



***ADDENDUM REPORT:***

**Project Application for Stage 1 Residential / Retail  
Development at the former Summer Hill Flour Mill  
site, 2-32 Smith Street, Summer Hill**

**MP 10\_0180**

Director-General's  
Environmental Assessment Report  
Section 75I of the  
*Environmental Planning and Assessment Act 1979*

July 2013

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## **BACKGROUND**

EG Funds Management (the Proponent) seeks Project Application approval for Stage 1 of the redevelopment of the Summer Hill Flour Mill site at 2-32 Smith Street, Summer Hill. The proposal relates to Stage 1 as approved by the Concept Plan for the site (MP 10\_0155) approved by the Planning Assessment Commission on 7 December 2012.

Specifically, the proposal seeks the demolition of existing structures and construction of 44 dwellings, 443m<sup>2</sup> of commercial / retail space, basement car parking for 53 vehicles, two new public streets, pedestrian and cycle access to the Lewisham West light rail stop, subdivision and dedication of road reserves and open space to Council.

The application has been assessed by the Department. The Director-General's Environmental Assessment Report, dated June 2013 included an assessment of the proposed Project Application and recommended approval of the proposal, subject to conditions.

A copy of the report and draft instrument of approval, including conditions was placed on the Department's website on 28 June 2013.

Four submissions have been received from the public authorities, including Ashfield Council, Transport for NSW, Roads and Maritime Services and Department of Primary Industries.

This addendum report provides consideration of the abovementioned submissions.

## **DEPARTMENT'S CONSIDERATION OF ISSUES**

- a) Ashfield Council requested that draft Condition No. C4 – Section 94 Contributions be amended to quantify the applicable contributions having regard to Council's Development Contributions Plan. The department has calculated that based on the proposed 44 dwellings, 443m<sup>2</sup> of retail area and applying a credit for the existing 1,674.5m<sup>2</sup> of gross floor area for the two level technical centre / administration building on the site, a Section 94 contribution of \$926,350.00 is to be paid to Council.

The Department's calculations for the required Section 94 contribution were forwarded to Council and the Proponent for concurrence. As a result, Condition No. C4 is to be amended as indicated in **Appendix A – Recommended Instrument**.

- b) Transport for NSW provided comments on the exhibited Environmental Assessment (EA), which requested the following:
- provision of an easement for walking / cycling path along the east of the development parallel to the Inner West Light Rail Line;
  - provision of easement to the north and south of the development to connect the path with the corner of Edward Street and Old Canterbury Road to the south and Smith Street and Carlton Crescent to the north; and
  - impacts from construction vehicles to regular / school bus services and pedestrian accessibility to public transport infrastructure to be investigated, with any impacts

The Department notes the submission from Transport for NSW however considers that the proposed easements are not feasible as follows:

- the proposed easements include areas of the site outside of the Stage 1 site area;
- buildings which are being retained on the site under the approved Concept Plan would fall within the boundaries of any easement provided and therefore a continuous easement cannot physically be provided as it has not considered site factors;
- the width of the Inner West Light Rail Line corridor that adjoins the site is considered to be of a suitable size to adequately cater for any proposed walking / cycling path; and

- no justification or draft plans incorporating the proposed easements and how these may link into a wider access network has been provided by Transport for NSW.

In relation to impacts from construction vehicles on bus services and pedestrian access, the Department considers that Condition No. D6 "Waste Management Plan During Construction" and D7 "Traffic and Pedestrian Management Plan" are considered to address the issues raised by Transport for NSW.

- c) Roads and Maritime Services provided a comment on the Response to Submissions report. RMS raises no objection to the proposal, subject to conditions outlined in correspondence forwarded to the Department following the exhibition of the EA for Stage 1.

The Department has reviewed the proposed instrument and notes that additional conditions are required to address the RMS submission and to ensure consistency with the Concept Plan RMS requirements. Therefore, Condition C3 is proposed to be edited (bold and underlined) and Condition G9 is to be included in the instrument:

### **C3. DESIGN OF INTERNAL ROADS, FOOTPATHS AND TREE PLANTING**

- (a) *Prior to the release of any Construction Certificate, approval is to be obtained from Council on the detailed technical design of the internal streets, access pathway between Smith Street and the Light Rail corridor boundary and street 'roundabout' at the corner of Smith and Edward Streets. Details are to include:*
- i) *road construction, kerb and gutter and drainage, footpaths and street tree planting; and*
  - ii) *accessway pavement finishes and structural substrate, tree planting types and locations, seating types and location, lighting type and locations and power supply, drainage and access locations to any infrastructure.*
- (b) *Prior to the release of any Construction Certificate for works associated with the pedestrian / cycle accessway link to the Lewisham West light rail corridor, the Proponent shall consult with Transport for NSW on the connection to the light rail corridor.*
- (c) **Prior to the release of any Construction Certificate the Infrastructure and Traffic Management Plan is to be approved by Roads and Maritime Services, in consultation with Ashfield Council.**

### **G9. ROAD AND INFRASTRUCTURE WORKS**

*Prior to the issue of an Occupation Certificate, the access pathway between Smith Street and the Inner West Light Rail Line boundary and the roundabout at the corner of Smith and Edward Street is to be constructed and operational.*

- d) The Department of Primary Industries provided a comment from the NSW Office of Water on the Response to Submissions report. DPI reiterated comments provided in terms of licensing requirements in relation to groundwater interception. DPI recommends that a condition be incorporated requiring the Proponent to seek advice on licensing requirements should groundwater be intercepted, or if the Proponent expects that groundwater will be intercepted.

The Department's assessment report notes that the Proponent clarified that no groundwater was encountered in any boreholes within the proposed basement areas of the Stage 1 development.

Notwithstanding, Condition No. A8 – Responsibility for other approvals / agreements is included which places the responsibility on the Proponent to ensure that all additional approvals and agreements are obtained from other authorities. In this regard, the Department is satisfied that the proposed condition addresses the submission by DPI.

## **CONCLUSION**

The Department has considered the comments received from submissions and reiterates the Department's previous assessment of the proposal as provided in the Director-General's Environmental Assessment Report. An amended instrument is proposed to address the above comments.

## **RECOMMENDATION**

It is recommended that the Executive Director of Development Assessment Systems and Approvals, as delegate for the Minister for Planning and Infrastructure:


- **consider** the findings and recommendations of the Director-General's Environmental Assessment Report;
- **consider** the findings and recommended of this Addendum Report;
- **approve** the Project Application subject to conditions; and
- **sign** the attached updated instrument of approval (**Appendix B**).

Endorsed by:



Ben Lusher  
**Team Leader**  
**Industry, Social Projects and Key Sites**

Approved by:



11. 2. 13

Chris Wilson  
**Executive Director**  
**Development Assessment Systems & Approvals**

## APPENDIX A. RECOMMENDED INSTRUMENT

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