

SAMPLE 'PRO FORMA' SUBMISSION

Name: CAITLIN WOOD

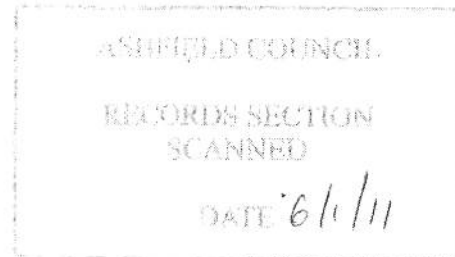
Business Name: SOMERVILLE FIRST NATIONAL

Address: 4 HERCULES STREET

Telephone: 0431 870 314

15th December 2010

General Manager
Ashfield Council
PO Box 1145
ASHFIELD NSW 2131



**Re: Application No 10.2010.301 Lot 2 DP 1111574- 2A
Brown Street, ASHFIELD**

Dear Madam,

I acknowledge receipt from Ashfield Council, notification of the above development application for the construction of mixed use Residential, Commercial and Retail development, incorporating 282 car parking spaces.

I wish to support the development as proposed.

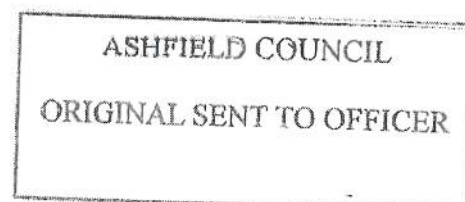
My interest in supporting the development is simply on the basis that:

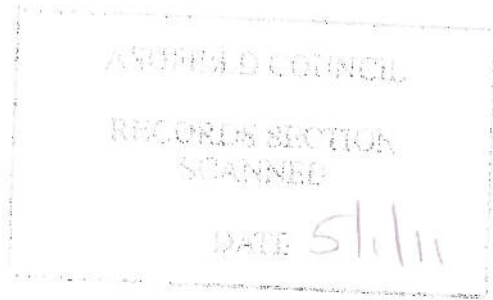
- a. I been assured that it will reinstate at least the 84 lost PUBLIC car parking spaces which sit idle and locked up on the site currently. Business in this area of Ashfield has suffered a dramatic downturn since the closure of the current car park, because shoppers SIMPLY CANNOT PARK, and keep driving to the next suburb.
- b. The development will bring much needed foot traffic to this area of the Ashfield CBD, something shopkeepers are crying out for.
- c. The proposed incorporation of a substantial supermarket in the retail area of the development should once again make this area of Ashfield a destination for Inner West shoppers. This will help invigorate the Railway Station Precinct

I also understand that the submitted proposal very substantially complies with the Masterplan which is in place for the site. **Please give this application the priority it deserves so we can once again make this precinct of Ashfield CBD the status it deserves.**

Yours sincerely

A handwritten signature in cursive script, appearing to read "C Wood".





Luke Zhang & Sandra Sii
77/1 Brown Street
Ashfield NSW 2131
Tel/Fax: 02 97998453
E-Mail: sandrahksii@gmail.com

20 December 2010

General Manager
ASHFIELD COUNCIL
260 Liverpool Road
Ashfield NSW 2131

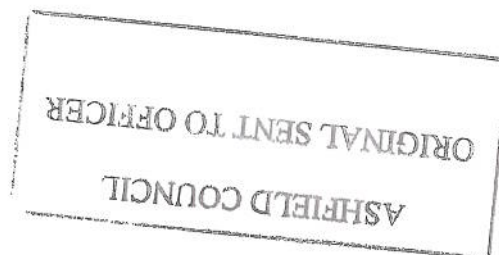
对改建 2A BROWN STREET 计划的意见

我们强烈反对将 2A BROWN STREET 改建为大厦。

反对的理由有如下 5 条：

- 1, 2A Brown Street 与我们所居住的 1 Brown Street 仅相隔一条小街，白天施工的噪音和粉尘将极大地影响我们的生活，尤其是对退休老人和婴幼儿更加严重，因为他们白天也会有很多时间在家。
- 2, 施工将会严重影响 Brown Street 及周边道路的交通。
- 3, 9 层的大厦将会遮挡 1 Brown Street 西翼几十个单位的阳光和视野。
- 4, 大厦建成后，新增的 282 辆机动车将会加剧 Brown Street 及周边道路的交通拥堵。
- 5, 施工将会毁坏 2A Brown Street 东侧和北侧的已经生长得很茂盛的树木。

此外，施工过程和建成的大厦对其南侧的办公大楼也会造成恶劣的影响，因为二者之间的距离非常近。如果政府认为，目前的老旧建筑必须拆除，我们建议将拆除建筑后的空地改造成为公园。



We strongly object to the demolition of existing structures and construction of a new building at 2A BROWN STREET.

