

Judith Elijah

From: Nicholas Najar <NicholasNa@ryde.nsw.gov.au>
Sent: Tuesday, 24 October 2023 1:55 PM
To: Judith Elijah
Cc: Sandra Bailey; SanjuR; Lashta Haidari
Subject: Request for Extension of Time - Council Submission on 39 Delhi Road - SSD-55844212 - COR2023/91

Dear Judith

Council understands the submission for the 39 Delhi Road, Build to Rent SSD Proposal (SSD-55844212) was due on the 22/10/23 however due to the significant amount of SSD's (9) Council is reviewing, Council is unable to make the submission date. As such Council requests an extension of time to the **4th of December 2023.**

Council will be making a submission on the proposal and appreciates the additional time to finalise its submission. In short, **Council objects to** the Application in its current form and Council's submission will be raising significant issues that will need to be addressed prior to any determination. Certain issues but not all include:

- 1) **Voluntary Planning Agreement**– Council requests that **no determination is to occur** until a VPA has been established with the proponent and Council. The Applicants proposed VPA is inadequate and unlikely to satisfy Council. Council wishes to engage the Proponent in establishing a VPA.
- 2) **Urban Design and Place making Outcomes** – At a high level Council does not support the proposed site outcome in its current form, from both a place making perspective and urban design outcome. The following are key issues:
 - a. The proposal provides 93% residential uses, small scale retail on only one street frontage. Residential uses predominate on two of the three street frontages. There is no commercial, innovation or office hub or other working spaces provided. This aspect is inconsistent with the Macquarie Park place strategy and doesn't deliver the vision and objectives of the place strategy.
 - b. Council is unsupportive of the non-compliant basement setbacks, within the 10m area.
- 3) **Strategic Planning** – At a high level Council is unsupportive of the scheme from a strategic perspective in its current form, as:
 - a. The proposal to deliver 510 dwellings, results inconsistency with the phasing and delivery of dwellings proposed under the Macquarie Park Place Strategy. Concern is raised in respect of sufficient infrastructure within the Precinct to handle the additional residential density (when it is identified as commercial)
- 4) **Floor Space Ratio** – The application proposed results in a breach of the incentive provisions maximum FSR under clause 6.9 of the RLEP 2014. Clause 6.9 outlines the "Maximum" amount of FSR or height achievable. The subject application breaches this by transferring unused GFA from the stage 1 site, into the SSD Stage 2 site. Considering the remaining site area for stage 2 and the associated GFA with stage two it would result in a breach of FSR to approx. 4:1. This would occur when the road is subdivided off from stage 1. This is unsupportable. It's also noted that:
 - a. The Applicant has not counted its Wind Reports requirements into FSR.
 - b. The Applicant has not counted the surplus parking (over the housing SEPP's 0.2:1 requirement) in GFA.
 - c. Revised GFA calculation drawings are required. This may require a reduction of FSR to comply with the "Maximum" incentive provision permitted via clause 6.9 of the RLEP 2014.
- 5) **Economic Impact** - Council does not support the Stockland's proposal of two Build-to-Rent (BTR) housing towers and ground retail uses for the following key reasons:

