

OUR REF: 3507
YOUR REF:

18 August 2011



PCU025204

Sam Haddad
Director General
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Attention: Amy Watson

Dear Mr Haddad

**CONCEPT PLAN APPLICATION UNDER PART 3A OF THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT 1979 FOR A MIXED USE DEVELOPMENT AT
2-32 SMITH STREET, SUMMER HILL (MP10_0155)**

An Environmental Assessment Report, prepared on behalf of EG Funds, to accompany a concept plan application under Part 3A of the Environmental Planning and Assessment Act 1979 has recently been forwarded to Council for the proposed mixed use development at 2-32 Smith Street Summer Hill. The concept plan and associated Environmental Assessment Report were on public exhibition between 29 June 2011 and 12 August 2011.

Council at its meeting of 16 August 2011, considered a report on the proposed development and resolved to make a submission based on the content of the report.

Further to Council's resolution please find attached Council's submission.

For further enquiries please contact Marcus Rowan, Manager Planning Services on 9335 2274.

Yours sincerely

Ken Hawke
Director, Planning and Environmental Services

ENGLISH

IMPORTANT

This letter contains important information. If you do not understand it, please ask a relative or friend to translate it or come to Council and discuss the letter with Council's staff using the Telephone Interpreter Service.

GREEK

ΣΗΜΑΝΤΙΚΟ

Αυτή η επιστολή περιέχει σημαντικές πληροφορίες. Αν δεν τις καταλαβαίνετε, παρακαλείστε να ζητήσετε από ένα συγγενή ή φίλο να σας τις μεταφράσει ή να έλθετε στα γραφεία της Δημαρχίας και να συζητήσετε την επιστολή με προσωπικό της Δημαρχίας χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

PORTUGUESE

IMPORTANTE

Este carta contém informação importante. Se não o compreender peça a uma pessoa de família ou a um/a amigo/a para o traduzir ou venha até à Câmara Municipal (Council) para discutir o assunto através do Serviço de Intérpretes pelo Telefone (Telephone Interpreter Service).

ARABIC

هَامَّ
تحتوي هذه الرسالة معلومات هامة. فإذا لم تستوعبها يرجى أن تطلبوا من أحد أقربائكم أو أصدقائكم شرحها لكم، أو تفضلوا إلى البلدية واجلبوا الرسالة معكم لكي تناقشوها مع أحد موظفي البلدية من خلال الإستعانة بخدمة الترجمة الهاتفية.

VIETNAMESE

THÔNG TIN QUAN TRỌNG

Nội dung thư này gồm có các thông tin quan trọng. Nếu đọc không hiểu, xin quý vị nhờ thân nhân hay bạn bè dịch giúp hoặc đem đến Hội đồng Thành phố để thảo luận với nhân viên qua trung gian Dịch vụ Thông dịch qua Điện thoại.

MANDARIN

重要资料

本信写有重要资料。如果不明白，请亲友为您翻译，或到市政府来，通过电话传译服务，与市政府工作人员讨论此信。

INTRODUCTION

This submission evaluates an Environmental Assessment (EA), prepared on behalf of EG Funds Management, for the Summer Hill (Allied Mills) Concept Plan Application under Part 3A of the Environmental Planning and Assessment Act 1979 for an adaptive mixed use residential, retail and commercial development, including new structures and basement car parking at 2–32 Smith Street Summer Hill (MP10_0155). The Concept Plan and associated EA were on public exhibition between Wednesday 29 June 2011 and Friday 12 August 2011.

The concept plan proposes the adaptive re-use of existing buildings and structures of heritage significance and the construction of new residential and mixed use buildings and public open space.

This submission evaluates the concept plan and raises a number of issues related to the proposed development including:

- the relationship between the proposed development and policy directions for the McGill Street Precinct contained within existing strategic planning documents;
- land use issues and economic impacts of the proposed development, including impacts on surrounding retail and commercial areas;
- environmental issues relating to the proposed development, including flooding and open space provision and the protection of the Long-nosed Bandicoot;
- urban design and general design matters;
- social issues such as the provision of affordable housing, community services and facilities, infrastructure provision and Section 94 contributions;
- accessibility and traffic issues, including the provision of pedestrian access, traffic generation of the proposed development, car share provisions and parking requirements; and
- requirement for a collaborative and coordinated design, assessment and determination of the Summer Hill Flour Mill (Allied Mills) development, the Lewisham Estates development and the Light Rail/Greenway.

BACKGROUND

The Concept Plan applies to land which extends across the Ashfield and Marrickville LGAs (refer Figure 1).

As shown in Figure 1, the land adjoins the McGill Street precinct which is the subject of planning controls in the draft Marrickville Local Environmental Plan 2010 (dMLEP 2010) and draft Marrickville Development Control Plan 2010 (dMDCP 2010). These provisions were developed through the preparation of a masterplan for the precinct which was conducted in parallel with a Part 3A process for a large part of the site called Lewisham Estate.