The followings are the five reasons.

1. We live in 1 Brown Street which is just opposite 2A Brown Street and only separated by a narrow street. The construction noise and dust during the day will greatly affect our lives, especially to the retired elders and infants, as they will spend most of the times at home during daytime.
2. The construction of the new building will seriously affect traffic of the road surrounding Brown Street.
3. The sunlight and view from the apartments on the west wing of 1 Brown Street will be blocked by this new nine-storey building.
4. Once the building is completed, 282 vehicles of the householders and tenants will increase the traffic congestion on the roads surrounding Brown Street.
5. The construction of the new building will need to cut down the very well growth trees and plants of the east and north area of 2A Brown Street.

In addition, the development process and the completed new building will also cause adverse effects to the office building on its south side as they are very close to each other. If the Government believes that the current old building must be removed, we propose the transformation of the old building into a park.

General Manager
Ashfield Council
PO Box 1145
Ashfield NSW 2131

Dr David Hamer
110/1 Brown St
Ashfield NSW 2131
david.hamer@sydney.edu.au
0408 686 258

Submission

Development Site: Lot 2 DP 1111574; 2A Brown St, Ashfield

Application 10.2010.301

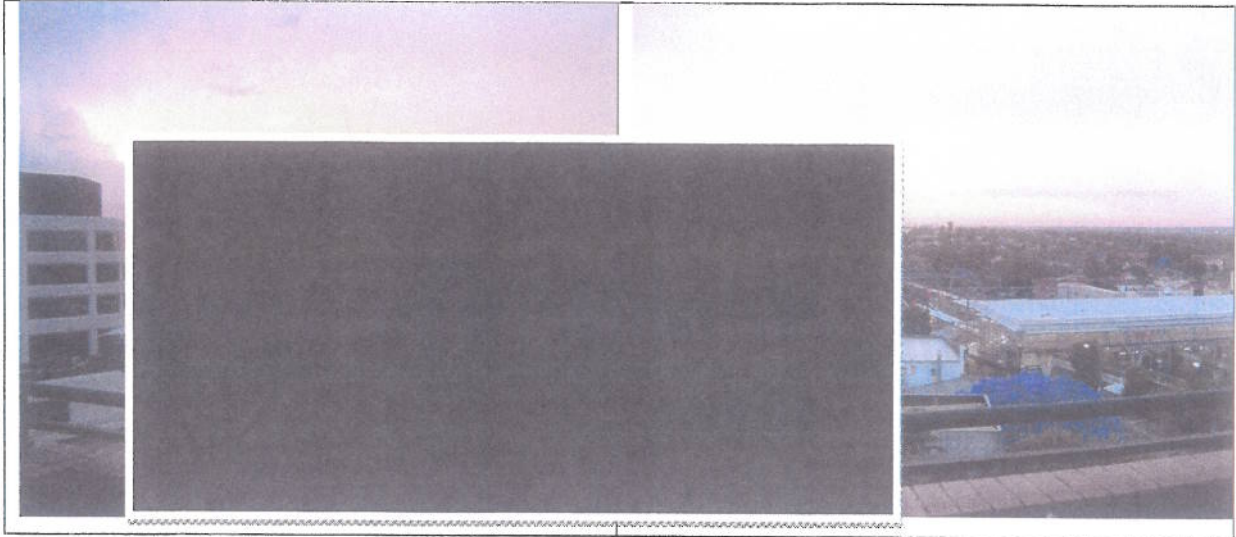
I live on the top floor of the block of flats at 1 Brown St. I look North West across Brown St. The planned development is directly opposite my flat. If the development goes ahead as planned it will affect my amenity in many ways. Over the many months of construction it will undoubtedly create a great deal of noise and dust, which will particularly affect me as I often work at home. Once built it will reduce the natural light I receive, wipe out my view, and greatly reduce my privacy. I am also concerned that it will increase congestion in the area, adding to the difficulties local residents already encounter in commuting and getting about. If the development is to go ahead, I think it should be reduced in size, and modified so as to minimise these adverse affects.

