

ATTACHMENT 1

City of Ryde Submission

6 Halifax Street Macquarie Park

SSD-65931214: Affordable Housing

The proposal seeks consent for 135 affordable housing dwellings consisting of 78 one bedroom units (58%) and 57 two bedroom units (42%). The building will be owned and managed by Link Wentworth being the registered CHP.

Submission Date: 17 May 2024

EXECUTIVE SUMMARY

Introduction

Thank you for inviting City of Ryde to comment on the proposed affordable housing development state significant development application at 6 Halifax Street, Macquarie Park.

The site has an area of 2,507m². It's noted that the scheme benefits from MOD-5 to SSD-5093 which provides an increased Gross Floor Area (GFA) to the site, subject to it being used for 100% affordable housing purposes.

This application seeks approval for an affordable housing development consisting of 135 units. It will comprise 83 one-bedroom units (61%) and 52 two bedroom units (39%). The building will be owned and managed by Link Wentworth being a registered Community Housing Provider. It's noted that the housing is proposed to only be affordable for 15 years.

The proposal specifically seeks consent for:

- Site preparation works including basement excavation
- Construction of a 14 storey residential flat building to provide affordable housing comprised of two towers including: 135 affordable housing units consisting of 83 x 1 bedroom units (61%) and 52 x 2 bedroom units (39%). Gross Floor Area 9,931m²
- Two levels of basement parking providing for 10 motorbike parking spaces and 39 car parking spaces, including four accessible spaces. In addition, one at-grade visitor space and three car share spaces have been provided along the Mews (private) road.
- Rooftop gardens above each tower.
- Construction of a mews road (private road) off Halifax Street along the northern boundary.
- Maximum height 47.27m with over run above (14 storeys including rooftop garden)
- Deep Soil Zone 451m² (18%)
- Communal Open Space 1,665m² (647m² on rooftop and 1,018m² at ground level)
- Construction of a substation and installation of other utilities to support the operation of the development.
- Associated works including drainage and landscaping works.

Council supports the applications intent of delivering affordable housing within the Ryde LGA, however Council is not able to support the proposal in its current form as it fails to address a number of operational and environmental issues identified by Council in regard to the following matters:

- Previous engagement with Council and lack of engagement
- Waste removal: Application fails to make provision for waste vehicle access and collection from the site by Council Waste trucks.
- Urban Design outcome and planning matters
- City Spaces and Developer Contributions
- Strategic Transport
- Traffic
- Public Domain
- Development Engineering
- Flooding
- City Resilience

Please refer to below detailed explanation of issues

1. Previous engagement with Council and lack of engagement

a. Previous Engagement

Attached with this submission is Council's Urban Design Review Panel (UDRP) and Pre-DA review advice that was held on the 30/03/2023, as well as the supplementary Pre-DA advice on the scheme. These reviews were conducted by Council prior to the Application being lodged as an SSD Application. The SSD Application submitted to the Department of Planning, Housing and Infrastructure (DPHI) remains largely unchanged from the preDA scheme and the application presents core operational concerns stemming from a design that lacks consideration of adequate amenity for future residents.

Please refer to Council's comments in Attachment 2 and Attachment 3 for Council's Previous advice provided. The previous advice raised numerous issues, however Council's key issues were:

- Lack of Building Separation and privacy/amenity
- Lack of Waste collection arrangement on the site
- Unsatisfactory vehicle Access

These issues remain present within the development and the proposed site outcome before DPHI is unacceptable. Council is supportive of the scheme being used for affordable housing purposes; however Council does not support the future residents having compromised amenity, because the development is affordable. All occupants of residential buildings are entitled to the same amount of amenity, irrespective of the development type.

Council submits that the operational outcome of the site should not be determined based on the development being used for affordable housing, all residential development have the same operational outcomes as such the developer should provide suitable outcomes that reasonably address amenity impacts. Council previous advice provided suitable outcomes to address these issues, which has been disregarded.

b. Lack of Engagement

The Applicant has not engaged Council regarding the SSD application SSD-65931214. The only engagement to date was the formal pre-DA meeting, which was well before the issued Secretary's Environmental Assessment Requirements (SEARs) on the 14th of December 2023.

The issued SEAR's required the applicant to engage with City of Ryde Council to understand its issues that would inform their EIS. The Applicant has undertaken no engagement with Council from the issuing of its SEARs therefore, no feedback has informed its EIS that is on public exhibition.

Whilst a formal Pre-DA was held, this pre-dates the SEARs being issued. This inadequate consultation results in the proposal being inconsistent with DPHI's guidelines for *Undertaking Engagement Guidelines for State Significant Projects October 2022*. Due to the lack of consultation, it is unclear how the applicant satisfied item 26 of the issued SEARs.

It's noted that the applicant emailed Council seeking consultation on the 12th of December 2023. Council provided a response to the applicant on the 15th of December 2023, confirming that Council will be available for consultation. No response was provided by the applicant, instead choosing to lodge the SSD application without consulting with affected stakeholders.

Given this lack of engagement, further engagement is required by the applicant with Council, particularly a meaningful response to addressing Council's core issues relating to the operational outcome of the site, to ensure that the proposal provides better amenity outcomes for residents.

2. Waste Removal

The current scheme before DPHI does not significantly address councils concerns previously provided in 2023 regarding waste management. The following remains a concern:

a. Vehicle Access.

Council has previously provided advice that Heavy Rigid Vehicles (HRVs) are utilised for all domestic bin and bulky waste collection services. This advice was clearly detailed in Council's Written pre-DA advice, and yet the application submitted has not addressed this, as such Council's previous advice remains on vehicle access as outlined in Council's Pre-DA's advice. The below points require the applications revision:

- Provide a minimum 4.5 metre headroom clearance for a heavy rigid vehicle in accordance with AS 2890.2 to support access for Council's waste collection vehicles. The clearance must be provided along the vehicles entire travel path and be free of obstructions including pipes, sprinklers, eaves and overhang.
- Provide swept paths for a heavy rigid vehicle in accordance with AS 2890.02 to ensure waste collection vehicles can safely access the site for servicing.
- Amend loading dock design to ensure the waste collection vehicle can enter and exit the site in a forward direction. Council doesn't support waste collection vehicles reversing across footpaths and high traffic areas.

Further revision to the basement design and amendments to the loading docks are required, consistent with this submission and Council's Previous submissions at Attachment 2 and Attachment 3.

b. Deposition of waste.

The proposed transport of all waste by residents to basement storage rooms is not recommended for buildings taller than 4 storeys. It is likely to create significant waste management issues on site. A chute system in each tower (either dual or with attached storage for a recycling bin; and storage for a Food organics garden organics (FOGO) bin on each floor would provide the most efficient and effective waste management system on site, in accordance with the EPA Better practice guide for resource recovery in residential developments 2019.

Both Towers require to provide residential waste chutes. Council requests that DPHI require the applicant to amend the architectural plans to demonstrate each tower has a waste chute system. It is inappropriate to require residents to travel to the basement to remove waste. This will result in increase numbers of residents traversing the basement multiple times per week, compromising residential amenity. As such Council requests that DPHI require the plans to be amended to provide the following:

- Provide chutes on each residential level for the efficient disposal of household garbage and recyclables.
- Provide space for a future mobile food organics bin in each chute room for the deposit of organic material.
- Provide chute rooms on the basement level for the collection of waste and recyclables with bin track systems and sufficient space for manoeuvring.

