

Our Ref: 0147/09It1PPR

30 November 2011

Ms Amy Watson
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Amy,

RE: MP08_0195, 78-90 OLD CANTERBURY ROAD, LEWISHAM

We refer to the above major project which is currently being assessed by the Department.

The Environmental Assessment (EA) was originally submitted in October 2010 with a Preferred Project Report (PPR) subsequently submitted in August 2011. Further to the PPR, submissions were received by the Department from residents and various government authorities.

In order to assist the Department in the assessment process, we have been engaged by the applicant to summarise and provide a response to the matters raised in the submissions prepared by Marrickville and Ashfield Councils as these submissions also cover the key issues raised in the resident submissions. Furthermore, issues raised in the resident submission have already been considered as part of the submitted PPR.

Provided below is a tabulated response to the Council submissions.

Marrickville Council

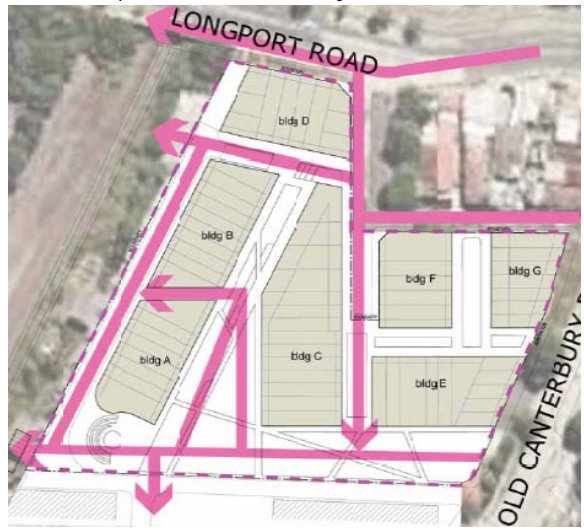
Marrickville Council provided two submissions dated 15 September and 26 September 2011 in addition to those already provided in response to the exhibited EA. Provided below is a response to the matters raised in both of the submissions.

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<p><u>Zoning provisions</u> Under the zoning provisions of MLEP 2001 part of the north-east corner of the site is zoned Reservation – Arterial Road and Arterial Road Widening (9C). The remainder of the site is zoned Light Industrial (4B). The proposed mixed use development does not constitute a permissible use under the zoning provisions applying to the land under the MLEP 2001. Under Draft MLEP 2010 the site is affected by a number of proposed zones, which are based on the land uses in the adopted by the McGill Street Precinct Masterplan. These zones include High Density Residential (R4), Mixed Use (B4), Business Development (B5), and Light Industrial (IN2).</p>	<p>See submitted EA for discussion on zoning restrictions. The proposed Concept Plan is broadly consistent with the zoning allowances of Draft MLEP 2010. Justification for altering the layout of the site in terms of allocation of open space, retail area, residential areas and connections between Old Canterbury Road and Lewisham Station with the Greenway have been discussed in detail in the submitted PPR. These matters have also been the subject of an independent review undertaken by Simmons Architects and provided as part of the PPR.</p>

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<p><i>The PPR concept plan proposes that the majority of the retail and shop top/dual use uses will be located within this zone, are prohibited uses under the zoning provisions applying to the land under the dMLEP2011, and which was intended as publically accessible open space in Council's masterplan. As a result the quality of the PPR open space along this green corridor, is less usable and of lower quality than that proposed in Council's masterplan, and is discussed further in this report.</i></p>	<p>The proposed open space and adjacent retail areas under the Concept Plan are considered to be superior for the following primary reasons:</p> <ul style="list-style-type: none"> • Significantly improved solar access to the open space areas; • The total area of open space is larger by comparison (as described in the PPR) as it stretches into the site; • There are a larger number of apartments which have outlook onto the open space area thereby improving occupant amenity and passive surveillance of the space; • The layout of the Concept Plan improves permeability of open space into the site and results in better linkages between the site and the surrounding neighbourhood and to the Greenway; • There are a greater number of through site linkages connecting the Greenways park and light rail to the surrounding neighbourhood. • The Concept Plan reflects the desires of Sydney Light Rail and NSW Rail to maximize the connectivity and linkage between Lewisham Station and the Greenway; and • Connection of the site with Lewisham Station and Greenway is enhanced through the provision of retail tenancies which will activate the access route. <p>As noted in the submitted PPR, gazettal of the draft LEP is neither imminent nor certain.</p>
<p><u>Orderly and Equitable Development</u> <i>...the PPR concept plan still proposes to provide up to 430 residences whereas under Council's masterplan approximately 500 residences were anticipated for the entire McGill Street Precinct. This represents an overdevelopment of the site, and restricts the development of surrounding sites, and/or provides precedence for the overdevelopment of the remainder of the McGill Street Precinct. This outcome would create further concern over traffic generation for the entire McGill Street Precinct, and the cumulative effect of other surrounding developments such as the Allied Mills site. It is considered that the dwelling numbers should be reduced to those within Council's masterplan to improve overall amenity of the site, especially the amenity for future occupants and the existing locality.</i> <i>The overdevelopment of the subject site is demonstrated by comparing the FSR for the Lewisham Estates site under the McGill Street Master Plan is 1.7:1 (or 2.06 as the proponent's purports in Section 5.2.3 of the EA) to the PPR concept plan, which is 3.15:1.</i></p>	<p>It is acknowledged that the proposed Concept Plan increases the floor area provided in the Precinct in comparison to Council's McGill Street Precinct Masterplan (MSPMP). However, 'overdevelopment' of a site does not necessarily relate to an increase in floor area. It is more appropriate to assess 'overdevelopment' of a site in terms of the actual impacts that an increase in floor area will have on a locality and/or on adjoining residents. Numerical compliance does not automatically assume acceptable impacts or appropriate scale of development and conversely, numerical non-compliance does not necessarily assume unacceptable impacts of a development.</p> <p>In this regard, the submitted PPR undertakes a detailed assessment in terms of the comparing the proposed Concept Plan to Council's MSPMP and concludes for numerous reasons that the proposed building layout and open space provisions are superior. These reasons are also outlined above.</p> <p>The submitted PPR also undertakes an assessment of the traffic related impacts anticipated for the Tony Owen Partners Masterplan (TOPMP) and concludes that the surrounding street network can sufficiently accommodate the anticipated development density. The density of the development across the entire Precinct was informed by</p>

