

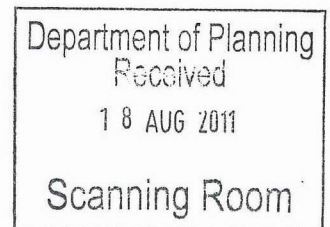
15 August 2011

The Director-General
Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001



ATTENTION: Amy Watson

Dear Sir/Madam,



MAJOR PROJECT- MP 10_0155
Environmental Assessment for Concept Plan
2-32 Smith St, Summer Hill (Former Allied Mills Site)

I refer to the above matter that is currently being assessed by your Department.

As your Department is aware the subject site is located adjacent to the goods line which is now being proposed to be utilised as a light rail and Greenway corridor. This corridor is owned by RailCorp and as such RailCorp provides its comments on the submitted Concept Plan.

Land Owner's Consent

RailCorp notes that the proponent is seeking your Department's approval for the items listed in Section 4.3 of the Environmental Assessment Report prepared by SJB Planning. These items include the demolition of the rail siding and encroachments into RailCorp's land, and the provision of access to Longport Street over RailCorp's land.

RailCorp advises that the proponent has not as yet obtained RailCorp's land owner's consent for these works. It is RailCorp's understanding that your Department would require RailCorp's land owner's consent before it could legally approve the Part 3A Concept Plan. Should RailCorp's understanding be correct, then it would be appreciated if your Department could instruct the proponent to formally request RailCorp for its land owner's consent.

For your Department's benefit, RailCorp would in-principle support the removal of the siding and encroachments, however, the access to Longport Street needs further discussion and resolution with the proponent.

The proponent's representatives have approached RailCorp regarding the access to Longport Street as they claimed that the affected land was owned by RailCorp. RailCorp advised the applicant's representative that RailCorp does not hold any records establishing the ownership of this land. The Groll report that was provided to RailCorp indicated the subject land to be owned by others and that statements by both Council and Sydney Water could not be used to establish ownership by RailCorp.

RailCorp also advised the proponent's representative that they commission an Official Search by the Land and Property Management Authority to establish and confirm the current ownership of the land. If that search proved that RailCorp to be the owner, then RailCorp we will be in a position to consider any request for access over the site (or its sale) and the provision of land owner's consent. RailCorp provided this advice to the applicant's representative on 4 May 2010 and to date has had no reply.

Notwithstanding the above, it seems that land owner's consent may still be required for the lift and stair access to the "Greenway" below and its actual location will need to be plotted on a survey plan for verification.

Carparking and Promotion of Public Transport

Developments near railway stations provide an opportunity to promote the use of public transport and a reduction in private vehicle usage. Council's attention is drawn to Clause 9(e) (ii) and Clause 12(1) of Draft SEPP66 which deal with parking requirement and transport implication for DAs.

The proposed development has made allowances for a total of 553 car parking spaces for residential, commercial, retail and visitor use. RailCorp believes that this is an excessive amount of car parking given the site's close proximity to public transport facilities.

The development is located within 500 metres walking distance of Lewisham and Summer Hill stations. The development site is also located adjacent to a proposed light rail stop - part of the Sydney Light Rail Extension – Inner West project. Given this close proximity, RailCorp requests that your Department consider reducing the amount of on site parking as part of any project approval.

In particular, there is an opportunity to reduce the provision of retail and commercial parking as the requirement for 1 space per 40m² is not appropriate for a site with good public transport access.

The Transport Management and Accessibility Plan (TMAP) states of proposed parking: *'The commercial and retail rates are both considered high for a mixed use precinct such as this with good public transport access, however as a conservative measure the DCP rates have been adopted'*. RailCorp suggests that the proponent reconsider this conservative approach and adopt more sustainable parking measures, influenced by expected visitation patterns and usage of public transport, including buses, within the commercial and retail catchment.

The proponent should also consider reducing the provision of visitor parking given the opportunity visitors will have to access the site by public transport. RailCorp believes that reducing car parking will assist in encouraging users of the development to utilise sustainable transport modes such as rail, and reduce car dependency.

Future Project and Development Applications

RailCorp advises that the lodgement of any future Project or Development Applications where there is ground penetration deeper than 2m and within 25m of the adjoining rail corridor will need to be accompanied with the following site specific documentation:

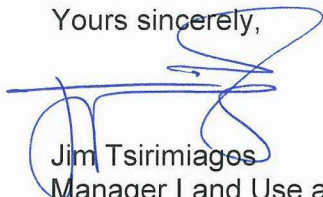
1. Geotechnical and Structural Report that meets RailCorp's requirements.
2. Construction/excavation/Installation methodology with details pertaining to structural support during excavation/piling.
3. Cross sectional drawings showing ground surface, viaduct tracks, sub soil profile, proposed excavation location and structural design of sub ground support adjacent to the Rail Corridor. All distances from the rail corridor and rail infrastructure are to be confirmed as accurate by a Registered Surveyor.

It should be noted that any future development applications which involve ground penetration deeper than 2m and within 25m of the adjoining rail corridor will require RailCorp's concurrence under Clause 86 of State Environmental Planning Policy (Infrastructure) 2007. The submittal of the above listed items are mandatory to enable RailCorp to process this concurrence.

Finally, it is asked that your Department forward to RailCorp a copy of the final project approval for its records.

Thank you for providing RailCorp the opportunity to comment and please contact me if you have any further enquires.

Yours sincerely,



Jim Tsirimiages
Manager Land Use and Planning
RailCorp Property