



Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attn: Mark Brown

7 June 2013

Re: Part 3A Project Application – Summer Hill Flour Mills (MP10_0180)

Dear Mark,

I refer to the Department's letter of 3 May 2013 requesting a number of matters to be addressed arising from the public exhibition period and the Departments consideration of the Environmental Assessment.

Attached is a response to each of the matters raised, supported by relevant supplementary materials. As requested a Statement of Commitments for the Project Application has also been prepared and included at Attachment 9.

I trust that the information provided responds to the assessment issues and will facilitate the progression of the assessment.

Should you wish to discuss any aspect of the information provided, please do not hesitate to contact me on (02) 9380 9911 or by email at sbarwick@sjb.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Barwick'.

Scott Barwick
Associate Director

Encl.

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| Attachment 1 | DP&I letter dated 3 May 2013 |
| Attachment 2 | Response to Assessment Issues |
| Attachment 3 | Sydney Water letter dated 24 December 2012 |
| Attachment 4 | Supplementary architectural and landscape plans prepared by Hassell |
| Attachment 5 | Arborists report |
| Attachment 6 | Infrastructure and traffic management Plan correspondence – 13 May 2013 |
| Attachment 7 | Aargus letter - groundwater |
| Attachment 8 | Ausgrid correspondence regarding servicing |
| Attachment 9 | Concept subdivision report – Denny Linker and Company |
| Attachment 10 | Project Application Statement of Commitments |

Attachment 1: DP&I letter 3 May 2013



Planning & Infrastructure

Contact: Mark Brown
Phone: 02 9228 6385
Fax: 02 9228 6455
Email: mark.brown@planning.nsw.gov.au
Our ref.: MP 10_0180

Mr Mark Syke
Director of Planning and Design
EG Funds Management
C/- SJB Planning
Level 2, 490 Crown Street
SURRY HILLS NSW 2010

Dear Mr Syke

Subject: Exhibition of Project Application for Stage 1 of the former Allied Mills Flour Mill Redevelopment, 2-32 Smith Street, Summer Hill (MP 10_0180)

The exhibition of the Environmental Assessment for the above project ended on Tuesday 30 April 2013. All submissions received by the Department during the exhibition of the project are available on the Department's website at the following location:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4289


In accordance with section 75H of the *Environmental Planning and Assessment Act 1979*, the Director-General requires EG Funds Management to respond to the issues raised in these submissions. The Department is awaiting submissions from Ashfield Council, Environment Protection Authority and Sydney Water, which will be forwarded once received.

In addition, the Department has undertaken a review of the Environmental Assessment and has identified a number of key issues and additional information to be addressed, outlined in Attachment 1. It is noted that you intend to rely on the Statements of Commitment approved under the Concept Plan, however the Department recommends you consider drafting a Statement of Commitments specific to the proposal to manage and mitigate the potential impacts of the development, particularly during the construction phase.

If there are any proposed changes to the project, a Preferred Project Report may be required. The Statement of Commitments may need to be revised to reflect any proposed changes to the project. The PPR is to be submitted to the Department by 24 May 2013.

Your contact officer for this proposal, Mark Brown, can be contacted on 02 9228 6385 or via email at mark.brown@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,



Karen Jones 3/5/2013
Director

Metropolitan & Regional Projects South

Attachment 1

Light Rail

The Department acknowledges the Proponent has commenced consultation with Transport NSW regarding the site's interface with the future light rail stop. An update is required on the progress of the negotiations, particularly in light of Transport NSW's submission in response to the Project Application.

It is unclear from the EA and supporting appendices whether Future Environmental Assessment Requirement No. 37, which prohibits the construction of a wall at the rail corridor boundary unless a flood study demonstrates this is acceptable, will be complied with.

Open Space/Public Domain

The Proponent is required to demonstrate how Future Environmental Assessment Requirement Nos 23-25 will be achieved which provide:

23. Future application/s shall provide for the embellishment and dedication of a minimum of 4,806m² of public open space to Council.

24. Future applications shall provide for the embellishment of a minimum of 5,287m² of publicly accessible open space to be maintained in private ownership by the future body corporate.

25. Future applications for each relevant stage shall clearly set out the mechanism for creating rights of public access to the:

- private roads,*
- all publicly accessible areas of open space and through site links,*

with the relevant instrument/s to be executed prior to commencement of the occupation/use of the development.

The proposed 3 metre wide east-west pedestrian cycle link is considered narrow and should be widened to be consistent with the approved Concept Plan's dimensions for this link of 8-10 metres minimum.

Landscaping / Tree Removal

The submitted landscaping plans indicate two trees (*Callistemon viminalis* and *Ulmus parvifolia*, or weeping bottlebrush and Chinese Elm respectively) are proposed to be removed. However, it appears that there are several more trees within the Stage 1 Project Application area following a site visit and having compared the aerial photograph that forms Figure 1 of the EAR and architectural plans at Attachment 1 of EAR. The Proponent is requested to confirm the number of trees within the Stage 1 Project Application site through submission of an up to date site survey.

The Proponent's arborist report is required to be updated to address all trees proposed to be removed within the Site.