View; Privacy; Light



This is my view at present. On a clear day I can see all the way to the Blue Mountains, and I frequently see some magnificent sunsets. My flat is designed to maximise the advantage of this view. This basically is outlook from my dining room/study, lounge room and two bedrooms. All have

floor to ceiling windows to take advantage of it. In the photos you can see the roof of the current building at 2A Brown St. Based on my understanding of the plans, the planned development will have pretty much the same footprint and be a storey taller than my block at 1 Brown St. The effect on my view will be something like this (the black square represents the planned development):



This is from my balcony. The view from inside is narrower and will be wiped out almost entirely.

At the same time, I will lose a great deal of privacy. At present no one looks in at my flat. If the development goes ahead as planned, there will be two rows of flats opposite looking in on me. I am on the 8th storey including ground. The planned development has 9 storeys opposite me.

I will also lose a good portion of natural light. Of course, the effect will be far worse for those flats below mine, but in winter the only direct sun that I get is from fairly low in the sky to the North West – exactly where the development is planned.

The view, privacy and outlook made a significant contribution to my decision to buy the flat in mid-2010. I believe I paid quite a premium for these features.

I must admit that the development is not quite as bad as I initially feared. I was relieved to see that the plan includes a courtyard which runs right through it, parallel to Drakes Lane. This will provide a narrow corridor of light, reduce the loss of privacy, and preserve a tiny bit of my view.

Traffic congestion

The planned development includes shops, 120 dwellings, and an astonishing 5 levels of basement car park for 282 cars. The irresistible conclusion from this is that there will be a considerable additional number of cars on the road in the immediate area of the development, and my flat.

The development application included a traffic model which addressed this. If I understand it correctly, the developers claim that the model shows there will be no negative effect on traffic flows. How can this be? They do not assume that the 250 or so people moving to 2A Brown St will only use public transport, or that the massive new car park will remain empty. If they can prove that

the development will not adversely affect traffic flows, I dare say they can prove anything. Lies, damned lies and traffic models?

At the moment I'd say that traffic around Ashfield is not too bad for inner-city Sydney. (But then, given Sydney traffic, that is not saying all that much.) But there are some shocking intersections near the development, particularly the intersection of Frederick St and Elizabeth St. Traffic on Elizabeth St is frequently banked up dozens of vehicles both ways, and it can take up to several long cycles of traffic light changes to get across Frederick. This is just a few intersections to the NW of the planned development. It may be difficult for people in 2A Brown heading in that direction to avoid this. The alternative is for them to turn right on to Brown St and then head NW on Liverpool Rd. But crossing Brown to turn right may be awkward, and anyway, this will just make the Brown St / Liverpool Rd intersection worse than it is at present.

I have had limited time to study the plans, but as far as I could tell no intention was expressed to take any remedial steps – road improvements, new traffic lights, etc – to address the inevitable adverse effect on traffic flows around the new development, even assuming this were possible. More cars means more congestion, more time wasted commuting and getting around.

Suggested changes to the development

At the moment the block at 2A Brown St is unused. Clearly something should be done with it. Ashfield does not have a great deal of green space given the number of people living in the area, particularly young children. A park would be far preferable to a medium-rise block of flats. If the development does go ahead, I do hope that the courtyard will be open to the public. This could add to the amenity of the area.

If the development does go ahead, it should be reduced in size. I would suggest that one level of basement car-parking, and one level of residential development be dropped. This would decrease the pressure on traffic flows, and reduce the adverse effects on residents at 1 Brown St with a NW outlook in terms of loss of view, privacy and natural light.

The loss of privacy, view and natural light for 1 Brown St residents could also be significantly mitigated by a slight change to the plans, enhancing the positive effects of the courtyard. There should be a slight change to the block on the NW side, the one that runs along Drakes Lane. According to the current plans, this block widens where it meets Brown St, opposite 1 Brown St. It is only a matter of a few metres, but from the point of view of the residents at 1 Brown St, this closes off the light corridor significantly. The plans should be altered so that the Drakes Lane block does not widen at Brown St. The development would lose relatively little in terms of floor space, but this change would significantly reduce the light/privacy/view losses of the residents opposite at 1 Brown St.