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	<p>the traffic study.</p> <p>In terms of visual impacts of the proposal, an updated assessment is provided by Richard Lamb & Associates and submitted separately with this report.</p> <p>On this basis, in comparison to the MSPMP, the additional density proposed under the TOPCP will not result in any unreasonable or significant impacts on the locality in terms of amenity impacts on residents, impacts related to building bulk or scale or reduced amenity for future public open space areas. Accordingly, the TOPMP is not considered to result in an 'overdevelopment' of the Precinct.</p>
<p><u>Urban design comparison with the McGill Street Precinct masterplan</u></p> <p>Block/street/open space structure</p> <ul style="list-style-type: none"> <i>The preferred project has only one street access from Old Canterbury Road, now located on the southern side of the central park that connects to McGill Street, whereas Council's master plan has dual streets from Old Canterbury Road on either side of the central park (one way in and one way out). The removal of the street north of the central park means there will be no direct address for building entries, onto a street front, requiring access across the open space. It also means there is no convenient street system enabling access to a light rail drop off point and onto Old Canterbury Road that occurred with either the master plan arrangement or the original concept plan;</i> 	<p>Council's masterplan includes a one way road that circles the 'new public park' in a clockwise direction and links Old Canterbury Road with the GreenWay. By comparison the proposed Concept Plan has a dual carriageway, which from a traffic flow perspective achieves the same outcome (refer to the traffic report provided at Annexure C of the PPR). The Concept Plan includes retail tenancies that front the new public open space proposed and the GreenWay, which is considered to be a superior outcome in comparison to Council's masterplan as it will capture pedestrian traffic in the locality as well as business from the future residents of the site. The proposed arrangement is considered to be superior as it will encourage a higher proportion of pedestrians to move past the shopfronts. In addition, a loop road around the perimeter of the park as proposed in Council's masterplan will segregate this space from adjoining land uses and be less attractive to the public. The Concept Plan is superior in terms of urban design as it will activate the spaces, which in turn will also improve security and passive surveillance of the space.</p> <p>Council's McGill Street Precinct Master Plan included a new road along the northern side of the new local park, approximately 20 metres to the north of Hudson Street which was also to be retained. Austroads – Part 4, nominally recommends a minimum spacing of 30 metres for a speed zoning of 60km/hr and, as such, this spacing is considered insufficient and could potentially result in future safety issues related to the close proximity of these two intersections.</p> <p>Furthermore, the Roads & Maritime Services (formerly RTA) generally seeks to minimise the number of intersections connecting to a 'classified road' (where possible) on both network efficiency and safety grounds. In this regard, Old Canterbury Road is a 'classified road' and provision of a single access point as proposed by the subject Concept Plan is considered a better outcome for the Precinct and surrounding road network generally. All buildings will continue to be provided with a frontage to the internal road system, so that pedestrian access to all buildings can be maintained.</p> <p>In terms of entries to the apartments, it is anticipated that</p>

