

# **ATTACHMENT 1**

## **City of Ryde Submission**

**4-38 Talavera Road Macquarie Park- SSD-46011220  
Multi-level Warehousing Complex**

**COR2022/95**

**Submission Date: 14 March 2023**

Thank you for inviting City of Ryde to comment on the proposed development proposal for a multi-level warehouse complex at 4-38 Talavera Road, Macquarie Park. The proposal was on exhibition from Wednesday 15 February 2023 until Tuesday 14 March 2023.

Council officers have undertaken a review of the proposed development and as a result the following comments are provided.

**Each of the issues are detailed below:**

**1. Strategic Merit Assessment**

The proposal's strategic merit has been within the context of the North District Plan (NDP) and the Macquarie Park Innovation Precinct Place Strategy (MPIPPS). Other matters have also been identified at the end of this review for further consideration by the Department in its assessment process.

It is noted that the EIS incorrectly assesses the strategic merits of the proposal against the strategic priorities of the Eastern District Plan (page 15) not the North District Plan. The Eastern District Priorities of E9 Growing international trade Gateways and E12 Retaining and managing industrial and urban services have been mistakenly used. It is requested that the proponent resubmit its strategic merit assessment based on the correct strategic priorities for reassessment.

The North District Plan identifies Macquarie Park as a health and education precinct as well as being classified as a strategic centre. The proposed warehouse use is not aligned with the primary medical and educational uses of the site being pursued by the State Government and Council. It is acknowledged that this use may have a support role in servicing the priority medical and education uses within the precinct, but it will primarily service customers outside Macquarie Park.

Macquarie Park is also identified in the North District plan as a Strategic Centre that is well serviced by public transport, communications and utilities infrastructure that has the capacity to service the needs of an increasing number of people employed in commercial, research and education activities. The proposed warehouse use with advanced logistics systems will not maximise the number of people directly employed on the site and result in the under-utilisation of the available transport, communications and utility infrastructure which has been provided by government and utility providers at considerable cost.

Together, the NDP and the MPIPPS, envisaged the site as one of high design and amenity that is orientated towards people movement and public transit. The current proposal precludes the location of higher transit supporting development in this location and represents an opportunity cost for the site as the proposal will result in lower social, environmental and economic returns on the past public infrastructure investment that was designed and constructed to create higher economic returns in Macquarie Park. Other less valuable sites could be found to develop warehousing and distribution facilities that would achieving the same strategic outcome of

assembling and dispersing manufactured goods to buyers.

## 2. Urban Design Assessment

As a general background to the assessment of the urban design of the proposed warehouse complex, other similar developments by the proponent have been investigated for comparative purposes. Developments in Lidcombe and Greystanes Park West exemplify the building forms and design elements that are in contradiction with the desired future uses and character of a gateway site as promoted in the Macquarie Park Innovation Place Precinct Strategy. The comparison site's presentation to the street is characterised by long expanses of blank walls occasionally punctuated by a clustered drive way, office façade and parking element. This is in contrast to the permeable place-based knowledge intensive people orientated vision articulated in the Strategy that builds on the infrastructure investment that has been provided to foster technological advances and drive the NSW economy. The following urban design assessment notes the unsatisfactory nature of the current design and recommends improvements that could be made to produce a better outcome despite the unsuitability of the use on the site.

### *Urban Design elements inconsistent with the Macquarie Park Place Strategy*

The Macquarie Park Place Strategy adopted by the Department of Planning and Environment (DPE) in 2022 strongly focuses on improving walking accessibility in the area. It aims to provide a dense network of walking routes and plan for safe and attractive walking and cycling infrastructure, integrated with open space. The proposed warehouse development, due to its prospective uses, site planning and operational requirements, will prohibit the following action items set out by the Place Strategy to be delivered on the site and its immediately surrounding public domain:

- *Action 3.7 - Create a master plan for each neighbourhood to provide a safe, direct, attractive, comfortable and adaptable walking and cycling network.*
- *Action 4.5 - Provide informal paths through and around buildings that take pedestrians away from major roads and into side streets and laneways that respond to natural features of Ngurra.*
- *Action 4.7 - Design new built areas that open up the large super lots of land and connect to the public domain through more active uses at street level.*
- *Action 4.8 - Plan for informal meeting spaces in public areas.*

More detailed comments on various urban design issues are provided below.

