

**From:** [Nicholas Najar](#)  
**To:** [Tuong Vi Doan](#)  
**Cc:** [Lashta Haidari](#); [SanjuR](#); [Sandra Bailey](#); [Judith Elijah](#)  
**Subject:** Request for Extension of Time - Council Submission on 35 Waterloo Road -SSD-52947710 - COR2023/60  
**Date:** Monday, 6 November 2023 2:13:03 PM  
**Attachments:** [image001.png](#)  
[image464893.png](#)

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Dear Vi

Thank you for your time on the phone this morning.

Council understands the submission for 35 Waterloo Road, Macquarie Park (SSD-52947710) build to rent (BTR) SSD Applications 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 **11<sup>th</sup> of December 2023.**

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**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. **Site Isolation** – The Application involves the complete isolation and sterilisation of 404 LANE COVE ROAD MACQUARIE PARK 2113. In this regard the planning principle of Karavellas v Sutherland Shire Council [2004] NSWLEC 251 provides clarity around consideration of this matter. The Application has failed to satisfactorily address this principle to enable the consent authority to consider this matter as such, the following information is needed:
  - a. Evidence of recent engagement with the applicant. The suggested 2017 engagement in the EIS is outdated and not relevant to the subject application.
  - b. Evidence of satisfactory attempting to purchase the property for fair market value.
3. **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.
4. **Strategic Planning** – At a high level Council is unsupportive of the scheme from a strategic perspective in its current form, as:
  - a. 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.

- b. 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.
  - c. 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.
  - d. 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
- 5. **Economic Impact** - Council does not support Goodman's proposal of Build-to-Rent (BTR) housing towers 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 Environmental Assessment, the open space area will be significantly impacted by Westerly winds which are predominant through the winter period, therefore significantly detracting from the amenity of the area. Significant screening and trees are identified in the report as measures to mitigate any impact of the wind. Most of the trees on the site will not reach maturity for 10 – 20 years, providing little wind mitigation in the short to medium term. The proponent should 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. In addition the following is requested

- a. The design is to reflect the recommended measures under the amended wind impact assessment.
  - b. The design is also to consider any additional GFA that is included by virtue of the recommendations.
8. **Traffic** – Council has detailed concerns with the Applications traffic impacts, that of which will be outlined in Council’s Detailed Submission.
9. **Public Domain** - Council has detailed concerns with the Applications public domain 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.

**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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**From:** Tuong Vi Doan <tuongvi.doan@planning.nsw.gov.au>  
**Sent:** Monday, 6 November 2023 10:06 AM  
**To:** Nicholas Najar <NicholasNa@ryde.nsw.gov.au>  
**Cc:** Lashta Haidari <LashtaH@ryde.nsw.gov.au>  
**Subject:** SSD-52947710 - 35 Waterloo Road, Macquarie Park - BTR

Hi Nicholas,

Thank you for taking my call this morning.

Please see my contact details below if you have any questions moving forward for this project.

I have cc'd Lashtah so she is in the loop that she does not need to call me back.

Thank you,  
Vi

**Vi Doan** *(she/her)*  
**Senior Planning Officer**

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*The Department of Planning and Environment acknowledges that it stands on Aboriginal land.  
We acknowledge the traditional custodians of the land and we show our respect for elders past, present  
and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing  
commitment to providing places in which Aboriginal people are included socially, culturally and economically.*