

Judith Elijah

From: Nicholas Najar <NicholasNa@ryde.nsw.gov.au>
Sent: Monday, 6 November 2023 2:17 PM
To: Judith Elijah
Cc: Lashta Haidari; SanjuR; Sandra Bailey
Subject: Request for Extension of Time - Council Submission on 85-97 Waterloo Road & 2 Banfield Road (SSD-52604208) - COR2023/59

Dear Judith

Council understands the submission for 85-97 Waterloo Road & 2 Banfield Road (SSD-52604208), Macquarie Park build to rent (BTR) SSD Application was due on the 27/10/23 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 **11th 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 Applications in their 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 for both applications. 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. Overall Council objects to the current urban design outcome of the proposal. Council raises serious concerns that the current design of the building is inappropriate and does not advocate good place making outcomes. The built forms propose long unarticulated bulky towers that don't define place resulting in offensive built form and poor amenity outcomes.
 - b. The proposal provides mainly residential uses, small scale retail on a podium of ambiguous and fragmented paving. There is no commercial, innovation or office hub or other working spaces provided. Residential uses in the proposal start from the first level of the building giving the overall appearance of residential only buildings. There is poor street address and the vision for Waterloo Road under the Waterloo Road Masterplan has not been incorporated into the proposal.
- 3) **Strategic Planning** – At a high level Council is unsupportive of the scheme from a strategic perspective in its current form, as:
 - a. The Place Strategy envisioned that Waterloo Park Precinct to be a commercial neighbourhood, there will be **no new** residential population within the Precinct. The Precinct will include 300,000 to 400,000 sqm of commercial and retail spaces with **no new homes**. The proposed 736 Built-to-rent dwellings are not consistent with the Place Strategy.
 - b. The development does not meet Council's strategic objectives for Macquarie Park due to the land use conflict of proposing residential accommodation in land reserved for commercial land use.
 - c. The Application in its current form results in an unacceptable loss to Council's employment lands, sterilizing the sites Gross Domestic Product (GDP) economic viability, which is inconsistent with both City of Ryde Council (Council) and the Department of Planning and Environment (DPE), vision for Macquarie Park Corridor.
 - d. The Applications merits are largely strategic focused, which it, fails entirely, in Council's opinion. The scheme lacks consideration of open space provision, built form outcomes and economic growth. Whilst Council appreciates there is a need for Housing, Council submits that's it's a poor planning outcome to completely remove the commercial aspect of the site.

- e. The Applicant is required to reconsider their land use configuration to provide a significantly increase portion of the GFA as a commercial generating land use. The Application requires serious revision to provide a harmonized balance of land use outcomes that can service both residential growth with appropriate infrastructure provision and commercial growth, contributing to economic viability
- 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. 3.06:1. 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. It needs to provide a thorough assessment of medium to long-term risks surrounding the provision of commercial spaces in Macquarie Park.
 - b. 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.
 - c. 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.
- 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** – As identified in the Pedestrian Wind Environment Assessment the proponent is to be required to prepare a Computational Fluid Dynamics (CFD) assessment prior to detailed designs being approved, to ensure the communal common space areas have a pleasant amenity and are not significantly wind effected. 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) Landscaping** - The Architect Report states 7% of the site is provided as deep soil. This is consistent with the Apartment Design Guide that requires 7%. The Macquarie Park Place Strategy, Assessment of Consistency on states 29.6% of the site is Deep Soil Area, However there is no plan showing how this figure was calculated. As the site is located in the Macquarie Park Corridor so The DCP2014 Part 4.5 applies. Section 8.2 Control (a) requires “A minimum 20% of a site must be provided as deep soil”.

- a. A plan is needed that clearly shown that a minimum of 20% of the site is deep soil area as defined in DCP2014.

- 9) **Traffic** – Council has detailed concerns with the Applications traffic impacts, that of which will be outlined in Council's Detailed Submission.
- 10) **Stormwater and Flooding** – Council has detailed concerns with the applications impact on stormwater and flooding, that of which will be outlined in Council's Detailed submission.
- 11) **Public Domain** – Council has detailed concerns with the Applications public domain impacts, that of which will be outlined in Council's Detailed Submission
- 12) **Vehicle access** - Council has detailed concerns with the Applications vehicle access, that of which will be outlined in Council's Detailed Submission

The above is a short summary of what Council's detailed submission will raise. Please be advised that the above list is just an draft list and a more detailed submission will follow.

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

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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.

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