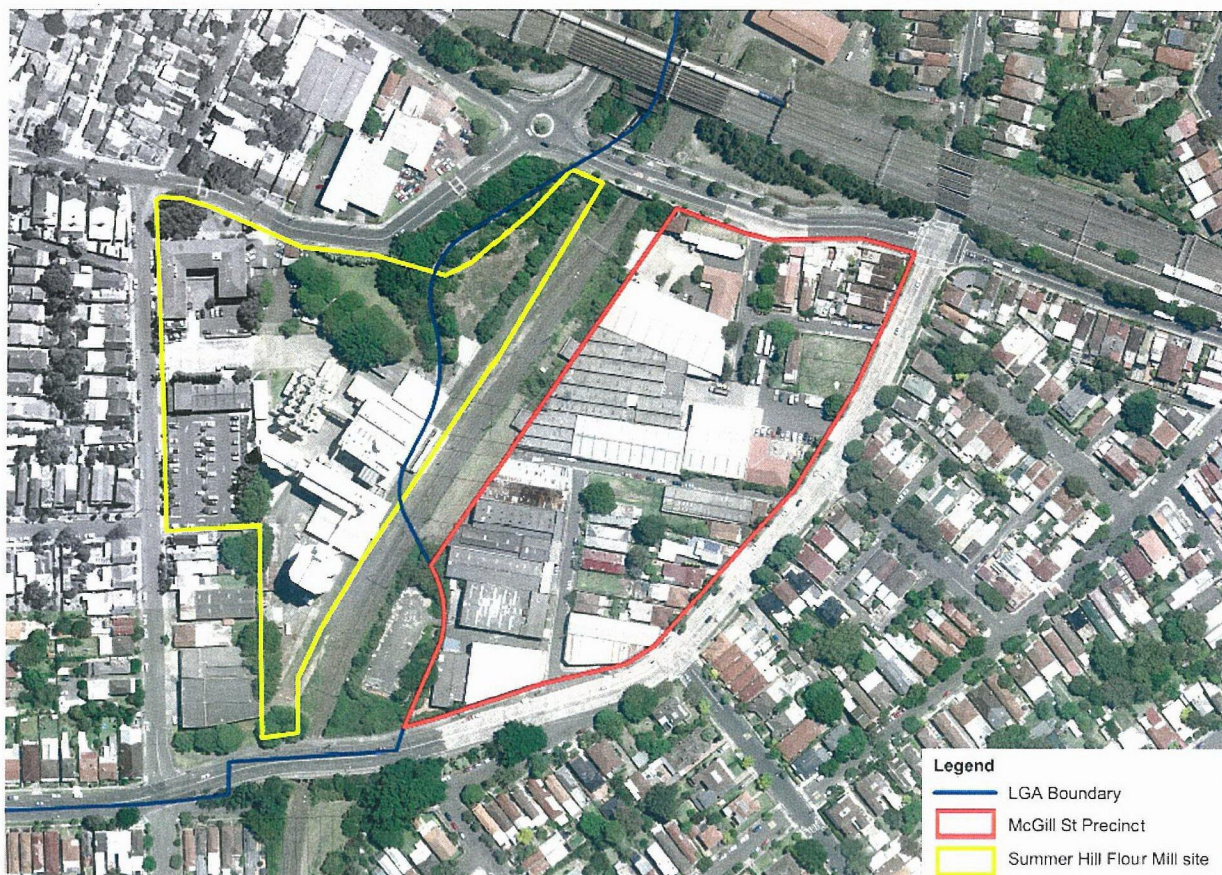


Figure 1. Site Location

The McGill Street Masterplan, prepared by Hassell Limited in November 2009, was informed by a number of strategies and studies, as follows:

- the Marrickville Urban Strategy (MUS), adopted 3 April 2007, identified the McGill Street precinct as an industrial precinct appropriate for urban renewal and recommended that the area be rezoned to cater for residential housing demand, address local amenity and provide space for community facilities;
- the Marrickville Employment Lands Study (MELS) recommended that the precinct be rezoned to permit a mix of residential development, including high density residential development, and a broad range of low impact employment uses; and
- a draft masterplan was prepared in September 2009 and a Councillor briefing, community open day and a landowner briefing was conducted. Feedback from these processes was used to refine the masterplan and identify planning controls for the precinct suitable for incorporation in a draft LEP.

Whilst the McGill Street Masterplan does not apply to the subject site, the land use mix, transport and local amenity of the subject site needs to be broadly compatible with the strategic vision of the McGill Street Masterplan.

The Environmental Assessment for the Lewisham Estates Concept Plan adjoins the site which is the subject of the Concept Plan proposal. In January 2011, Council made a submission to the DP&I on the exhibited Environmental Assessment. The submission raised a number of issues including; scale of the proposed development; traffic and parking issues; open space provision and location; urban design considerations; consistency with strategic directions for the McGill Street Precinct and environs; infrastructure provision and affordable housing contributions. The submissions are currently being reviewed by the proponent, for the preparation of a Preferred Project Report.

On 9 March 2010, Council resolved to amend the draft Marrickville LEP 2010 (dMLEP 2010) to incorporate the planning controls contained in the McGill Street Precinct Masterplan. Following discussion with the DP&I confirming the new zones that could be incorporated into dMLEP 2010, the relevant information and maps were forwarded to the DP&I on 18 March 2010.

In August 2010 Council received a planning proposal for a mixed use development at 2 – 32 Smith Street, Summer Hill (Allied Mills). Council at its meeting on 17 August 2010 resolved that:

As soon as any development proposal for either the Allied Mills site or the Lewisham Estate site is lodged, Marrickville Council will commission a traffic study (and seek to do this in conjunction with Ashfield Council) for the entire precinct of Lewisham and East Summer Hill to model the effect of both the Lewisham Towers development, the Allied Mills development, and potential development on the remainder of the McGill Street precinct.

Council was informed on 23 August 2010 that:

Further to the report concerning the Lewisham Estate and Allied Mills developments considered by Council at its August 17 Meeting Council officers have been advised by the proponent of the Summer Hill Flour Mill development that they are considering having the matter declared as a major project by the Minister for Planning.

This would mean that the planning proposal request would be withdrawn and the matter assessed via the Part 3A Major Project provisions of the EP&A Act 1979.

On 28 October 2010, the Minister for Planning advised Council that the proposed Allied Mills Site development was declared as a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979*.

Council on 1 December 2010, wrote to the Department of Planning and Infrastructure (DP&I) identifying key issues and suitable Director General's Requirements (DGRs) for a concept plan for the Summer Hill Flour Mill (Allied Mills) project. A number of these were incorporated into the final issued DGRs on 16 December 2010.

On 27 June 2011 Council received further correspondence from DP&I advising that SJB Planning, on behalf of EG Funds management, had lodged the Environmental Assessment (EA) for the Summer Hill (Allied Mills) Concept Plan and that the application would be placed on public exhibition from Wednesday 29 June 2011 to Friday 12 August 2011.

In May 2010, transport consultants GHD prepared a report for the Sydney Light Rail - Inner West extension which was released for community feedback. The Department of Transport prepared a scope of work for the project (the Product Definition Report) and on July 19, a Project Application and Preliminary Environmental Assessment) were lodged with the Department of Planning.

An Environmental Assessment (EA) was prepared by the Department of Transport to support the application for the Sydney Light Rail - Inner West extension project approval. The EA was placed on public exhibition from 13 October to 15 November inclusive.

Planning approval was granted on 16 February 2011 for construction of the Inner West Light Rail Extension and Greenway. This approval enables design and construction work to commence in 2011, with the new extension to the Inner West planned to commence in late 2012.