It is noted the Environmental Impact Statement (EIS) addresses the requirement for the waste chute, as outlined in Council's Pre-DA advice. Page 69 of the EIS provides the following response from the applicant in response to Council's Pre-DA feedback (Attachment 2 and 3):

- *Internal waste chutes must be provided within the residential towers.*

Applicant Response: Waste chutes were not incorporated within the building. Based on historic experience within other buildings managed by Link Wentworth, they were identified as a constant maintenance issue due to items being lodged within the chutes. Instead, residents will be required to take their waste to the waste rooms within basement 1.

The above response is unacceptable and inappropriate. It is unclear what the suggested maintenance issues would be, all new residential flat buildings incorporate residential waste chutes into their design. It is not justified, as to why the proposed development should be exempted from that requirement. Further to the issue, as the development is proposed pursuant, to the Housing SEPP, it requires that it is to be managed by a registered community housing provider.

It would be the managers role in the operation of the development (if approved) to undertake maintenance of the waste chute (if required). This this regard, the rationale for not providing a chute is not accepted.

Council requests that DPHI require the applicant to provide waste chutes in the proposed development, to be consistent and compliant with Council requirements for all high rise residential developments. This is to ensure that residential amenity isn't unreasonably compromised.

c. Bin allocation and access.

The generation rate for residential properties including affordable housing is specified in Schedule 2 of Council's DCP Part 7.2 Waste Minimisation and Management DCP as 120L/week/household for recycling.

1100L bins are not suitable for direct resident waste disposal due to the height and weight of the lid. 1100L bins may only be used to service chutes, or to deposit waste from smaller servicing bins (smaller than 360L) via a bin decanter (not shown on Architectural or Waste Management plans).

Twice weekly recycling collections are only offered for 660L bulk recycling bins. Amend waste generation rates as your site will require:

- 6 x 1100 litre waste bins collected 3 times a week
- 14 x 660 litre recycling bins collected 2 times a week
- 1 x 240 litre garden organics bins collected fortnightly.

The plans must demonstrate suitable storage areas for 13 x 140 litre food organics bins in anticipation of a Food Organics Garden Organics (FOGO) service. This will ensure organic waste is considered in the provision of bin allocation and space for bin storage.

d. Bulky waste storage and access.

As previously advised Council does not support the proposed servicing arrangement, particularly maneuvering. The required maneuver to reverse the bulky waste collection vehicle across the Basement 2 access and main site driveway would require the building manager to arrange a traffic controller in advance to ensure the safety of other basement users. Collection staff cannot practically provide advance notice of arrival times during a servicing run and is likely to cause significant disruption to other basement users. Council requests the following amendments to the application:

- Amend the loading dock design and truck path to support effective bin servicing and reduce the movement of bulk bins and heavy items.
- Provide access plans for how residents, building staff and collection staff will transport waste to bins and bulky waste storage rooms to ensure pedestrian safety.
- Amend the bulky waste storage room/s to a practical size and shape for the storage of large items.

3. Urban Design outcome and planning matters

Council's concerns from an urban design perspective remain in the application before DPHI and are unresolved. The Applicant and DPHI is to refer to Attachment 2 and 3 in addition to this submission for detailed explanation of issues that requires to be resolved.

a. Mews Road

- As per Council's previous advice, the reduction of the Mews Road width and omission of the footpaths is not supported. The proponent must provide the Mews Roads as described in the Urban Design Guide.

b. Building form

- The tower split into two buildings is supported in principle. However, as noted by the UDRP, the separation between buildings is narrower than permissible under the ADG. Council has concerns regarding the narrow breezeway between buildings. The current design offers little to mitigate the privacy and amenity issues created by this design decision. Council has previously advocated for increasing the width of the breezeway. This is still Council's first preference. However, the designers may also employ minor changes to the design to meet the ADG objectives regarding privacy and amenity, including:
 - Reducing the number of windows to habitable rooms facing the breezeway. There is a surplus of glazing to rooms facing the breezeway at the cost of privacy and furnish ability.
 - Further articulation in the form of angled window boxes, while not strictly in keeping with the current arcuated and trabeated design language, is another way to solve this problem.
- Council does not support the introduction of fixed privacy screens to resolve overlooking issues.
- The current design offers little privacy to Ground Floor private open spaces. Council suggests the proponent include awnings or pergola structures that provide shade and weather protection, designed in keeping with the strong architectural character.
- The zero setback to the southern boundary was envisioned as part of a 6-storey street wall, that continues across Halifax Road (see Fig 19). The proposed 13 storey volume is a considerable departure from this intended built form. While a setback or inset to the southern boundary from

level 6 presents challenges for maintaining the project's bilateral symmetry, such a setback is necessary to maintaining the intended built form.

- The design needs to quantify the overshadowing of open space/social infrastructure on lot 108 (Figure 1). The current drawings show considerable overshadowing of the southern lot but offer no quantitative data to verify that it receives sufficient sunlight at the winter solstice.
- Tower setbacks may be required to reducing overshadowing to lot 108. Further articulation of roof form may be required to reduce overshadowing if increasing setbacks above level 6 are insufficient to mitigate the impacts.
- The courtyard entry raises CPTED concerns. Entries are located away from the street, which means they lack passive surveillance. Council suggests:
 - Entries are reoriented to be visible from the street.
 - The landscaped roof over the courtyard and curved archway are removed to enable passive surveillance of the courtyard from apartments above and the street.



Figure 1: Markup showing affected open space in proximity to the site (Source: Ryde Maps)

c. Building Separation

As noted in Attachment 2 and 3, Council does not support the suggested building separation, resulting in significantly compromises residential amenity. DPHI and the applicant is advised to consider Council's previous comments as this matter remains outstanding. Council and the UDRP provided a recommendation outlining how improved building separation could be adequately achieved on the site. This advise has been disregarded and no testing of why this outcome isn't suitable has occurred. It's noted the EIS makes the following statement:

Limited testing of a taller building was undertaken. However, it was identified to have adverse impacts on both the Linear Park and future residential buildings to the east of Halifax Street in complying with the required solar access provisions under the ADG. Due to this, it was not further pursued.

If this testing had been undertaken, then it should have been provided with the application, with appropriate evidence supporting the proposed development. This information has not been provided with the application.

Council objects to the significant non-compliant building separation that results in compromises residential amenity. Council requests that DPHI require further testing of this potential solution to ensure residential amenity is protected and enhanced.

d. Architectural character

- The proposal has a strong architectural character based on a restrained, well-considered palette and novel details. While the UDRP and Council support the principle of a strong architectural identity, Council is concerned that the proposed character is contingent on high levels of finishing which are not commensurate with delivering an affordable housing product. It is imperative that the proposed high level of design and finish is protected from value engineering prior to and during construction.
- Greater consideration can be given to building entries. Council encourages the proponent to develop a building entry design that is more generous and inviting than just extending the main corridor. As per previous comments, entrances should be designed with CPTED principles in mind.
- Council has concerns that the proportioning of the precast spandrels and balustrades on the central portion of both towers may result in NCC non-compliances regarding balustrade climbability. Council suggests that the proponent offer detailed sections at DA to illustrate compliance can be achieved without affecting the proportion of the facades.
- Further consideration should be given to the design of services along Halifax Street. While the UDRP suggested that these be located on the Mews Road, a well-designed outcome may be considered. The current architectural drawings omit detail on how booster assemblies and the like will be finished.
- The capsule shaped pergola structure offers little amenity or weather protection to rooftop users and is not in keeping with the combination of arcuated and trabeated forms that define the architectural character. The proponent's architect is encouraged to prepare a revised pergola design that provides excellent amenity and weather protection in keeping with the project's design language.