In addition, the Department notes that the arborist has indicated that removal of the weeping bottlebrush and Chinese Elm is justified on the basis that the development will encroach into the tree protection zones of these trees. The Proponent is required to demonstrate how Future Environmental Assessment Requirement No. 21 has been addressed which provides that: *"future applications shall identify and include measures to ensure the retention of the existing interwar and other plantings including Brushbox, Ficus Hillii, Palms, Moreton Bay Fig and the Chinese Weeping Elms on the site"*.

Car Parking and Traffic

The Departments comments in relation to car parking and traffic are as follows:

- documentary evidence is required confirming the Infrastructure and Traffic Management Plan prepared by Arup has been prepared in consultation with Ashfield and Marrickville Council as required by Future Environmental Assessment Requirement No. 15. It should be noted that a condition of approval will be imposed requiring approval of the Plan by the RMS prior to release of the construction certificate. The Proponent is recommended to consult with the RMS now and obtain in principle support of the Plan; and
- it is unclear how and where all of the pedestrian and cycle improvements works required by Future Environmental Assessment Requirement No. 17 are being provided.

The Department has calculated that the Stage 1 proposal generates the requirement for 57 spaces and 2 car share spaces, however the EA indicates a total of 53 spaces are proposed. Clarification is therefore sought as to how the car parking demand and proposed number of spaces has been derived.

SEPP 65 Compliance

The Department notes the Proponent's indication that the proposal exceeds SEPP 65's Rules of Thumb, and particularly the solar access, natural ventilation and open space targets. The Proponent is requested to submit drawings for individual units and the building elevations illustrating how the SEPP 65 targets are achieved. A tabulated breakdown of the solar access and natural ventilation available to each unit on each level within each of the proposed buildings is also required to be submitted.

Adaptable Units

The Department acknowledges the Proponent's Accessibility Report and confirms it's in principle support of its conclusions. The Proponent is required however to clearly nominate the proposed adaptable units on the plans and provide pre- and post-adapted plans for all units, particularly if the layouts differ amongst the units.

Groundwater

There appears to be some inconsistency between the observed groundwater depths on the site (in the order of 2-2.5 metres) and the proposed basement excavation to a depth of

3 metres. The Department of Planning and Infrastructure and the Office of Water therefore seek further clarification as to whether the project is excavating into groundwater.

Utilities and Infrastructure

Ausgrid has indicated that the Project Application lacks sufficient detail to enable Ausgrid to obtain a complete understanding of the proposal's loading requirements including timing and staging. The Proponent is required to consult with Ausgrid's Acting Regional Manager and demonstrate that the loading requirements can be achieved and have been appropriately incorporated into the development.

Subdivision

Further details regarding the proposed management/governance and proposed titling is requested. In addition, draft easements for public access particularly the east-west pedestrian cycle link are required.

Attachment 2: Response to Assessment Issues

1. Light Rail

The proponent continues to liaise with Transport for NSW (TfNSW) on the provision of access to the Lewisham West light rail stop. The Stage 1 Project Application provides for an accessible path to the light rail stop above the 1 in 100 year flood level. The matter to be resolved with TfNSW is that the proponent of the Summer Hill flour mills site takes the position that the path should be provided at a level above the 1 in 100 year flood level and that the light rail project is required to accommodate compensatory flood storage in the rail corridor to avoid adverse flood impacts upon the mill site that would arise from the construction of the light rail stop and platforms.

The plan of access is based upon the flood and drainage modelling endorsed by Sydney Water on 24 December 2012 (Attachment 3). The modelling undertaken included the provision of a wall adjacent to the boundary of the light rail corridor. This wall will assist in the direction of flows from the Hawthorne Canal which have exceeded the culvert capacity under the light rail corridor that enters the flour mill site. These flows will be directed back into the open section of the Hawthorne Canal to the north. This element is the subject of detailed modelling and flood assessment as required by Future Environmental Assessment Requirement No.37, and which has been endorsed by Sydney Water.

2. Open Space and Public Domain

(a) Open Space Dedication

The proponent is required to dedicate a total of 4,806m² to Council as public open space.

The staging plan approved as part of the Concept Plan indicated the provision of access to the light rail stop as part of Stage 1, with the balance of the open space dedication provided as part of Stage 2.

The subdivision plan lodged with the EA (Drawing DA-012, dated 11 February 2013, prepared by Hassell) demonstrates the initial dedication of 1,112m² of open space to Council (excluding new roads). The majority of the balance of the required open space dedication of 3,694m² (4,806m²-1,112m²) will be dedicated as part of Stage 2.

This is detailed in the proposed open space plan at Attachment 4 which demonstrates the delivery of a total open space dedication of 4,973m² over the four stages of development.

Future Environmental Assessment Requirement 23 is demonstrated to be able to be satisfied and remains consistent with the Concept Plan determination and Statement of Commitments.

The proposed Open Space Plan included at Attachment 4 also identifies an area of 5,389m² of publicly accessible open space being provided over the four stages of development satisfying Future Environmental Assessment Requirement 24. A small component of this area is provided in Stage 1, with the majority to be delivered as part of Stages 2 and 3.

The open space will be dedicated to Council as part of the future subdivision certificate process to create the development of lots and new roads.

