

**MINUTES OF THE ORDINARY MEETING OF ASHFIELD COUNCIL
HELD ON LEVEL 6, CIVIC CENTRE, 260 LIVERPOOL ROAD,
ASHFIELD ON TUESDAY 24 APRIL 2012, COMMENCING AT 6:33 PM.**

2 - 32 SMITH STREET, SUMMER HILL

**CONCEPT PLAN APPLICATION. Con Colot - Senior Strategic Planner &
Projects. Report Submitted with attachments 1 to 3.**

(12/04/12)

**P&E>Urban Planning>Strategic>Flour Mills
h:\reports.bp\Council\Reports\CM240412SR_6.DOC**

CM 10.5 Attached

151/12

RESOLVED

Stott / Kelso

That in respect of the Concept Plan Application, submitted to Council in April 2012, for the land at 2-32 Smith Street Summer Hill, the Council advise the Department of Planning and Infrastructure that:

1/11 The applicant for the Concept Plan Application has not addressed all the Director General Requirements as outlined in the planning report to Council and as summarized below:

- (i) An adequate Visual Impact Assessment has not been provided, and no use has been made of Ashfield Council's SIMURBAN three dimensional computer model, and so an assessment of the impacts of increased building heights on existing neighbouring residential areas in Summer Hill cannot be adequately determined. Issues requiring further consideration include:
 - the excessive height of 6 storey flat buildings near the boundary with Edward street, and their impact on existing housing along Edward Street, which is also a Heritage Conservation area.**
 - the excessive height of 9 and 10 storey buildings within the Marrickville LGA, and their impact on predominantly one and two storey residential areas to the west, and north west in Summer Hill, and the impact on the public vista along Smith street.****
- (ii) Properties along Edward Street should have a minimum 5 m wide deep soil zone for front gardens and trees, free of any basement car parking.**
- (iii) The verge/footpath area along Edward Street should be wide enough to take large tree planting.**

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- (iv) There should be a commitment by the site owner to provide not less than 5% of the gross floor area of the residential component of the proposal as affordable housing.**
- (v) The Concept Plan should have requirements for Universal Accessible Design which are the same as those found in the Ashfield DCP 2007 and apply to the interior design of apartments.**
- (vi) The documentation for the heritage conservation of the site is inadequate for the reasons identified in the planning report, and the site should have a heritage listing and controls protecting the historic structures and landscape equal to that found in the Ashfield Local Environmental Plan. That a Conservation Management Plan should be included in any concept plan approved.**
- (vii) Flora and fauna impacts, and contamination issues, have not been adequately addressed.**

2/11 The Statement of Commitments are not sufficiently detailed, including an absence of any itemising of specific works and making reference to specific plans and timing for works, and an absence of assignment of their costs to the developer, with regard to:

- (i) Site infrastructure which is external to the site, which consists of works listed in the applicant's traffic report and includes traffic lights at the corner of Canterbury Road and Edward Street, and a traffic island on the corner of Smith Street and Edward Street, and any Road Traffic Authority requirements. This work should be constructed at the completion of Stage 1 part of the development, and shown on the Staging Plan.**
- (ii) Damage to local streets as a result of construction on the site, and repair of streets and managements of local streets, to the satisfaction of Council.**
- (iii) Damage or upgrading of stormwater pipes by the developer external to the site which collect and dispose of regional stormwater, and ones travelling within site leading to Hawthorne parade, to the satisfaction of Council.**
- (iv) Exact location of pathways for public access to the light rail station, including specifying a sufficient width and gradient and pavement finish so that the general public, including those persons with disabilities, will be able to**

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use this safely.

- (v) All internal streets and public footpaths to be designed and constructed to Council's satisfaction, so that Council trucks and other vehicles they are able to service the development and there is no use of Edward Street and Smith Street for this purpose, and that construction materials are of a long lasting type. This work should be constructed at the completion of any Stage 1 part of the development, and be shown on the Staging Plan.**
- (vi) Treatments of flood affected parts of the site, so as to minimise any danger to the public.**
- (vii) Other matters identified in the planning report to Council.**

3/11 That the staging plans are not adequate to resolve the matter referred to in resolution (2) above at Concept Application stage.

4/11 That the matters described in resolutions 1, 2, 3 be resolved with the agreement of Ashfield and Marrickville councils prior to the approval of any future Project Applications or Development Application.

5/11 Section 94 payments must be made to Ashfield Council, based on the rates specified in Ashfield Council's Section 94 Plan.

6/11 The proposal should not include the provision of a supermarket on the site and that retail activities in general be restricted to small scale tenancies which reflect the character of the existing Summer Hill village.

7/11 That with regard to the land at 2-32 Smith Street Summer Hill, that:

- (i) Council take the strategic opportunity to advise Department of Planning and Infrastructure that the site owner should place in Council's ownership, at no cost to Council, the open space at the north-west part of the site, between Smith Street and the Hawthorne Canal, in order to make it public open space given that:**
 - it has potential use as a community park.**
 - it is adjacent to the future GreenWay which is proposed to commence construction in the near future.**
 - part of it is necessary to access the future Light Rail station.**

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- (ii) Requirements for dedication of public open space to Council referred to resolution 7(i) be placed in the Set of Commitments on any Concept Plan approval.**
 - (iii) Dedication of the public open space referred to in Resolution 7(i) occur after the public open space has been created including all landscaping and open space fit out, and no later than the completion date for any Stage 1 development, and this be reflected on the Staging Plan.**
 - (iv) In the event that Parts 7(i), (ii) and (iii) are not supported, any Concept Plan approval should apply conditions that ensure that the open space at the north west part of the site, between Smith Street and Hawthorne Canal, shown within Stage 4 on the Staging plans, is able to be used by the general public as claimed in the Preferred Project Report and provision is made for easements allowing full public use to be registered on the land title.**
- 8/11 Car Parking on the site must be provided in accordance with the minimum rates required in the Ashfield Development Control Plan 2001, Parking – Part C11.**
- 9/11 Should the PAC resolve to support the Concept Plan, any consent should be conditional upon the following:**
- a) the developer being required to enter into a Voluntary Planning Agreement with Ashfield and Marrickville Councils Transport for NSW to construct the section of the GreenWay between Old Canterbury Road and Longport Street in accordance with the GreenWay masterplan and Biodiversity and Revegetation and Bushcare Plans for the GreenWay project including protection and enhancement of the GreenWay biodiversity corridor by undertaking appropriate revegetation and habitat creation within the corridor (as per the GreenWay Revegetation and Bushcare Plan 2011)**
 - b) Proposed landscaping within the Allied Mills site to include locally indigenous plant species to create bio-links to enhance the habitat value of the GreenWay corridor, particularly in relation to locally significant and threatened species. A flora species list for this planting is to be referenced from the GreenWay Revegetation and Bushcare Plan 2011.**
- 10/11 That Council write to The Threatened Species Unit (previously part of DECCWS), requesting their active support for habitat protection additions and maintenance of native vegetation in the GreenWay Corridor. That these strategies be incorporated into the concept plans and DA**

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for the site and adjacent land to the site formerly known as Allied Mills.

11/11 That copies of correspondence be forwarded to Councillors.