Zoning provisions

Marrickville Local Environmental Plan 2001 (MLEP 2001)

Under the zoning provisions of MLEP 2001 the portion of the subject site within Marrickville Council is zoned Light Industrial (4B). The portion of the development within Marrickville Council is a proposed residential building (5-10 storeys) which is currently prohibited in this zoning.

Draft Marrickville Local Environmental Plan 2011 (dMLEP 2011)

The EA incorrectly states that under the exhibited dMLEP 2010, the proposed zone for the part of the land within Marrickville Council is *R1 General Residential*. The proposed zoning under the exhibited dMLEP 2010 is IN2 Light Industrial, and has remained as this in the dMLEP2011 adopted by Council and submitted to the DP & I under section 68 of the EP&A Act in May 2011. Under the dMLEP 2011, the proposed residential flat building is prohibited in the areas of the site within the Marrickville LGA.

The proposed retail and commercial uses are all located within Ashfield Council LGA, and are similarly zoned 4(b) Light Industrial under the Ashfield LEP 1985, which prohibits the land uses proposed in the Concept Plan.

Urban design

The urban design of the concept plan is excellent, incorporating the following key features:

- the main pedestrian/cycling movement connection from Summer Hill to Lewisham Station connecting to and across the Light Rail / Greenway at the Lewisham Light Rail station is an essential component of the concept plan structure. This connection has high amenity because it is visually connected to a similar widened open space area within the McGill Street Master Plan area; it passes through the main hard and soft open space areas; it is adjacent to the principle retail and commercial floor space in the site; and it is separated from vehicle access streets. This will ensure a high level of public accessibility, activation and security;
- the street/pedestrian movement structure connects well into the surrounding street network and allows for high level of publicly accessible permeability throughout the site and through to the Greenway corridor. The new residential flat building in the north-eastern corner within the Marrickville Council LGA land incorporates a street between the building and the Greenway, which enables building entries to be provided on the street front, ensuring heightened activation of the Greenway corridor is achieved;
- the massing is organised to create a strong definition of public space and movement structure. The massing is scaled appropriately to the context with low to medium form along Edward Street, medium scale on Smith Street and high scale in the middle of the site based on the scale of existing silos and high scale adjacent to the Light Rail / Greenway. The modulation of form creates visual variety, instead of utilising a homogenous building height. The 13 storey building, that extends an additional 3 storeys on top of the retained and adapted silo building adjacent to the Greenway provides an iconic contemporary landmark element and is suitably located at the south of the site to minimise shadow impacts;
- the concept plan utilises retention, adaption and interpretation of significant heritage on the site to retain the flour mill industrial character. This will also be enhanced by the design strategy choice of materials and details in buildings, structures, landscaping and signage throughout the site;

- the site planning is predominantly organised based on the existing site layout, to enable interpretation of heritage buildings and spaces;
- there is limited information, but it appears building elevations will be designed to front onto and/or address publicly accessible streets and open spaces, to maintain passive surveillance for pedestrian security. This is clearly evident with buildings adjacent to the Greenway;
- the proposed retail, commercial and residential spaces are appropriately located to maximise public access and utilise the heritage character of the site; and
- the open space has high amenity, providing a variety of spaces and landscape character (i.e. spaces varying from contained to open ended and character varying from soft grassed/treed to hard edged industrial). The larger open spaces have excellent solar access by mostly being on the north side of the higher buildings. The variety of publicly accessible open spaces will be suitable for a diverse range of functions including uses such as community markets.

The open space between the Summer Hill Flour Mill development and Lewisham Estates development at and around the junction between the Greenway/Light Rail corridor and Summer Hill to Lewisham pedestrian/cycle link has the potential to have an important public place function. The detail design should investigate the place function of this space and consultation take place with the Department of Transport to ensure a suitable landscape design treatment of the Greenway and Light Rail crossing/station is achieved. Given the different character and high level of activation of this area it is considered the design should be different to the typical constricted Light Rail stop design, fencing and landscape treatment generally proposed for the Greenway/Light Rail corridor.

The landscape plan drawing indicates dwellings fronting on Edward Street are positioned 0-1m from the Edward Street boundary and the basement extends hard against this boundary. The section drawing, however shows the dwellings setback 1-2m. Council's Parks and Reserves Section recommends that the footpath should be widened on Edward Street to a minimum 3m with 1.8m for reasonable pedestrian access + 1.2m for large tree planting. Additionally, the basement that extends along the boundary should be set back to allow for deep-soil tree planting alongside the footpath.

Given that the Department of Planning is the responsible authority for the Summer Hill Flour Mill development, Lewisham Estates and Light Rail / Greenway Part 3A projects, ensuring collaborative and coordinated design, assessment and decision making is paramount to ensure an appropriate outcome is created for this place.

Dwelling Mix

The range of dwelling mix in the concept plan is generally supported, however further clarification on the type of dwelling indicated in the plan as '1 bed' is necessary, as it appears that no studio apartments (being a small dwelling with combined living room/bedroom, are proposed in the development). The EA must clarify whether the proposal includes both one-bedroom apartments, and studio apartments. Given the high proportion of lone person households described in the accompanying Economic Impact Statement prepared by Hill PDA (33.8% and 32.9% in the Primary and Secondary Trade Areas respectively), and considering the necessity to include affordable housing in the development, studio apartments should be included in the final dwelling mix. The adopted amendments to draft Marrickville Development Control Plan 2010 requires 5-20% studios and 10-40% 1 bedroom dwellings that should be used to guide appropriate dwelling mix in the development.

Transport, Traffic and Parking

Marrickville and Ashfield Council's commissioned Colston Budd Hunt Kafes Pty Ltd to conduct a detailed assessment of the application with regard to its traffic impacts on the immediate and surrounding areas, including issues with the proposed Lewisham Estates development. The March 2011 review, titled *Review of Transport Assessment supporting application for Flour Mill site, Summer Hill*, concludes that the development provides excellent access to public transport, and encouragement of public transport use.

In line with earlier comments in this submission, the report recommends a cumulative traffic analysis involving computer modelling and analysis should be undertaken for the subject development, the Lewisham and adjacent development sites. Both Councils have written to the DP&I seeking a holistic study of the two precincts overseen by the former RTA.