The publicly accessible open space will be retained by the strata body corporates with public access granted via public rights of access in favour of Ashfield Council and, where relevant, Marrickville Council.

(b) Access Width

Stage 1 proposes the dedication of an access link to the Lewisham West light rail with a constructed path width of 3.0m within an initial dedication width of between 3.0m and 9.245m.

The minimum clearance between building 2B and 1C is proposed to be 8.5m, consistent with the Concept Plan approval. The total access will comprise a combination of public open space and publicly accessible space.

As shown on the Dedication Plan and Proposed Open Space Plan (Attachment 4), the constructed path will ultimately sit within a much broader area of dedicated open space or publicly accessible open space. The area within which the constructed path sits remains consistent with Concept Approval.

The constructed accessible path width of 3.0m is considered satisfactory.

3. Landscaping Tree Removal

A tree assessment has been undertaken for the site and is included at Attachment 5.

The Stage 1 area contains a total of 41 trees as identified on the tree location plan in the tree report. The assessment was undertaken of trees within and in the vicinity of the site. Each tree has been the subject of a Safe Useful Life Expectancy (SULE) assessment.

Of the 41 trees assessed, it is proposed that 34 be removed to accommodate the development and that seven (7) be retained and protected during construction. It is noted that 15 of the trees to be removed are Bhutan cypress which form a hedge row of planting to the south of the weighbridge location.

The assessment concludes:

"There are no trees impacted by the development which are rare or endangered.

- *Future landscaping should include species indigenous to the locality so as to maintain the biodiversity of vegetation in the neighbourhood; and*
- *The trees identified for retention should be protected during demolition and construction works."*

Future Environmental Assessment Requirement 21 requires future applications to identify measures to ensure the retention of existing interwar planting. The heritage assessment lodged with the Concept Plan identified the significant planting as being the Brushbox, ficus hillii, the line of palms along Smith Street frontage and the Chinese Weeping Elm north of the Milling and Baking Technical Centre (the building to be demolished for Stage 1).

Of these potentially significant trees, a single tree is proposed to be removed as part of Stage 1, being the Chinese weeping elm. The remainder of these trees are to be retained within the proposed open space, the majority of which will be dedicated as open space in Stage 2.

The Statement of Heritage Impact for the Concept Plan stated that:

"Retention of the bulk of the planting that fronts the public realm, and its incorporation into a new public open space is a positive heritage outcome."

The removal of a single Chinese Weeping Elm is not considered to detract from, or alter, this assessment.

Other than the Chinese Weeping Elm, the species proposed to be removed comprise:

- Weeping bottlebrush;
- Swane's Golden cypress;
- Saucer magnolia;
- Chinese cedar;

- Bhutan cypress;
- Queen palm;
- Camphor laurel; and
- A single brushbox.

The trees to be retained and protected as part of Stage 1 include Blueberry ash, Chinese tallow and weeping bottlebrush species.

The intent of the protection of the significant interwar planting in the future public open space as reflected by Future Environmental Assessment Requirement 21 is satisfied by Stage 1 and the structure of future Stage 2.

4. Car Parking and Traffic

ARUP have sought feedback from Ashfield and Marrickville Council regarding the Infrastructure and Traffic Management Plan (refer Attachment 5). No response has been received. In principle agreement to the of the signalisation of the intersections was received from the RMS on 30 August 2012 subject to detailed design considerations as part of future stage 3 works.

The upgrades to pedestrian facilities to be undertaken is detailed within Attachment 7 of the Project Application EA (table 2 of the Infrastructure and Traffic Management Plan). The implementation of these works is committed to in the Statement of Commitments (Attachment 10) for this Project Application and will be undertaken in direct liaison with Ashfield Council by the proponent.

Car parking demand for the proposal and resulting car parking provision has been calculated in the following manner:

3 x 1 bed apartments require $(3 \times 0.25) = 0.75$ spaces
 29 x 2 bed apartments require $(29 \times 1) = 29$ spaces
 8 x 3 bed apartments require $(8 \times 1) = 8$ spaces
 4 x 4 bed apartments require $(4 \times 1.5) = 6$ spaces
 Visitors require $(44 \times 0.1) = 4.4$ spaces
 443m² Commercial/Retail requires $(443/80) = 5.5$ spaces

The total car parking requirement is 53.65 spaces, with a total of 53 spaces provided within the basement car park.

5. SEPP 65 Compliance

The tabulated SEPP 65 Compliance for solar access, natural ventilation and storage is provided on drawing DA-700 prepared by Hassell as part of Attachment 1 to the EA lodged with DP&I. Further SEPP 65 assessment is provided in Attachment 2 of the EA – SEPP 65 assessment and Attachment 3 – RFDC Assessment.

6. Adaptable Units

The table at drawing DA-700 of Attachment 1 of the EA, lodged with the Department, identified the adaptable dwellings as:

- 4A 3.2;
- 4A 2.2;
- 4A 1.2: and
- 4A G.2.

The pre and post adaptation layouts of these apartments is shown on drawing DA-119 of the architectural package at Attachment 1 of the EA lodged. The four (4) dwellings, identified as adaptable, are of a single type and are readily adaptable.

7. Groundwater

Included at Attachment 6 is correspondence from Aargus dated 3 May 2013. The letter clarifies that the proposal is not excavating into groundwater.