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<ul style="list-style-type: none"> <i>The public open space shape is a combination of a rectangular boulevard park space adjacent to Hudson Street and a triangular space perpendicular to the north of the boulevard space between building A and C. The area is slightly larger than that required in the masterplan and is an improvement from the original concept plan with the deletion of the retail podium form. However, the quality and functionality of the open space in the preferred project is still considered inferior to that of the master plan, due to narrowness of the open space at the western end and higher bulk of adjacent Building A to the north (7 storeys) compared to the widened open space and lower form in this location (3 storeys) in the master plan. Where the master plan would ensure at least half of the western end of the central open space received solar access during most of the day at mid winter the preferred project will only receive solar access for approximately 2 hours in a small section of the open space at mid winter. In particular the form of the open space and building bulk results in the designated plaza being largely shaded. Part of the designated open space is deceptively located under the south end of building A which should not be considered as open space;</i> <i>The preferred project contains limited revised master plan information for the whole McGill precinct, but the open space comparison diagrams implies that the master plan should be amended requiring development south of Hudson Street to be setback and dedicated for open space or a combination of open space and road widening (scaled as approximately 11 m). In this way properties to the south would also contribute to provision of open space. This arrangement is considered an improvement from the original concept plan allowing for outdoor retail onto sunny north facing wide footpath areas, however it does not function like the master plan as a continuous shopping frontage strip, due to the building elements being mostly orientated to the sides</i> 	<p>the majority of people accessing the apartments will arrive by public transport or park within the designated area within the development. There will be very limited number of people who would arrive to the development from the south and who would also need to cross the open space adjacent to Hudson Street to access the apartments. Building entries will be focused from William Street, Brown Street, the new road adjacent to the Greenway and from the lift lobbies accessed from the basement level.</p> <p>In relation to a light rail drop-off point, a designated set-down and drop-off area is now provided at the end of the new road adjacent to the anticipated light rail station location – refer to the detail provided on the amended Concept Plans.</p> <p>The assessment provided by Council focuses on the open space provided as a 'plaza' at the western end of the open space adjacent to Building A. Whereas in actual fact the open space stretches to the east and connects with Old Canterbury Road with a significant penetration of the open space between buildings A and C. This will allow for high levels of sunlight access into the open space area and provide parts of the open space that will be either in direct sunlight or in shadow for different times throughout the day. By comparison, the MSPMP places built form along the entire northern boundary of the open space thereby having greater shadow impacts and reducing sun access to this portion of the open space.</p> <p>The direct physical connection of the open space with the apartments and residents of the development will increase the attractiveness of this space through a sense of ownership, will improve passive surveillance and in turn perpetuate use of the area. By comparison, the MSPMP open space is bound on all sides by roads, will experience greater shadow impact, is less attractive and likely to be frequented less by residents due its physical dislocation from the apartments.</p> <p>The information provided in the <i>open space comparison diagrams</i> does not seek approval or give detailed urban design analysis for future development to the south of Hudson Street. However, the proposed concept plan does not preclude Council's desires to pursue a continuous shopping strip with wide footpaths addressing Hudson Street.</p>

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<p><i>and being broken up with a wedge shaped open spaces in between; and</i></p> <ul style="list-style-type: none"> Council's masterplan extends Brown Street as a public street whereas the preferred project results in Brown Street being a dead end. It is considered this part of Brown Street is redundant and should be closed and be improved by the developer as landscaped open space and be combined with the proposed communal landscaped area to instead be fully publicly accessible open space to create this as a publicly accessible link Increasing permeability through the site. 	<p>The Concept Plan has been amended to include a generous 12m wide publicly accessible pedestrian piazza that links Brown Street to the open space adjacent to Hudson Street. Full details of the treatment of this zone will be provided at the project / development application stage. Embellishment and dedication as public open space may also form part of a future Voluntary Planning Agreement or Public Benefit Works package to offset S.94 Contributions.</p>
<p><u>Site coverage and deep soil landscape area</u> <i>As the preferred project incorporates one large basement under the development, it has much greater site coverage than Council's master plan. The basement extends under the new street between the GreenWay and residential buildings and right to the boundary edge for Brown and William Street, making provision of substantial trees in many locations shown on the landscape plans outside of the deep soil zones not attainable.</i></p>	<p>The basement no longer extends under the future road adjacent to the Greenway and the Concept Plans have been amended accordingly. Council's McGill Street Precinct Master Plan does not include basement plans so the exact extent of the basement under Council's Master Plan is unknown and was not likely to be contemplated during the production of the Master Plan by Hassell. Furthermore, it is unlikely that the basement layout would be customised to cater for the centrally located <i>private open space</i> areas between buildings, as indicated in Council's McGill Street Precinct Master Plan. In terms of the provision of substantial trees in the areas outside of the deep soil zone indicated on the Concept Plans, this matter can be appropriately resolved at the project / development application stage and is not a matter that should obstruct Concept Plan approval. Various design options are available including planter boxes or alterations to basement layout to create suitable soil depth that will promote tree growth.</p>
<p><u>Movement/connections with surrounds</u> <i>The preferred project creates ambiguity of access with space between buildings A/B and C as well as between C and F/E partly (sic), which are partly publicly accessible open space and partly blocked off as communal space. This will result in poor legibility of the street/building form, territorial ambiguity for pedestrians and potentially create unsafe public spaces. Also there is discrepancy between permeability diagrams indicating public permeable movement where the open space plans show these would be blocked by being only communal open space, presumably being fenced off. As well, the access south of building D is completely inaccessible on the floor plans, containing basement ramp, draining channel and private courtyards, despite being indicated as part of a permeable link.</i></p> <p><i>The open space between the Lewisham Estates development and Summer Hill Flour Mill development at and around the junction between the GreenWay/Light Rail corridor and Lewisham to Summer Hill 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</i></p>	<p>The preferred concept plans offers increased connectivity between the future light rail and the locality with several connection points to the GreenWay, as shown below.</p>  <p>Provided separately with the application is a plan prepared by Tony Owen Partners relating to the delineation of public and private land.</p>

