

Submissions Report

Triniti Stage 2 Build-to-Rent (SSD-55844212)

39 Delhi Road, North Ryde

Submitted to the Department of Planning, Housing and Infrastructure
on behalf of Stockland Development Pty Ltd



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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J. Crime Prevention Through Environmental Design (CPTED) Report	Harris

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K. Ecological Sustainability Development	<i>LCI</i>
L. Arboricultural Impact Assessment	<i>Urban Arbor</i>
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N. Transport and Accessibility Impact Assessment	<i>Colston Budd Rogers & Kafes</i>
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Executive Summary

This Submissions Report has been prepared by Ethos Urban on behalf of Stockland Development Pty Ltd (Stockland) (the Applicant) to address the matters raised during the public exhibition of the mixed-use build-to-rent development (SSD-55844212) located at 39 Delhi Road, North Ryde (the site).

The State Significant Development Application (SSDA) was lodged and publicly exhibited for 28 days from 28 September 2023 until 26 October 2023. During this time, 125 submissions were raised from government agencies and the general public. In addition, a request for a response to submissions was issued by the Department of Planning, Housing and Infrastructure (DPHI) on 27 October 2023, with a subsequent request for additional information issued on 16 November 2023. The SSDA, as exhibited, sought approval for a mixed-use build-to-rent development consisting of 508 residential apartments, ground level commercial and retail uses and the delivery of communal residential amenities.

Overview of Submissions

In relation to the public exhibition of the SSDA, a total of 125 submissions were received. These included submissions made by relevant government agencies and members of the public. Specifically, submissions were received from the following:

- Ausgrid
- Department of Planning and Environment (DPE) Water
- Environment and Heritage Group (EHG)
- Environmental Protection Authority (EPA)
- Fire and Rescue NSW
- Government Architects NSW (GANSW)
- Heritage NSW – Aboriginal Cultural Heritage
- Heritage NSW – Heritage Council
- NSW State Emergency Service (SES)
- Sydney Metro
- Sydney Water
- Transport for NSW (TfNSW)
- City of Ryde Council (Council)
- General Public

The submissions related to a range of issues that included:

- Strategic Justification and Land Use
- Built Form and Urban Design
- Traffic and Parking
- Visual Impact
- Acoustic Impact
- Biodiversity Impact
- Solar access and overshadowing
- Interface with the public domain
- Infrastructure and services
- Flooding
- Site Suitability

Actions taken since exhibition

Following the public exhibition of the SSDA, the Applicant has undertaken extensive engagement with key government agencies, including DPHI, GANSW and Council to obtain feedback on massing options that have been modelled to respond to the submissions received.

Through this process, the scheme has been significantly redesigned in collaboration with the aforementioned stakeholders to respond to submissions and to ensure a positive outcome on the site and the surrounding area. Specifically, the key design refinements that have driven the amended scheme include:

- Relocation of massing from the north-eastern corner of Building C to Building B, creating an 8-9 storey linear and articulated building fronting New Link Road.
- Refinements to the public domain including opening up of the Northern Entry Plaza and an increase to the open space on the eastern boundary to improve the interface with the planned park to the east.
- Increased setbacks to New Link Road and Rivett Road to enhance public domain and pedestrian experience.
- Introduction of a secondary pedestrian through site link along the southern boundary linking Rivett Road and Rennie Street to further enhance connectivity and access throughout the site and broader precinct.
- Refinements to the façade materiality to better reflect the character of the surrounding area and to connect with Country.

- Reconfiguration of the unit mix and apartment layouts within Building B & C to reflect the amended building envelopes.

By implementing these design refinements, the proposed development responds to the submissions raised and ultimately, results in a better outcome for the site. The following provides a summary of the key benefits of the amended scheme:

- Reduction in overshadowing and increase in solar access to the future public open space identified to the east of the site under the Macquarie Park Precinct Place Strategy (Place Strategy) from 21% to 50% of the total area between 10am to 2pm during mid-winter.
- Improved connectivity and address to the future public open space to the east of the site.
- Increase the amount of deep soil from 7% to 16%, allowing for the increase in tree canopy coverage from 18.34% to a total of 25.5%, including the retention of additional existing BGHF trees.
- Improve public domain accessibility with public space increasing from 25.9% and 49.5% and greater connectivity through the site.
- Reconfiguration of communal open space to ensure a high level of amenity and better distribution of facilities.
- Improved building massing and articulation with defined street walls responding to adjacent sites, reduced bulk and increased variation in built form and heights.
- Reinforces compliance with Clause 6.9 of the Ryde Local Environmental Plan 2014 (Ryde LEP).

Overall, the proposed development as amended under this response to submissions process will result in positive outcome for the site.

Updated Project Description

Due to the implementation of the abovementioned refinements, the project description as exhibited is required to be updated. As such, the revised scheme will specifically comprise of the following:

- Site preparation and excavation;
- Construction of a new build-to-rent development comprising a shared podium with three new buildings ranging between 9 to 20 storeys. Specifically, the following is proposed:
 - 1,631m² of non-residential floor area at ground level, including commercial and retail uses,
 - 38,750m² of build-to-rent housing, including a total of 510 dwellings,
 - 1,703m² of communal residential amenity facilities located throughout the building;
- Basement and Ground Floor carparking, comprising a total of 155 car parking spaces, 313 bicycle spaces, 5 motorcycle spaces, 1 carwash bay and 4 loading bays;
- Vehicular access provided via Rivett Road for retail, services, loading and waste removal, and Rennie Street for residential use;
- Use of approximately 164 existing carparking spaces from adjacent Trinita basement (Stage 1) as residential carparking;
- Associated landscaping and public domain works;
- Augmentation of, and connection to, existing utilities as required; and
- The proposal seeks to remove a total of 26 trees, noting a total of 95 trees are proposed to be retained.

For a detailed description of the updated project description, refer to **Section 3.0** of this report.

1.0 Introduction

This Submissions Report has been prepared by Ethos Urban on behalf of Stockland Development Pty Ltd (Stockland) (the Applicant) to address the matters raised during the public exhibition of the State Significant Development Application (SSDA) SSD-55844212 which is currently under assessment. This report should be read in conjunction with the Environmental Impact Statement (EIS) prepared on behalf of Stockland in support of the SSDA for a new Build-to-Rent (BtR) development at 39 Delhi Road, North Ryde (the site).

The SSDA was lodged and was publicly exhibited for 28 days from 28 September 2023 until 26 October 2023 in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act). During this time, 125 submissions were received from government agencies and the general public. In addition to the submissions received, the Department of Planning, Housing and Infrastructure (DPHI) undertook an assessment of the application and issued a Request for Further Information (RFI) on the 16 November 2023.

The Applicant and its consultant team have considered all issues raised in the submissions and prepared a detailed response in this report and the accompanying documents, in accordance with Clause 59(2) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) as well as the DPHI's *State Significant Development Guidelines*, including *Appendix C – Preparing a Submissions Report*.

This Submissions Report provides an analysis of submissions, actions taken since Public Exhibition, the Applicant's response to submissions and provides an updated justification of the proposed development. It is accompanied by supporting information and technical reports (refer to the Table of Contents).

1.1 Exhibited Development

The SSDA, as exhibited, sought approval for a new mixed-use build-to-rent development at 39 Delhi Road, North Ryde, which forms the second stage of the Trinita redevelopment. Specifically, the exhibited development sought consent for the following:

- Site preparation and excavation, including the removal of 28 trees.
- Construction of a new Build-to-Rent development on the Trinita Stage 2 site, comprising a shared podium with three new buildings ranging between 2 to 20 storeys. Specifically, the following is proposed:
 - 1,851m² of non-residential floor area at ground level, including commercial and retail uses,
 - 39,031m² of build-to-rent housing including a total of 508 dwellings,
 - 1,518m² of communal residential amenity facilities located throughout the building.
- Basement and ground floor carparking, comprising a total of 155 car parking spaces, 108 bicycle spaces, and 6 motorcycle spaces and 1 carwash bay.
- Adaptive reuse of the Stage 1 basement carpark, including the use of approximately 164 commercial carparking spaces as residential carparking.
- Vehicular access providing via Rivett Road for retail, services, loading and waste removal, and Rennie Street for residential use.
- Activation and revitalisation of existing New Link Road (subject to acceptance by Council) to be used as a pedestrian shared zone.
- Associated landscaping and public domain works; and
- Augmentation of, and connection to, existing utilities as required.

1.2 Site Overview

The site is known as the 'Trinita' site, at 39 Delhi Road, North Ryde, within the Ryde Local Government Area (LGA). The site is legally described as Lot 21 in DP 1003588 and has a total area of approximately 27,410m². The site currently comprises the existing Trinita Business Campus (Stage 1) on the northern portion of the site and the Trinita Stage 2 site on the southern portion of the site, which is currently vacant.

Figure 1 shows the site and its surrounding context.