### *Site Planning and Built Form Scale*

- The bulk and scale of the proposed development are a major concern. Especially in the Stage 2 portion of the site, Building A is approximately 168m long, while Building B is approximately 240m long. Their building lengths are significantly greater than any existing buildings within the Macquarie Park Corridor. The maximum building length of a commercial building in the area is typically between 65m to 85m. The buildings in Stage 2 of the development are twice to three times the scale of the typical dimensions. It is considered out of

character and failed to respond to the existing and future built form scale in the locality. It will not meet the objective for 'Better Fit' under the Government Architect (GANSW)'s Better Placed policy.

- It is imperative that the Applicant reconsider the site planning of Stage 2 and physically separate the proposal into at least two building forms with a break opening to Talavera Road.
- The site is not currently located within walkable distances to any retail business and services, the Applicant should provide small gathering spaces with landscaping on the site to provide amenity and social interaction opportunities for workers.

#### *Public Domain Interface*

- Stage 2 of the proposed development will create a 240m long building frontage without any street activation along Talavera Road. It will have a detrimental impact on the quality of the Talavera Road public domain.
- The Stage 1 development has a combined street frontage of approximately 250m along Talavera Road and Lane Cove Road. Building entries, lobbies, gym and café are provided at corner locations, but they occupy less than 25% of the total building frontage to the street. The level of street activation is tokenistic and insufficient to provide the passive surveillance expected for public safety on Talavera Road. It will not meet the Objective of 'Better for People' under GANSW's Better Placed policy.
- At night time, the pedestrian access path running along Lane Cove Road frontage to Office Space 02 receives little passive surveillance from the main road and adjacent use due to its elevated location and large landscaped buffer. It would not meet the principles for Crime Prevention Through Environmental Design(CPTED).
- It is recommended to relocate Office Space 03 to the street level with direct entry from the adjacent public footpath. It will help increase activation to the street during business hours and reduce the extent of blank walls visible from the adjacent public domain.
- Additional seating within the street setback zone should also be provided to increase passive surveillance to the street and create social encounter opportunities.
- Pedestrian ramps and stairs at the building entries should be relocated to stay within the building form and free up the area for deep soil landscaping and tree planting.

#### *Setbacks and Landscaping*

- The proposal includes vehicle circulation areas such as an internal access road in the western side setback zone and a fire brigade access road in the rear setback zone, eroding the opportunity for deep soil landscape and tree planting. The design will not meet the following objectives under Section 7.6 'Rear and Side Setbacks' of the Macquarie Park DCP 2014:
  - *To provide deep soil zones, and maintain mature/significant vegetation;*
  - *To contribute to the landscape character of the Corridor.*
- It is recommended to amend the design to ensure hardstand areas, such as internal access roads, are located outside the side setback zone, and deep soil landscape and tree planting are provided as follows:

- A minimum 5m wide deep soil and canopy tree planting
- A minimum 10m wide deep soil and canopy tree planting

It is important that appropriate new canopy trees are provided as part of the new development where possible to compensate for the loss of existing trees on the site.

- In addition to tree planting at the periphery of the site, there is an opportunity to provide large canopy trees along the staging boundary to increase canopy cover and mitigate the visual mass of the proposed development.

#### *Vehicle Access*

- The current design provides five vehicular access points from Talavera Road, creating a visual impact on the public domain and conflict with pedestrian movement on the public footpath. It is recommended that the number of vehicular access points be reduced to no more than one for each development stage to mitigate these issues.

#### *Sustainability*

- Considering the proposal's expansive roof and hardstand areas, it is advised that the Applicant incorporates rainwater harvesting and reuse elements to improve the sustainability outcomes and meet the Objective for 'Better Performance' under GANSW's Better Placed policy.

#### *Aesthetic*

- The Applicant is to consider further façade articulation and the creation of shadow lines to add visual interest and visually break up the massing of the proposed development.
- Where fire egress stairs and material changes are used as articulation elements on the building façade, these elements should also be recessed from the frontage to break the visual mass more effectively and create shadow line effects.
- Where the LEP height plane permits, the Applicant is advised to add height variations to the building parapet to help articulate the built form mass and add architectural interest to the silhouette of the development.