8. Utilities and Infrastructure

The utilities and infrastructure report for the Concept Plan was prepared in consultation with Ausgrid. Further meetings have been held with Ausgrid which have confirmed that Stages 1 and 2 could be serviced from the existing substation (refer Attachment 8). It has been identified that Stages 3 and 4 may require kiosk substations served from the high voltage lines in Edward Street.

9. Subdivision

A concept subdivision report has been prepared by Denny Linker and Associates detailing the subdivision and management strategy for the development. The report and concept plans demonstrate the scheme of dedication of public open space and easements for public access and on-going management through the establishment of Strata Plans for the site.

The initial phase will subdivide the site into four lots. Lot 1 will accommodate the stage 1 development. Lot will accommodate the open space and public access dedication. Lot 3 will accommodate future stages 2 and 3 and lot 4, within Marrickville Council area will accommodate the stage 4 development.

Lot 1 will be subject to further subdivision via strata subdivision to create the individual lots. Lot 1 will also be subject to public access easements to accommodate the nominated publicly accessible areas.

10. Response to submissions

Each of the agency and community submissions received to the public exhibition is responded to in the following table.

Transport for NSW	
Issue	Response
(1) Accessibility of link to light rail	The access review lodged with the EA (Attachment 7) confirms that the through link to Lewisham West light rail stop is accessible in accordance with AS1428.1 and Part H2 of the BCA.
(2) Provision of accessible on-street parking space	Required accessible car spaces have been provided within the basement car park.
(3) Additional kiss and ride provision	The terms of the Concept Plan require the provision of 50 on-street parking spaces, and a single kiss and ride allocation was only contemplated in the Concept Plan. Further loss of on-street parking opportunities to accommodate further kiss and ride areas will hinder satisfaction of the Concept Approval conditions.

(4) Temporary light rail access

Permanent access is proposed via Stage 1. If the development were not approved or proceeding, there would be no access through an otherwise industrial site. Facilitation of Stage 1 will deliver the permanent access.

(5) Access agreements

The partially elevated access way is proposed to provide public access through the site above the 1 in 100 flood level, while also allowing flood flows to travers the site to re-enter the Hawthorne Canal. The design is proposed to avoid potential hazards for the community. The path is a link between the access from the east via Hudson Street and across the light rail corridor. This access path should be above the 1 in 100 level in the light rail corridor to provide a continuous safe path.

The contemplated lowering of ground levels in the light rail corridor is to compensate for flood waters in the corridor and impacted upon by the construction of the light rail stops. This is not intended to accommodate any run-off from the flour mill site or work proposed to be undertaken in conjunction with the flour mills development.

The option of a shared pathway in the rail corridor was provided as a possible treatment to improve the light rail customer experience. No approval is sought or suggested for this facility from the proponent.

(6) Deferred light rail corridor path

The proposed works actually facilitate a future path by removing existing encroachments associated with the former mill activities from within the light rail corridor.

(7) Interim Guideline – Development Near Rail Corridors and Busy Roads

The residential component is substantially remote from the light rail corridor, being some 105m from the edge of the rail corridor. Future residential development within stages 2, 3 and 4 will require detailed further assessment consistent with the Concept Plan determination in relation to noise and vibration from the light rail.

Sydney Water

Issue

Response

Detail construction matters

No matters are raised which conflict with the Stage 1 application or works in later stages of the development or construction requirements.

Department of Primary Industries

Issue

Response

Confirmation that groundwater is not intercepted, otherwise a licence under relevant legislation is required.

Aargus, at Attachment 7, have confirmed the Stage 1 works do not intersect with groundwater.

EPA

Issue

Response

No issues raised.

N/A.

Office of Environment and Heritage

Issue

Response

No issues raised.

N/A.

Roads and Maritime Services

Issue

Response

No issues raised not already addressed in Concept Plan.

N/A.

Ashfield Council

Issue

Response

Urban design and site subdivision

Portions 3, 5, 6 and 8 to be dedicated to Council, comprise the first 1,112m² contribution towards the total of 4,806m² of open space to be dedicated as required by Requirement 23 of the Concept Approval.

Portion 4 is an initial 347m² contribution to the 5,287m² of publicly accessible open space to be provided, consistent with Requirement 24 of the Concept Approval. Further publicly accessible open space is provided adjacent to the intersection of Edward and Smith Streets.

The minimum clearance between buildings 1C and 2B is 8.5m and is made up of dedicated open space and publicly accessible open space. The minimum width of the linkage is therefore 8.5m. It is the constructed accessible path above the 1 in 100 year flood level which is 3.0m wide.

Works within the Green Way

The only works in the rail corridor proposed involve demolition of encroachments. The construction of the pedestrian facilities in the light rail corridor are the responsibility of TfNSW.

The request to build a path within the light rail corridor that is subject to an existing approval from another proponent is not practical or feasible.