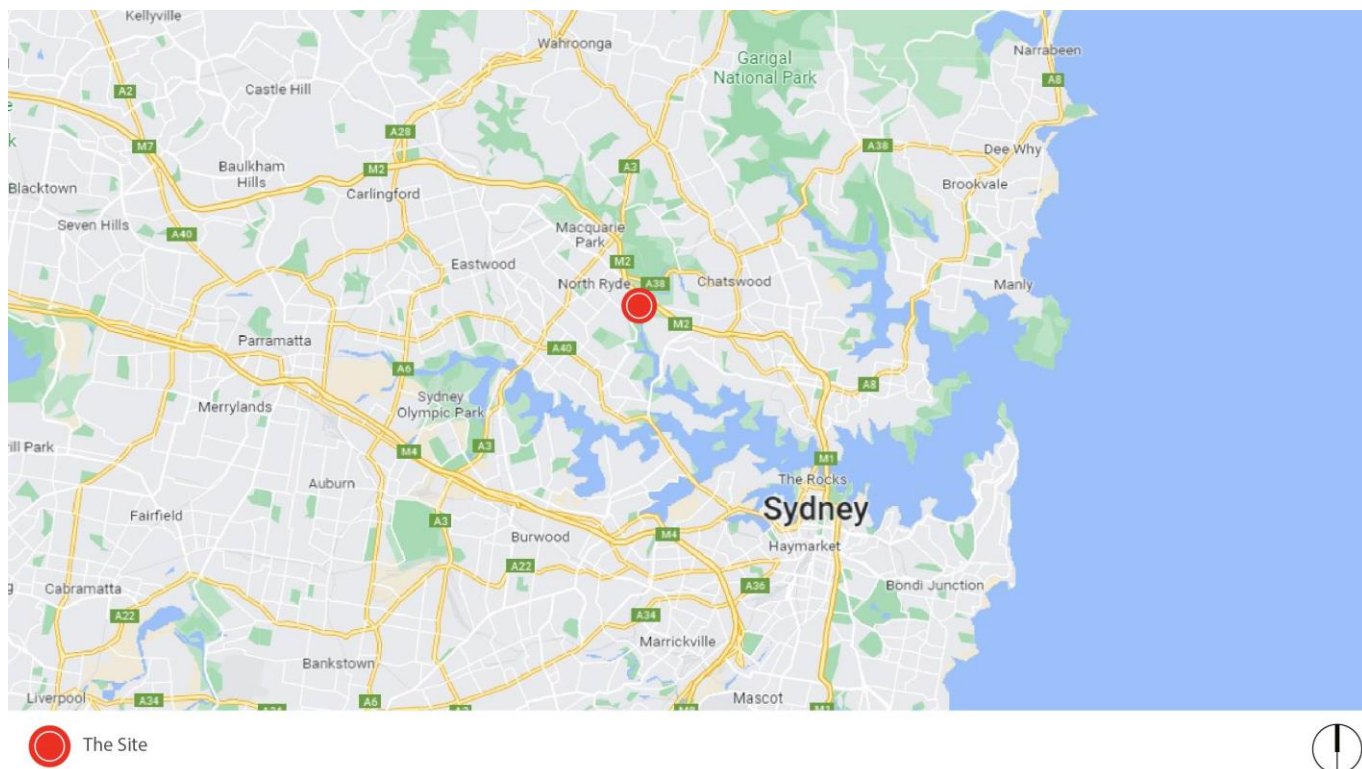


Figure 1 Site Context Map

Source: Google Maps / Ethos Urban

1.3 Project Objectives

The principal objective of the proposed development relates to the provision of additional housing options to respond to a coalition of key demographic trends in Sydney, including a well-publicised shortage of appropriate housing options, declining housing affordability, an expanding population of younger renters, as well as a general shift towards higher density living. The proposal therefore seeks to address these growing issues through a significant delivery of housing options that cater towards a broad market, within an integrated mixed-use precinct that also provides complementary employment opportunities as well as generous recreational spaces.

Key objectives of the proposed development are to:

- Facilitate the renewal of an underutilised parcel of land at a critical location in Macquarie Park as part of the North Ryde Riverside Precinct.
- Contribute to the surrounding neighbourhood by delivering a high-quality, contemporary, activated mixed-use precinct that supports innovation and jobs.
- Enhance the streetscape through an improved pedestrian experience and activating the existing New Link Road, as well as delivering an engaging through-site link.
- Integrate the built form and design with the contemporary urban landscape of the North Ryde Riverside Precinct, which has been established as a distinctly high-density, mixed-use locality.
- Ensure a high level of residential amenity by providing an abundance of communal amenities throughout the development.
- Create a viable commercial presence on the site, at a scale that will support the ongoing and future role of Macquarie Park as a place for innovation and collaboration.

2.0 Analysis of Submissions

2.1 Breakdown of Submissions

In addition to DPHI's letter requesting additional information, a total of 126 submissions were received during the public exhibition of the SSDA. Of the 125 submissions, 14 were from the State and Local Government agencies and 111 were from the community. A breakdown of the submissions received is provided in **Table 1** and **Table 2**.

Table 1 *Summary of Submissions Received*

Stakeholder Group	Submission Name	Total
Agencies	Ausgrid	13
	Department of Planning and Environment (DPE) Water	
	Environment and Heritage Group (EHG)	
	Environment Protection Authority NSW (EPA)	
	Fire and Rescue NSW	
	Government Architect NSW (GANSW)	
	Heritage NSW – Aboriginal Cultural Heritage	
	Heritage NSW – Heritage Council	
	NSW State Emergency Service (SES)	
	Sydney Metro	
	Sydney Water	
	Transport for NSW (TfNSW)	
	Transport for NSW – Sydney Trains	
Councils	City of Ryde Council	1
Public	Anonymous (78)	111
	Deon Liebenberg	
	Dinuka Guanasinghe	
	Nev Goodyer	
	Pascal Segalin	
	Andrew Johnson	
	Dominic Lai	
	Paul Chang	
	Andrew Li	
	Edmond Chow	
	Qing Dan	
	Andy Ang	
	Howe Wu	
	Sing Chow Yeung	
	Ben Robertson	
	Hyojin Park	
	Qingfeng Jessie Zeng	
	Carmen Noya	
	Jimmy Zhang	
	Ranira Ambrose	
	Chapman Planning Pty Ltd on behalf of Ryde Gardens	
	Joseph Fiamengo	
	Stephen Sheppard	
	Coran Ho	
	Khiam Teoh	
	Steve Ryan	
	Cristian Garcia	
	Marilyn Fiamengo	
	Yeny Cristina	
	Da Zheng	
	Namhee Kim	
	Yoosun Oh	
	Daniel Juhn	
Total Submissions		125

Table 2 *Position of Submissions*

Author	Objection	Neutral	Support	Additional information requested and/or recommended conditions	Total
Councils, stakeholder groups and agencies	1	7	0	6	14
Public	106	2	3	0	111
Total	107	9	3	6	125

It is noted that Council presented two separate submissions, including a preliminary letter covering the key issues on 24 October 2023 and a final objection dated 17 November 2023. For the purposes of this analysis, Council's objection has been counted as one submission.

2.2 Summary of Submissions

2.2.1 Submissions of support

As demonstrated in **Table 2**, three submissions of support were received from the general public. A summary of these submissions and the reasons for support are outlined below:

- The proposed development offers more dense housing options in a location with substantial amenity and accessibility, contributing to alleviating the current housing affordability and rental crisis.
- Shifting the building from commercial land use to residential land use will not impact the existing environment and better responds to the needs of the local community.
- The site has no significant or considerable ecological value.
- The increase in population will boost the local economy and generate business activity.

2.2.2 Categorisation of key issues

A categorical summary of the issues raised in the submissions against the proposal and those that requested additional information is provided in **Table 3**.

Table 3 *Categorisation of issues*

Category	Issue	Stakeholder
The Project	Built form and urban design	DPHI / GANSW
	Streetscape and public domain	DPHI / GANSW / Council
	Building façade and materiality	DPHI / GANSW / Council
	Landscaping, deep soil and tree canopy coverage	DPHI / GANSW / Council
	Services, facilities and amenities	DPHI
Procedural matters	Misuse of Clause 6.9 of the Ryde LEP 2014	DPHI / Council
	Voluntary Planning Agreement	DPHI / Council
	Conflict with Previous Approvals on the site	Council
	FSR and GFA transfers	Council
	Parking surplus and conversion of Trinita Stage 1 basement.	Council
	Infrastructure services	Ausgrid / DPE Water
	Community Consultation	General Public
The economic, environmental, and social impacts of the project	Solar access and overshadowing	DPHI / Council / Public
	Wind Impact	DPHI / Council
	View Loss and Visual Impact	DPHI / Public
	Environmental amenity and compliance with the ADG	DPHI
	Waste management plan and services	Council
	Accessibility	Public
	Flooding	EHG / NSW SES
	Biodiversity	Council / EHG
	Traffic and Parking	DPH / Council
	Sustainability	Council

Category	Issue	Stakeholder
The justification and evaluation of the project as a whole	Land use and strategic planning	Council / Public
	Consistency with the Macquarie Park Precinct Place Strategy	DPHI / GANSW / Council
Issues that are beyond the scope of the project	Economic Value of BTR	Public
	Financial Implications on Council rates	Council

A detailed response to the key issues raised in submissions is provided in **Section 4.0**, while a comprehensive and detailed response to all issues have been responded to in **Appendix D**.

A submissions register is provided at Appendix A, which identifies where issues raised in each submission have been addressed in this report.

3.0 Actions taken since exhibition

This section summarises the further engagement undertaken by the Applicant, describes any refinements or amendments to the Proposal and the further impact assessment undertaken.

3.1 Project Amendments

Following the public exhibition of the proposed development, a number of design refinements and amendments have been made in response to the submissions received and further design development. Importantly, these refinements and changes remain consistent with the overall vision and objectives of the exhibited SSDA and do not raise any additional environmental impacts.

The following amendments are proposed to the project:

- Relocation of massing from the north-eastern corner of Building C to Building B, creating an 8-9 storey linear and articulated building fronting New Link Road and consequential amendments to the apartment mix and layout.
- Refinements to the public domain including opening up of the Northern Entry Plaza and an increase to the open space on the eastern boundary to improve the interface and access to the planned park to the east.
- Increased setbacks to New Link Road and Rivett Road to enhance public domain, recreation and pedestrian experience.
- Introduction of a secondary pedestrian through site link along the southern boundary linking Rivett Road and Rennie Street to further enhance connectivity and access throughout the site and broader precinct.
- Increase in deep soil and tree canopy cover, as well as the retention of additional trees within the site.
- Refinements to the façade materiality to better reflect the character of the surrounding area and to connect with Country.
- Introduction of signage zones throughout the development.

An artistic impression of the proposed development, including the provisions of the above project refinements is illustrated below in **Figure 2**.



Figure 2 Artistic impression of the revised design.

Source: Amended Design Report

To reflect the abovementioned amendments, an updated project description is provided at **Appendix C**.

3.1.1 Numerical overview

A numerical overview of the amended project in comparison to the submitted SSDA is provided below in **Table 4**.

Table 4 Numerical overview of the proposal

Metric		SSDA Scheme	Revised RtS Scheme	Change
Total Site Area		27,410m ²	27,410m ²	No change
Trinita Stage 2 Development Area (Note: This development area excludes New Link Road and the Stage 1 development area)		10,614m ² (used to calculate ADG metrics as this is the southern residential component of the site)	10,614m ² (used to calculate ADG metrics as this is the southern residential component of the site)	No change
Land Use		Build-to-Rent housing with basement carpark and ground level retail and commercial uses.	Build-to-Rent housing with basement carpark and ground level retail and commercial uses.	No change
Gross Floor Area	Trinita Stage 1	39,820m ²	39,820m ²	No change
	Proposed Trinita Stage 2	42,400m ²	42,084m ²	- 316m ²
	Total	82,220m ²	81,904m ²	- 316m ²
Floor Space Ratio		3:1 (including Stage 1)	3:1 (including Stage 1)	No change
Building Height		65m (RL 122.9)	65m (RL 122.9)	No change
Site Coverage		7,446m ²	6,482m ²	964m ²
No. of Units	Studio	43 (8%)	48 (9%)	+5
	1 Bedroom	204 (40%)	217 (43%)	+13
	2 Bedroom	237 (47%)	219 (43%)	-18
	3 Bedroom	24 (5%)	26 (5%)	+2
	Total	508	510	+2
Car Parking (total)		319	319	No change
Solar access to planned open space (10am-2pm on 21 June)		21%	50%	+29%
Public Domain (% of total area)		2,750m ²	5,257m ²	+2,507m ² Change in public domain is a result of refined massing and revisions to calculation method.
Communal Open Space		5,412m ² (51%)	8,098m ² (76.3%)	+2,686m ² (+25.3%)
Deep Soil		765m ² (7.2%)	1,700m ² (16%)	+935m ² (+8.8%)
Tree Canopy Coverage		1,947m ² (18.34%)	2,706m ² (25.5%)	+759m ² (+7.16%)
ADG Solar Access		369 units (73%)	355 units (70%)	-14 units (-3%)
ADG Cross Ventilation		128 units (60%)	158 units (60%)	+30 units (0% difference)
Street Wall (New Link Road)		4 storey street wall	9 storey street wall, which is commensurate in height	+5 stories

Metric	SSDA Scheme	Revised Rts Scheme	Change
		with the commercial building on Trinita Stage 1.	