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<i>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.</i>	
<p><u>Orientation, street use activation & connection with ground levels</u></p> <p><i>Overall, there is less building edge facing the streets and less street use activation than Council's master plan layout. This is particularly problematic at the south-western corner of the site which has a large building gap and a relatively blank 8 storey end wall.</i></p>	<p>The only space where there is any notably less building edge facing a public space is adjacent to the open space fronting Hudson Street. This is considered to create superior urban design outcomes for various reasons already discussed in this letter.</p> <p>Other matters raised by Council relate to the design development of the site following approval of a Concept Plan. Council's expected level of detail is beyond the scope of what is usually required for a Concept Plan application and more appropriately dealt with under future project/development applications. The site does not offer any significant obstacles to achieving good design outcomes and on this basis, Council and the Department should be comforted that future applications will resolve all design related issues.</p>
<p><u>Overall Massing, Form and Building Layout</u></p> <p><i>...the preferred project is an improvement from the original concept plan providing better open space, with the deletion of the internalised shopping centre allowing better relationship of buildings to public space. However, overall the proposal is still a significantly larger form than Council's masterplan, and still results in greater site coverage; less deep soil open space; greater site density; greater visual impact, reduced permeability; reduced legibility and inferior public domain and street activation. While there are a few advantages of the preferred project layout, as discussed above, and improvements to the overall proposal compared to the original concept plan it still focuses on maximising the yield on the site compared to Council's masterplan that focuses on producing a high quality legible built environment.</i></p>	<p>These matters are discussed in detail in the submitted PPR (see Section 3.2.1 of the PPR), including the peer review undertaken by Simmons Architects, and also as reiterated throughout this letter.</p>
<p><u>Developer Contributions and Voluntary Planning Agreements</u></p> <ul style="list-style-type: none"> • Marrickville Contributions Plan 2004 • Open Space, Parks, Infrastructure and Sports Facilities • Public Libraries • Open Space • Pedestrian and Traffic Facilities • Preliminary Additional Infrastructure Assessment 	<p>S.94 contributions will be paid under future Project/Development Applications. Section 4.2.3 of the EA contains information with respect to a future VPA. It is further anticipated that matters relating to the acquisition, embellishment and dedication of open space into public ownership will be dealt with under future Project/Development Applications.</p>
<p><u>Affordable Housing</u></p> <p><i>... Accordingly, as with the provision of appropriate infrastructure within the precinct Council requests that the Department coordinate appropriate and significant affordable housing contributions for development within the precinct. This would ideally be achieved through development of a VPA. Council's Director, Community Services has advised that an appropriate level of affordable housing contributions</i></p>	<p>As stated within the PPR, the number of affordable housing units will be resolved under future Project/Development Applications as it is premature to allocate a defined number of units to affordable housing without also understanding the financial implications for redevelopment of the site. Council's use of a figure of 7.5% from Landcom and City West Housing Company is an arbitrary figure that has no</p>