A copy of Colston Budd Hunt Kafes Pty Ltd traffic assessment is included at **ATTACHMENT 1.**

Car Share Parking Spaces

Car sharing facilities encourage public transport use, through less reliance on private vehicle ownership for infrequent car users. Whilst public transport in the vicinity of the proposed development is excellent, the Concept Plan's Draft Statement of Commitments identifies that the allocation of one car share car parking space will be provided onsite.

It is recommended that a minimum of two car share facilities be provided considering the proportion of units without dedicated parking spaces, and particularly due to the close proximity of the site to public transport to allow access by users outside of the immediate area. Additionally, it is particularly important that any car share space is in a publically accessible area, preferably in an on-street car parking space near the edge of the site (i.e. near the intersection of the new street and Smith Street).

Pedestrian/Cycling Access to Light Rail/Greenway

Given the 4 stages of the project, access to the Light Rail / Greenway through the site from Smith Street may not be achieved for many years, if land for later stages of development is not secured. This access must be provided at the first stage of the development, either through the main pedestrian pedestrian/cycle connection or through a temporary path connection within the brushbox treed open space area.

It is imperative that all publicly accessible open space areas, where they are not dedicated to Council, have right of way easement on the land title to ensure ongoing legal public access is maintained.

The Environmental Assessment states that the pedestrian access over RailCorp land enabling access from Longport Street to the Light Rail / Greenway (shown on plans to contain stairs and lift) will occur at stage 4. While being a lower priority than the Smith Street access it would be preferable for this access to be provided earlier in the development staging.

The Statement of Commitments on public domain should be amended to incorporate the above matters.

Bicycle Parking

Required visitor parking (bicycle racks) to serve buildings and open space area should be provided within public spaces, in convenient locations spread throughout the site (i.e. near building entrances and key public open space areas, not within the basements).

Waste Collection

The concept plan does not include any information on the waste collection strategy for the entire development site. Given the scale of development, single ownership, desire for high quality public space around the buildings and consequent lack of service lanes, early consideration must be given to waste collection to avoid major congestion, safety and visual impacts. Given this, it is considered standard on-street collection of mobile garbage bin would not be appropriate. Instead, it is recommended that waste predominantly be collected from within the basements. To facilitate this the detail design must ensure the basement can accommodate efficient and safe waste truck access, manoeuvring and collection to waste truck specifications, without inconveniencing residents or workers.

Land Use Issues

Land Use Comparisons

The following table compares the quantum and proportion of total gross floor area between the Summer Hill Concept Plan, total McGill Street Precinct Master Plan and the Lewisham Estates Concept Plan, which consists of only a part (approximately half) of the total site area of the McGill Street precinct area.

		Summer Hill Concept Plan	Total McGill St Precinct Masterplan	Lewisham Estate Concept Plan (part of total McGill Street precinct area)
Residential	Quantum	31000 av sqm	46500 sqm	39500 sqm
	Proportion of total	83%	83%	81%
Commercial	Quantum	3750 av sqm	6400 sqm	287 sqm
	Proportion of total	10%	12%	0.5%
Retail	Quantum	2650 av sqm	2900 sqm	9106 sqm
	Proportion of total	7%	5%	18.5%

The Summer Hill Flour Mill Concept Plan for the Allied Mills site is generally compatible with the broad land uses mix established in the neighbouring McGill Street Masterplan, with a modest quantum of commercial and retail GFA and similar proportion of total.

This significantly contrasts with the land use proposed in the exhibited Lewisham Estates Concept Plan which has very high quantum of retail (almost double the retail GFA proposed for the total combined precincts on its own).

Economic Impacts: Centres Hierarchy and Out of Centres Retailing

Both Lewisham and Summer Hill are identified as neighbourhood centres in the dSSS, MUS and the dIWSS respectively. There is no strategic direction in any strategy that contemplates Lewisham, Summer Hill or the McGill Street/ Allied Mills Precinct adopting different centre role. The retail and commercial space recommended in the Concept Plan is generally supported, in terms of assisting activation, security and place making, and the positive contribution this will have on job creation in the local area is acknowledged. However, a careful assessment of the cumulative impact of the retail and commercial space proposed in the Concept Plan (and in that of the Lewisham Estates Concept Plan) is necessary to ensure that the joint impact of additional retail and commercial space does not have a significant impact on the viability of the surrounding centres.

As noted above, Council has undertaken planning studies for its centres to inform the planning controls for the dMLEP 2011 and dMDCP 2010. The work for the Lewisham Centre has been undertaken based on its agreed role as a neighbourhood centre. This has informed the scale of development and range of permissible land uses in the dMLEP2011. The introduction of the 2,650sqm of retail GFA in conjunction with the Lewisham Estate Concept Plan proposed retail GFA, requires a detailed evaluation in terms of impact of the proposed retail uses on both the subject site, and role and viability of both the Summer Hill and Lewisham neighbourhood centres. Moreover, due to the proposed scale of the retail GFA, consideration of the impact on the role and function of other centres such as Petersham, Dulwich Hill, Marrickville Road, Summer Hill, Ashfield and Leichhardt also needs to be undertaken.

The Environmental Assessment makes the following statements with regard to the impacts of the retail component of the proposed concept plan in isolation of the surrounding proposed developments:

- *the most significant impact will be upon Lewisham which will experience an estimated 8% reduction in turnover as a result of the Flour Mill redevelopment. Summer Hill would see a 5.4% reduction in trade following the development. Impacts on all of the other centres shown above will be below 5% which is considered insignificant The impact of the proposal on Lewisham and Summer Hill would be low to moderate, with the impact on all other centres being 'insignificant'; and*
- *the proposed provision of small scale retail space will support uses that service the residential and employee population of the site and the future pedestrians and commuters who will traverse the site. The scale of retail space proposed will therefore be complimentary offerings to the retail services in the locality that will not unacceptably impact upon the viability of surrounding existing centres, particularly Summer Hill.*

The economic impact assessment concludes that the scale of the retail facilities proposed under the subject concept plan *would not have a significant impact on the viability of surrounding retail centres, particularly Summer Hill, nor would the proposal be in conflict with the relevant policy framework.* This comment however fails to recognise the comments made by Hill PDA in the Economic Impact Statement, that the Proposed Development *'for an out-of-centre site is not consistent with principles 1 and 2 of the NSW Draft Centres Policy' (p.47).* Additionally, the comments are made regarding the Summer Hill (Allied Mills) Concept Plan, in isolation of the other proposed developments in the area.