3.1.2 Refinements to layout and built form

The DPHI, Council and GANSW raised significant concern relating to the overshadowing impacts to the future park located to the east of the site that has been proposed under the Place Strategy. Specifically, it was requested that the built form and massing be refined to ensure that 50% of the park can receive solar access between 10am-2pm during the winter solstice.

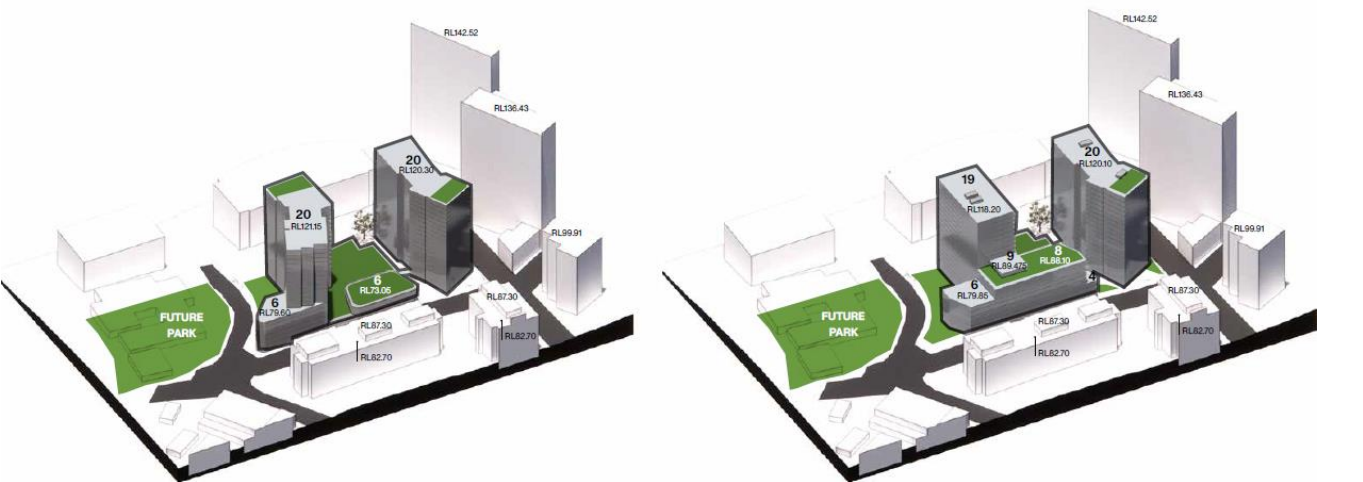
It is noted that the original proposal comprised a shared podium, with two 20-storey residential towers located along Rennie Street and Rivett Road (Building A and C), and a low-rise amenity building (Building B) situated between the two towers fronting New Link Road.

In response to the submissions raised, the built form and massing as exhibited is required to be amended to mitigate impacts to the future park. As such, the development has been amended accordingly and specifically, includes the transfer of massing from the north-eastern corner of Building C to Building B, which ultimately creates a 9 storey building for Building B and a 19 storey building for Building C.

The revised scheme directly responds to the surrounding development by providing an articulated and defined street wall along New Link Road that will ensure an appropriate interface and height transition with the lower scale nature of the existing Riverside Business Park opposite the site. This will assist in reducing the perceived bulk and scale and ensure that it is more aligned with the natural topography of the site.

The revised height, bulk and scale is generally consistent with the vision for the area and the broader development context and it is considered that it will result in a high quality urban design outcome, improved from that originally submitted. The built form and massing of Building A will remain the same and no changes are proposed.

Figure 3 below illustrates a comparison between the submitted and revised scheme that clearly shows the design amendments undertaken. The amended built form and revised distribution of massing will reduce the bulk and scale and reduce the environmental impacts to the surrounding development.



SSDA Scheme

Proposed Scheme

Figure 3 Comparison between the SSDA scheme and the proposed scheme

Source: Koichi Takada Architects

As a result of the abovementioned revisions to the built form and massing, a number of subsequent amendments have been made to the proposed development, including the following:

- Reconfiguration of the apartment mix and layout reflecting an increase in apartment numbers from 508 to 510 units. It is noted that the increase in apartment numbers is a result of changes in the unit mix and the provision of more smaller unit types.
- Increase in deep soil from 7.2% to 16% as well as an increase in tree canopy coverage from 18.34% to 25.5%.

- Increase in communal open space by 2,686m².
- Adoption of a 12m building separation (habitable room to balcony) of the podium and an 18m separation (habitable room to balcony) above Level 4 between Building A and B.

The abovementioned amendments are detailed further within **Section 4.3** of this report.

3.1.3 Refinements to the public domain

During public exhibition, the GANSW called for improved connectivity across the precinct and the configuration of the recreation areas. They also raised comments in relation to the size, permeability and openness of the entry plaza and retail lane, resulting in the public domain appearing more privatised. It was requested that the quality of the public domain be improved.

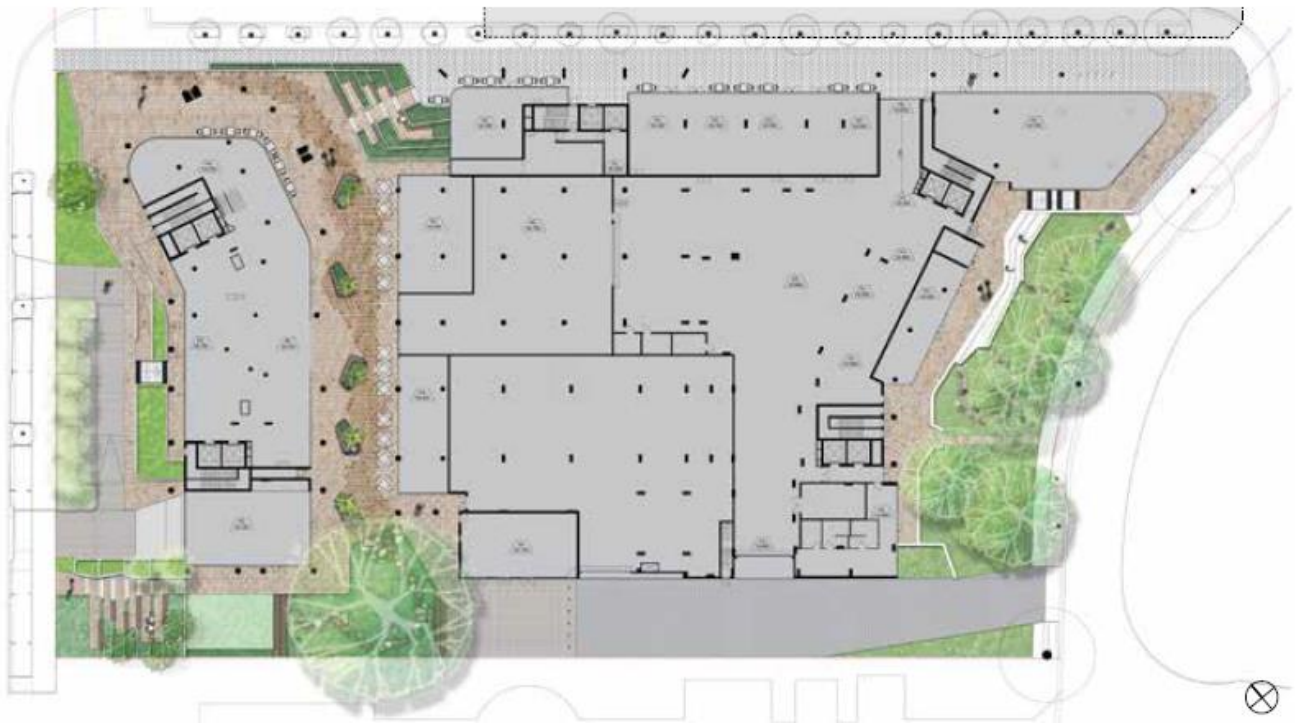
As such, the following design amendments have been made to increase the amount and improve the quality of the public domain:

- Provision of an east-west pedestrian link along the southern boundary to better connect Rennie Street to Rivett Road and improve connectivity to the planned open space to the east.
- Opening up of the north-eastern corner by reducing the retail component to provide more open space.
- Refined orientation of the northern entry stairs, which has been designed to promote opportunities for rest and dwell in place, the tiered approach and positioning of the stairs maximised the solar amenity and reduced the need for tactiles and handrails in this key entry area.
- Revisions to the northern entrance planting zones, including reduced height to maximise the permeability, accessibility and visual connection between New Link Road sidewalk and into the plaza,
- Increase the width of the retail laneway from 11m to 13.5m to provide an improved interface between the tenancies along the laneway.
- Additional space with increased deep soil, retention of trees, and soft landscaping at Rivett Road to ensure a green and active frontage, enhancing the interface with the planned park to the east.

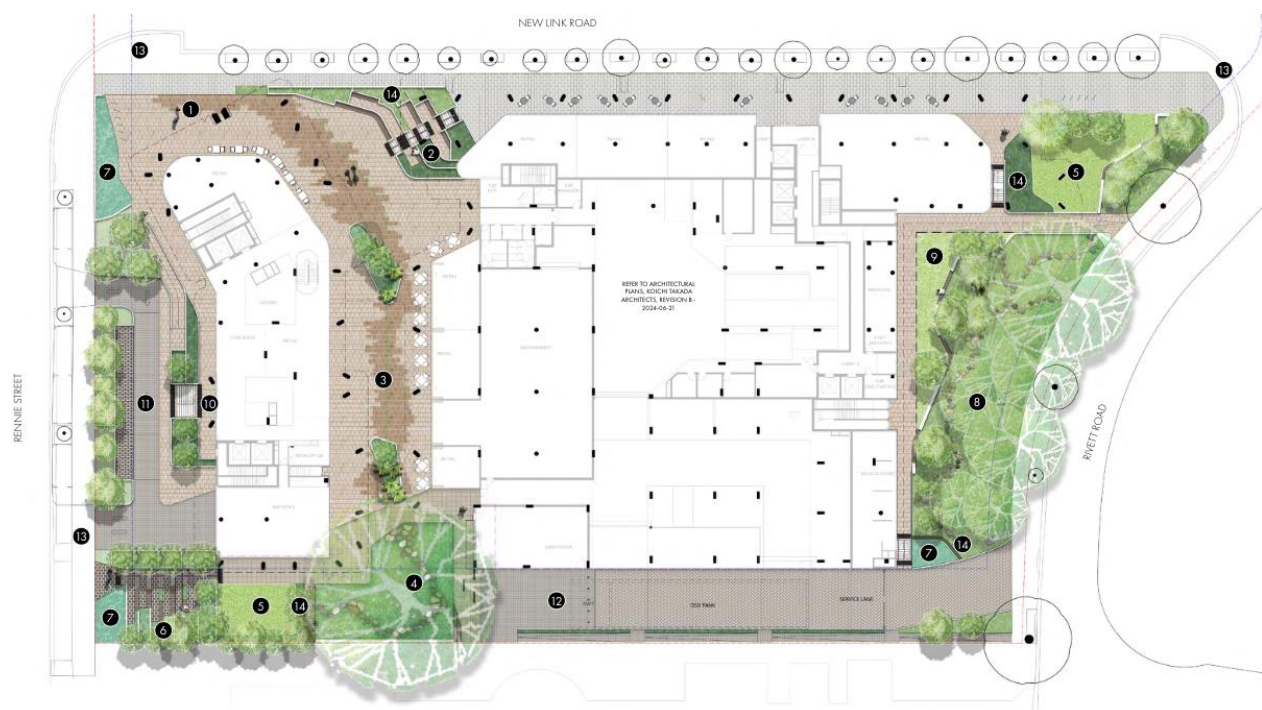
It is noted the changes to the northern entry plaza have increased visual permeability and physical public access through the site as much as possible whilst still ensuring appropriate flood and wind mitigation, and a high level of accessibility.