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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.	relevance to the financial feasibility of the Concept Plan and anticipated dwelling yield.
<p><u>Car Parking</u></p> <p><i>The plans provided with the PPR appear to depict no provision of on-street parking, despite the recommendation by Traffix that:</i></p> <p style="padding-left: 40px;"><i>" Consideration should also be given to the potential for additional visitor parking on-street within the confines of the site which will further alleviate any potential for overflow on-street parking demand on surrounding residential streets."</i></p> <p><i>It is disappointing that this provision has not been made in the revised concept plans, which will undoubtedly produce demand for on-street parking in the surrounding neighbourhood for on street parking for visitors and residents that cannot access parking, those wishing to 'park and ride' in connection with the light rail stop, and for customers of the retail shops who are not residents of the immediate neighbourhood. There will also be some demand for kerb side parking by vehicles making light deliveries to the retail premises on the site, particularly as basement or other loading areas have not been provided.</i></p>	In response to these comments, on-street parking is now provided adjacent to Hudson Street as shown on the amended Tony Owen Partners Concept Plans.
26 September 2011 – Marrickville Council	
<p><u>Flooding</u></p> <p><i>A new flood study will need to be submitted which provides the following information:</i></p> <ul style="list-style-type: none"> • <i>The study shall determine the nature and extent of the existing flooding on the site for a full range of events up to the Probable Maximum Flood (PMF) in accordance with the NSW Floodplain Development Manual (2005);</i> • <i>The study shall also include the potential effects of climate change, sea level rise and an increase in rainfall intensity as required by the DGR;</i> • <i>The study shall investigate the potential for the culvert under Longport Street being blocked during extreme storms. In investigating the potential for blockage the study shall have regard to recent studies undertaken by Wollongong Council after the 1998 Floods which found that for culverts with an opening of less than 6m the degree of blockage tended to be high with 58% being totally blocked and current research being undertaken by Australian Rainfall and Runoff (AR&R-Blockage of Hydraulic Structures November 2009);</i> • <i>The study shall also provide Hazard Categories for the site and the surrounding area;</i> • <i>The study shall recommend suitable Flood Planning Level(s) for the site with suitable freeboard having regard to the risk management principals consistent with Floodplain Development Manual and the likelihood of the blockage of the Longport Street culvert;</i> 	<p>These matters are addressed in the Flood Report and Stormwater Plans prepared by Cardno ITC Pty Ltd and submitted separately with this letter. In particular the Flood Report provides the following comments:</p> <ol style="list-style-type: none"> 1. <i>An independent assessment of flooding from the Hawthorne Canal Catchment has now been undertaken as requested by Council and is detailed in the following sections of this report;</i> 2. <i>The site survey by Stratasurv (Drawing No. 159301 Rev F) has now been updated to AHD and is included in the appendices for reference as Revision J;</i> 3. <i>The report has been revised to address the requirements of the NSW Floodplain Development Manual (2005) in relation to flood hazard and flood risk from the Hawthorne</i> 4. <i>Canal and the localised overland flooding from Old Canterbury Road;</i> 5. <i>An assessment of the Probable Maximum Flood (PMF) has now been undertaken and is detailed in the following sections of this report;</i> 6. <i>The additional assessment carried out in this revision indicates that the proposed redirection of overland flows from Old Canterbury Road will eliminate all flooding of Old</i> 7. <i>Canterbury Road for all storms up to and including the 20-year ARI storm event due to the increase in pipe</i>

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<ul style="list-style-type: none"> Investigate if the proposed underground carpark is compatible with the flood risk/hazard for the site and if specific flood evacuation plans/warning systems are required or to be implemented; Recommend where possible suitable works to reduce the flood risk to an acceptable level; The development should not detrimentally increase the potential flood affection on other properties either individually or in combination with the cumulative impact of the development that is likely to occur in the surrounding area; and Due to the complexity of the Catchment with multiple overland flow paths combining and interacting it is recommended that a flood study that utilises a fully dynamic 1D/2D computer model be used and the following information be provided and mapped (This is consistent with the requirements of Sydney Water with regard to its comments on the adjacent Allied Mills Site): <ul style="list-style-type: none"> i. water surface contours (including the 100year flood and PMF extents); ii. velocity vectors; iii. velocity and depth product contours; iv. delineation of flood risk precincts; and v. Show both existing and proposed flood profiles for the full range of events for the total development. 	<p>size and the provision of additional inlet gully pits in Old Canterbury</p> <p>8. Road itself. It is also noted that the redirection of flows will alleviate the flooding in Brown Street and the adjoining sites;</p> <p>9. The redirection of overland flows from the low point in Old Canterbury Road have been revised and are directed onto Hudson Street which will carry the flows in a 100-year ARI</p> <p>10. storm event;</p> <p>11. The overland flows from Brown Street are redirected around the proposed Cul-De-Sac at RL10.80 where the basement ramp actually rises to RL12.20 before it grades down into the basement. As such, no overland flows will enter the basement from Brown Street; and</p> <p>12. The trunk main diversion is now located under the proposed road which is completely within the site boundary.</p> <p>The proposed development has been revised to incorporate the results of the Hawthorne Canal Catchment flood study. The study has taken into account the requirements of Council and the DGR in relation to blockages in the culvert under Longport Street and the impact of Climate Change on the flooding behaviour.</p> <p>The Flood Planning Level (FPL) adopted for the proposed development (RL12.20) achieves 0.5m above the 100-year ARI flood level including 30% increase in rainfall peak and volume, sea level rise and 50% blockage in the Longport Street Culvert.</p> <p>The FPL of 12.20mAHD applies for all the ground floor levels of the proposed buildings and the entrance to the basement car park. These design parameters have been designed in conjunction with the architectural drawings.</p>
<p><u>Access and parking</u></p> <ul style="list-style-type: none"> The development proposes the creation of a new road along western boundary of the site which is to be dedicated to Council as a public road. It is noted that the proposed underground car park will encroach under the new public road which is unacceptable. Therefore the development shall be redesigned to remove this encroachment from under the future public road; All roads shall be designed to allow for 2 way vehicular traffic and allow for the provision of a parking lane on at least one side (minimum width 8.5m between kerbs). Also footpaths shall be a minimum 3.0m to provide suitable pedestrian access to residents and pedestrians, while allowing for the provision of suitable mature street trees to be planted to provide suitable amenity for residents consistent with DGR's No. 5; Similarly, Brown, William and Hudson Street shall be widened as above to provide 2-way traffic including a 	<p>The listed access and parking issues are detailed design matters which can be appropriately accommodated within future project/development applications. However, a preliminary response is provided below by Traffix, Traffic Consultants:</p> <ul style="list-style-type: none"> This road is not being dedicated to Council and therefore this is no longer an issue. In response to Council's submission it is intended to provide the following road widths: <ul style="list-style-type: none"> Brown Street - 8.0m William Street - 5.5m Hudson Street - 8.5m New Western Boundary Road - 5.5m <p>The proposed road widths for the new western boundary road, William Street and Hudson Street are less than nominally proposed by Council. However, it can be seen in the sketch provided by Tony Owen Partners (included in Attachment 1 of the updated</p>