An 8% reduction in turnover as a result of the proposed development in isolation, and a 21% reduction in turnover as a cumulative affect of the proposed Lewisham Estates development, McGill Street Master Plan and the Flour Mill Precinct (*p.45 of Economic Impact statement*) is

unacceptable. The assessment fails to put forward any mitigation measures against these adverse impacts on the Lewisham centre.

Considering these points, it is paramount that a coordinated and unified assessment is made by DP&I of the appropriate amount of retail floor space across the entire McGill Street and Summer Hill (Allied Mills) precincts in its consideration of the two Concept Plans.

Community services and facilities

The consideration of Object (v) of the EP&A Act in the EA, being “the provision and co-ordination of community services and facilities”, is insufficient. The consideration of this object is provided in Table 4 of the EA:

The site is well located and accessible to a range of services and facilities including schools, hospitals, tertiary education, open space, and retail and commercial services to support the incoming population and workforce.

As the community services are not addressed elsewhere in the report, essentially no consideration is made regarding the provision and co-ordination of community services and facilities within the subject site.

With an increase of 280-300 dwellings, in addition to the creation of 85-95 full time retail, and 115-135 commercial office jobs in the Concept Plan, it is important that further consideration and provision be made to cater for community services and facilities, such as child care centres and indoor public spaces. As a locality, it is important additional community services are provided to support the increased number of residents in the locality as a result of the proposed Concept Plan and Lewisham Estates Concept Plans. A voluntary planning agreement (VPA) incorporating some community facilities and services on the site should form part of this proposal. This issue is discussed further below.

Developer contributions and voluntary planning agreements

The proposed development would require development contributions in accordance with Marrickville Council's Contributions Plan 2004, as well as Ashfield's s94 requirements.

Additionally, the development of the subject site and the McGill Street Precinct requires consideration of the need for public infrastructure that has not been previously assessed in the past due to the subject sites industrial zonings. It is therefore appropriate to assess what public infrastructure might be required, and if necessary, require additional development contributions or dedications for public infrastructure that are different or additional to those required in each Council's Contributions Plans via a VPA.

The DGRs requires that the EA address the provision of benefit, services and infrastructure having regard to Councils' Section 94 Contribution Plans, as well as providing details of any VPAs or other legally binding instruments proposed to facilitate the Concept Plan. The EA proposes that contributions will be addressed in subsequent Project Plans or Development Applications based on mandatory S94 contribution plans only, not a full evaluation of required benefit, services and infrastructure at the Concept Plan stage.

These proposed arrangements are unsatisfactory and will result in the under provision of local infrastructure and services. Consequently, the proponent must be required to undertake a full evaluation of benefit, services and infrastructure at the Concept Plan stage and appropriate VPAs be established for implementation at the later project stages. In addition to the mandatory s94 contributions the following infrastructure should be considered as part of a VPA. Where practical, these should be provided on a pro-rata basis between Ashfield and Marrickville councils.

Open Space

The 8400m² of publicly accessible open space proposed in the Concept Plan is strongly supported.

The Concept Plan identifies the portion of land within the Marrickville Council area to be completely developed for the purpose of a residential flat building, with no open space. Had it been appropriate for Council to consider the use of this industrial site for residential purposes at the time of preparation of Marrickville Contributions Plan 2004, it is likely that a portion of the subject site, or generally within the McGill Street Precinct, would have been marked for acquisition. The Marrickville LGA has an open space provision rate of 1.6 hectares per thousand population, and Marrickville Contributions Plan 2004 provides the mechanism to acquire land in appropriate circumstances at this existing provision rate.

The DP&I, NSW Household and Dwelling Projections 2006-2036 (2008 release), forecasts the average Sydney household size in 2036 to be 2.49 persons per dwelling, equating to approximately 697 – 747 residents in the proposed development in 2036 (280-300 proposed dwellings). The provision of 8,400m² of publicly accessible open space is less than Council's Recreation Strategic Plan provision rate of 1.6ha per thousand, and to achieve the appropriate amount of open space, a VPA making provision for a monetary contribution to enable Council to acquire or embellish open space elsewhere is appropriate.

It is also submitted that the proposed open space serves a regional role given its connectivity to the GreenWay. In this regard and as outlined in the McGill Street Precinct Masterplan, a proportion of this space could be funded by the Sydney Regional Development Fund. This could potentially offset some of the developer's costs should the DP&I determine this satisfactory.

Pedestrian and Traffic Facilities

The concept plan proposes that the pedestrian access paths are to be provided by a combination of proposed public roads and publicly accessible paths, urban plazas and landscaped open space areas. This is strongly supported as is the proposal to provide an access path over Railcorp land to Longport Street.

As discussed in section 5.1.15 of the EA, the Healthy Urban Development Checklist 2010 should be consulted in the design of pedestrian walkways, in terms of design features such as surfaces, path width and streetscapes to encourage better use of pathways, especially in relation to those paths aligned with proposed public roads. The project design should also be reviewed against the Development & Active Living: Designing Projects For Active Living guidelines.

Affordable Housing

It is necessary that DP&I coordinate reasonable affordable housing contributions for the development and within the wider precinct. This would ideally be achieved, as discussed in the McGill Street Master Plan, through development of a VPA with the Lewisham Estates and Allied Mills developments as part of the current concept plan process. Council's Director, Community Services has advised that an appropriate level of affordable housing contributions may be drawn from the examples of Landcom and City West Housing Company which are understood to have achieved at least 7.5% affordable housing in mixed residential developments.

Local flooding issues

Council's Development Control Engineer has provided the following comments in relation to flooding matters related to the concept plan:

1. the effects of blockage have been underestimated. The Hawthorn Canal runs along a railway line with the high possibility of washout of the embankments and ballast into the canal during extreme storm events. As experienced during the 1998 Wollongong floods and more recently in the Queensland floods the potential for blockages in highly urbanised areas is likely with the potential cars, fences and other debris capable of completely blocking culverts.

The blockage of culverts adjacent to the site can have a significant affect on the amount of overland flow across the site. For example if the culvert at node K were fully blocked the amount of overland flow flowing across the site from node K to node J would increase from 27.9m³/sec to 50.9m³/sec.