- a. The Assessment would benefit from more evidence around the opportunities for mixed-use development, which would likely support a more vibrant and diverse mixed-use development outcome.
 - b. The proposal could be more innovative. The Assessment does not consider the long-term needs and, thus, opportunities to deliver a mixed-use development that provides the proponent with flexibility in how they could respond to future commercial/financial risks.
 - c. Concern is raised where applications are begin submitted with purely residential components, with no significant commercial components. This is doubled with the effect that there is a serious infrastructure deficiency that the precinct is faced with. Providing a significant total residential GFA without the required time for the Macquarie Park to catch up infrastructure needed to support the precinct.
- 6) Acoustic Impact** - The submitted acoustic assessment confirms that residential amenity will be severely compromised in certain apartments during both day time and nighttime, due to noise impacts. This is unacceptable and the application in its current form doesn't demonstrate that there is sufficient mitigation measures and design outcomes to appropriately manage noise.
- a. To minimise the potential long-term impact to residents, ensuring that apartment construction is done in a way to protect the amenity of the occupants in very important at the planning stage, this can be achieved through demonstrated compliance with the AAAC 5 Star Certification. As such an amended acoustic report shall be provided that will assess and confirm compliance with a 5 star rating as described in the AAAC Guideline for Apartment and Townhouse Acoustic Rating V1.0 dated June 2017.
- 7) Wind Impact** – The submitted Wind Impact Assessment has not undertaken a meaningful assessment of the site and surrounding constraints. Appendix L is a “general assessment” which recommends further assessment be undertaken. Further it appears that the wind impact recommendations are not included in the design and in turn, counted to the proposed GFA. As such Council requires:
- a. A Wind Impact Assessment that undertakes a site-specific assessment (including wind tunnelling)
 - b. The Architectural design is to reflect the required recommendations (and any further mitigation measures, subject to the updated assessment)
 - c. The Applicant is to include the required recommendations into their GFA and provide an updated GFA Schedule. This may require redesign and reduction of massing to stay within the incentive provision under clause 6.9 of the Ryde Local Environmental Plan 2014 (RLEP) maximum.
- 8) Stormwater and Flooding** – Council requires further information relating too:
- a. Please provide clarification of the new proposed pits. It is unclear if there is a new junction pit proposed within the driveway. Please show the new and existing pits in a different layer. Details of all new drainage infrastructure (pits and pipes) to be included in the stormwater management plan.
 - b. The design parameters for the proposed OSD in the stormwater management system are noted to be designed/ derived utilising DRAINS software modelling. To ensure the adequacy of this modelling, it is requested that the data input files be provided for review with the results saved for each particular storm event. This will require files run for both the 20% AEP and 1% AEP storm events
 - c. Full electronic copies of executable TUFLOW modelling file compatible with QGIS software (including batch file for run and flood difference file) clearly identifying each scenario shall be submitted to Council for further assessment. Electronic copy of modelling results for pre and post development scenario for velocity, depth, flood level, VxD and VxD afflux, flood level afflux for 1% AEP and PMF in .asc format shall be submitted.
- 9) Vehicle access** - further information is needed on a sustainability and resilience perspective. This includes:
- a. A section through the loading bay area, is required to ensure the required headroom clearances are provided.
 - b. The retail parking and loading bay entry lack any sight distance splays which would enable emerging drivers to see approaching traffic or pedestrians.

- 10) Traffic** - Council does not support the applicants proposed pedestrian link, that results in the closure of new link road. The road currently provides two-way travel throughout the precinct and is the only east-west road. New Link Road is to remain a two way throughfare.
- Given the significant intensification of dwellings and the impact they would have on the surrounding road network, the applicant is to engage with the relevant landowner in respect to connecting Rennie Street with Lucknow Road to ensure the road network can handle the intensification of the site.

11) Sustainability and Resilience – further information is needed on a sustainability and resilience perspective. This includes:

- There is no detail on the installation of EV charging infrastructure or assessment
- Clarification is required on the proposals intent to be fully electric by 100% renewable energy (RE). The EIS claims that it will be fully electric, however the submitted ESD Report (Appendix AA, suggests this will only apply to common areas). Further information is required.

The above is a short summary of what Council's detailed submission will raise. Council welcomes the opportunity to engage with both DPE & the Applicant on the issues that will be raised in the Council submission.

I trust the request for extension is acceptable. I will formally request this via the portal. Any issues please let me know.

Kind Regards
Nic

Nicholas Najjar
Development Advisory Officer - Town Planner
DEVELOPMENT ADVISORY SERVICES
M +61403215603
E NicholasNa@ryde.nsw.gov.au
W www.ryde.nsw.gov.au



Customer Service Centre 1 Pope Street, Ryde (Within Top Ryde City shopping centre)
North Ryde Office Riverview Business Park, Building 0, Level 1, 3 Richardson Place, North Ryde

Let's Connect [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#) | [eNews](#)



The City of Ryde wishes to acknowledge the Traditional Custodians of the Land on which we work and pay our respect to the Elders both past, present and emerging, and extend that respect to all Aboriginal and Torres Strait Islander peoples.

This email is privileged and confidential. If you are not the intended recipient please delete the message and notify the sender. The use, copying or distribution of this message or any information it contains, by anyone other than the intended recipient is prohibited. Unless stated otherwise, this email represents only the views of the sender and not the views of the City of Ryde Council. Please note: information provided to Council in correspondence may be made publicly available, in accordance with the Government Information Public Access Act (GIPA Act) 2009.