Commercial/retail building near light rail	The design of Building 1C provides ample scope for fit out and use for a range of retail, commercial, or business premises uses.
Landscaping to provide communal open space	As shown in Section 01 (DA-500), the top of slab of the basement has an RL of 11.50-11.60. The landscape plan shows a finished turf level of RL 12.25, demonstrating that the soil depth for the turf area ranges from 650mm to 750mm, more than sufficient for turf planting to the central courtyard.
Amenity	The privacy screens are able to be imposed as a condition of consent if necessary.
Access for people with disabilities	The Project Application is supported by an access report included at Attachment 8 of the EA which confirms that the proposal as submitted satisfies accessibility requirements. The quantum of adaptable dwellings provided is also in accordance with the terms of the Concept Plan approval.
Section 94	Consistent with the Statement of Commitments from Concept Plan Approval MP10_0155, contributions in accordance with Ashfield s94 plan will be paid.
Waste storage	Waste storage bins will be presented to the street kerb for collection by the building maintenance contractor. The bins will be wheeled to the kerbside collection point via the ramps.
Design and construction of internal roads, footpaths and tree planting	Landscaped treatment, including street tree treatment is detailed within the landscape plan package. Construction documentation will be required for the road works and drainage consistent with the terms of the Concept Plan Approval.
Location of stormwater culverts within the site	The stormwater concepts as detailed in Attachment 4 are based upon detailed modelling undertaken at the request of Sydney Water. The results of the modelling and basis for future stormwater management have been endorsed by Sydney Water. Final design plans will be consistent with these plans and the modelling undertaken. Further independent review is not necessary given Sydney Water's endorsement of the modelling undertaken and the extensive review undertaken leading to the Concept Plan determination
Damage to public local roads and damage deposit to Ashfield	The basis for the proposed deposit would need to be understood before it could be agreed.
Construction traffic	A Construction Management Plan will be prepared prior to construction. This undertaking is included

in the Statement of Commitments.

Stormwater	Extensive flood modelling and consultation has been undertaken with Sydney Water regarding management of the local catchment. The design and approach to stormwater management is consistent with the modelling undertaken and the requirements of Sydney Water.
Tree retention	As detailed in the arborist report, the avenue of brush box trees in the future open space is to be retained. The Chinese Elm is proposed to be removed and replaced due to its age and proximity to the approved basement car park area.
Road and open space dedication	<p>The new road and open space will be constructed and embellished to required standards. Future maintenance of these public amenities would fall to Council. The development, through the Body Corporate will be responsible for the ongoing maintenance of the publicly accessible open space areas that remain in private ownership.</p> <p>The dedication of open space has been pursued due to the public submissions received to the Concept plan and requests of Council during the Concept Plan stages.</p>

Marrickville Council

Issue	Response
Access width	As detailed, the minimum clearance for public access is 8.5m, providing ample access and options for street furniture, lighting and landscaping.
Works in the light rail corridor	The detention basin included in the light rail corridor is not required for the flour mill redevelopment. A basin in the corridor is considered to be required based upon the flood modelling undertaken, to compensate for the change in flood behaviour arising from the light rail stop construction. The detention basin is provided as a possible solution to the light rail developer and is not required to support the redevelopment of the mills site.

GreenWay

Issue	Response
Public access way to light rail	The access to the light rail will comprise access over and through land to be dedicated to Ashfield Council or land retained in private ownership that

will be subject to a public right of way in favour of Ashfield Council.

The minimum width of the access is 8.5m. The land in private ownership is not vulnerable to amendment as the terms of the Concept Plan specify a minimum amount of land to be dedicated as open space and a minimum of publicly accessible open space to be provided.

The design and integrity of the access is maintained. The terms of the public access will be to the benefit of Ashfield Council further protecting its retention.

Design excellence

The design of the new works is considered to be of the highest standard and reflects the industrial palette of the site's post to sit comfortable with the buildings and structure to be retained and reused.

Works in the light rail corridor

The only works proposed in the light rail corridor arising from the flour mill development involves the removal of existing encroaching structures.

There are no stormwater works proposed in the light rail corridor arising from any development on the flour mill site. The access integration with the light rail stop includes a compensatory retention basin as a suggested solution to the light rail proponent to accommodate the amendments to the flood behaviour in the locality arising from the construction of the light rail stop, not any works on the flour mills site.

The proponent is not and should not be responsible for the construction of the any works in the light rail corridor, such as paths and cycle ways which are subject to a separate Major Project approval. Further, the Concept Plan determination identified a range of public benefits to be provided as a result of the Summer Hill flour mill redevelopment. The construction of a section of the GreenWay path was not included. Should Ashfield Council choose to allocate the s94 funds that will be collected as part of any consent to construction of works in the GreenWay, that remains an option available to Council.

Precinct activation and community connection

The underlying design intent has always been to provide buildings and facilities which provide active uses along the public thoroughfares. This underlying intent is to ensure well lit access routes with passive surveillance are provided with pedestrian activity and interest. The applicant is contributing significantly to the place making of the area through sound design, embellishment and dedication of open space and embellished and provision of access to private open space areas.

Building 1C (Portion 5) in particular is important in providing a midway destination and activity area between the light rail stop and the Smith Street access.

Best practice sustainability

The proposal is supported by an ESD strategy consistent with the requirement of the Concept Plan determination, and the use of appropriate indigenous plant spaces.

The proposal includes the provision of car share parking spaces, bicycle parking and waste and recycling areas.