Overall, these refinements to the public domain will not only increase the overall amount, but they will also enhance the accessibility, functionality and appearance of the public domain, while also addressing and responding to deep soil, tree canopy coverage, flooding, accessibility and wind impact concerns.

The proposed improvements to the public domain are illustrated in **Figure 4** below:



SSDA (As Lodged)



Revised RtS Scheme

Figure 4 *Revisions to the public domain*

Source: Koichi Takada Architects

3.1.4 Refinements to landscaping

The landscaping for the development has been amended to accommodate the abovementioned refinements to built form and massing. Specifically, the following amendments have been incorporated:

Podium Level

The podium communal open space has been refined accordingly to reflect the revised built form and layout of the development. It will continue to provide an open lawn, nature play, seating area, and a walkway. **Figure 5** below provides an excerpt of the revised landscape plan for the podium level.



Figure 5 Podium Level Landscape Plan

Source: Square 1 Landscape Architecture

Amenity rooftop levels

The design has been refined to include landscaping to the rooftop on Level 10 of Building B, increasing the residential amenity of the development, and incorporating a more environmentally conscious design. The Level 10 rooftop has been designed to include a pool and spa, deck seating, outdoor fitness and windbreak screen planting, demonstrated in **Figure 6** below.

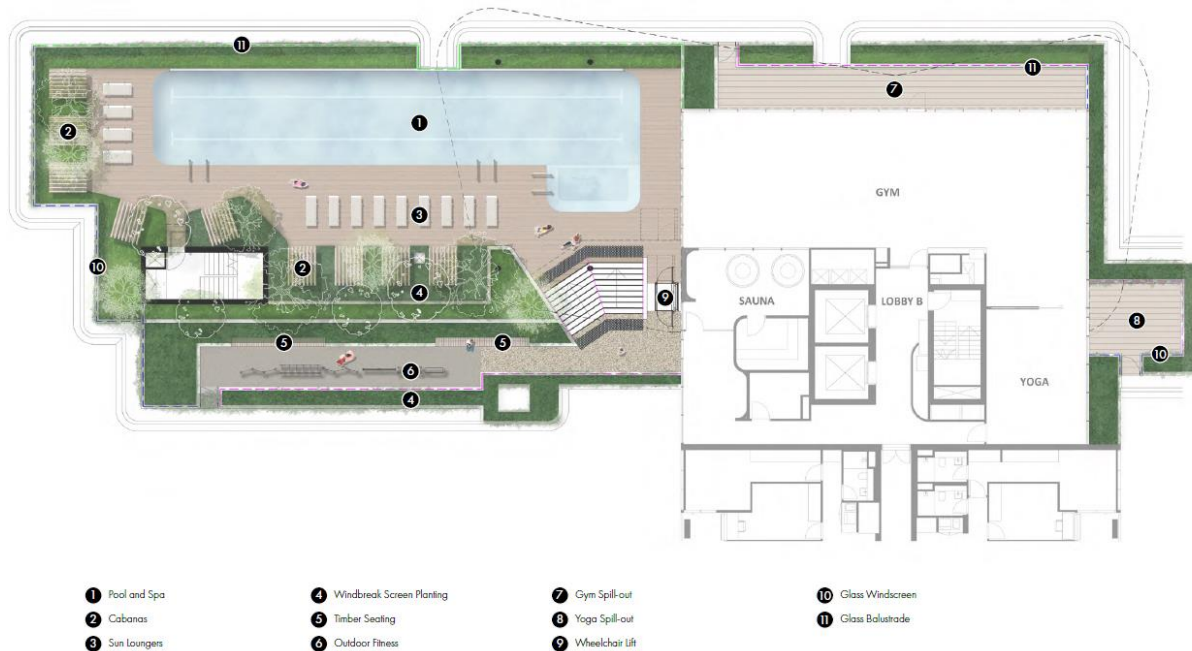


Figure 6 Level 10, Building B Rooftop

Source: Square 1 Landscape Architecture

The Level 20 rooftop of Building A has also been revised to include a raised multi-purposed lawn, a dining and gathering area and a lounge area to further improve the residential amenity of the development through using the rooftops as an opportunity for additional open space.

Tree planting

The refined design reduces the number of trees required to be removed and trees requiring tree sensitive construction. As detailed in the Arborist Report (**Appendix L**), the revised scheme seeks to retain an additional 4 trees, including Tree 8, 9, 38 and 39 along the eastern boundary. Notwithstanding, the RtS scheme seeks to remove an additional two trees, including Tree 13 and 14. As such, the proposal seeks to remove a total of 26 trees, which is a net reduction of 2 trees in comparison to the original SSDA scheme.

Evidently, the revised design outcome has a positive result relating to the recommendation of retaining more trees and removing less trees. As a result of this, the revised scheme will see an increase to the tree canopy coverage and deep soil of the site and therefore, ultimately improve the consistency of the project with relevant design guidelines under the Place Strategy.

A numerical analysis of the revised landscaping scheme is demonstrated in **Table 5** below.

Table 5 *Refinements to landscaping scheme*

Landscaping element	SSDA Scheme	Revised RtS Scheme	Change
Tree Canopy Coverage	1,948m ² (18.34%)	2,704m ² (25.5%)	+7.16%
Deep Soil	756m ² (7.2%)	1,700m ² (16%)	+8.8%

3.1.5 Refinements to the external façade and materiality

The external façade has been refined to soften the built form and further reflect the character of the surrounding area and to exemplify connection with Country through form, colour and texture. Specifically, the towers have been refined through the reduction of glazing and introduction of materials in a natural colour palette.

As detailed within the Design Report, the building façade comprises of three main design features, including the horizontal slab edges detailed with a ‘river’ feature, combined with soft edges that provide an organic, yet contemporary residential building that is respectful of the surrounding environment. A continuous and contrasting colour banding has been incorporated, which emphasises the curves and horizontality along the façade. The incorporation of natural materials and greenery will help to reduce the perceived bulk and scale, and enhance the landscape character of the ground plane.

The revised material palette is demonstrated below in **Figure 7**.

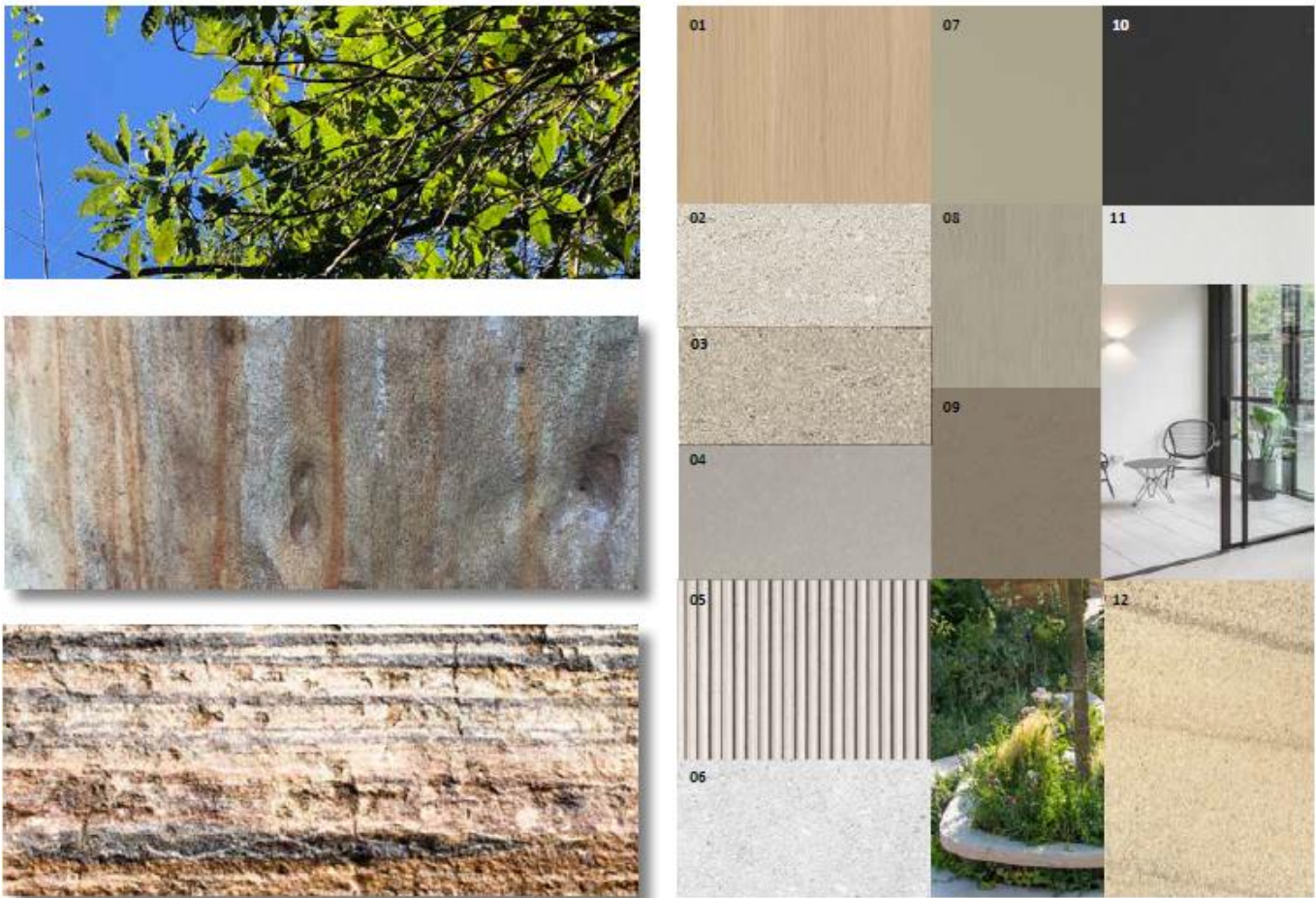


Figure 7 Refined Material Palette
Source: Koichi Takada Architects

3.1.6 Signage Strategy

As part of this RtS, the Applicant seeks to elaborate on the signage for the proposed development. As such, a Signage Strategy Report has been prepared by Frost (**Appendix G**), which details the location, indicative content, dimension constraints, materiality and construction specification for each sign.