### **3. Additional Environmental Considerations**

Aside from the strategy merits and urban design assessments of the proposal, a range of environmental impacts that should be considered in the assessment of the proposal have been identified:

- Reversing alarm noise impact from forklift and trucks operating 24 hour per day on neighbouring residences needs to be tested or modelled;
- Road safety impacts of introducing more trucks into the precinct road network and the impact on the desired walkability of the precinct as outlined in the MPIPPMS could be examined;
- Social impact of the loss of a 74-space childcare centre in Macquarie Park on the users of that facility seems to have been overlooked

- The motivation behind the unusually high level of motorcycle spaces provision and road safety implications could be articulated
- Details in the feasible alternatives section of the EIS on the other sites it refers to that are owned by Goodmans or another owner would improve the understanding of why the current site was selected.

#### 4. Requirements Under Clause 6.9 of RLEP2024 & Section 7.11 Requirements

The proposed development breaches the height requirement under Clause 4.4 of the RLEP2014. In accordance with this clause, the height of the development should be 30m & 9.5m as shown in the Heights of Buildings Map.



Height of Buildings Map (extract)

The applicant has advised that the development does not rely on the incentive height provisions under Clause 6.9 of the RLEP02014 and has submitted two Clause 4.6 written requests to vary the height without any reference to the requirements under Clause 6.9. The requirements under Clause 6.9 of Ryde LEP has not been addressed at all, which is a significant flaw of the EIS provided in the application.

Clause 6.9 states the following:

##### 6.9 Development in Macquarie Park Corridor

- (1) The objective of this clause is to encourage additional commercial development in Macquarie Park Corridor co-ordinated with an adequate access network and recreation areas.
- (2) This clause applies to land in Macquarie Park Corridor, identified as “Precinct 01—Macquarie Park” on the [Macquarie Park Corridor Precinct Map](#).
- (3) The consent authority may approve development with a height and floor space ratio that does not exceed the increased building height and floor space ratio identified on the [Macquarie Park Corridor Precinct Incentive Height of Buildings Map](#) and the [Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map](#), but only if the consent authority is satisfied that—
  - (a) there will be adequate provision for recreation areas and an access network, and
  - (b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and
  - (c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.



The applicant is of the view that this clause does not apply to the development. This is incorrect.

The site is within the Macquarie Park Corridor as indicated on the Macquarie Park Corridor Precinct Map so the clause does apply. A consent authority may approve development that exceeds the height control if it does not exceed the height on the Macquarie Park Precinct Incentive Height of Buildings Map. Before approving the height breach, the consent authority must be satisfied of the following:

- (a) that there will be adequate provision for recreation areas and an access network, and
- (b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and
- (c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.

Clause 6.9 imposes an obligation on the consent authority to consider a, b and c above. This clause cannot just be ignored by the applicant due to the applicant relying on Clause 4.6 to vary the height control.

As submitted, the development is inconsistent with the objectives of the zone and the consent authority cannot be satisfied of the following:

- that there will be adequate provision for recreation areas and an access network, and
- the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and
- the configuration and location of the access network will allow a suitable level of connectivity within the precinct

and therefore, accordingly the application must fail as the consent authority cannot be satisfied that the development achieves the above requirements.

To satisfy the provisions of Clause 6.9, Council has adopted an incentive rate for 1 July 2023 financial year of \$300 per sqm. In this Stage 1 the development results in a height breach containing 4,545m<sup>2</sup> of GFA would be equivalent to \$1,363,500.00 for potential incentive contributions. For the Stage 2 proposal, it results in a height breach containing 1,112m<sup>2</sup> of GFA would be equivalent to \$333,600.00 for potential incentive contributions.

## **5. Acoustic**

It is suggested that acoustic walls/barriers be built along the M2 Boundary. While the majority of the M2 has noise barriers, there are some sections without them.

This development has considerable residential premises on the other side of the M2. While noise might not be an issue during the day, considering this proposal with operate 24/7 with onsite truck movements at night, the more appropriate attenuation incorporated at the construction phase the better.

The construction of a barrier will also be somewhat important for the proposed outdoor space associated with the café, by helping in minimising the noise impact from the M2 on workers taking breaks.

## 6. Cooling Towers

The site currently has several cooling towers that will need to be decommissioned as part of the demolition.

Council will recommend conditions for the installation and registration of any new cooling towers.

