

ATTACHMENT 1

ASHFIELD COUNCIL RESOLUTION EXTRACT FROM MINUTES OF ORDINARY MEETING TUESDAY 9 AUGUST 2011

2-32 SMITH STREET SUMMER HILL CONCEPT PLAN APPLICATION

RESOLVED

- 1/15 That in respect of the Concept Plan Application for the land at 2-32 Smith Street Summer Hill, the Council advise the Department of Planning and Infrastructure that:
- A1) The applicant for the Concept Plan Application has not addressed all the Director General Requirements as outlined in the planning report to Council and as summarized below:
- (i) An adequate Visual Impact Assessment has not been provided, and no use has been made of Ashfield Council's SIMURBAN three dimensional computer model, and so an assessment of the impacts of increased building heights on existing neighbouring residential areas in Summer Hill cannot be adequately determined. Issues requiring further consideration include:
 - the excessive height of 6 storey flat buildings near the boundary with Edward street, and their impact on existing housing along Edward Street, which is also a Heritage Conservation area.
 - the excessive height of 8 and 10 storey buildings within the Marrickville LGA, and their impact on predominantly one and two storey residential areas to the west, and north west in Summer Hill, and the impact on the public vista along Smith street.
 - (ii) Properties along Edward Street should have a minimum 5 m wide deep soil zone for front gardens and trees, free of any basement car parking.
 - (iii) The verge/footpath area along Edward Street should be wide enough to take large tree planting.
 - (iv) There should be a commitment by the site owner to provide not less than 5% of the gross floor area of the residential component of the proposal as affordable housing.
 - (v) The Concept Plan should have requirements for Universal Accessible Design which are the same as those found in the Ashfield DCP 2007 and apply to the interior design of apartments.
 - (vi) The documentation for the heritage conservation of the site is inadequate for the reasons identified in the planning report, and the site should have a heritage listing and controls protecting the historic

structures and landscape equal to that found in the Ashfield Local Environmental Plan.

- (vii) Flora and fauna impacts, and contamination issues, have not been adequately addressed.

A2) The Statement of Commitments are not sufficiently detailed, including an absence of any itemising of specific works and making reference to specific plans and timing for works, and an absence of assignment of their costs to the developer, with regard to:

- (i) Site infrastructure which is external to the site, which consists of works listed in the applicant's traffic report and includes traffic lights at the corner of Canterbury Road and Edward Street, and a traffic island on the corner of Smith Street and Edward Street, and any Road Traffic Authority requirements. This work should be constructed at the completion of Stage 1 part of the development, and shown on the Staging Plan.
- (ii) Damage to local streets as a result of construction on the site, and repair of streets and managements of local streets, to the satisfaction of Council.
- (iii) Damage or upgrading of stormwater pipes by the developer external to the site which collect and dispose of regional stormwater, and ones travelling within site leading to Hawthorne parade, to the satisfaction of Council.
- (iv) Exact location of pathways for public access to the light rail station, including specifying a sufficient width and gradient and pavement finish so that the general public, including those persons with disabilities, will be able to use this safely.
- (v) All internal streets and public footpaths to be designed and constructed to Council's satisfaction, so that Council trucks and other vehicles they are able to service the development and there is no use of Edward Street and Smith Street for this purpose, and that construction materials are of a long lasting type. This work should be constructed at the completion of any Stage 1 part of the development, and be shown on the Staging Plan.
- (vi) Treatments of flood affected parts of the site, so as to minimise any danger to the public.
- (vii) Other matters identified in the planning report to Council.

A3) That the staging plans are not adequate to resolve the matter referred to in resolution A2 above at Concept Application stage. In addition, the staging does not detail how private open space and roadways and footpaths will be allocated within each stage, and the timing of the construction of external infrastructure works and the other relevant matters identified in the planning report to Council.

- 2/15 That the matters described in resolutions A1, A2, A3 be resolved with the agreement of Ashfield and Marrickville Councils prior to the approval of any future Project Applications or Development Application.
- 3/15 The Department of Planning and Infrastructure recognise the multiple overlapping town planning and governance issues needing resolution prior to determination of the Concept Plan Application and work with Ashfield Council to resolve these matters in the public interest.
- 4/15 Section 94 payments must be made to Ashfield Council, based on the rates specified in Ashfield Council's Section 94 Plan.
- 5/15 The proposal should not include the provision of a supermarket on the site and that retail activities in general be restricted to small scale tenancies which reflect the character of the existing Summer Hill village.
- 6/15 That with regard to the land at 2-32 Smith Street Summer Hill, that:
- (i) Council take the strategic opportunity to advise Department of Planning and Infrastructure that the site owner should place in Council's ownership, at no cost to Council, the open space at the north-west part of the site, between Smith Street and the Hawthorne Canal, in order to make it public open space given that:
 - it has potential use as a community park.
 - it is adjacent to the future GreenWay which is proposed to commence construction in the near future.
 - part of it is necessary to access the future Light Rail station.
 - (ii) Requirements for dedication of public open space to Council referred to resolution B1 be placed in the Set of Commitments on any Concept Plan approval.
 - (iii) Dedication of the public open space referred to in Resolution B1 occur after the public open space has been created including all landscaping and open space fit out, and no later than the completion date for any Stage 1 development, and this be reflected on the Staging Plan.
- 7/15 That the 3 additional levels on top of the silos compromise the heritage significance of the silos.
- 8/15 That the proposed new road in the Mills site to and from Old Canterbury Road is hazardous and is not supported by the RTA.
- 9/15 That the Garbage collection points and access to the garbage collection areas are not identified.
- 10/15 That the commuter parking for the light rail station (apart from some kiss and ride zones) is not identified.
- 11/15 That the maintenance for the open space on the north-west part of the site be at the expense of the owner of this site on an ongoing basis.

- 12/15 That the Summer Hill Mills development and the Lewisham Towers Development are referred jointly to the Planning and Assessment Commission so that they are considered cumulatively as a whole precinct.
- 13/15 That based on the precedent that has been set by the current NSW State Government in the Barangaroo review, that at least two of the strategic planners on the Planning and Assessment Commission be appointed from outside NSW and that the hearings are held in public.
- 14/15 That Council request a Conservation Management Plan be required for the site.
- 15/15 That the architectural vocabulary of building be detailed before the concept plan be approved.
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