The applicant should refer to the paper "Causes and effects of culvert blockages during large storms" by Rigby, Boyd, Roso, Silveri and Davis relating to the 1998 Wollongong floods. It found that for culverts with an opening of less than 6m the degree of blockage tended to be high with 58% being totally blocked. The applicant should also refer to the AR&R Revision Project 11 "Blockages of Hydraulic structures" dated November 2009 which may assist in the determination of appropriate blockage factors; and

2. the study does not adequately categorise and map the development site into its Flood Hazard Categories as required by the NSW Floodplain Development Manual (2005). Flood categories are generally broken down into high and low categories. As there is approximately 100 m³/sec of stormwater arriving at the site during a 1 in 100 year storm with flooding occurring quickly and with little warning the establishment of the High Hazard areas on the site are necessary to adequately manage the flood risk.

In light of the above advice, the proponent should be required to undertake further flood investigation and incorporate the above matters into an amended Drainage/Water Management/Flooding Utilities report for public consideration.

Long Nosed Bandicoot

The Long-nosed Bandicoot population in inner western Sydney is an endangered population under the Threatened Species Conservation Act 1995. Additionally, under the dMLEP 2010, the portion of the subject land in the Marrickville LGA, is identified as a Bandicoot Protection area and a Habitat Corridor, and is subject to Clause 6.1 of the dMLEP 2010 which requires an assessment of the impact of the development on the habitat, and to propose mitigation measures to prevent any adverse impacts on the Bandicoot habitat and population. Consequently, it is important that the Allied Mills development is sited, designed and managed to avoid adverse environmental impacts on this endangered population.

A review of the Survey Report and the EA in regards to the Long Nosed Bandicoot, raises some concerns, namely the validity of the survey report, and the protection and mitigation measures proposed.

Validity of the survey report

The DGRs required *the EA to 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.

The detailed survey submitted with the EA was prepared over three years ago in January 2009, with the field surveys conducted four years ago in March and October 2008. It is important the survey reflects the current population numbers in the area in order to conduct an up-to-date assessment of whether and how the species is using the site, and to properly assess any potential impact or threat to the endangered population, in accordance with the DGRs.

Protection measures

It is acknowledged that the Flora and Fauna Assessment Report for the proposal concludes that the development is not likely to have an adverse effect on the life cycle of the Long-nosed Bandicoot. However, due to the reported locations of the Long-nosed Bandicoot to the immediate north of the site, the location of the site within the Bandicoot Protection area, and a Habitat Corridor under the dMLEP 2010, it is recommended that measures beyond the few post-construction measures that have been committed to, are in place to support the protection of the species. Whilst the current commitment to ensure future landscaping within the site is suitable for Bandicoot foraging and the proposed fencing allows for movement and access to the site for this species are supported, additional measures before and during construction are strongly recommended.

Due to the transient nature of the species when in search of suitable foraging areas, it is suggested that the Statement of Commitments include similar measures as the neighbouring proposed development of Lewisham Estates, to ensure no possible adverse affects are caused to the bandicoot population across both areas, and to facilitate the GreenWay efforts to create a corridor that enhances biodiversity and provides habitat and protection for the Long-nosed Bandicoot.

The exhibited Concept Plan for neighbouring Lewisham Estates contains commitments to adopt the recommendations made by Ambrose Ecological Services Pty Ltd. These recommendations contain protection measures during construction, such as Bandicoot-proof fencing around the site and action plans for reported sightings of the Bandicoot during construction, in addition to education of construction workers and engagement of a qualified ecologist to check the site for the species; and the prohibition of cats and dogs on the site post-construction. The Allied-Mills site should incorporate similar measures in the pre-, during and post-construction phases of development.

CONCLUSION

This submission has provided an evaluation of the concept plan prepared for Summer Hill Flour Mill site. The submission raises a number of issues related to the proposed development including; coordination and consistent assessment of the Lewisham Estate and Summer Hill Flour Mill Concept Plans; transport, traffic and parking issues; retail impacts; open space provision and location; biodiversity protection; infrastructure provision and affordable housing contributions.

This submission concludes that the concept plan is largely compatible with the strategic direction of neighbouring McGill Street Masterplan, however concern is raised regarding the consistency and cumulative impacts of the proposed development with the exhibited Lewisham Estates Concept Plan, particularly in regards to economic, environmental and traffic impacts.

It is strongly recommended that the DP&I develop a coordinated approach for the Summer Hill Flour Mill, Lewisham Estates, McGill Street Precinct, Light Rail / Greenway corridor and surrounding environments. To ensure good planning outcomes for the area, a consistent and coordinated approach for development in the area is essential. Whilst the Concept Plan conducts an assessment of the cumulative impacts of the development in the context of the proposed surrounding developments, to ensure the assessment of the final proposal considers the precinct as a whole, it is requested that the adjacent proposal for the Lewisham Estates site (78-90 Old Canterbury Road, Lewisham) be considered by the same Planning Assessment Commission, preferably with the same chair and members, as is considering this subject application.

ATTACHMENT 1

REVIEW OF TRANSPORT ASSESSMENT SUPPORTING APPLICATION FOR FLOUR MILL
SITE, SUMMER HILL

COLSTON BUDD HUNT & KAFES PTY LTD

MARCH 2011

ASHFIELD COUNCIL

REVIEW OF TRANSPORT
ASSESSMENT SUPPORTING
APPLICATION FOR
FLOUR MILL SITE,
SUMMER HILL

MARCH 2011

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1. INTRODUCTION

- 1.1 Colston Budd Hunt and Kafes Pty Ltd has been commissioned by Ashfield Council to assess the Transport Assessment (prepared by Ove Arup dated August 2010) that supports the application for the proposed redevelopment of the Flour Mill site, Summer Hill.
- 1.2 The proposed development comprises:-
- ❑ some 2,500 to 3,000m² retail;
 - ❑ some 3,500 to 4,000m² commercial; and
 - ❑ some 280 to 330 residential units.
- 1.3 There is also a Part 3A application for the nearby site at 78-79 Canterbury Road, Lewisham (supporting TMAP prepared by Traffix, dated 9 October 2010). That proposed development comprises:-
- ❑ some 6,000m² of retail, including supermarket of some 2,800m²;
 - ❑ some 300m² of commercial; and
 - ❑ up to 400 residential units.
- 1.4 Chapter 2 of this report reviews the transport assessment for the Flour Mill proposed development.
-

2. REVIEW OF TRANSPORT ASSESSMENT

2.1 Our review of the transport assessment for the redevelopment of the Flour Mill site, Summer Hill, is set down through the following sections:-

- ❑ public transport;
- ❑ parking provision;
- ❑ pedestrian and cyclist facilities;
- ❑ sustainable transport initiatives;
- ❑ traffic effects;
- ❑ construction traffic;
- ❑ summary.