* * *

I am pretty sure that others at 1 Brown St who are similarly affected would have similar views. I do not know how many submissions you have received from 1 Brown St residents and the surrounding area, but it seems likely that you would have received many more if the timing had been different. Many people are away at this time of year, particularly around here, with its large immigrant

population many of whom appear to visit relatives overseas over the summer. 1 Brown St has been extremely quiet over the last month.

I did put a request into the Council that the time for submissions be extended (by email on 27/12/10, attention: Director Planning and Environment), but I received no response (other than a standard form letter thanking me for my submission, and making no reference to the substance of my request).

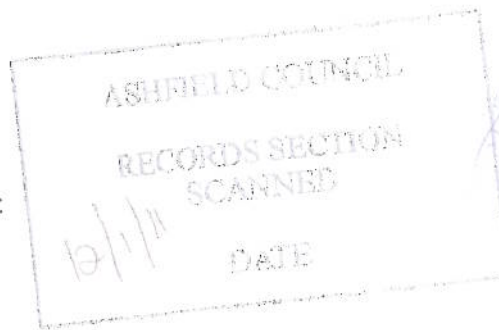
The timing has also made it difficult to get information about the development. The library – one of the two places where the plans were available for inspection – was closed over much of the Xmas and new year period. And when I went to the Council offices to inspect the plans and ask questions about them, I was informed that the usual Council Officer dealing with such queries was not there, and there was no one who could assist me.

Thank you for the opportunity to make this submission. I trust my views will be given due consideration.

Yours sincerely,

David Hamer

Ashfield Council
The Director Planning and Environment
260 Liverpool Road
Ashfield NSW 2131



Dear Sir/Madam,

I'm writing in response to your letter regarding the proposed development site known as Lot 2 DP 1111574 (2A Brown Street ASHFIELD NSW, Application no: 10.2010.301.

I reside in 149/1 Brown St Ashfield, which is directly opposite the proposed development site. I have a few objections to the development as follows:

1. It would not be healthy and right to build such a large development within an already congested zone, there are 178 units in are complex, and a further 100+ units in the 17-20 the esplanade complex. The train station traffic adds to the congestion, the street is a narrow single lane street and introducing further traffic congestion via the new development site will have serious health, pollution, noise and environmental implications for the existing residents.

A development this large would be suited to another area which has not had the population and commercial growth which Brown Street has reached and any further growth would be unsustainable.

2. When I had purchased my unit in November 2010 i was happy with the view of the trees outside, the natural sunlight entering the unit and the view of the sky. If the development goes ahead it would seem that the view would be totally blocked, reducing sunlight and destroying the current view which inevitably would reduce the Market Value of my unit.

I have lived in Leichhardt and Petersham for a combined 30 year period and have never experienced such a large development in such a confined space which is already quite congested.

As existing rate payers and residents I would prefer that the development not proceed due to the negative impact that this would have on existing resident's unit values, health, environmental and traffic overflow factors which could potentially destroy the natural harmony of Brown Street.

I to hear of a positive outcome for all existing residences
Thank you for your consideration in this matter.

Ms Mona Ayper Akin

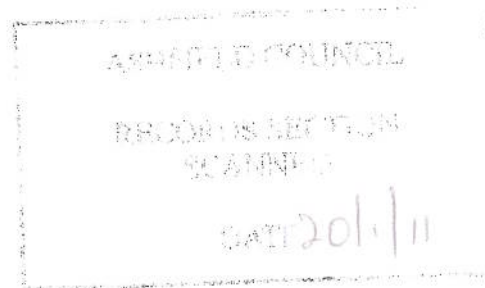
Ph (Home): 02 8095 9604
UNIT 149/1 Brown St
ASHFIELD NSW 2131

11/1/2011



17 January 2011

The General Manager
Ashfield Municipal Council
PO Box 1145,
ASHFIELD NSW 1800



26 JAN 2011

Attn: Mr. Phil Sarin, Director Planning and Environment

Dear Mr. Sarin,

re DA 10.2010.301 – Proposed Mixed Use Development at No. 2A Brown Street, Ashfield

We write on behalf of GE Capital Real Estate ("GE") in relation to the abovementioned Development Application for the demolition of the existing warehouse at No. 2A Brown Street and the construction of a mixed use development containing five basement levels, ground floor retail use and two residential towers of eight storeys each ("the Proposed Development").