e. Constructability

- The project appears to rely on a remarkably thin retaining wall system. Council is concerned that unless the basement is tanked – likely to be a considerable expense – residents risk experiencing

water ingress into storage areas. As the basement is proposed to the southern boundary, Council suggests amending the design to provide increased tolerances to retaining walls that provide the proponent flexibility to adopt a cost-effective and low risk construction methodology in future.

f. Landscape design

- Trees in the courtyard offer a strong identity and a high degree of biophilic amenity. However, Council has concerns regarding the feasibility of large trees in the entry courtyard as indicated on the plans and elevations. Suggest increasing depth of soil over parking below if basement cannot be reconfigured to provide deeper soil for these trees.
- The high quantity of planting across the project is supportable in principle. Council has concerns that this could be value engineered out of the design closer to or during construction, or poorly maintained during operation. The proponent should provide a detailed operations management plan with the DA outlining how vegetation will be maintained.
- Trees along southern boundary appear to be located under a private balcony on level 01. This may be an error, however the landscape design needs further coordination with the architectural design.
- Deep Soil Area: Lachlan's Line Urban Design Guidelines requires a deep soil area of 15% with a minimum dimension of 6m in any direction. The Architectural drawing state the Site Area is 2507m², required deep soil area is 376m², proposed is 447m² (17,8%). However, Council's calculations using a minimum dimension of 6m, calculate an area of 370m², 6m² short of the required deep soil area. Further clarification on this aspect is required.
- Landscape Plans submitted with the DA need to show soil volume and depth comply with the requirements of the ADG.
- Garden Beds along the southern boundary appear too small for the proposed tree planting and the area is overhung by the balconies of Level 2.

4. City Places and Developer Contributions

a. City Places

The City of Ryde has committed to increasing canopy cover throughout the LGA to 40% by the year 2030. The proposal should demonstrate that it is achieving this target within the site.

- Solar access for southern public park Lot 108: - it is unclear if the current proposal is consistent with the approved Detail Shadow Analysis-Proposed Mod-2 and the City of Ryde Urban Design Guidelines - Overshadowing and Accessing Sunlight limits Control clause 4.4.2.3: which requires at least 50% of new and existing public open space is to receive 3 hours direct sunlight between 9am and 3pm on June 21. The proponent it to demonstrate that this can be achieved.

b. Developer Contributions

In review of the EIS submitted, the applicant is seeking an exemption or reduction of paying development contributions. Council advises that the development does not satisfy the exempt criteria as outlined within City of Ryde Council's Section 7.11 Development Contributions Plan 2020. Council does not support reducing or exempting the application from credits for the following reasons:

- The development proposes 135 units, which with the City of Ryde's current average household size of 2.1, will bring into the Local Government Area an additional 290 residents. This will have an impact by requiring the delivery of new public active recreation

infrastructure (as identified in Council's Section 7.11 Plan) to meet this demand and none is proposed to be included in the proposal and for this reason Council does not support any reduction of contributions (other than what's already envisaged under the executed VPA for allotment credits).

- MOD-5 provided a significant GFA uplift for the development, without provision of any additional infrastructure upgrades to support the additional residential density.
- The increased GFA (approved under MOD-5 to SSD-5093) will result in double the number of dwellings envisaged on the site. Council requires the contributions paid to support any relevant infrastructure upgrades needed within the locality.
- The development does not propose to dedicate any affordable housing to Council, as such is not entitled for a reduction of contributions.
- The executed VPA provides a credit to the development for which the applicant can claim, with the VPA stipulating that Council is under no obligation to further reduce credits once the maximum credit is claimed.

Relevant to the matter of contributions, the Applicant submitted *Appendix MM Planning Agreement with City of Ryde* with its EIS. The Applicant is claiming that the site benefits from a credit under the Voluntary Planning Agreement (VPA). Appendix MM has been amended by a deed of variation executed on the 19/7/2023. Refer to Attachment 4. The effect of Attachment 4 amended the VPA has reduced the maximum credit available to be claimed for Lot 117 (subject site).

Importantly, the VPA (as amended), outlines the follow scenarios for contribution credits:

(f) The maximum amount of credit that may be applied in accordance with clause 4.2(e) for a Development Lot is as follows:

(i) Development Lots 104 and 105 - \$15 million indexed in accordance with movements in the CPI from the date of this Deed to the date the amount is applied to reduce S94 or S94A Equivalent Contributions; and

(ii) Development Lot 114- \$1.5 million indexed in accordance with movements in the CPI from the date of this Deed to the date the amount is applied to reduce S94 or S94A Equivalent Contributions; and

(iii) Development Lots 115 and 116 - \$8.5 million indexed in accordance with movements in the CPI from the date of this Deed to the date the amount is applied to reduce S94 or S94A Equivalent Contributions.

*Note: **per Attachment 4** Lot 115 and Lot 116 credit respectively is \$4,250,000 (indexed in accordance with movements in the CPI from the date of the Planning Agreement to the date the credit is applied)*

*(iv) **Development Lot 117 - The balance of the Total Credit Amount.***

Under the VPA, credit can only be applied to various sites in different proportions to a maximum amount of \$26,284,732.00. The VPA outlines which sites are entitled to receive a developer contribution credit for. Relevantly to Lot 117 (subject site), Appendix MM and Attachment 4 clarify that **Lot 117 is only entitled to the remainder of the total credit amount once all other sites have claimed the credit.**

In this regard Lot 117 has been submitted prior to any other application that benefits from a credit and has claimed their credit, which includes that value applying Consumer Price Index (CPI) towards. As the maximum contribution for the precinct is \$26,284,732.00, should future applications be submitted on identified lots with credits, **applying CPI** to the contribution value will provide the maximum credit applicable to each lot, thereby reducing the "remaining balance" available to Lot 117.

The Applicants EIS is claiming that the remaining credit for Lot 117 is \$1,284,732 plus CPI. This is not correct. Lot 117 would only benefit from the remaining credit available, being the value of:

- Lots 104, 105, 114, 115 and 116 credits claimed with CPI indexed amounts Minus Maximum amount (\$26,284,732.00)

As Lot 117 is the first development within the precinct and the other developments haven't claimed their credits plus CPI, the "remaining value" could not be applied to this development. particularly noting that the credit for the precinct is a maximum that does not have CPI applied to that value. Given that the intended outcome on identified lots and their associated contributions is not quantified, prematurely applying a credit to this site, would reduce the remaining maximum credit amount, thereby potentially reducing total contributions payable to Council. In this regard the applicant is required to engage directly with Council's on this matter. This engagement may include the amendment of the VPA to clarify this inconsistency.

As such should DPHI approve the development, a condition of consent would be required to be imposed on any consent requiring full payment of contributions, minus any credits that the lot may benefit from. A recommended condition will be provided by Council once issues raised in this submission are addressed.

5. Strategic Transport

Council notes that the proposed developed at 6 Halifax Street broadly aligns with the goals of the North Ryde Station Precinct DCP and Urban Design Guidelines High-Density Residential Precinct & Lot 107 Lachlan's Line as a transport-oriented development. The following comments are made on the proposal:

1. The proponent is proposing a 'low-parking' development that broadly aligns with the principles of the transport-oriented North Ryde Station Precinct, however a single visitors car space is not supported.
2. Based on the proponent's own analysis, the development is not compliant with the Affordable Housing SEPP car parking minimums.
3. Given the very low quantities of residential parking being provided, the quantity of bicycle parking is inadequate and not properly justified.