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<p><i>parking lane on one side and 3m footpaths on both sides;</i></p> <ul style="list-style-type: none"> • <i>Minimum 3mx3m splay corners shall be provided at all intersections to improve vehicular access and to provide for adequate site (sic) distance to both vehicles and pedestrians. The splays shall be dedicated to Council as road widening.</i> • <i>Vehicular access, standing areas, manoeuvring and service areas shall be designed in accordance with AS 2890.1:2004, AS2890.6:2009 and AS2890.2:2002. In relation to ramp grades it should be noted that Clause 3.3 of AS2890.1:2004 requires the first 6m into the car park to be at a maximum grade of 1 in 20 for the first 6m.</i> • <i>No loading dock or service vehicle parking has been provided to the development;</i> • <i>It shall be demonstrated that a MRV can service the site adequately by the provision on the appropriate vehicle templates. The plans shall adequately show that a MRV can manoeuvre through the proposed street network and enter and leave the site in a forward direction.</i> • <i>A cul-de-sac shall be provided at the end of the new public road proposed along the western boundary to allow public vehicles to safely exit the site without having to enter a private underground car park to exit.</i> 	<p><i>Traffic Report) that the full 8.5m carriageway can be accommodated in the future. This adopts the principle that adjoining landowners, including Council in the case of the proposed western boundary road, should be equally responsible for the provision of these roads.</i></p> <p><i>William Street is expected to carry only moderate traffic volumes due to the limited access potential for vehicles exiting the site to access the wider road network. That is, vehicles exiting to the south will be drawn from the basement to McGill Street and even eastbound traffic seeking Railway Terrace are required to use Brown Street due to the 'No Right Turn' restrictions at the intersection of Old Canterbury Road and Longport Street. Similarly, only vehicles entering the basement car park from Toothill Street would be likely to use William Street, with the majority of vehicles from the south on Old Canterbury Road seeking to utilise McGill Street to avoid potential delays at the signals.</i></p> <p><i>Having regard for the above, a requirement to provide for continuous two-way traffic plus additional kerbside parking for these roads is considered unnecessary. Indeed, the Australian Model Code of Residential Development (AMCORD) recommends carriageway widths of only 5.5 metres for residential streets, which includes parking within the carriageway. This applies for streets where there is expected to be an AADT of less than 1,000 vehicle per day (equivalent to a peak hourly two-way flow of 100 veh/hr) and envisages that vehicles can pass between parked cars. William Street is only expected to carry in the order of 50 vehicles per hour during peak periods, with reduced flows outside of this period. As such, it is our view that periodic parking restrictions during peak periods would be sufficient to ensure that William Street will operate efficiently whilst retaining on-street parking outside of peak periods when demands for visitor parking are more likely to occur. A midblock passing opportunity should also be provided outside of peak periods through appropriate "No Parking" signage, however this is again a detailed matter that can be addressed as part of a future Development/Project Application.</i></p> <p><i>In the interim, the proposed widths as currently indicated are considered to be supportable, prior to full development of the Precinct when reconstruction of these roads to the full width would be expected occur.</i></p> <ul style="list-style-type: none"> • <i>Swept paths are attached to this letter, demonstrating acceptable access by an 8.8m MRV.</i> • <i>A cul-de-sac is now provided at the end of Hudson Street suitable for use by up to an 8.8m MRV, as the proposed western road is to be retained as a private access road to the proposed basement. Trucks accessing the proposed loading dock will be able to turn at the end of the western boundary road which</i>