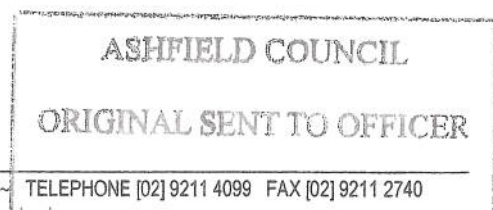
GE owns and manages the adjoining site to the south-west known as No's 223 – 239 Liverpool Road, Ashfield ("the GE site"). The GE site contains a part 3 storey, part 6 storey and part 7 storey office building. The Proposed Development seeks consent for two eight storey structures, one of which is between 0m and 9m from the GE site.

BBC Consulting Planners has reviewed the DA documentation exhibited by Council, and, on behalf GE, we hereby lodge an objection to the Proposed Development.

By way of background, the GE site and No. 2A Brown Street were formerly one allotment of land. In August 2004, Ashfield Council consented to a Masterplan DA for redevelopment of the structures on what is now No. 2A Brown Street. The GE site was a part of the Masterplan DA approval, but only for the purposes of subdivision. In devising the Masterplan DA, the then owners obviously accepted the impacts of the Masterplan development on what is now the GE site. The current proposal is very similar to the approved Masterplan development, despite the fact that the Masterplan consent has lapsed and the former single allotment is now held by separate owners.

GE does not accept the impacts of the Proposed Development. In our opinion, the Masterplan DA is irrelevant to consideration of the Proposed Development. It is not indicative of what is acceptable at No. 2A Brown Street.

The grounds for objection are as follows.



55 MOUNTAIN STREET BROADWAY NSW ~ PO BOX 438 BROADWAY NSW 2007 ~ TELEPHONE [02] 9211 4099 FAX [02] 9211 2740

EMAIL: bbc@bbcplanners.com.au ~ WEB SITE: www.bbcplanners.com.au

ABN 24 061 868 942

1. The GE site is unreasonably affected by overshadowing and view loss

The Proposed Development is considered an overdevelopment of the site that has unreasonable shadowing and view impacts on the GE site.

The Proposed Development does not comply with the Ashfield LEP with regards to floor space ratio (FSR) and relies upon a special provision within the Ashfield LEP to achieve a greater FSR than generally allowed.

The Proposed Development relies upon special provisions within the Ashfield DCP to achieve a building height of eight storeys where a six storey height control generally applies.

An eight storey building form has significant overshadowing and view loss impacts on the GE site.

The overshadowing impacts of the Proposed Development are considered severe. More than half of the northern end of the existing building on the GE site is heavily overshadowed from 9am to approximately 2pm in midwinter. The lower floors of the building are expected to receive no solar access when impacted by other adjoining developments. The GE site currently enjoys excellent solar access. It is immediately evident that the top floors of the Proposed Development contribute towards a significant amount of the proposed overshadowing.

The view loss impacts of the Proposed Development result in total loss of northern and north-easterly views from the GE site. The existing building within the GE site enjoys excellent views to the Inner West and North Shore. While it is unreasonable to expect the existing views to be maintained totally, a development that complied with Council's general building height control would at least maintain some views from the upper floors of the GE building.

The GE site is also within the 3(a) General Business Zone where the existing commercial office building may be redeveloped for mixed use purposes with a general scale of six storeys. As such, the reasonable development potential of the GE site includes a mixed commercial and residential development which achieves solar access and views from the northern aspect of the site, and which ought to be provided with reasonable access to such when No. 2A Brown Street is developed.

The Applicants are seeking an eight storey building form, as opposed to the six storey building height control, on the basis of providing public car parking. However, we fundamentally disagree with the suggestion that the provision of public car parking should justify additional building height. In these circumstances the additional building height unreasonably overshadows and visually interrupts the existing enjoyment of adjoining land and the reasonable development potential of adjoining land. The town planning profession generally regards that one development should not dominate an existing view corridor at the expense of another, and one development should not take most of the available sunlight at the expense of another, especially as the GE site has a north-east aspect toward No. 2A Brown Street. We believe that a more skilful design in regards to overshadowing and view loss is warranted. Fundamentally, any public benefit arising from car parking should not be used to justify a proposal which has significant private impacts by virtue of additional and unnecessary building height.

A six storey building height consistent with the Council's planning controls may promote reasonable view sharing between the sites (and primarily the upper floors of the GE building) and more reasonable overshadowing impacts.