Detailed comments on the above issues below:

- a. The proponent is proposing a 'low-parking' development that broadly aligns with the principles of the transport-oriented North Ryde Station Precinct, however a single visitors car space is not supported.**

The SSDA includes provision of 43 on-site car parking spaces, of which 4 are accessible. Additionally, the development includes 10 motorcycle spaces and 26 bicycle spaces. This provides for 135 apartments, of which 83 are 1 bedroom and 52 are 2 bedroom. Of these, 14 are adaptable dwellings. The proposal allocates 3 car share spaces that are provided in the Mews Road which is a positive outcome for the site.

In total, this represents a very low parking provision. The low number of car spaces is broadly consistent with the Lachlan's Lane Urban Design Guidelines that present a transport-oriented vision for the site. However, the specific mix of the parking allocation is not appropriate for the site.

We note that 14 adaptable dwellings are planned for as well as 4 accessible parking spaces. Assuming all accessible parking spaces are allocated to adaptable dwellings, 10 of the 14 proposed adaptable dwellings will not have access to a private accessible car space. A single accessible visitors parking space should be provided to support those residents without access to a private car space.

The proposal allocates a single visitors car space in the Mews Road. This space will likely be shared between other road users in the Lachlan's Line Precinct and is not considered sufficient to meet the needs of the development. It's suggested increasing the provision of visitors parking to include an additional 3 secure basement visitor spaces. Further comments on visitor space requirements are provided in Section 8 of this submission, which the applicant is advised to address.

b. Based on the proponent's own analysis, the development is not compliant with the Housing SEPP car parking minimums.

According to the provided Transport Assessment, the non-discretionary development standards in the Housing SEPP require the site to provide for 60 car parking spaces based on the apartment quantum and mix. Council notes that this development does not meet that requirement and has submitted a Clause 4.6 to address this matter.

Council notes that the proposed parking provision aligns with the City of Ryde DCP parking requirements in that it is not more than the parking maximum outlined in the North Ryde Station Precinct DCP.

c. Given the very low quantities of residential parking being provided, the quantity of bicycle parking is inadequate and not properly justified.

Section 2.7 Bicycle Parking of Chapter 9.3 Parking Controls of the City of Ryde DCP states:

"In every new building, where the floor space exceeds 600 m2 GFA (except for dwelling houses and multi unit housing) provide bicycle parking equivalent to 10% of the required car spaces or part thereof."

Given that the relevant North Ryde Station Precinct DCP provides for a car parking maximum, rather than a minimum, there is some uncertainty about how this section of the DCP should be interpreted. However, In regard to this development it is noted that there is:

- very low provision of off-street car parking provided in the development
- lack of availability of on-street car parking nearby
- fact that this development is occurring in a 'transport-oriented precinct', and
- fact that the development has direct access to a linear park shared user path on Halifax Street,

It is reasonable to assume that many residents will seek to travel by bicycle for their daily commute as well as recreational trips. The North Ryde Station Precinct DCP Section 7.3 requires "that bicycle parking is considered in all development and provided in appropriately scaled developments with end of trip facilities such as change rooms, showers and secure areas for bike parking."

End of trip facilities are not required as this development is entirely residential. The further consideration of an appropriate quantity of secure bike parking is required. Council notes that the SSDA provides 8 visitor and 18 residential bicycle parking spaces. Council would like to better understand how the proponent has calculated the required amount of bicycle parking for the development and suggest that a much greater quantity of bicycle parking should be provided within the development.

Council suggests that the development provide Class 3 bicycle parking in the Mews Road or building forecourt to meet the needs of visitors to the site. It is recommended 14 spaces, being 1 space for every 10 apartments at the site. This is 6 more visitors bicycle parking spaces than currently provided.

Council suggests providing Class 2 bicycling parking for residents in a quantity that acknowledges the accessibility of the bicycle network from the site and the fact that the provision of off-street car parking in the development will mean most residents are unable to own a private vehicle. Council suggests that every unit in the development should be provided with a secure bicycle parking space, excluding those that have a private off-street car or motorcycle space. This aligns with the City of Sydney DCP which could provide guidance for the proponent on the appropriate provision of bicycle parking in a transport-oriented context.

Given the proposed provision of 39 residential car spaces and 10 residential motorcycle parking spaces, it is recommended that the proponent should provide 86 residential bicycle parking spaces. This is 68 more residential bicycle parking spaces than currently provided.

6. Traffic

Council does not support the development on traffic grounds and requires further information before it could be supported. This advice has previously been provided in Attachment 2 and 3. The applicant should address the below comments and Council's previous advice. Key issues include:

a. New road design.

The specific design for the intersection of Mews Road and Halifax Street should be provided for review, rather than designed as a site access. The intersection should be priority-controlled with indicative signages and line markings. The Mews Road is proposed to be a shared zone. Please note, in accordance with TTD2016/001, shared zones are speed zones and approval to install them must be obtained from TfNSW in accordance with TTD2016/001.

b. Garbage vehicle.

Council has previously advised that the required garbage vehicle would be 12.5m long HRV with 4.5m height clearance. Therefore, the proposed MRV loading bay would not be suitable for the garbage collection in the future, and the proposed loading bay should accommodate Council's HRV garbage vehicle. It is noted a temporary parking space for 12.5m HRV in the basement carparking aisle, which could be removed once a formal loading bay for 12.5m HRV is provided. The swept paths for 12.5m garbage vehicle turning into/out of the basement parking and the loading bay are required.

c. HRV manoeuvring.

In May 2023, Council's Traffic Services Department provided comments on the submitted Technical Note prepared by ARC Transport + Traffic dated 20 April 2023. The comments provided are not yet addressed and still applicable for the DA submission including:

- Council does not support a 12.5m long HRV turning into/out of Mew Road without traffic controllers on Halifax Street.
- Swept paths for 12.5m long HRV turning right into Mew Road and turning right out Mew Road are required.

The swept paths are required not to impact any existing kerbside parking bays along Halifax Street. If impacted, mitigations are required to remove such impacts.

d. Parking on Mews Road.

The proposed 3 carshare parking bays and 1 visitor parking bay on Mews Road may be impacted during 12.5m HRV into/out the site. Increasing the Mews Road width consistent with the Lachlan's Line Design Guide requirements would result in this more appropriate swept paths to ensure there is no conflict between waste vehicles and parked vehicles on the Mews Road. Please refer to Attachment 2 and 3 for Council's further discussion on this matter. Further information is required on this matter addressing this concern.

7. Public Domain

a. General Comment

The following requirements to be complied with:

- Inadequate footpath width (1.0m) on mews road. Requested amendments to mews road footpath width on both the southern and northern sides to meet requirements of the LLUDG.
- Details of stormwater connections to existing Council drainage system to be provided.
- Waste collection to be via Mews Road rather than the Halifax Road frontage. Swept paths are required to be further reviewed to ensure adequate access for all relevant vehicles into the site via the mews road.

The Applicant is advised to refer to Council's previous advice and address Council's concerns.

b. Future Access Road through Lot 109

The Macquarie Park Public Domain Technical Manual specifies a new 14.5m access road, denoted as Road No.7 to be constructed between Halifax Street (shown as Road 31) and Wicks Road.



Figure 2: Extract from Macquarie Park Public Domain Technical Manual

The approximate location of the subject site is shown above on the Macquarie Park Corridor Road Types Plan, Figure 3.1.1, showing that the proposed road connection goes through or close to the proposed Road No.7.