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	<i>also serves to provide access to the future loading dock.</i>

Ashfield Council

Ashfield Council provided a submission in addition to that already provided in response to the exhibited EA. The latest submission is dated 29 August 2011 and provided over page is a response to the matters raised in that submission.

RESPONSE TO ISSUES RAISED BY ASHFIELD COUNCIL	
Issue raised by Ashfield Council	Response
<p><u>Stormwater Impacts</u></p> <p><i>At present the "Lewisham Estates" site has a large area of downstream movement of stormwater which is directed at the northerly end into Hawthorne Canal. It is noted on the "Lewisham Estates" proposal that stormwater is to be redirected to the south alongside Hudson Street, and discharge into the Hawthorne Canal near the position of a future Light Rail Station. The affect this volume of water might have on the adjacent former Flour Mills site, or proposed Light Rail station, is not clear. Ashfield Council's engineers have noted the stormwater proposal, and request that the Department take into account whether there is a need for a detention basin at the western end of Hudson Street.</i></p>	<p>These matters are addressed in the Flood Report and Stormwater Plans prepared by Cardno ITC Pty Ltd and submitted separately with this letter.</p>
<p><u>Traffic Impacts and "overspill" into Summer Hill</u></p> <p><i>As the Department is aware, local residents within Summer Hill and Ashfield Council are very concerned about additional local traffic impacts arising from the cumulative affects of numerous new developments in the area. It is understood the Roads and Traffic Authority will be carefully examining the cumulative traffic impacts of the "Lewisham Estates" proposal, the development of the former Flour Mills site, and other potential development areas within the adjacent Marrickville area. It is requested that Ashfield Council be advised of their findings.</i></p> <p><i>Ashfield Council's engineers have noted the current "Lewisham Estates" proposal's traffic report, but it has not been possible to have this information independently examined given the amount of time available for further comment. Council's engineers note that the proposal will likely cause a loss of on-street car parking within Summer Hill because car parking in the "Lewisham Estates" proposal will be provided at much lower rates than those applied in Ashfield Council's planning instruments.</i></p>	<p>Provided below is a response for Traffix, Traffic Consultants, with relation to the proposed Concept Plan:</p> <p><i>All parking demands associated with the subject development are expected to be accommodated within the proposed basement car park, in accordance with the adopted parking rates. TRAFFIX statement referred to by Marrickville Council was intended to suggest that additional parking could be provided to provide Council with greater certainty that demands could be contained, rather than inferring there would likely be an overflow of parking demands.</i></p> <p><i>Nevertheless, with the reduced parking provisions proposed (in accordance with directions of Transport NSW to encourage the use of public transport) there is inherently potential for parking demands to be 'displaced' if not appropriately managed. As generally occurs with this strategy of reduced car parking, Council would be encouraged to introduce area wide timed parking restrictions to discourage any overflow of parking onto surrounding residential streets. This would be expected to include exclusions for local residents who already park on-street within these areas but not for residents of the proposed future developments in the area.</i></p>

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<p><u>Visual Impact of 10 storey buildings.</u></p> <p>The proposed 10 storey building along the western part of the "Lewisham Estates" site will have the largest visual impact on Summer Hill. This proposed height exceeds the maximum 9 storey height found in Marrickville's controls.</p> <p>The proposal's perspectives show aerial "birds eye" views. The proposal's ten storey building is approx 2 –3 storeys higher than the ridge of the existing Mungo Scott buildings on the Flour Mill site. The former Flour Mills buildings are landmarks for the local area, and naturally serve as visual reference point. However, the "Lewisham Estates" perspective represents the proposed 10 storey building as being lower than these landmark structures. It is requested that Department seek an amended visual representation of the proposal, for evaluation/assessment purposes.</p> <p>The "Lewisham Estates" visual Impacts report, does not give any commentary on the visual impacts to the Summer Hill Area. It justifies the height of the proposed buildings based on compliance with the McGill St Masterplan. However, there should have been a detailed visual analysis undertaken within the Summer Hill area.</p> <p>Future development of the northern part of the former Flour Mills site, within the Marrickville LGA, will to a degree visually mask some parts of the proposed 10 storey building within the "Lewisham Estates" development. However, Ashfield Council has previously submitted to the Department that any future building within the former Flour Mills site should be only a maximum of 5 storeys. Any taller building within the "Lewisham Estates" site will naturally be visible above this height.</p> <p>Given the above, the following is of concern:</p> <p>The "Lewisham Estates" proposal for a ten storey building one storey above that permissible in Marrickville's controls, will be highly visible within Summer Hill, and this variation to Marrickville's controls, and additional visual impact to the Summer Hill area, is not supported.</p>	<p>The visual impacts of the proposal are considered in the updated assessment provided by Richard Lamb & Associates, which is submitted separately with this letter.</p>
<p><u>Connectivity with GreenWay and Light Rail Station</u></p> <p>Ashfield Council's submission to the Department on the Concept Application for the former Flour Mills site requests that adequate public access be maintained to the future GreenWay and Light Rail Station, and this be demonstrated at Concept Plan stage. This should naturally also apply to the proposal within the "Lewisham Estates" proposal.</p>	<p>Connectivity of the Greenway with the subject site, Lewisham Station and surrounding areas is discussed in detail in the submitted PPR. Commentary is also provided in the above table responding to the issues raised by Marrickville Council.</p>