A reduction in height of the proposed southern building from eight storeys to six storeys would have immediate utility in making overshadowing impacts more reasonable. However, view impacts would remain due to the northern building. We submit that a portion of the southern most corner of the development can be excised from the scheme to maintain some north-eastern views at the very least.

As stated earlier in this submission, the former approval of a Masterplan is considered irrelevant to the merits of the Proposed Development because the former proposal was on land held by the same owner. Whilst the overshadowing impacts and view loss impacts may have been acceptable to Macquarie Goodman in 2004, they are not acceptable to GE in 2011.

We request that the Applicants reduce the scale of the proposed development and explore other options to improve solar access and views for the GE site.

2. The boundary works are poorly resolved

The Proposed Development seeks consent to construct a new wall on the common boundary between No. 2A Brown Street and the GE site to create a one storey podium for a pedestrian colonnade and some landscaping. The common boundary is currently a bitumen passageway between the sites that allows informal pedestrian access between Brown Street and Drakes Lane. The existing passageway appears to be jointly divided between No. 2A Brown Street and the GE site. However, if the Proposed Development took place, a narrow section of the existing passageway would remain on the GE site but the existing stairs at the Brown Street end would be demolished because they are situated on No. 2A Brown Street. The removal of the stairs will create a dead end within the GE site which is undesirable, inequitable and creates concerns over security and criminal activity.

Further resolution of the boundary works is required. The existing staircase may remain in-situ and the Proposed Development altered accordingly. Otherwise, the Applicants should offer to relocate the existing stairs onto the GE site.

3. It is unclear how the car park will be ventilated

The DA drawings and DA documentation do not specify or suggest the presence of any mechanical exhaust of the car parking levels. GE is concerned that car parking exhaust will be directed into its property from the south-western podium wall of the Proposed Development. We ask that Council confirm the position of car parking exhaust with the Applicant. The mechanical services for supply air are evident in the DA drawings, but not the exhaust system.

4. Site contamination has not been resolved adequately

The DA documentation does not adequately address whether or not the site is contaminated, and therefore the DA does not adequately address State Environmental Planning Policy No. 55 – Remediation of Land. In this regard, the comments contained within the Applicant's Statement of Environmental Effects regarding limited past uses of the site and Council

having no record of contamination are unconvincing that the site does not contain contaminated material. A professional Site Contamination Assessment should be prepared. We find it difficult to believe that the site has not been used for any industrial purposes, or that the former use of the (upstream) GE site was not industrial prior to construction of the modern day office.

5. The driveway for the GE site needs to be separated from the proposed pedestrian colonnade

The Proposed Development may intensify the occurrence of pedestrians walking through from Brown Street to Drakes Lane by providing a more attractive pedestrian colonnade than the current situation. The GE site has a driveway adjacent to the proposed colonnade and the driveway is likely to be used by pedestrians as a short cut from the street to the colonnade. GE's driveway adjacent to the colonnade is within No. 2A Brown Street and subject to a right of carriageway. A barrier separating the driveway from the colonnade is required. We note that the current access arrangements aren't ideal and the proposed arrangements are similar. However, the Proposed Development is likely to increase through-site movements and place the safety of pedestrians at greater risk.

6. There should be increased landscaping between the sites

There should be a greater amount of landscaping along the common boundary with GE's site. The DA proposes a first floor pedestrian colonnade with shrubs and small trees. The width of the colonnade presents an opportunity for more substantial tree planting along the boundary.

Closing

Having noted the above concerns in relation to the Proposed Development, we believe that Council should defer the Development Application for amendment. In particular, the overshadowing and view loss impacts on the GE site require significantly greater scrutiny.

This submission also identifies insufficient information lodged with the DA. The shortcomings of the DA should be rectified and the DA should be re-exhibited for public comment. We request that we be given a reasonable opportunity to inspect any new material.

We request that we be advised in advance of the date of any Committee or Council meeting at which the DA is ultimately determined, in order that we may, if required, make appropriate arrangements to present our client's concerns with this application.

We thank Council for the opportunity to make this submission. Should you require any further information or you should wish to discuss this objection, please contact the undersigned or Russell Hand of this office on 9211 4099.

Yours faithfully,
BBC Consulting Planners

A handwritten signature in dark ink, appearing to read 'R Hand per:', is written over the typed name of Robert Chambers.

Robert Chambers
Director
Email: bob.chambers@bbcplanners.com.au