Should Council wish to utilise any areas of open space to be dedicated as community gardens will be an option available to be explored with the community.

Guideline documents

An extensive range of guiding documents were required to be considered in the finalisation of the Concept Plan. The subsequent Project Application (Stage 1) and Development Applications (Stages 2, 3 and 4) are required to be consistent with the Concept Plan.

Ashfield and Marrickville Councils will be the consent authorities for Stages 2, 3 and 4 ensuring their ongoing involvement and assessment of the applications.

Ashfield and District Historical Society

Issue

Response

Smith Street trees

The wine glass palms on the Smith Street frontage are to be retained and will be included in the public open space to be dedicated as part of Stage 2. The detailed assessment and arborist advice recommends the removal of the Chinese Elm and Weeping bottle brush at the corner of Smith and Edward Streets.

These trees are to be replaced with three (3) Eucalyptus punctata (Grey Gum) along with further street tree embellishment.

Terrace location

The Project Plan has accommodated nine (9) terrace form dwellings to Edward Street in lieu of the eight (8) depicted in the Concept Plan. The basement footprint and building alignment has not been altered. The terrace dwellings are of a narrower width than the Concept Plan modules.

Building 4A

At all times, the ground level of Building 4A included an element of retail space to activate the Smith Street entry of the site. The proposal has not altered this element from the Concept Plan determination

Loane submission

Issue

Response

Height of buildings to Edward Street

The proposed buildings in the project Application are consistent with or less than the approved building envelope heights from the Concept Plan.

The six (6) storey building is setback 20.5m from the Edward Street property boundary, and is considered unlikely to result in an unacceptable loss of sky view. The west facing elevation of the six (6) storey building has generally narrower windows and is setback 36m from the front boundary of the properties on the western side of Edward Street, with no private open space balconies oriented in this direction.

Buildings fronting Edward Street are in a two storey with rooms in the roof form, and the configuration of proposed public open space is consistent with the Concept Plan approval.

Building design

The building material palette has sought to reflect the sites industrial past in a contemporary form.

Through site traffic

The proposed traffic arrangements are consistent with the Concept Plan determination and the extensive traffic assessment and peer review that was undertaken as part of the Concept Plan determination.

Parking provision

Car parking provision has been provided consistent with the terms of the Concept Plan determination

Summer Hill Action Group submission

Issue	Response
Subdivision	<p>Contrary to the concerns raised, the proposed subdivision facilitates the development in accordance with the Concept Plan determination. Of the eight portions, 5 are to be dedicated to Council as open space (portions 3, 5, 6, and 8) or new road (portion 2). Proposed portion 4 is publicly accessible open space retained in private ownership and portions 1 and 7 accommodate the stage 1 development. The remainder of the site for future stages 2, 3 and 4 remains as a residual lot.</p> <p>Regardless of the land titling, the obligations and commitments to public domain improvements remain in place.</p>
Public access way	<p>The access to the light rail will comprise access over and through land to be dedicated to Ashfield Council or land retained in private ownership that will be subject to a public right of access in favour of Ashfield Council.</p> <p>The minimum width of the access is 8.5m. The land in private ownership is not vulnerable to amendment as the terms of the Concept Plan specify a minimum amount of land to be dedicated as open space and a minimum of publicly accessible open space.</p> <p>The design and integrity of the access is maintained. The terms of the public access will be to the benefit of Ashfield Council further protecting its retention.</p>
Open space and landscaping	<p>The building setbacks and contributions towards the provision of public open space and publicly open space are consistent with the terms of the Concept Plan approval.</p>

Felton submission

Issue	Response
Traffic	<p>The proposed density of development and traffic management is consistent with the terms of the Concept Plan approval.</p>
GreenWay corridor	<p>The development will not hinder future GreenWay cycle and pedestrian path opportunities. Rather the development improves access and removes existing encroachments</p>

Stormwater and flooding

The stormwater and flood management strategy is based upon detailed modelling that has been undertaken for the locality. The modelling results have been reviewed by Sydney Water as an appropriate basis for the detailed design and development of the four stages of the proposed development.

Name withheld submission

Issue	Response
Old Canterbury Road and Edward Street improvements should occur immediately	The detailed traffic assessment identified that the timing of these improvements should be included as part of a future Stage 3 application as reflected in the Concept Plan determination.
Access to light rail	The access is bound by active uses to encourage surveillance, and maximise user comfort and safety.
Relocation of bus stops	Relocation of existing bus stops was not required as a result of the Concept Plan agency consultation or detailed traffic and transport assessment. If the current stop is considered less than appropriate, consideration for its relocation could be separately considered or pursued outside this project Application.
Parking Controls	Any implementation of resident parking schemes is a decision for Council.
Site heritage	It is considered that the proposed development has embraced the sites heritage through the proposed retention and re-use of many buildings, structures and landscape features, consistent with the heritage assessment undertaken for the site.

Humphry submission

Issue	Response
Overshadowing of Spencer Street rear yards	The solar access analysis demonstrates that in the worst case of 9.00am mid-winter, shadow cast from the development is confined to the Edward street carriageway. Spencer Street is a residential block further west and will not be impacted upon by shadow cast by the proposed development.
Construction noise	The site will be the subject of a construction management plan, and hours of construction limited to typical construction hours permitted within the Ashfield Council area.
Tree removal and impacts upon wildlife	Trees to be removed will be replaced utilising

indigenous species and species suitable for the area. The significant plantings within the future open space area to be dedicated to Council are not impacted upon by the proposed stage 1 works.