Public Transport

2.2 As noted in the Ove Arup report, we agree that the site has excellent access to public transport as follows:-

- ❑ bus services to Marrickville, Ashfield and Dulwich Hill;
 - ❑ bus services along Old Canterbury Road;
 - ❑ site is some 500 metres from Summer Hill and Lewisham railway stations;
 - ❑ proposed western express railway project;
 - ❑ possible light rail extension to Dulwich Hill.
-

2.3 The proposed development would increase residential, commercial and retail densities close to existing public transport services. The proposal would strengthen demand for these services. The proposed development is therefore consistent with government objectives and the planning principles of:

- improving accessibility to employment and services by walking, cycling and public transport;
- improving the choice of transport and reducing dependence solely on cars for travel purposes;
- moderating growth in the demand for travel and the distances travelled, especially by car; and
- supporting the efficient and viable operation of public transport services.

Parking Provision

2.4 Ashfield Council's DCP has the following requirements:-

- Retail
 - 1 space per 40m² GFA;
 - Commercial;
 - 1 space per 100m² GFA;
 - Residential units
 - 1 space per 1 bedroom unit;
 - 1.2 spaces per 2 bedroom unit;
-

- 1.5 spaces per 3 bedroom unit; plus
- 1 space per 5 units for visitors.

- 2.5 The Ove Arup report in Section 3.2.1 states that parking will be provided in accordance with the DCP rates (some 550 spaces required). However, in Section 3.2.2 the report suggests provision of between 450 and 550 spaces.
- 2.6 With regards to the retail component, the RTA Guide parking demand formula for supermarkets and specialty shops gives rates of 4.2 and 4.5 spaces per 100m² GLA respectively. This is equivalent to 1 space per 24m² and 22m². The Council DCP rate is therefore below RTA rates for retail, being 1 space per 40m² GFA (equivalent 1 space per 34m² GLA).
- 2.7 We consider that the retail parking rate should be below the RTA rate. However, we consider that the rate should be 1 space per 35m² GFA, as opposed to the Council DCP rate of 1 space per 40m² GFA.
- 2.8 With regard to the commercial component, the Council DCP rate of 1 space per 40m² GFA is the same as the RTA Guide rate for unconstrained demand. Given the site's proximity to public transport, it is suggested that parking provision for the commercial could be 1 space per 50m² GFA.
- 2.9 With regard to the residential units, the DCP requirements are the same as the RTA Guide rates for medium density of 1, 1.2 and 1.5 spaces for 1, 2 and 3 bedroom units. Given the site's proximity to public transport, a parking rate of 1 space per unit is considered appropriate.
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- 2.10 The DCP rate of 1 space per 5 units for visitors is the same as the RTA Guide rate. This rate for the proposed development is considered appropriate.
- 2.11 The above rates of parking are considered appropriate to encourage modes of travel other than by private motor vehicle. Application of these rates would result in a requirement for some 490 to 510 spaces (depending on the level of commercial/retail development).
- 2.12 As noted in the Ove Arup report an additional 50 to 70 on-street parking spaces are to be provided within the precinct. These would be allocated to visitors and other short-stay users. All on-street parking will need to be time restricted with an appropriate allocation of Loading Zones.
- 2.13 The Ove Arup report also notes that Marrickville Council has introduced a resident parking scheme with time restricted parking within 250m of Lewisham Station to restrict commuter car parking from occurring on local streets. Ashfield Council has introduced time restricted parking on streets in the Summer Hill town centre adjacent to Summer Hill Station. The majority of other streets are unrestricted.
- 2.14 With the introduction of the light rail stop at Lewisham, it could be expected that additional time restricted parking and resident parking schemes will need to be introduced to manage commuter parking. Drop-off and pick-up zones would be facilitated by the local streets in both the Summer Hill Flour Mill site and the McGill Street site.
- 2.15 We agree with the Ove Arup suggestions with regards to on street parking.
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Pedestrian and Cyclist Facilities

- 2.16 The Ove Arup report describes the pedestrian and cyclist facilities in the vicinity of the site.
- 2.17 We agree with principles set down in the Ove Arup report. Measures to complement and enhance these facilities should be developed in detail when on going applications are lodged.

Sustainable Transport Initiatives

- 2.18 The Ove Arup report makes reference to the sustainable transport initiatives access guide. We consider that specific sustainable transport initiatives and associated travel plans should be prepared at the time of occupation of the development for the various uses.
- 2.19 Preparation of these initiatives and plans should be a condition of consent. However, we suggest that the principles for these initiatives and plans should be determined prior to consent.

Traffic Effects

- 2.20 The Ove Arup report estimated traffic weekly generation for the retail component of the proposed development based on the RTA Guide formula for traffic generation, taking into account the reduced parking provision. We would agree with this approach. The Ove Arup estimates of traffic generation should be increased to reflect our suggested parking provision of 1 space per 35m² GFA. Allowance should also be made for passing trade.
-

- 2.21 Ove Arup also uses the RTA Guide rate for estimating the commercial traffic generation. We would agree with this approach.
- 2.22 Based on RTA rates, Ove Arup estimates a traffic generation rate for the residential units of 0.4 trips per unit per hour. Given the site's proximity to public transport, it is considered that a generation rate of 0.3 trips per unit per hour should be used.
- 2.23 The residential traffic would have a different distribution to the retail traffic. We consider that the basis for these distributions should be provided by Ove Arup.
- 2.24 Ove Arup has analysed the traffic effects of the proposed development using SIDRA for the weekly morning and afternoon peak periods with additional development traffic superimposed on top of existing flows. Ove Arup has identified the following works to cater for the development traffic:-
- Given the significant levels of traffic along Old Canterbury Road, along with its location on a crest, it is recommended that access to the new street to precinct 3 (off Old Canterbury Road) be restricted to left-in/left-out movements only;
 - To alleviate the significant delays forecast for vehicles accessing the precinct via the Edward Street/Old Canterbury Road intersection, a new set of traffic signals is proposed. SIDRA modelling has forecast this intersection to operate satisfactorily following the introduction of traffic signals. This intersection will also assist pedestrians to cross Old Canterbury Road at this location. These traffic signals would be subject to RTA approval;