The Strategy proposes the provision of 13 signs throughout the building, which are summarised in **Table 7** below.

Table 6 *Signage Specifications*

Sign Type	Amount	Location	Specifications
ID-1 High Level Building Signage	3	<ul style="list-style-type: none"> 2 x ID-1 sign at the western elevation of Building A fronting Rennie Street. 1 x ID-1 sign at eastern elevation of Building C fronting Rivett Road. 	<ul style="list-style-type: none"> Site landmark as 3D illuminated sign form. Maximum signage zone is 5600mm in width and 5600mm in height.
ID-2 Low-Level Building Signage – Glazing Mounted	2	<ul style="list-style-type: none"> 1 x ID-2 sign at eastern elevation of Building A fronting the internal laneway. 1 x ID-2 sign at northern elevation of Building A fronting New Link Road. 	<ul style="list-style-type: none"> Site landmark as 3D illuminated sign form. Maximum signage zone is 7500mm in width and 2000mm in height.
ID-3 Low-Level Building Signage – Under-awning	3	<ul style="list-style-type: none"> 1 x ID-3 sign at western elevation of Building A fronting Rennie Street. 1 x ID-3 sign at eastern elevation of Building A fronting the internal laneway. 1 x ID-3 sign at northern elevation of Building B fronting New Link Road. 	<ul style="list-style-type: none"> Site landmark, illuminated. Maximum signage zone 4500mm in width and 1500mm in height.
ID-4 Address Signage	5	<ul style="list-style-type: none"> 2 x ID-4 sign at eastern elevation of Building A fronting the internal laneway 1 x ID-4 sign at western elevation of Building A fronting Rennie Street. 1 x ID-4 sign at northern elevation of Building B fronting New Link Road. 1 x ID-4 sign at eastern elevation of Building C fronting Rivett Road. 	<ul style="list-style-type: none"> Site landmark, street address and building identification, non-illuminated. Maximum signage zone 1500mm in width and 3500mm in height.

3.2 Staging of Development

As detailed in the EIS, the project is proposed to be constructed, occupied and operated in stages. An indicative delivery and phasing strategy is provided below:

- Phase 1 – Early works including site establishment and preparation, shoring to the basement walls and bulk excavation.
- Phase 2 – Construction and delivery of the basement, ground floor and Building A residential tower. This will include essential services required to operate the completed areas, as well as facilities and amenities such as the concierge and lobby area, loading dock, residential car parking, retail bathroom facilities, coworking and residential amenities.
- Phase 3 – Construction and delivery of Building B and C residential tower and remaining retail. This will also include the end of trip facilities, residential amenities, and staff amenities to the Rivett Road frontage. It will also include completion of the final retail tenancies to New Link Road and the landscaping and public domain works surrounding the Building C tower footprint.
- Phase 4 – The delivery and construction of New Link Road is subject to Council VPA.

The current intention is for initial occupation to occur upon completion of Phase 3, followed by full occupation on completion of Phase 4.

An indicative program and plan for the above stages is provided in **Appendix FF**, which details indicative timing and delivery of each stage. A Staging Report for construction and operation will be prepared and submitted at the relevant stages of the consent.

3.3 Further Engagement Undertaken

Following the Public Exhibition of the SSDA, the Applicant has undertaken further engagement with the key relevant authorities, as described in **Table 7** below.

Table 7 *Summary of Further Engagement Undertaken*

Stakeholder	Date	Engagement Purpose
DPHI	16 November 2023	Discuss DPHI's request for additional information and potential methods to address comments.
DPHI & GANSW	21 December 2023	Discuss and obtain feedback on the potential response to submissions.
DPHI	22 February 2024	Present design iterations of the proposed scheme and discuss response to submissions.
Ryde Council	28 March 2024	Discuss the Voluntary Planning Agreement (VPA) and provide a brief update on the project and response to submissions.

3.4 Further Assessment Undertaken

Additional assessment and supporting documentation have been prepared to assess the amended design of the proposal. **Table 8** below provides a summary of the additional assessment undertaken as part of this submissions report.

Table 8 *Summary of other technical assessments*

Impact	Consultant	Summary	Reference
Landscaping	<i>Square One</i>	A revised Landscape Design Report has been prepared to illustrate the amended landscaping scheme for the site. The Report provides an updated Materials Palette, Tree Management Plan, Deep Soil Plan, Indicative Plant Palette, Landscape Concept Plan and Tree Canopy Plan. Notably, the revised landscape design incorporates plants which are sensitive to the Blue Gum High Forest species. The Report also demonstrates the deep soil zones across the site, tree canopy coverage and the impact of the raingardens on the stormwater catchment of the site.	Appendix H and Appendix I
CPTED	<i>Harris Crime Prevention Services</i>	An updated Crime Risk and Crime Prevention through Environmental Design (CPTED) Report has been provided, concluding that the development refinements indicate the application of CPTED principles, as recommended in this report. The Report gives attention to the risk of the entry plaza, ground plane activation, entry points, vehicle access and parking, landscaping, lighting, signage and day-night observation. The Report highlights the refined design's compliance with the NSW Police CPTED Guidelines, the Ryde DCP, Ryde Council's Crime Prevention Strategy 2021-2024, and the requirements under Section 4.15 of the EP&A Act.	Appendix J
Ecological Sustainable Design	<i>LCI Consultants</i>	An Ecological Sustainable Design Report has been prepared in support of the revised development which effectively integrates sustainable design initiatives and principles into the building. This includes commitments to ensure: <ul style="list-style-type: none"> • Development to be all-Electric. • Renewable energy procurement for common areas to be “net zero energy” equivalent in operation. • 20% Reduction in Embodied Carbon and, at minimum, 80% of construction waste diverted from landfill. • Sole occupancy units (SOUs) will meet thermal comfort heating and cooling caps that equate to 5.5 Star as a minimum and 7 stars on average across all SOUs under NSW BASIX. • Target 5 Star Green Star Buildings v1. • Consideration of On-Site Solar and Energy Storage. • Develop an EV Strategy and the utilisation of adjacent existing carparking spaces. • Biodiversity and Connection to Nature through external landscaping. • Indigenous Engagement and cultural diversity strategies. 	Appendix K

Impact	Consultant	Summary	Reference
Arboriculture	<i>Urban Arbor</i>	An updated Arboricultural Impact Assessment Report provides a list of recommendations, including various tree protection specifications, a list of restricted activities inside the Tree Protection Zone (TPZ), provisions for demolition, excavation, landscaping, underground services, sediment and contamination, tree wounding and the completion of development works. Ultimately, the revised design generates a more positive outcome in regard to the Arboricultural impacts of the development.	Appendix L
Biodiversity	<i>Land Eco Consulting</i>	An updated Biodiversity Development Assessment Report (BDAR) has been provided. The BDAR finds that zero species credits are required, however as 0.25 ha of the Blue Gum High Forest Critically Endangered Ecological Community are impacted, a number of five (5) ecosystem credits are required. The ecosystem credit system will contribute to the recovery of this threatened ecological community, in addition to the recommendation that post-development weeds and understorey planting should be removed. Additionally, the removal of 0.31 ha of exotic grassland does not require further assessment as the vegetation is non-native and does not align with any PTC.	Appendix M
Traffic	<i>Colston Budd Rogers & Kafes Pty Ltd</i>	A Transport and Accessibility Impact Assessment has been provided, comprising a Framework Green Travel Plan, and a Construction Traffic Management Plan in addition to supportive analysis on the traffic effects, parking provisions, public transport network and circulation and services requirements of the development. The Assessment found that the traffic generation of the proposed development would be significantly less than the traffic generation of the previously approved commercial development of the site. It is further noted that the conversion of the 164 commercial parking spaces within Trinita Stage 1 to residential parking spaces will further reduce the traffic generation of the Stage 1 development. Refer to Section 4.6 for a detailed assessment.	Appendix N
Noise	<i>Acoustic Logic</i>	An updated Noise and Vibration Impact Assessment has been provided to assess the noise impacts of the revised development, ultimately concluding that if the proposed gym and any other tenant that will operate beyond 12am implement the suggested building and management controls, the development will comply with the acoustic requirements of the: <ul style="list-style-type: none"> • NSW EPA Noise Policy for Industry (NPfI) 2017. • NSW EPA – ‘Interim Construction Noise Guideline’ (“IGNG”) July 2009. • NSW EPA – ‘Road Noise Policy’ (RNP) 2011 Additionally, with the implementation of the proposed construction measures at the detailed design stage will allow for compliance with the internal noise levels inside apartments, listed in the: <ul style="list-style-type: none"> • NSW Department of Planning and Environment document – ‘State Environmental Planning Policy (SEPP) (Transport & Infrastructure) 2021’; and • NSW Department of Planning and Environment document – ‘Developments near Rail Corridors or Busy Roads – Interim Guideline (2008)’. 	Appendix O
Wind	<i>Windtech</i>	A Pedestrian Wind Environment Statement which assesses the wind effects of the proposed development in the context of the local wind climate, building morphology and land topography. The Statement indicates that the provided design features and wind mitigating strategies are suitable for the intended use for the outdoor trafficable areas. Additional wind effects can be ameliorated with specific strategies which should be incorporated into the design of the development.	Appendix P
Reflectivity	<i>Inhabit</i>	An External Reflected Glare Assessment has been prepared in support of the refined development in respect to the solar glare from the reflective façade material surfaces. The key findings from the assessment include: <ul style="list-style-type: none"> • No exceedance over the performance criteria was identified at the road regions except for Region 7 (Rivett Road). Generally, building massing 	Appendix Q