There is a general expectation that any new road specified within the technical manual, contained within a subject site should be constructed by the developer of the site. If this expectation is applied to 6 Halifax Street, it appears there would be a responsibility to provide a part of future Road No.7, 14.5m in width.

The Lachlan's Line Urban Design Guidelines, issued in July 2019, after the Public Domain Technical Manual shows a future road link through Lot 109, adjacent to the subject site, which could be extended to provide for future access between Halifax Street and Wicks Road, In summary provisions have been made for a future access road between Halifax Street and Wicks road however, the alignment will not be consistent with that shown in the Public Domain Technical Manual for Macquarie Park.

As Lot 109 is not Council land and is currently owned privately there is no option to have the developer deliver the part of the access road, adjacent to their site, which is the normal practice for development proposals located adjacent to land designated to be a future road.



Figure 3: Extract from the Lachlan's Line Urban Design Guidelines

Whilst it is unclear the future intended outcome of the precinct (Precinct 6 under the Macquarie Park Innovation Master Plan), the applicant should engage and DPHI should engage with the strategic unit of DPHI who is currently preparing the Stage 2 rezoning of this land, to understand the intended outcome of the precinct and where the location of the future road will be positioned to ensure the design of the site responds appropriately to a future road.

Council requests that further consideration be given to the future strategic outcomes of the adjoining precinct 6 and how planned roads would affect this development.

c. Mews Roads

Figure 4 below details new Mews Roads to be delivered on private property to enable adequate vehicular and pedestrian access to the site. At the Northern extent of the site a Mews Road categorised as '1C' will be required. Figure 5 shows the detail for new mews roads classified as '1C', showing required carriageway and footpath widths.

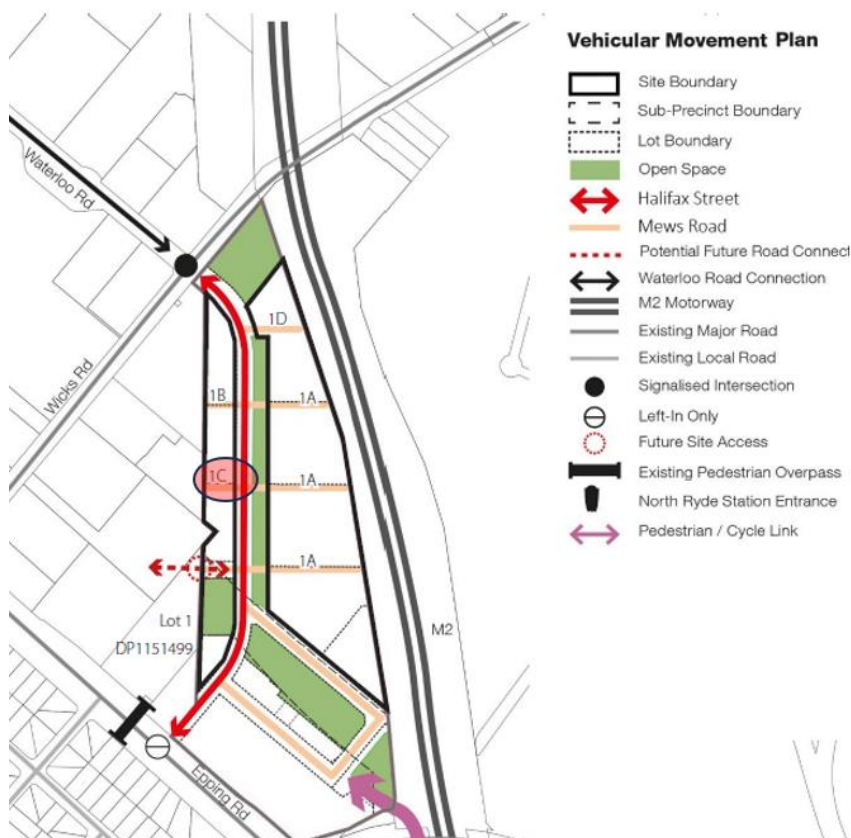


Figure 4: Extract from Lachlan's Line Urban Design Guide

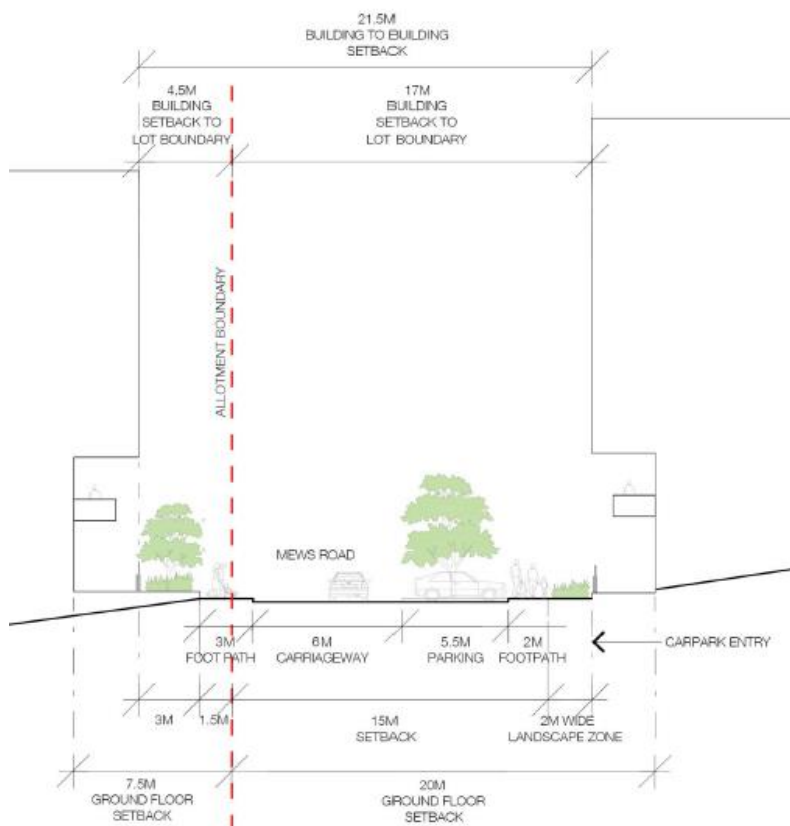


Figure 5: Extract from Lachlan's Line Urban Design Guide

The detail shows that a 6.0m carriageway, 5.5m parking bay, 3.0m footpath (1.5m of this within the subject lot boundary) on the northern side of the mews road and a 2.0m width footpath on the southern side along with a 2.0m landscape strip. This adds up to a total width of a 17.0m width mews road. The proposed development does not provide a Mews Road arrangement consistent with the required controls, which Council does not support.

The LLUDG requires a Mews Road Width of 17.5m for the site, whilst the Applicant has proposed a 13.5m Mews Road. This is inconsistent with the LLUDG. The Applicant is advised to thoroughly consider the objectives of control 3.2 Circulation Networks and 4.2 Construction of Mews Road and Vehicular Access of the LLUDG. Council does not support the reduction in its current form.

Of particular importance is that Mews Roads are required to provide for car share spaces. These car spaces are required to be provided on the Mews Roads. The reduction of any Mews Road Width must not impact on the ability for the Mews Road to deliver car share spaces.

The applicant justifies reduction in the width of Mews Road through removal of required footpaths under the LLUDG. If the footpaths are removed, it is unclear how the pedestrian connection, permeability and access would be achieved under the proposed Mews Road design. The information provided does not sufficiently demonstrate how the reduction of Mews Road width, would sufficiently support pedestrian access and permeability. Should the Applicant explore a reduction of a Mews Road width, they should ensure appropriate access and permeability is achieved in the reduced Mews Road Width. These details were not provided.