- **Installation of water-cooling systems** - Where any water-cooling system is installed, the following shall be undertaken, a Compliance Certificate shall be obtained certifying that the system has been installed in accordance with the provisions of the Public Health Act 2010, the Regulations thereunder, the NSW Code of Practice for the Control of Legionnaires Disease and Australian Standard 3666. (**Reason:** To comply with the Public Health Act).
- **Registration of water-cooling systems** - All water-cooling systems regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation. Registration forms may be obtained from Council's website. (**Reason:** To comply with the Public Health Act)
- **Water-cooling system operation** - The operation of the water-cooling system is to comply with the relevant provisions of the Public Health Act 2010, Public Health Regulation 2022 and the Australian Standard 3666. (**Reason:** To ensure operation of the premises complies with the relevant legislation and standards).

## 7. Drainage

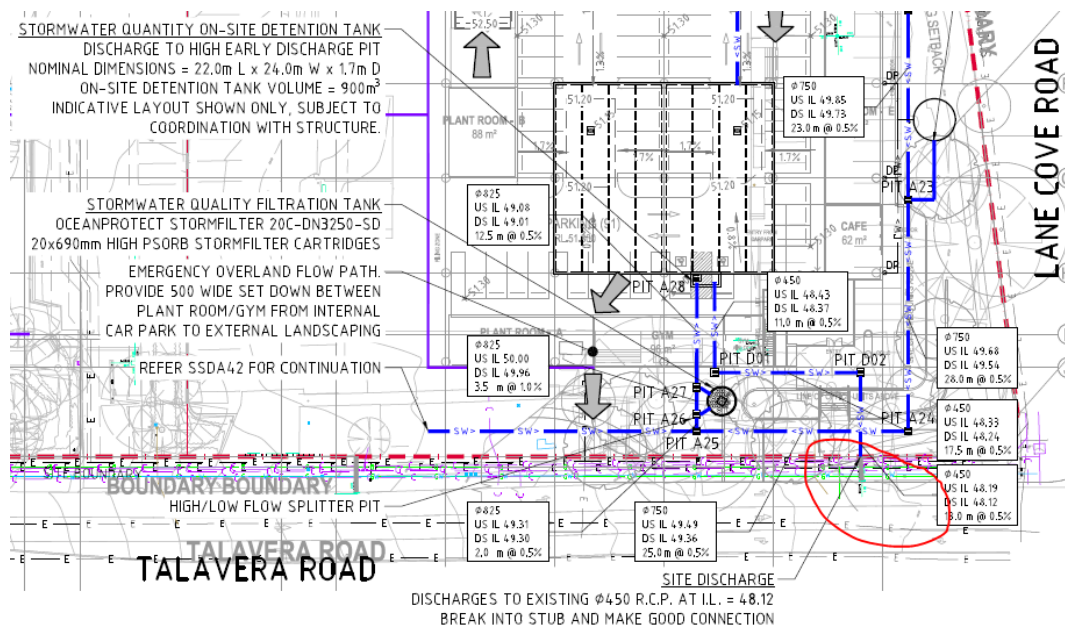
The applicant shall address the following issues to facilitate further review of the SSD Application.

### a. Stage 1

Civil Engineering Plan prepared by Costin Roe Consulting (Revision C) dated 17 August 2022 shall be amended to reflect the following:

- The stormwater from the site must be connected to new pit or use available Council pit adjacent to the site at Talavera Road. The stormwater connection detail to Council pit shall be included in the SWMP.





**STORMWATER DRAINAGE PLAN**  
**LOWER CARPARK**  
SCALE 1:400

## b. Stage 2

### Flooding

- Flood Impact Assessment Report must be prepared for pre and post developed scenario using 2D flood modelling software. The applicant shall prove that the proposed development is not adversely affecting the flood conditions to the neighbouring properties or downstream catchment. This includes 1% AEP Velocity Depth product (VxD) and Flood Levels values.
- Full electronic copies of executable TUFLOW modelling file compatible with QGIS software (including batch file for run and flood difference file) clearly identifying each scenario shall be submitted to Council for further assessment. Electronic copy of modelling results for pre and post development scenario for velocity, depth, flood level, VxD VxD afflux and flood level afflux for 1% AEP in .asc format shall be submitted for further assessment.
- Any proposed basement and openings to basement such as stairwell entries, ventilation openings etc. shall be protected upto PMF level. The driveway crest level and PMF level must be shown in the report.
- PMF flood maps such as flood depth, water level, velocity, VD and flood risk map etc. must be provided in the report.