Impact	Consultant	Summary	Reference
		<p>and the surrounding buildings are effective in mitigating adverse glare to all the surrounding road regions considered in this assessment.</p> <ul style="list-style-type: none"> At Region 7 (Rivett Road in the northeast direction of travel), two instances of reflected glare exceeding the performance criteria was identified; one at 7am in March and 7am in September and occur from the curved glass balustrades where B04-05.14 and B06-07.13 are located along Levels 4 to 7 on Building B. However, this reflected glare can be mitigated by typical car sun visor and so no further mitigation, or design amendments are required. No exceedance over the performance criteria was identified at the public space of interest. <p>Hence, the proposed design does not cause adverse impacts on the critical neighbouring roads, nor the public space.</p>	
Stormwater	<i>Northrop</i>	<p>A Stormwater Management Report has been provided to assess the stormwater and civil engineering elements for the proposed design. The Report found that a temporary sediment basin is required to effectively capture sediment laden site runoff during construction siteworks. The design has also considered the requirements of City of Ryde Council for the below ground pit and pipe network. Drains modelling determined the size of the proposed underground OSD tank to be 220.5m³. Additionally, the report confirmed that the stormwater quality requirements will be achieved through the provision of pit baskets, filter cartridges, raingardens and rainwater tanks.</p>	Appendix S and Appendix R
Flooding	<i>Northrop</i>	<p>A revised Flood Impact and Risk Assessment has been prepared to analyse updated modelling which was run for the 1% AEP design event and the PMF for both the existing and the developed scenario. The Assessment concluded that:</p> <ul style="list-style-type: none"> The development is compatible with the flood function of the land. The development is unlikely to have a significant adverse impact on flood behaviour in the vicinity of the subject site. The development manages the risk to property by appropriate setting of finished floor levels. The development manages risk to life by providing refuge on-site and a flood emergency response strategy. 	Appendix T
Visual	<i>Ethos Urban</i>	<p>An updated Visual Impact Assessment has been prepared, including a visual analysis, a view loss impact and view loss assessment. The Assessment determines that the impacts of the revised development on the views experience by neighbouring residents is considered reasonable as:</p> <ul style="list-style-type: none"> Consistent development has occurred around the site, which has fundamentally changed the visual context of the surrounding residential developments, including both 1 and 3 Network Place which has a greater height and prominence compared to the proposed development. The proposed development is proportionately scaled and skilfully designed in accordance with the current planning policy context as it sits within the permissible building envelope. The relocation of building mass from Building C to Building B results in a lesser view impact and achieves the same development potential and amenity. The proposed refinements to the site layout and built form have resulted in improved long distance views from the upper levels of 1 and 3 Network Place and from the upper-middle levels of 9-11 Delhi Road, alongside improved overshadowing and solar access impacts. The proposed development is visible as a mid-distance townscape element while Ryde Gardens would remain a dominant and taller building form. 	Appendix U

Impact	Consultant	Summary	Reference
Waste	TTM	<p>An updated Site Waste Minimisation and Management Plan has been prepared, detailing the appropriate proceedings for the collection, storage, and disposal of demolition, operation and construction refuse within the development.</p> <p>The procedures within this Plan are suggested in alignment with the requirements outlined in the following instruments:</p> <ul style="list-style-type: none"> City of Ryde Development Control Plan 2014 part: 7.2 Waste Minimisation and Management Green Building Council of Australia (GBCA) Submission Guidelines <p>Additionally, in response to comments from Council, the development has been amended to include a bulky waste storage point, sized 20m² and spatial provision for separated organic waste.</p>	Appendix V Error! Reference source not found.
BCA	Steve Watson & Partners	<p>A BCA Assessment Report has been provided to assess the revised design of the proposed development against the Deemed-to-Satisfy (DTS) provisions of the relevant sections of the Building Code of Australia and the applicable Building Regulations. The Report outlines that the refined design contains no significant non-compliances which cannot be addressed on a performance basis or through the detailed design process. Notwithstanding, some issues have been identified which must be addressed by the Fire Safety Engineer via a Performance Solution prior to the issue of a construction certificate.</p> <p>The Report notes that the refined design is capable of demonstrating compliance with the EP&A Act, the EP&A Regulations and the BCA, subject to the resolution of the identified areas of non-compliance to be addressed at the detailed design stage.</p>	Appendix W
Accessibility	Morris Goding Access Consulting	<p>An updated Access Report has been provided, containing advice and strategies to maximise the accessibility of the proposed development for people with disabilities.</p> <p>The proposed design utilises the relevant statutory requirements, including the Federal Disability Discrimination Act (DDA), Disability (Access to Premises – Buildings) Standards 2010, BCA/DDA Access Code, Universal Design principles and the AS 1428 Series.</p> <p>The Access Report confirms that the proposed development is capable of achieving compliance with all access requirements, particularly pertaining to the following accessibility factors:</p> <ul style="list-style-type: none"> External site linkages, Building access, Common access areas, Sanitary facilities, and Parking. 	Appendix X
Vertical Transport	Stantec	<p>A Vertical Transport Design Assessment has been prepared to analyse the structure of lifts within the development. The Assessment highlights the design of all lifts within the development is compliant with the following:</p> <ul style="list-style-type: none"> Disability Discrimination Act (DDA), the accessibility standards in the BCA, the ADG, the relevant industry standards being the CIBSE Guide D:2020 and ISO 8100-3, the Access to Premises Standards (2010), and the Australian Standards on accessibility. <p>Based on the above, the design of the lifts is appropriate, functional and compliant for the use and scale of the building.</p>	Appendix Y Error! Reference source not found.

Impact	Consultant	Summary	Reference
Infrastructure (Electrical)	<i>Stantec</i>	<p>An Electrical Utilities Report has been prepared to assess the ability for the electrical network to support the scale of the proposed development, noting that there are no existing substations identified on the proposed site so a temporary construction supply application will need to be made closer to the time of construction. A new substation is recommended to be included in the development.</p> <p>Additionally, the Report provides further information on the allowances for EV charging with the newly built form, which will be monitored and controlled by a fully automatic system to ensure that there is no loss of power during periods of high demand.</p> <p>Ultimately, there are no limitations to provide sufficient power to the proposed development as connections to the Ausgrid infrastructure have been reviewed and design will be progressed utilising these connections in the detail design stage.</p> <p>With respect to telecommunications, NBN Co has high bandwidth infrastructure in the vicinity of the site and can easily cater for the proposed new development.</p>	Appendix Z
Infrastructure (Hydraulic)	<i>LCI Consultants</i>	<p>A Hydraulic Services Utilities Report has been prepared to assess the capacity of the site to service the development in regard to a connection with Sydney Water. To inform the Report, Sydney Water provided a Feasibility Letter which confirmed that the existing water main in Rivett Road is capable of supporting the water demand generated by the new development and is acceptable to connect into to facilitate the water needs of future residents and tenants. Additionally, the Feasibility Letter stated that the existing sewer main in Rivett Road is capable of supporting the new sewer discharge of the development after Sydney Water has completed their proposed planned works for the local infrastructure of the area. It should be noted that if these planned works are not completed prior to the development's Section 73 application, additional upgrade works and contributions may be required.</p> <p>Furthermore, the proposed development will be pursuing full electrification across the site, however there will be no impact to the existing Jemena gas main or the capacity of existing infrastructure as there is no connected gas load for the development.</p>	Appendix AA
Heritage	<i>Urbis</i>	<p>A Heritage Memo has been prepared in support of the submitted Aboriginal Cultural Heritage Assessment Report (ACHAR), validating the method of notifying the Aboriginal community of the development which was completed through an online newspaper in accordance with Clause 4.1.3 of the Consultation Requirements.</p>	Appendix BB

4.0 Response to Submissions

This section provides a detailed summary of the Applicant's response to the matters raised in submissions received. The Applicant's responses are provided in the following sections and have been structured as follows:

4.1 Strategic Planning and Land Use

Council has raised concern relating to the proposed land use as a residential development, noting that the Place Strategy identifies the site as being located within a commercial centre. Council also noted in their submission that there is no need for additional housing within Macquarie Park as the housing targets establishing under the Ryde Housing Strategy have already been met.

Notwithstanding this, it is emphasised that BTR Housing is permissible within the E2 zone under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), which was an initiative adopted by the State government to help support the viability of BTR housing as an emerging diverse housing type in well-located areas.

In addition to this, it is evidently clear that there is a severe housing and affordability crisis within Greater Sydney and because of this, there is a strong and urgent push from the government to alleviate the problem. At both Federal and State government levels, there have been a number of key initiatives implemented to assist in delivering more housing across NSW, including the following:

- **National Housing Accord**, which was adopted by the Federal Government in 2023 to deliver 1.2 million homes in the right locations within the next five years until 2029, with NSW expected to deliver at least a third of the target in order to cater for the population and demographic. Based on the current applications and future pipeline, the delivery of housing is tracking significantly behind and therefore, there is a strong need for more housing within Greater Sydney, including Macquarie Park.
- **Transit Oriented Development (TOD) Program**, which is a NSW government initiative recently announced by the Department to deliver more housing within proximity to key transport nodes. Specifically, Macquarie Park is identified as one of the eight accelerated precincts to be rezoned under Part 1 of the TOD, which emphasises that there is a clear intent and vision for the precinct to evolve into a mixed-use centre comprising a balance of commercial and residential uses. The proposal is directly aligned with the TOD objectives in that it will deliver more housing within proximity to major public transport and will leverage off existing and future infrastructure.
- **Housing Targets**, which were released by NSW Government for 43 Local Government Area's (LGA's) across Greater Sydney to respond to the National Housing Accord commitment to deliver 377,000 across NSW. The housing target established for Ryde is 11,600 new dwellings and it is important to note that it is one of the LGA's expected to deliver the most amount of housing. This target will assist in addressing the housing shortage and prioritise more diverse and well-located homes in areas with existing infrastructure capacity, such as transport, open spaces, schools, hospitals and community facilities.

Furthermore, it should be acknowledged that the Stage 1 Macquarie Park Rezoning, although not relevant to this subject site, encourages BTR Housing within E2 zones where the market demands for it. The findings of the Economic Assessment prepared by Ethos Urban and submitted with the original application generally replicated the broader strategic context as outlined above, where numerous State and Federal government policies have all identified that housing supply remains a critical issue in Greater Sydney. In light of this, the report concluded that the proposal is responding to market conditions and drivers by delivering much needed housing supply and diversity at a range of price points to benefit a number of different community demographics, including local and key workers. In addition, it is noted that the Department provided their in principal support of the proposed land use throughout the various meetings undertaken post exhibition.

As per the above, it is clear that there is a strong demand and strategic push for additional housing within Macquarie Park, as it is a key centre that has the benefit of leveraging of existing infrastructure – irrespective of the housing targets established under the Ryde Housing Strategy.

All in all, the proposed development for a new BTR Housing development is a great outcome for the site and will assist in contributing to the National Housing Accord and the new targets established for Ryde by the NSW Government. It is well designed and well-located and therefore, will benefit a range of community members.

4.2 Consistency with the Macquarie Park Place Strategy

4.2.1 Solar Access to Planned Open Space

The DPHI raises significant concern in relation to the overshadowing to the future park located to the east of the site that is identified under the Macquarie Park Place Strategy (MPPS). DPHI recommended that massing alternatives were considered to protect solar access to this space between 10am and 2pm during the winter solstice.

After extensive design modelling and testing, the proposed development has been amended as detailed in **Section 3.1** of this report. The amended scheme ensures that a minimum of 50% or 2,955m² of the future park will receive solar access between 10am and 2pm during mid-winter. This is a substantial increase from the original scheme, which only provided solar access to a minimum of 21% or 1,273m² of the future park area.

Figure 8 below provides an excerpt of the overshadowing diagrams, which clearly demonstrates that the park can achieve 50% solar access to meet DPHI's request and compliance with the Place Strategy. The diagrams also demonstrate that the park obtains substantially more than 50% solar access during the morning period.