The reduction of the Mews Road width should not comprise the Mews Road ability to deliver Street Planting on the Mews Road as required by Control 3.4 Landscape and Deep Soil of the LLUDG. Should the applicant explore a reduction in the width of Mews Road, they should ensure there is sufficient widths available for street trees on the Mews Road, with appropriate soil depths to enable tree growth.

The reduction of the Mews Road width impacts the sites' ability to sufficiently provide appropriate separation distances between Lot 118 to enable compliant separation distances under the ADG, this is evidenced as it shifts the built form mass towards the north. As Lot 118, has a similar height and FSR to the subject site, the reduced Mews Roads width impacts the site's ability to deliver a compliant separation distance. 17.5m Mews Road width, is required under the LLUDG as the boundary setback of the adjoining site is 4.5m, providing a total separation distance of 22m which is required under IIUDG.

It is also noted that currently DPHI is considering an application under SSD-5093-MOD-6 which proposes to increase the GFA on the adjoining lots, resulting in higher buildings. The reduction of the Mews Road width on the Applicants site places an unfair burden onto the adjoining lot to deliver additional separation distances between the applicant's site to ensure a compliant ADG separation depending on the scheme proposed.

To ensure that the mews road fulfills its intended objective as the primary access point, it must be demonstrated that adequate manoeuvring can be achieved within the mews road. Council's Transport Team will provide further details.

d. Public Domain Works on Halifax Street

Public domain works have recently been delivered along the Halifax Street frontage of the site and they are generally compliant and in good condition at the current time. To ensure that the public domain infrastructure is not damaged during the course of the construction works a comprehensive pre-construction dilapidation report will be required to be submitted to Council capturing all Council infrastructure within the vicinity (100m) of the development site prior to commencement. A post-construction dilapidation report showing the condition of Council infrastructure upon completion will also be required and will form the basis for the scope of any rectification works required to be completed.

In general, new developments are required to upgrade the frontage of their development site in accordance with the Public Domain Technical Manual, and deliver new infrastructure to provide for access to the site. This standard will be applied to the public domain infrastructure along the site frontage, particularly the road pavement to ensure that high quality public infrastructure is in place along the site frontage prior to occupation.

As the public domain infrastructure is already in place along the site frontage, and the scope of public domain works required will therefore be limited to reinstatement or rectification works, Council will require a Public Domain Infrastructure Bond to be lodged to mitigate the potential for damage and ensure adequate rectification is carried out as required. The value of the bond will be calculated based on the quantities of public domain infrastructure along the frontage, multiplied by the rates current at the time the bond is lodged, as specified by Council's Schedule of Fees and Charges. A 50% rate of the total value of the public domain infrastructure will be adopted.

The bond will be held until the completion of all public domain works and the issue by Council of a Certificate of Public Domain Restoration. In the case that restoration is not completed to Council's requirements the bond may be utilised to carry out restoration works. Council will provide conditions on this matter at a later date.

It must be demonstrated that the mews roads connections can be delivered without adversely impacting the existing public domain elements. In the case that the Mews Road connection need to encroach onto the existing public domain infrastructure to achieve the required widths and adequate manoeuvring, then details must be provided of how the current of the elements of the public domain will be maintained and if any significant public infrastructure, eg. Lighting, signage, street trees, landscaping will be relocated or rearranged.

As the mews roads will facilitate vehicular access to the site, it must be demonstrated that both left and right turning manoeuvres both into and out of the site from Halifax Street by a Heavy Rigid Vehicle (HRV) are achievable. Adequate vehicular access between Halifax Street and the mews roads should be demonstrated via the submission of vehicular swept paths.

The connection between Halifax Street and the mews road must maintain the continuity of the Shared User Path (SUP) along the frontage. While kerb returns are required to facilitate vehicular access, to maintain the continuity of the SUP across the mews road entrance, it will be necessary to provide a slightly raised threshold. The raised threshold is critical in establishing pedestrian / cyclist priority and maintaining safety. Provisions will be required for stormwater management within the vicinity of the mews road connection / raised threshold. The applicant is required to provide the following:

- Plans detailing the connection between the internal mews road and Halifax Street. The plans must:

- be supported by swept path analysis demonstrating kerb return alignments providing for adequate access for vehicles entering and exiting the site including access for Heavy Rigid Vehicles (HRV).
- Detail how the continuity of the existing Shared User Path will be maintained across the intersection with the new mews road, via a raised threshold, given the requirement for kerb returns.
- Provide details of the mews road arrangement in order to demonstrate adequate access arrangements. Details should comply with the requirements of the Urban Design Guidelines for Lachlan's Line and include swept path analysis demonstrating adequate manoeuvring.

8. Development Engineering

a. Stormwater Management

In review of the proposed stormwater management system, Council makes the following comments:

- The proposed stormwater management system is considered acceptable, with the entire site falling to an easement adjoining the western boundary and falling to the north. The point of discharge is in the lowest part of the site, in the northwestern corner.
- A review of Ryde mapping system notes that the easement to the rear is a mix of private beneficiaries and Council. As such, the easement would be a private interallotment easement with Council included as a party.
- The encroachment into the easement is not supported as;
 - Permitting the encroachment sets a strongly undesirable precedent of allowing encroachments into easements. Such an action compromises on the function and purpose of an easement and is contrary to the fundamentals of property law which preserve a binary viewpoint concerning rights / obligations and enjoyment of land. If there were grounds to allow construction over the easement, the easement would have been defined in stratum however this has not occurred.
 - The encroachment imposes on access to the service, should the services ever need to be replaced or repaired.
 - Any work or replacement of the service extending under the encroachment will require such works to be undertaken from both ends of the easement. This greatly complicates construction logistics and prolongs the period of works on the site. Both of these factors will increase the cost of works for the parties undertaking the maintenance.
 - The above matter additionally prolongs the repair / maintenance period and therefore significantly impacts the amenity of occupants of the development.
 - The lack of a clear access corridor resulting from the encroachment presents a greater risk of property damage to the development and thereby greater cost/ insurance implications for the party undertaking such works.

b. Vehicle Access and Parking

In regard to vehicle access, the proposal presents the following concerns;

- The basement ramp does not facilitate efficient, two way vehicle movements given the ramp incorporates a 90 degree "bend". This is contrary to AS2890.1 which requires curved ramps to provide a minimum 4m radius curve on the inside swept path. The arrangement is such that a vehicle ascending the ramp will be required to enter the opposing traffic land.
- The internal ramp is offset from the alignment of the main access aisle in the lower basement level, requiring drivers to perform an "S" manoeuvre to proceed to the parking spaces at the southern end. The arrangement effectively permits only a single lane of movement and will require a vehicle in the opposing flow to stop well back from the point (such to allow the opposing vehicle to pass) or reverse such to allow this. A similar "S" manoeuvre is also

required in the upper basement level and it is foreseeable drivers will likely cross into the opposing travel lane when accessing / egressing the basement level.

- The intersection of the internal ramp and the access aisle in the upper basement lacks sufficient sight distance between a vehicle ascending the ramp and one emerging from the upper basement. As noted in the point above, drivers navigating the "S" bend in the upper access aisle will likely emerge from the area in the opposing lane, exacerbating this issue.

