant's report (see Annexure V). The OSD is designed to ensure that the discharge from the site matches the pre-development discharge for all storms up to and including the 100-year ARI storm event. This strategy ensures that the proposed development will not have an adverse impact on Council's infrastructure and the downstream catchment.

It is proposed to install an OSD tank under the proposed internal road along the western boundary. The tank will have a minimum volume of 418.3m³.

It is proposed to connect to existing Council's stormwater infrastructure on the western boundary of the site to retain the existing site discharge point.

During future construction works, a soil and water management plan will be implemented to control the transportation of silt and sediments from the disturbed areas. The erosion control measures will be in accordance with current industry best practice and as a minimum in accordance with the publication "Managing Urban Stormwater: Soils and Construction", known as the Blue Book.

The trunk main traversing the site will have to be diverted around the proposed building areas. A concept diversion plan is included in the drawings provided at Annexure V. The trunk main diversion from Old Canterbury Road will be designed to cater for 100-year ARI storm event because the overland flow path through the low point of the site is blocked by the proposed development.

The existing trunk main through the site will be completely demolished and relocated to Brown Street. The low point in Brown Street will be drained via a new pipe system through the site. The diversion pipe will be designed to cater for 20-year ARI storm event as an overland flow path can be provided through the open areas of the proposed development. The existing trunk main between Brown Street and the western site boundary will also be completely demolished and removed once the Brown Street diversion pipe is constructed and fully operational to the relevant authority's requirements (refer to the plan provided at Annexure V as part of the stormwater management report).

7 DRAFT STATEMENT OF COMMITMENTS

This draft Statement of Commitments has been prepared for Lewisham Estates Pty Ltd (the proponent) and forms part of the Environmental Assessment (EA) for the proposed Concept Plan for a mixed use development on the subject site.

The proponent confirms that the proposed Concept Plan does not involve any construction works. Separate Project/Development Applications will be submitted for construction works.

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.

Waste Management

A detailed waste management plan (construction and operational) will 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 will be adopted and reflected in future Project/Development Applications.

Flora and Fauna

The recommendations of the Flora and Fauna Report attached at Annexure K will be adopted and reflected in future Project/Development Applications.

Ecologically Sustainable Development

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

Geotechnical

The recommendations of the Geotechnical Report provided at Annexure P will be adopted and reflected in future Project/Development Applications and during the construction process.

Site Contamination

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

Affordable Rental Accommodation

The proponent commits to include up to 5 affordable housing units in the future redevelopment of the site.

Stormwater Management

The recommendations and design outcomes of the stormwater management report provided At Annexure V will be adopted and reflected in future Project/Development Applications.

8 CONCLUSION

This report provides an Environmental Assessment for the Concept Plan Application for a mixed use development at 78-90 Old Canterbury Road, Lewisham. This Report has been prepared on behalf of the proponent in accordance with Part 3A of the EP&A Act 1979 and the provisions of *SEPP (Major Development) 2005*.

The proposed Concept Plan is for a Major Project including a mixed use development comprising:

- basement car parking;
- residential apartments;
- commercial and retail uses;
- a maximum floor space ratio (FSR) of 3.5:1;
- building heights ranging from 4 to 9 storeys; and
- public domain improvements including creation of new streets, open space areas and pedestrian access points.

Redevelopment of the site will make a positive contribution to the locality and wider Marrickville Local Government Area (LGA) by providing the following key benefits:

- Provisions of much needed residential accommodation to help ease the current housing shortage;
- Redevelopment of under-utilised industrial land for mixed use purposes and making efficient use of existing land in an established locality within the Sydney Metropolitan Region;
- Providing increased viability for the construction and extension of a light rail network in the locality;
- Employment of thousands of workers utilised in the construction process and for the operational life of the development;
- The development will be designed and managed in accordance with ecologically sustainable development (ESD) principles and building sustainability requirements of the State Government;
- Creation of new open space with substantial areas of planting and pervious areas to contain storm water runoff;
- Use of rainwater harvesting on site for re-use in toilets and for landscape irrigation.
- Provision of new and attractive retail and commercial facilities, which are within walking or cycling distance of existing residents surrounding the site. An east-west connection is provided along the sites' southern boundary to connect with the future light rail station;
- Vibrant streetscape appearance with contemporary buildings, street planting and furniture; and
- Landscape design of parks with passive and active recreational spaces.

The proposal responds to the Director General's requirements issued by the Department of Planning on 16 March 2009. Community consultation has also been carried out providing information and advice regarding the proposal to the local community while informing the design of the Concept Plan.

A project team of consultants has considered and investigated the identified key considerations contained within the DG requirements. The conclusions and recommendations provided by the project team and accompanying studies are detailed throughout this report and annexed as supporting documents. Essentially, the supporting documentation concludes that the Concept Plan will not result in any unreasonable or unmanageable environmental impacts. In this regard, the report also includes a Draft Statement of Commitments by the proponent for future redevelopment of the site.

Overall the proposed Concept Plan will facilitate the orderly and economic development of the land by allowing for the redevelopment of the site from declining industrial land to a contemporary mixed use development that will benefit the local community and be of significance to the Sydney region. The State Government has earmarked the subject site for redevelopment and the proposed Concept Plan is consistent with this aim. The proposal is considered to be compatible with existing development in the area as well as being consistent with the form of development anticipated under Marrickville Council's McGill Street Precinct Masterplan. Accordingly, it is recommended that the Minister for Planning approve the subject Concept Plan Application.

ANNEXURE A

Director General Requirements

ANNEXURE B

Proposed Concept Plan

ANNEXURE C

Lewisham Masterplan Study by Tony Owen Partners

ANNEXURE D

Marrickville Council's McGill Street Precinct Masterplan

ANNEXURE E

Quantity Surveyors Assessment

ANNEXURE F

Environmental Site Assessment

ANNEXURE G

Traffic, Transport & Accessibility Assessment

ANNEXURE H

Economic Impact Assessment

ANNEXURE I

Visual Impact Analysis

ANNEXURE J

Community Consultation Report

ANNEXURE K

Fauna and Flora Assessment

ANNEXURE L

Landscape Concept

ANNEXURE M

Rail Impact Assessment

ANNEXURE N

Ecologically Sustainable Development Report

ANNEXURE O

Noise and Vibration Report

ANNEXURE P

Geotechnical Report

ANNEXURE Q

Heritage Impact Assessment

ANNEXURE R

Archaeological Impact Assessment

ANNEXURE S

Site Amalgamation Correspondence

ANNEXURE T

EcoTransit Sydney Letter of Support

ANNEXURE U

Urbis, Peer Review & CPTED

ANNEXURE V

Stormwater Concept Plan