O'Loughlin submission	
Issue	Response
Object to the Smith Edward Street roundabout	The roundabout is required as part of the Concept Plan determination

Attachment 3: Sydney Water Letter 24 December 2013

24th December 2012

Mr Scott Barwick
Associate Director
SJB Planning
Level 2
490 Crown Street
Sydney Water NSW 2010

Former Allied Mills Site 2 to 32 Smith Street Summer Hill

I refer to your letter dated 2nd November 2012 and the associated report 'Attachment 4 – Flooding Stormwater and Utilities Report' dated October 2012.

The submitted stormwater and flood management strategy described in the report is appropriate and supported by the Sydney Water Stormwater Group.

There will need to be a degree of refinement during the detailed design of the proposed works but in principle, with the incorporation of the proposed management measures and works there is no objection to the proposed development on stormwater and flood management considerations.

The proposed strategy and site design will need to be fine-tuned to work in with the broader operation of the local floodplain. In particular I refer to the development of the rail line and properties on the eastern side of the rail line.

There are investigations currently underway to develop additional pipe capacity under the railway line, very broadly along the lines of the previously discussed Options 3a and 3b (attached for information). These options would involve the connection of a large pipeline (preliminary estimate 1500mm diameter) at the headwall where the Sydney Water culvert currently 'daylights' just within your property.

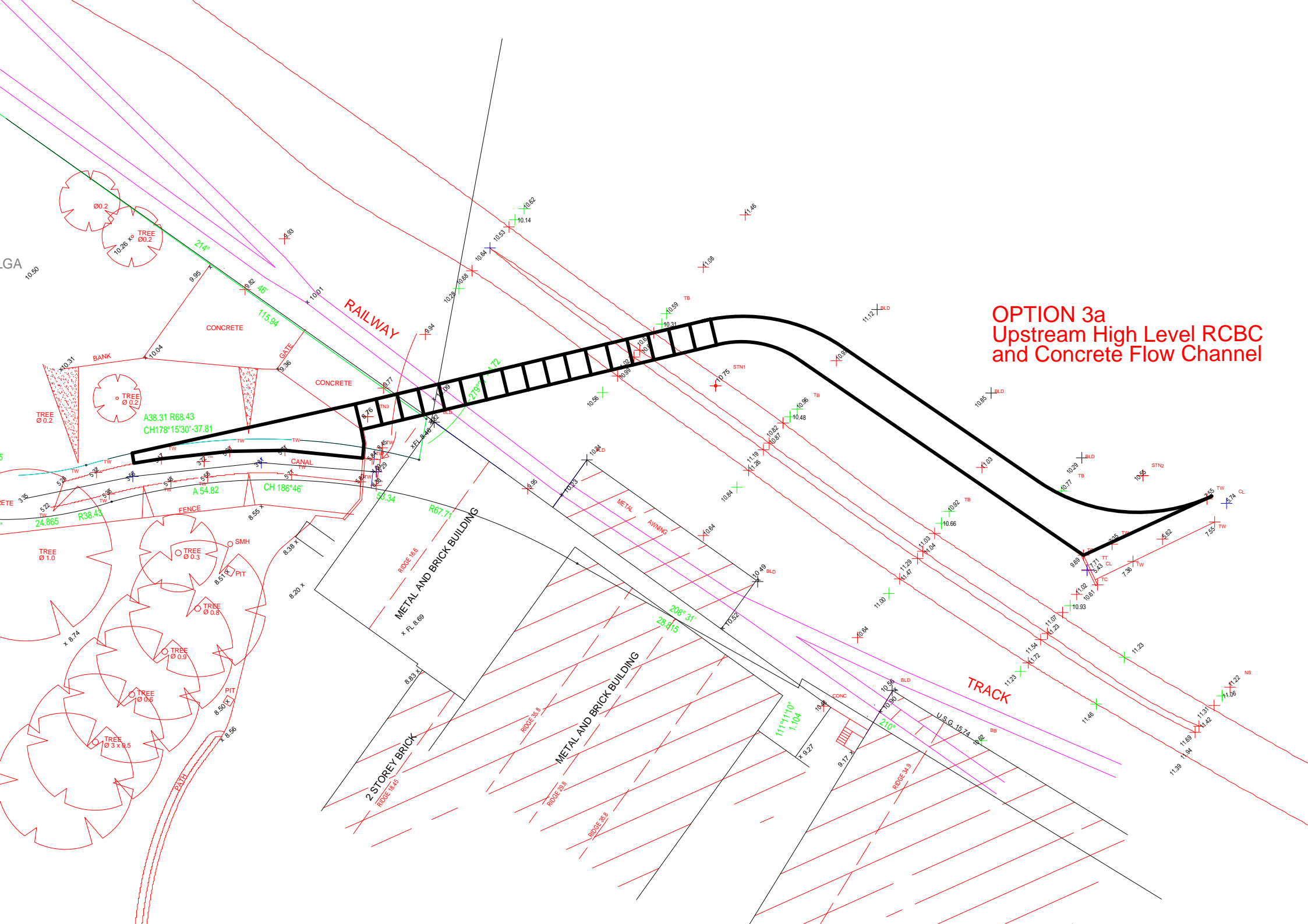
Based on the plans submitted to date Sydney Water does not anticipate any significant adverse impact on your property. There is some potential for the proposed pipeline to reduce the flood impacts and the extent of necessary flood protection works along your boundary and within the railway corridor.