The development proposes 135 units comprised of 83 1-bedroom units and 52 2-bedroom units. The applicants Traffic Consultant has made reference to the applicable parking controls being those presented in the SEPP (presenting parking minimums) as well as the North Ryde Station Precinct (NRSP) DCP (presenting parking maximums). For this development, the undersupply of parking (representing the NRSP-DCP) is considered relevant due to the proximity of the site to a metro station and other public transport options and therefore considered to be more applicable, which is accepted. Under these controls, the development would need to comply with a maximum parking provision of 97 parking spaces, which has been complied with given the development accommodates 43 parking spaces.

Whilst the NRSP-DCP references parking maximums for visitor spaces, the proposed single visitor space is considered inadequate. The space, being located in the shared driveway and freely accessible by the public, is likely to be abused by the public and unlikely to accommodate the visitor parking demand of the site. Essentially the NRSP stipulation of parking maximums seeks to reduce the reliance upon private motor vehicles as a transport option. Given that visitors to the site are however external to the area and therefore much more likely to own a vehicle, this demand needs to be catered for. Noting that the maximum rate is 14 visitor spaces, it would be warranted that the development caters to this demand inside the site.

c. Loading and Service Bay

A review of the servicing and loading facilities notes the following concerns:

- The proposed loading and servicing facilities which are to cater to smaller commercial vehicles (SRV and MRV design vehicles as defined in AS 2890.2) to be accommodated at the furthest southern end of the basement garage. Whilst acceptable for residents service demands, this is contrary to Council's development controls for waste collection which seek safe and efficient access to waste areas.
- The standing of heavy vehicles in main access driveway is not supported due to the impact on traffic flow and safety.

9. Easement Encroachment and Flooding

As previously stated in Council's Pre-DA advice, there were numerous issues raised. The submitted application has not adequately addressed these matters. The applicant shall address the following issues to facilitate further review of the application:

- Full electronic copies of executable TUFLOW modelling file compatible with QGIS software (including batch file for run and flood difference file) clearly identifying each scenario shall be submitted to Council for further assessment. Electronic copy of modelling results for pre and post development scenario for velocity, depth, flood level, VxD and VxD afflux, flood level afflux for 1% AEP and PMF in .asc format shall be submitted.
- The submitted Architectural plans are to be modified to avoid any encroachment to the easement (see Figure 6 below), including eaves, gutters, window aluminium decorations, balcony, roof, etc. the proposed development is encroaching the easement throughout its design as shown in the below figures:

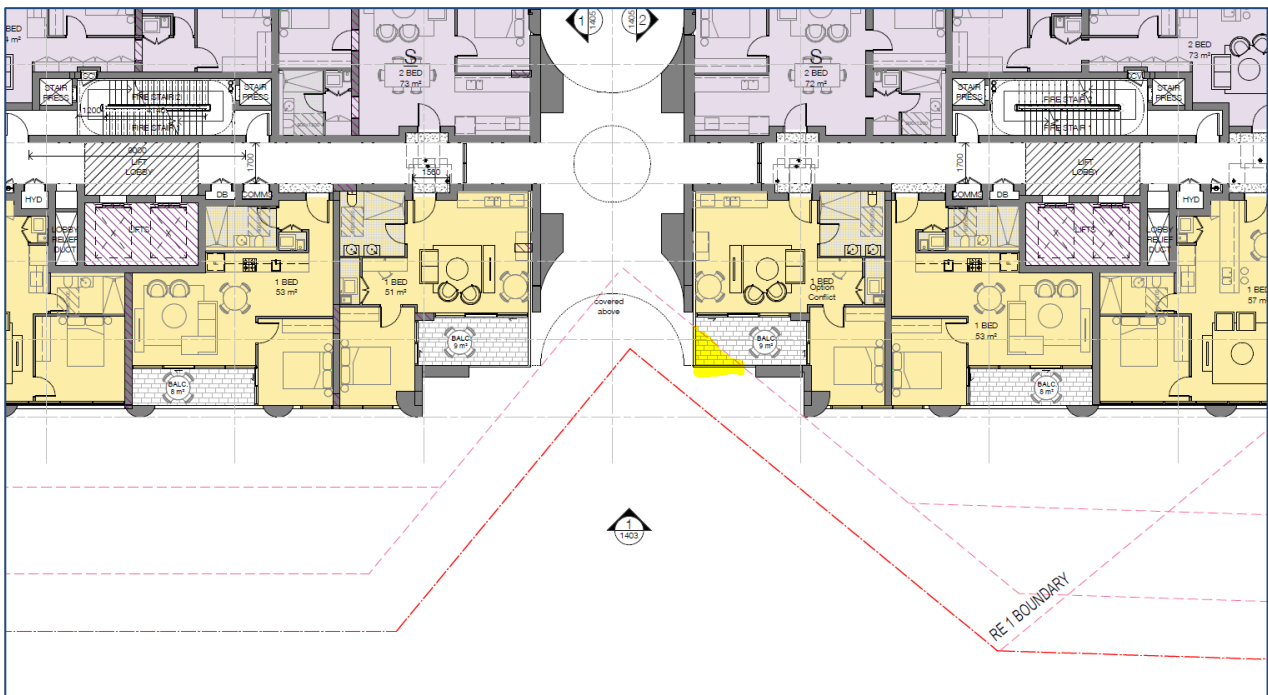


Figure 6: Extract from submitted plans demonstrating the building encroaching the easement