Figure 8 Overshadowing Diagrams

Source: Koichi Takada Architects

4.2.2 Tree Canopy Coverage and Deep Soil

The DPHI, GANSW and Council raised comments in relation to deep soil and tree canopy cover and specifically, have requested that the deep soil be increased to 15% to support the realisation of a 40% tree canopy cover.

As a result of the amendments made, the deep soil has significantly increased from 7.2% to 16%, which has been calculated in accordance with the ADG definition. This has resulted in a significant increase in tree canopy cover from 18.34% to 25.5%, which is an increase to the 22% that currently exists on the site.

While the proposed tree canopy cover does not achieve the 40% tree canopy cover target set out in the Place Strategy, it is emphasised that it will still achieve a high level of deep soil that will allow diverse planting and significant canopy through the growth of mature trees. Furthermore, a review of other projects within Macquarie Park has been undertaken, which has found that very few sites have been able to achieve the 40% tree canopy cover and the ones that do are large masterplan sites that have included the street trees within the calculation.

The context and constraints of the site, along with the existing nature of the surrounding public domain having very few street trees with a significant canopy limits the ability to meet the 40% target. Overall, the proposed development results in a significant improvement and increase to what is currently on the site. It achieves a high level of deep soil and canopy cover, which is appropriate for the context of the site within a highly urban environment.

In addition to the above, it is noted that the revised scheme seeks to increase the total number of trees and planting in comparison to the original scheme proposed. All trees nominated to be retained, or those requiring tree sensitive construction methods in accordance with the relevant Australian Standards can be retained in a viable condition long term. As stated in the revised Arboricultural Impact Assessment (AIA) report, the development seeks to retain 4 additional trees that were proposed to be removed in the original proposal. Notwithstanding, it is noted that the AIA recommends the removal of 2 different trees and therefore, a total of 2 trees being retained on balance. This results in a more positive outcome and will contribute to the 22% increase in tree canopy cover on the site.

Figure 9 and **Figure 10** below illustrates the proposed deep soil zones and tree canopy cover.



Figure 9 Revised deep soil zones

Source: Square 1 Landscape Architects



Figure 10 Revised Tree Canopy Cover

Source: Square 1 Landscape Architects

4.3 Built Form and Streetscape

Pursuant to Clause 6.9 of the *Ryde Local Environmental Plan 2014* (Ryde LEP), the site is afforded an incentive floor space ratio of 3:1, which equates to a total maximum allowable GFA of 82,230m² across the overall Trinita site, which has a total site area of 27,410m².

With regard to the existing commercial development on the Stage 1 portion of the site, as well as the change in carparking rates since its initial approval, there is a residual GFA of 42,410.4m² available for the Trinita Stage 2 site. The proposed development comprises a total GFA of 42,084m², which is below the residual and therefore, compliant with the permissible 3:1 FSR. As such, the proposed massing and density of the development is entirely permissible and appropriate for the context of the site.

Notwithstanding, significant redesign has been undertaken to respond to DPHIs comments and to better address the Place Strategy built form and urban design guidelines as outlined within **Section 3.1.2** of this report and in the Design Report at **Appendix F**. The revised built form and massing has been designed accordingly and will result in a positive urban design outcome for the site and the surrounding precinct.

Specifically, the benefits of the revised built form and massing is outlined below:

- Increases solar access to the future park from 21% to 50% between 10am and 2pm during mid-winter.
- Reduces the visual bulk and scale of the development when viewed from the streetscape and public domain.
- Allows for greater deep soil tree canopy coverage as highlighted in the section above.
- Provides variation in built form and height that better responds to the surrounding development, particularly the lower scale nature of the existing Riverside Business Park to the north of the site
- Provision of a linear and articulated 9 storey building along New Link Road that relates to the existing 7 storey Trinita Stage 1 commercial development located opposite the site.

Figure 11 below provides an excerpt of the photomontages from both corners of the development.



SSDA (As lodged)



Preferred RtS Scheme

Corner of Rennie Street and New Link Road



SSDA (As lodged)



Preferred RtS Scheme

Corner of Rivett Road and New Link Road

Figure 11 Comparison photomontages

Source: Koichi Takada Architects

4.4 Floor Space Ratio Transfer

Council acknowledges that the floor space ratio (FSR) has been calculated across the overall Trinita site, noting that the proposed development seeks to distribute the gross floor area (GFA) unevenly across the site with a higher proportion located within the Stage 2 BTR development. Due to this, Council has requested that a covenant be imposed within the development consent under Clause 4.5(9) of the Ryde LEP to prevent double dipping on land that relates to two sites. The clause states:

4.5 Calculation of floor space ratio and site area

(9) Covenants to prevent “double dipping”. When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

It is emphasised that the site has not yet been subdivided and only contains one allotment and therefore, the proposed GFA is entirely compliant with the maximum allowable on the overall Trinita site. Notwithstanding this, it is acknowledged that once the site is subdivided, the Trinita Stage 2 development will have a higher floor space ratio.

As such, Stockland welcomes the imposition of a covenant within the consent, preventing the double dipping of GFA across the site. The below outlines potential wording to be inserted within the consent:

“A covenant must be placed on the titles of both lots in the subdivision limiting the floor space ratio of all the lots, taken together to be no more than 3:1 as calculated in accordance with Ryde LEP 2014. For the purposes of the calculation of FSR, the total GFA of the site is 81,904m². Notwithstanding, there is nothing in this covenant that restricts future development on the lots to be prepared in accordance with relevant planning controls applicable at the time if it is above the floor space ratio specified in this condition.”

Table 10 below provides a breakdown of the GFA across the site.

Table 9 GFA Schedule and Covenant

	Overall Site	Trinita Stage 1	Trinita Stage 2	New Link Road
Site Area	27,410m²	14,066m²	10,614m²	2,733m²
Gross Floor Area	81,904m²	39,820m²	42,084m²	0m²
Floor Space Ratio	3:1	2.8:1	3.9:1	0:0

Further, it is noted that a separate development application will be lodged with Council seeking the subdivision of the site in accordance with the above and therefore, a covenant will be established as part of this subsequent application once the site is subdivided.

4.5 Calculation of Gross Floor Area

Council has raised concern regarding the calculation of GFA and has requested that the architect provide a detailed GFA schedule with revised calculations to include rooftop terraces with screening above 1.4m, as well as carparking spaces above the Housing SEPP non-discretionary standard.

The below provides an excerpt of the definition of GFA under the Standard Instrument:

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes—

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement—

- (i) storage, and
- (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

As per the above, GFA is defined as being the 'sum of the floor area of each floor of a building measured from the **internal face of external walls**...'. Further below in the definition it states that terraces and balconies with outer walls less than 1.4m high are excluded from GFA.

The Land and Environment Court (LEC) determined in *GGD Danks Street P/L and CR Danks Street P/L v Council of the City of Sydney [2015] NSWLEC 1521* (GGD Danks) that the external face of the wall cannot be characterised as an internal face, because an external wall has a specific function that distinguishes it, that being weatherproofing. The definition of GFA refers to the interior surface of the wall that forms the façade or exterior of a dwelling, being the wall that weatherproofs the interior space, and cannot refer to the exterior surface of the outer wall.

In essence, for these areas to be excluded, they must be designed and constructed as outdoor areas and a degree of openness to the elements is required. An example of this would be the provision of balustrades or fixed open louvres above a solid balustrade.

It is emphasised that while the rooftop terraces comprise of 1.8m high balustrades, they are open to the elements and are on the outer area of the external walls. On this basis and since the terraces are outdoor areas that are not weatherproofed, it is argued that they are not to be considered GFA, irrespective of the height of the balustrades.

Furthermore, a review of the Meriton Trilogy development application within the Ryde LGA (LDA2022/0021) has been undertaken, which found that they have excluded their rooftop terraces from the GFA calculation even though they provide 1.5m high balustrade screens around the perimeter.

In relation to carparking above the Housing SEPP 0.2 rate, legal advice has been prepared by Corrs (**Appendix CC**), which confirms that the excess carparking should not be calculated as part of GFA. This is because it is a non-discretionary standard as opposed to a "requirement" and because it is not clear whether the rate is a minimum or a maximum.

This position is supported by the Commissioner of *Saha Builders Pty Ltd v Ku-ring-gai Council [2019] NSWLEC 1497* (Saha Buildings), who was of the opinion that there is difficulty in applying the non-discretionary standard or the "cannot be used to refuse development consent" formula for carparking spaces as a "maximum" requirement under the areas excluded from GFA in the definition, where the policy is ambiguous as to what the "requirement" actually is. In this case, the Commissioner confirmed that any parking above the non-discretionary standard can be excluded from GFA. For further information on this position, refer to **Appendix CC**.

4.6 Car Parking

The proposed Trinita Stage 2 basement seeks a total of 155 new carparking spaces, which will include 92 residential spaces, 42 visitor spaces, 16 retail spaces, and 5 car share spaces.

In addition to this, the proposal seeks to utilise 164 existing commercial carparking spaces within the Trinita Stage 1 basement as residential spaces for the purposes of the new BTR development. It is emphasised that there are no physical works proposed to this basement, and it is entirely limited to the change of use and new signage.

As such, a total of 319 carparking spaces are proposed across both the existing Trinita Stage 1 basement and the new Trinita Stage 2 basement. Of the total spaces proposed, 256 are residential carparking spaces, which equates to a rate of 0.5 spaces per dwelling.

Council and DPHI have raised concern that the proposed residential carparking of 0.5 spaces per dwelling is above the Housing SEPP non-discretionary standard of 0.2 spaces per dwelling for sites that are located within accessible areas and have requested the applicant to explore a reduction in the number of spaces proposed.

An updated Traffic and Parking Assessment has been prepared by Colston Buff Rogers & Kafes (**Appendix N**), which confirms that the provision of residential carparking spaces at a rate of 0.5 spaces is suitable for the proposed development for the following reasons:

- The total amount of **new** residential spaces proposed is 92, which equates to a carparking rate below the 0.2 non-discretionary standard. The remaining 164 residential spaces are already existing within the Trinita Stage 1 development and the proposal, therefore, seeks to utilise available surplus commercial parking spaces.
- The change of use of the existing 164 commercial parking spaces to residential will result in a positive traffic impact to the surrounding street network in that it will reduce the amount of vehicle movements per hour from approximately 59-74 (commercial use) to approximately 20-25 (residential use). Furthermore, it is anticipated that the traffic impacts will be further reduced given the spaces within the Trinita Stage 1 basement will be allocated to residents that do not frequently use their cars.
- The residential parking provision is significantly lower than the Ryde Development Control Plan (DCP) requirement, which would have required a total of 393 residential carparking spaces. As such, the proposed development results in a far better outcome than a compliant scheme with the Ryde DCP.

In addition, it is emphasised that the Housing SEPP rate is a non-discretionary standard where neither a minimum nor maximum parking rate is specified. Upon a review of other approved BTR developments within NSW, it was found that UPG Parramatta, Novus Parramatta and GQ Paramatta all contained residential parking spaces above the non-discretionary standard that did not contribute towards GFA. These projects are also located within accessible areas. As such, the proposal to provide residential parking at a rate of 0.5 spaces should not be considered as a “non-compliance” nor should it be counted towards GFA.