- All movements into and out of the minor access points on Edward Street (between Old Canterbury Road and Smith Street) would be permitted and controlled by give way signage;
- The two new access points along Smith Street would be permitted and controlled by give way signage;
- The two new access points along Smith Street, a new roundabout could be constructed at the Edward Street/Smith Street/Chapman Street intersection. This would 'clean up' the intersection, which is currently offset slightly by the northern Chapman Street leg. Further, it would provide improved traffic circulation around the site, particularly given the proposed central medians preventing right turns off Smith Street into the precinct. This would be configured as a minor road roundabout in keeping with other traffic calming devices along Smith Street;
- Existing right turn bans during peak hours at the Railway Terrace/Old Canterbury Road intersection should be maintained;
- The Toothill Street/Old Canterbury Road intersection can remain in its current form as it currently functions well without causing delays to the flow of traffic;
- With traffic volumes on roads within the Summer Hill Flour Mill precinct expected to be low, there are opportunities to provide shared zones with a 10km/h speed limit.

- 2.25 While Ove Arup has also assessed cumulative traffic effects including traffic that would be generated by the Lewisham and adjacent sites. It was for a lower level of development compared to the current proposal. An updated assessment should be undertaken to fully understand the cumulative traffic effects of future development on the area.
- 2.26 Also, the Ove Arup analysis has not assessed the Saturday midday (busy time for retail). Given the likely extent of improvement measures required to cater for the three developments, we consider that micro simulation computer modelling (such as Paramics) of cumulative impacts should be undertaken. The SIDRA analysis should then be based on the outputs of this computer modelling.
- 2.27 However, prior to the results of Paramics modelling, it should be noted that the combined generation of the sites would be some 1,000 vehicles per hour, two way, during peak periods. This is a significant volume of additional traffic in an area where there are already a number of traffic constraints.
- 2.28 However, the redevelopment of the Flour Mill site on its own (with a generation of some 300 vehicles per hour) would generally be satisfactory, subject to the adoption of the works suggested by Ove Arup. The exception to this is the intersection of Railway Terrace/Old Canterbury Road/Longport Street. This intersection operates at capacity now and no mitigation measures have been suggested by Ove Arup. However, Traffix has suggested signposting a dedicated left turn lane approach on Longport Street and construction of a left slip lane on approach in Old Canterbury Road, as noted below.
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2.29 With regard to the McGill Street development, the level of traffic generation is significantly higher. To cater for additional traffic, the Traffix report suggested a number of mitigation measures, as follows:-

- ❑ The provision of a left-in/left-out arrangement at Brown Street at its intersection with Longport Street incorporating a left turn deceleration lane;
- ❑ The signposting of a dedicated left turn lane on the western (eastbound) approach of Longport Street to Old Canterbury Road as this lane is not currently used for through traffic movement;
- ❑ The provision of clearway restrictions along both sides of Old Canterbury Road between Railway Terrace and McGill Street;
- ❑ The construction of a median in Old Canterbury Road opposite William Street to limit movements to left-in/left-out;
- ❑ The provision of a single northbound traffic lane in Old Canterbury Road north of Toothill Street for a short distance;
- ❑ Linemarking in Railway Terrace to create a dedicated left turn lane in Railway Terrace for the movement into West Street.

2.30 Traffix notes that the above arrangements are interim pending the redevelopment of the adjacent southern site (south of Hudson Street), at which time a long term traffic solution will be implemented with additional suggested works as follows:

- The construction of a 4-way signal controlled junction at the intersection of Toothill Street with Old Canterbury Road (i.e. the provision of a western approach to connect to the existing signals). This provides an opportunity to provide right turn lanes for both the northbound and southbound movements along Old Canterbury Road. This arrangement is also contemplated under the ARUP traffic assessment prepared on behalf of Marrickville Council; and
- The construction of a left turn slip lane in Old Canterbury Road on approach to Railway Terrace (which involves use of other land that is not part of the Part 3A site).

2.31 The above measures should be tested in the Paramics cumulative traffic modelling to establish their appropriateness and practicality

Construction Traffic

2.32 A detailed construction traffic management plan (CTMP) should be prepared as part of the on-going application. Prior to consent being granted to the application, it is considered that the principles for the CTMP should be determined.

Summary

2.33 In summary, our review of the Ove Arup transport assessment has found:-

- i) the proposed development has excellent access to public transport;
- ii) appropriate parking provision should be provided to discourage travel by private vehicle;
- iii) suggested parking rates are:-

- retail, 1 space per 30m² GLA;
 - commercial, 1 space per 50m² GFA;
 - residential, 1 space per unit plus 1 visitor space per five units.
- iv) traffic analyses should be undertaken for Saturday as well as weekday peak periods;
 - v) cumulative traffic analysis should be undertaken for the subject development, the Lewisham and adjacent development sites;
 - vi) micro simulation computer modelling, such as Paramics, should be undertaken to assess traffic effects;
 - vii) outputs from this modelling should be used for SIDRA/SCATES analysis;
 - viii) prior to the results of the Paramics modelling, it should be noted that there is a number of traffic issues associated with the proposed developments, particularly with the McGill Street Precinct site;
 - ix) proposed developments will generate a total of some 1000 vehicles per hour in weekday peak periods;
 - x) this is a significant volume of additional traffic in an area where there are already a number of traffic constraints;
 - xi) the development of the Flour Mill site on its own would generally be satisfactory, subject to the adoption of the measures set down in paragraph 2.24;
 - xii) the exception is the intersection of Railway Terrace/Old Canterbury Road/Longport Street, which operates at capacity today. No mitigation measures have been suggested by Ove Arup although Traffix have suggested measures.
 - xiii) with regards to the McGill Street development, the level of development is larger than the Flour Mill site with significantly higher levels of traffic generation;
 - xiv) measures to cater for traffic are set down in paragraphs 2.29 and 2.30;
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- xv) these measures should be tested using the Paramics cumulative traffic modelling to establish their appropriateness and practicality;
- xvi) the principles for the construction traffic management plan should be determined prior to granting consent to the application.