Sydney Water would request a statement of commitment on your behalf to participate cooperatively in the process of design and implementation of flood mitigation works within the broader floodplain.

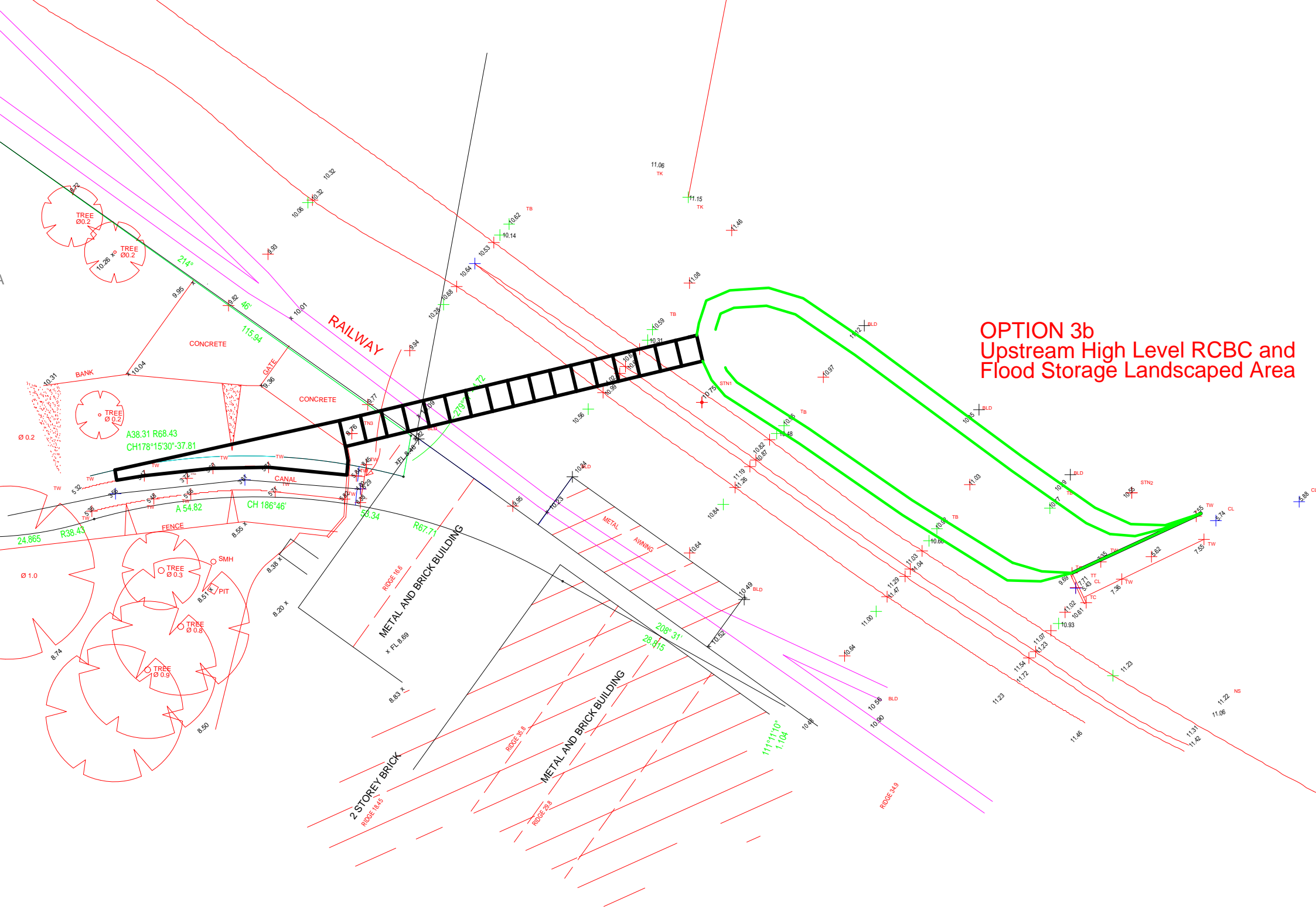
Yours sincerely

A handwritten signature in black ink, appearing to be the initials 'RP' or a stylized 'R' followed by a 'P'.

Ray Parsell
Senior Stormwater Asset Planner



OPTION 3a
Upstream High Level RCBC
and Concrete Flow Channel



Attachment 4: Supplementary Architectural plans and diagrams

Attachment 5: Arborists Report

Attachment 6: Infrastructure and traffic management Plan correspondence

Attachment 7: Aargus letter – Groundwater

Attachment 8: Ausgrid correspondence

Attachment 9: Concept subdivision report

Attachment 10: Statement of Commitments