- The freeboard requirements of Ryde DCP to be implemented in the design of the habitable/non-habitable building areas. Please see below snapshot from Council DCP for freeboard requirements.

Drainage System/ Overland Flow	Residential			Industrial/ Commercial	
	Land Level <sup>(b)</sup>	Habitable Floor Level	Non-Habitable Level <sup>(c)</sup>	Land Level <sup>(b)</sup>	Floor Level
Surface Drainage/ adjoining ground level <sup>(a)</sup>	-	.15m	-	-	.15m
Public drainage infrastructure, creeks and open channels	0.5m	0.5m	0.1m	0.3m	0.3m
Flooding and Overland Flow (Overland Flow Precincts and Low Risk)	N/A	0.3m	0.15m	N/A	0.3m
Flooding and Overland Flow (Medium Risk and greater)	N/A	0.5m	0.3m	N/A	-
Onsite Detention <sup>(d)</sup>	N/A	0.2m	0.1m	N/A	0.2m
Road Drainage Minor Systems (Gutter and pipe flow)		0.15m below top of grate			
Road Drainage		Refer to Figure 2-1.			
Detention Basins <sup>(4)</sup>		The top water level shall be designed to be 0.5m below top of embankment (100yr ARI)			

Table 2.1 Freeboard requirements.

## **Stormwater Management**

- A stormwater management plan (combined with stage 1 and 2) must be provided and must be demonstrated that the stormwater generated from the proposed development does not adversely affect the flood conditions to neighbouring properties and downstream catchment.
- Existing Council drainage infrastructure details including, diameter, etc. shall be shown on the plans.
- Details of the connection to Council pipe/pit/headwall shall be included in the SWMP.
- Council records indicate the presence of a 1200mm stormwater pipe and an outlet. Exact position of pipe/headwall shall be obtained by non-destructive method. Please note that any encroachment to the easement must be avoided.

Any new drainage infrastructure that are proposed to be dedicated to Council, must address the following:

- Design to be in accordance with Council DCP 2014 8.2 stormwater management technical manual. DCP specifies any new Council Pipe shall be, at least, 375mm diameter.

- New Pipe proposed in Council Land, including the connection from the boundary pit to the proposed pit shall be STEEL REINFORCED CONCRETE PIPE, class 4, of minimum diameter  $\geq 375\text{mm}$ .
- Longitudinal Section to be provided and shall be cover compliant as per City of Ryde DCP 2014 8.2 stormwater management technical manual, table 5.4.
- Please indicate the cover of the proposed pipe within Council land on the long section, and the type of RCP pipe (steel reinforced Class IV)
- Existing Council drainage infrastructure details including, diameter, etc. shall be shown on the plans.

Note: Please use Council asset numbers.

- Minimum 1% slope to be proposed for new drainage lines in Council land.

### **Architectural Plan**

- The architectural plan must show flood impact report findings and recommendations.
- A long section of the proposed basement ramps to be provided and crest level up to PMF level must be clearly shown. The longitudinal section shall start at the kerb and finish at the bottom of the basement, showing chainages, AHD, slopes, etc...

### **8. Traffic and Parking**

No additional information required at this stage.

### **9. Public Domain**

No additional information required at this stage.

### **10. Trees and Landscaping**

The Landscape Plan shows trees to be retained and removed. Tree numbers that correspond to the Arboricultural Impact Assessment (AIA) are to be shown on the Landscape Plan.

### **11. Conclusion**

City of Ryde appreciates the need for the redevelopment of this site, however the proposal has not taken into consideration a number of critical issues that have been raised in this submission.

The intended use and the urban design of the development is inconsistent with the Northern District Plan (NDP) and Macquarie Park Innovation Precinct Place Strategy (MPIPPS). The requirements under Clause 6.9 of Ryde LEP imposes obligations on the consent authority which the applicant has not met. Council is of the view that this application fails to satisfy the above provisions and therefore must fail.

It is recommended that the application be amended to address these issues and additional information be made available for Council to review the matter again before any approval is granted. At that stage Council will be able to provide suggested conditions of consent.