Furthermore, the proposed 0.5 residential carparking rate better reflects and responds to customer demand and is required to support leasing, particularly when considering direct competitor offerings within Macquarie Park that provide carparking at a significantly higher rate. For example, Ryde Cardens provide a 0.83 ratio per apartment and Centrale provide a 1.12 ratio per apartment, which are both located immediately west of the site and in close proximity to the metro station.

On the basis of the above, the proposed development and carparking provided is considered acceptable and reasonable and will not result in any adverse environmental impact.

4.7 Residential Amenity

An assessment against the Apartment Design Guide (ADG) has been undertaken by Koichi Takada Architects and is provided within the Design Report at **Appendix F**. As detailed in this assessment, the amended development achieves 73% solar access and 60% cross ventilation across the development and therefore, is compliant with the ADG.

It is acknowledged that DPHI has raised concern in relation to the calculation of ADG compliance across the development as a whole instead of per individual building on the site. Notwithstanding, the development comprises a common basement and therefore, is treated and defined as one single building under the National Construction Code (NCC). As such, compliance with the ADG should be considered holistically across the site, which is common practice as evidenced within the following precedents:

- Ivanhoe Estate, Macquarie Park,
- The Landmark Quarter, St Leonards South,
- Home Precinct 75, St Peters, and
- Stage 1 DA, Harold Park.

As per the above, it is emphasised that the development achieves compliance with the ADG in its entirety. **Table 10** below provides an ADG assessment for the development as a whole.

Table 10 ADG Compliance across each building

ADG Impact	SSDA Scheme	Revised RtS Scheme	Change
Overall Development			
Solar access	369 (73%)	355 (70%)	-3%
No sun	69 (14%)	55 (11%)	-2%

ADG Impact	SSDA Scheme	Revised RtS Scheme	Change
Cross ventilation (natural and performance solution)	128 (60%)	158 (60%)	0%
Accessible apartments	10 (2%)	10 (2%)	No change
Liveable apartments	92 (18%)	102 (20%)	+2%

4.8 Assessment against Clause 6.9 of the Ryde LEP 2014

An assessment against the provisions of Clause 6.9 of the Ryde LEP 2014 was provided within the original EIS. However, the DPHI has requested that the scheme be revised to better reflect advice from the GANSW in terms of access network, connectivity across the precinct and configuration of the recreation areas.

It is iterated that the proposed development has been designed accordingly to provide high quality public domain for the local community to enjoy. Specifically, the following elements are included within the proposal:

- Provision of a Civic Plaza at the prominent corner of New Link Road and Rennie Street, which will act as a gateway to the precinct from the North Ryde Metro Station and will welcome and invite community to the site and provide dwell spaces.
- Provision of a north-south through site link that will extend from the Civic Plaza to the south of the site and will be highly permeated, green and active through the allocation of retail and amenity space on the ground level.
- Delivery of green spaces throughout the ground plane that are inspired by the Lane Cove National Park, including the eastern portion of the site on the Rivett Road frontage (approximate areas of 560m²), which will ensure an appropriate interface to the future park identified in the Place Strategy that is proposed to be located directly opposite the site.
- Provision of a southern multi-purpose open space, which includes an amphitheatre, open turf and Corymbia Courtyard.
- Provision of an east-west pedestrian link along the southern boundary which will link the existing pedestrian connection to the west of the site to the new park proposed to the east of the site.

Under the Ryde DCP, New Link Road is identified as a future road that is to be delivered. However, it should be acknowledged that the road already exists and is currently maintained within the ownership of Stockland. As such, Stockland are proposing to enter into a Voluntary Planning Agreement (VPA) with Council, which will include the dedication of the road as well as monetary contributions to upgrade New Link Road to provide additional pedestrian amenity and improve public domain space. It should be noted that legal drafting of the VPA has commenced on the basis of the revised version of the Public Benefit Offer, which is provided at **Appendix DD**. The dedication of the road and the monetary contributions is provided in addition to the abovementioned public domain works.

In summary, the access network and recreation spaces provided as part of the development have been designed to ensure a high level of amenity that are purpose built to enhance the public domain and recreation facilities, while also being well-located to facilitate connectivity around the precinct and to the North Ryde Metro Station.

4.9 Impact on previous approvals

LDA2003/382 – Trinita Stage 1 Commercial Development

As detailed above and throughout the original EIS documentation, the proposal seeks to utilise available surplus commercial carparking spaces within the existing Trinita Stage 1 carpark as residential parking for the purposes of BTR Housing.

Council support this approach and the proposal to remove carparking spaces, however, have requested that the Applicant lodge a Section 4.55 modification application to Council to modify LDA2003/828 to allow the carparking spaces to be used for residential purposes.

It is noted that a Section 4.55 Modification Application is not required as Section 4.17 of the Environmental Planning and Assessment Act 1979 (EP&A Act) allows the imposition of a condition within the development consent to modify or surrender another consent that has been granted under the Act. See excerpt below:

4.17 Imposition of Conditions

(1) **Conditions—generally** A condition of development consent may be imposed if—

(a) it relates to any matter referred to in Section 4.15(1) of relevance to the development the subject of the consent, or

(b) it requires the modification or surrender of a consent granted under this Act or a right conferred by Division 4.11 in relation to the land to which the development application relates, or

(c) it requires the modification or cessation of development (including the removal of buildings and works used in connection with that development) carried out on land (whether or not being land to which development application relates), and

Based on this, there is no need to lodge a separate modification to LDA2003/828 to modify conditions relating to carparking as this can be done under Section 4.17 of the EP&A Act. The following provides recommended wording for the condition to be incorporated within the consent:

“Modification of Development Consent LDA2003/382

##, Development Consent LDA2003/382, dated 3 May 2004, must be modified pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act, 1979.”

##. Condition 22 of the existing consent LDA2003/382, relating to traffic must be amended as follows:

“A maximum of 995 off-street car spaces being provided in accordance with the submitted plans. **Of these 995 car spaces, 164 are to be used for the purposes of residential uses for the adjacent Trinit Stage 2 BTR Development approved under SSD-55844212.** Such spaces are to be paved, line-marked and made freely available at all times during business hours of the site for staff and visitors.”

LDA2007/950 – Trinit Stage 2 Commercial Development

Council acknowledges that there is another development consent that currently exists on the Trinit Stage 2 site for a commercial development (LDA2007/950) and requests that this be surrendered. Similar to the above, DPHI can utilise Section 4.17 of the EP&A Act to impose a condition of consent requiring the surrender of the existing commercial approval on the site.

The following provides recommended wording for the condition to be incorporated within the consent:

“Surrender of Existing Consents or Approvals

##. Prior to the issue of the first construction certificate, the Applicant must surrender the existing project approval LDA2007/950 for a commercial development on the Trinit Stage 2 site in accordance with the EP&A Regulations. ”

5.0 Updated Project Justification

This section provides an updated justification and evaluation of the project as a whole. Any design changes or assessments undertaken are in response to issues raised in submissions or further design development and have not increased the impact of the development. As such, the justification for the project as previously outlined in the EIS is reiterated and strengthened through the presented responses which comprise meaningful amendments to the Proposal.

The amendments discussed above to the SSDA Scheme are proposed to more strongly align with strategic policies such as the Place Strategy, the public interest for both future residents, local residents and visitors to the site, and to promote more sustainable design outcomes that mitigate against the assumed impacts of the proposal as detailed in each further assessment or report discussed in the sections above. The proposed design refinements are crucial to the operation and construction of the development, as they are proposed in accordance with the relevant legislative requirements and industry standards.

5.1 Likely Impacts of the Development

5.1.1 Built Environment

Key to the refinements of the development design is the reconfiguration of building mass, distributing the built form from Building C to Building B which ultimately reduces the bulk and scale and therefore will reduce the environmental impacts to the surrounding development, namely solar access and overshadowing. This action is justified as it facilitates strategic compliance with the Place Strategy, specifically the requirement for the park to have 50% solar access between 10am and 2pm.

5.1.2 Social and Economic

The development will address the recognised shortage in housing supply across Greater Sydney, which has accentuated the current housing affordability crisis in NSW. The provision of 510 new dwellings will increase housing supply in an accessible location and will increase the diversity of housing provided in the City of Ryde.

Additionally, the proposed BTR model will increase social cohesion and create a stronger sense of community, especially through the improvements to the public domain which entail opening up the podium of the development and facilitating pedestrian connections to the wider North Ryde area, including the future park. The project will also deliver additional commercial and retail land uses to support to the existing and future population, enhancing accessibility to goods and convenience.

Furthermore, the proposal will support approximately 600 jobs during the construction and 196 jobs during the operational phase of the development, as detailed in the original EIS. Ultimately, this project will facilitate the redevelopment of an underperforming site where there is an increasing lack of commercial demand within the Macquarie Park Precinct, in comparison to the increasing demand for residential land use, especially in locations which are well serviced by critical infrastructure and transport for which this site is.

5.2 Suitability of the Site

Having regard to the characteristics of the site and its location within the North Ryde Riverside Precinct and broader Macquarie Park Innovation Corridor, the proposed development as refined and amended) remains suitable for the site in that it:

- Responds to the strategic vision enunciated by various levels of government regarding the delivery of additional housing supply in key locations, including those with locational proximity to key transport nodes.
- Provides a mix of uses that will enable the growth of both residents and workers in a strategic area, reinforcing the role of North Ryde and Macquarie Park as both a residential community and stimulating a competitive employment market through creating a more active and attractive precinct.
- Delivers high quality BTR housing at a key site, improving housing stability and diversity in Sydney's Northern Suburbs as well as supporting the creation of a mixed use building;
- Proposes an appropriate scale, height and built form that is commensurate with the surrounding area and will significantly enhance the streetscape of the North Ryde Riverside precinct, without resulting in any major environmental impacts;

- Has been designed to be developed in a manner that minimises impacts on its surrounds and has been designed in some respects to improve the natural, historic, and environmental qualities of the site; and
- Will result in only minor environmental impacts that can be appropriately managed and mitigated.

5.3 Public Interest

The proposed development remains to be in the public interest for the following reasons:

- It will facilitate the renewal of a significantly underutilised site at a critical location in North Ryde.
- It provides an integrated mixed-use build-to-rent building in a precinct that is well suited to supporting such a development outcome.
- It will create a viable commercial presence on the site, at a scale that will meet the future needs of residents and workers alike throughout the precinct.
- It will assist in enhancing and activating the streetscape through the implementation of high-quality architecture and landscaping.
- It will activate New Link Road, which will be a key connector from the Metro Station to the future activity hub to the east.
- It will deliver new BTR apartments, thereby diversifying the dwelling typologies available in the North Ryde Precinct and will take advantage of this accessible location, proximity to services and existing and planned Metro networks with direct connections to major employment destinations.
- It will assist in alleviating the current housing and affordability crisis by providing an additional 510 dwellings within an accessible location that is well serviced by public transport and health and education infrastructure.