Further to the above submissions, email correspondence received from the Department dated 16 October 2011 requested a number of additional information matters. Provided in the table below is a response to the Department's request.

ADDITIONAL INFORMATION REQUESTED FROM THE DEPARTMENT	
Matter	Response
<ul style="list-style-type: none"> • A response to Council's concerns that the survey levels are not to AHD. If there are any errors in survey levels, a revised survey and amended Concept plans (floor plans, 	<p>Updated survey information is indicated on the amended plans submitted with this letter.</p>

ADDITIONAL INFORMATION REQUESTED FROM THE DEPARTMENT	
Matter	Response
sections and elevations to reflect correct ground levels) should be provided;	
<ul style="list-style-type: none"> • A response to the flooding issues identified by Marrickville Council Engineers; 	These matters are addressed in the Flood Report and Stormwater Plans prepared by Cardno ITC Pty Ltd and submitted separately with this letter.
<ul style="list-style-type: none"> • A response to the claims that the visual impact assessment and photomontages do not accurately depict the scale and height of the proposed building envelopes; and 	A suitable response is provided in the amended visual impact assessment prepared by Richard Lamb & Associates.
<ul style="list-style-type: none"> • More detailed consideration of the impacts of the inability to amalgamate with the properties on the corner of Longport Street and Old Canterbury Road. In particular you are required to address submission 29 to the Environmental Assessment. 	<p>The relevant part of submission 29 states that <i>the EA inadequately addresses the substance of the Director-General's requirements, with a self-serving attempt to gloss over the substance of the DG's requirements in the EA by making the bald-face assertion that Amalgamation...with adjoining properties therefore offers no advantage and is not necessary in terms of a built form outcome</i>".</p> <p>Firstly, we acknowledge that the sites in question which are not proposed for amalgamation with the subject site should be redeveloped as part of the McGill Street Precinct. This serves both a good planning outcome and will be consistent with Marrickville Council's objective for coordinated redevelopment of the Precinct.</p> <p>However, it is our submission that the EA does not 'gloss-over' the intended outcomes of the DGRs. Indeed, the comments provided in the EA cover all matters that are typically relevant to the amalgamation of redevelopment sites. The steps take to acquire the properties were in accordance with the principles established by the Land & Environment Court in <i>Melissa Grech v Auburn Council [2004] NSWLEC 40</i> and details provided relating to amalgamation attempts of the properties is provided at Annexure S of the submitted EA (with relevant comments also provided at Section 4.4 of the submitted EA).</p> <p>In terms of impacts on the redevelopment potential of the properties, variations to the applicable planning controls would not be necessary to achieve a suitable built form outcome given the physical size and separation of these properties from the subject development site. Such considerations are consistent with the principles established by the Land & Environment Court in <i>Cornerstone Property Group Pty Ltd v Warringah Council [2004] NSWLEC 189</i>. The Tony Owen Partners Masterplan provided at Annexure B of the submitted EA detail the built form that is conceivable on the properties at the northeastern corner of the precinct.</p> <p>Details submitted with the application are therefore considered to appropriately and reasonably cover matters relating to amalgamation of the subject properties. It is also demonstrated that a suitable built form outcome can still be achieved despite their exclusion from redevelopment with the subject property.</p>

We look forward to the Department's favourable determination of the application in the near future. However, should you require any further information, or wish to discuss any aspect of the proposal, please do not hesitate to the undersigned or Benjamin Black of our office.

Yours faithfully,
Planning Ingenuity Pty Ltd

A handwritten signature in black ink, appearing to read 'L. Fletcher'.

Lindsay Fletcher
MANAGING DIRECTOR