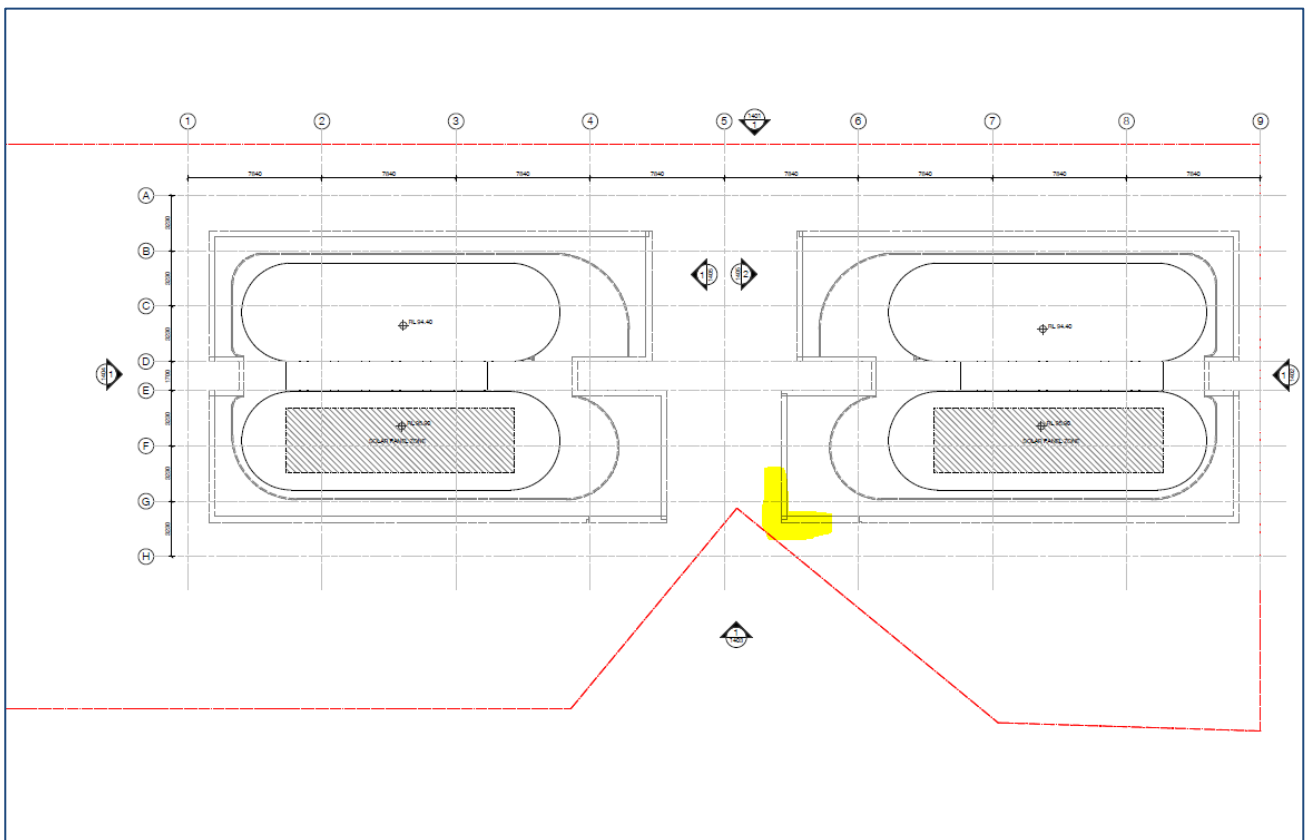


Figure 7: Extract from submitted plans demonstrating the building encroaching the easement

- Please indicate the horizontal clearance from the proposed development to the existing Council stormwater pipe. The proposed development to be minimum 1m away from the **outermost part** of the existing Council stormwater pipes.

- Please indicate the existing Council **pipe and pits** on the Architectural and Civil plans. Pipe to be indicated to scale. Please see Council stormwater diagram below for your reference:

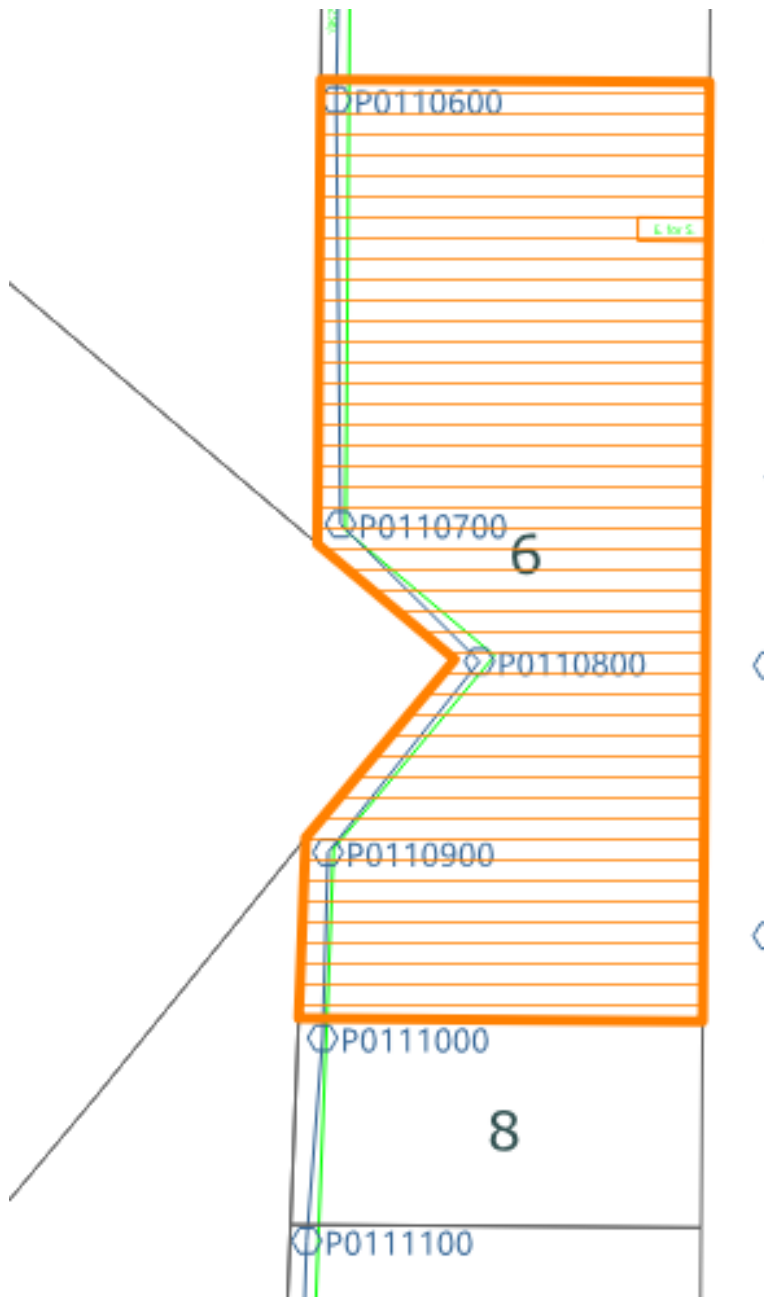


Figure 8: Ryde Council's Stormwater Asset

Structural Plan to be prepared and reflect below:

- The proposed development is located adjacent to the Council's drainage system, please demonstrate that the footing of the proposed structure is below the adjacent invert levels of the Council's drainage system and no loading is placed on Council's drainage system.
- Structural plans to be prepared by qualified structural engineer including the footings and foundations of all proposed structures adjacent to the existing Council. Please refer below for your reference:

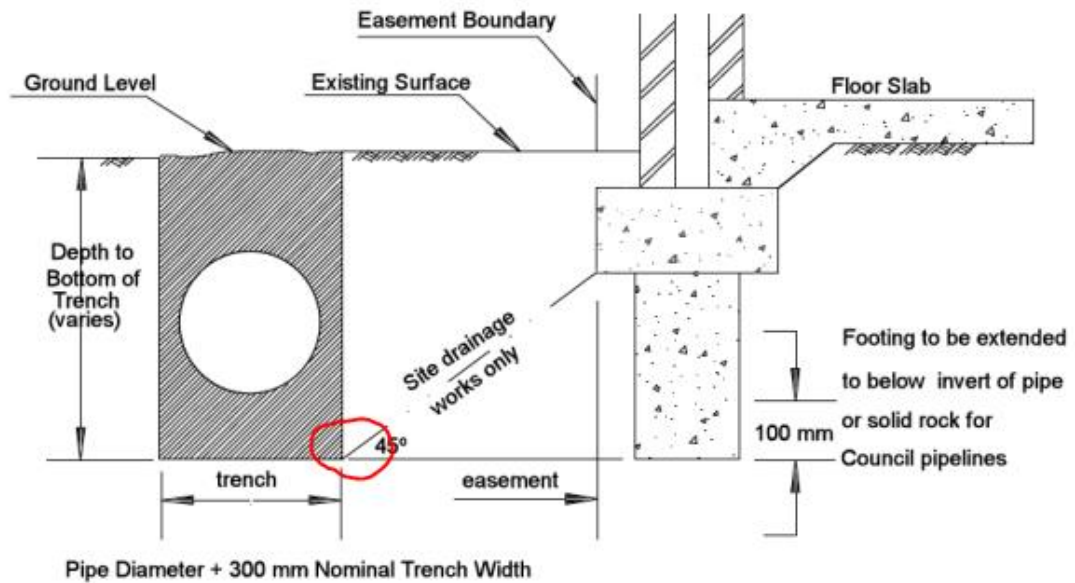


Figure 1-11 - Drainage easement adjacent to a building.

Figure 9: Figure demonstrating appropriate footings

- Please indicate the easement boundary, the development footings/piers and the stormwater pipe at the sections close to Council easement. Please extend the cross section as below:

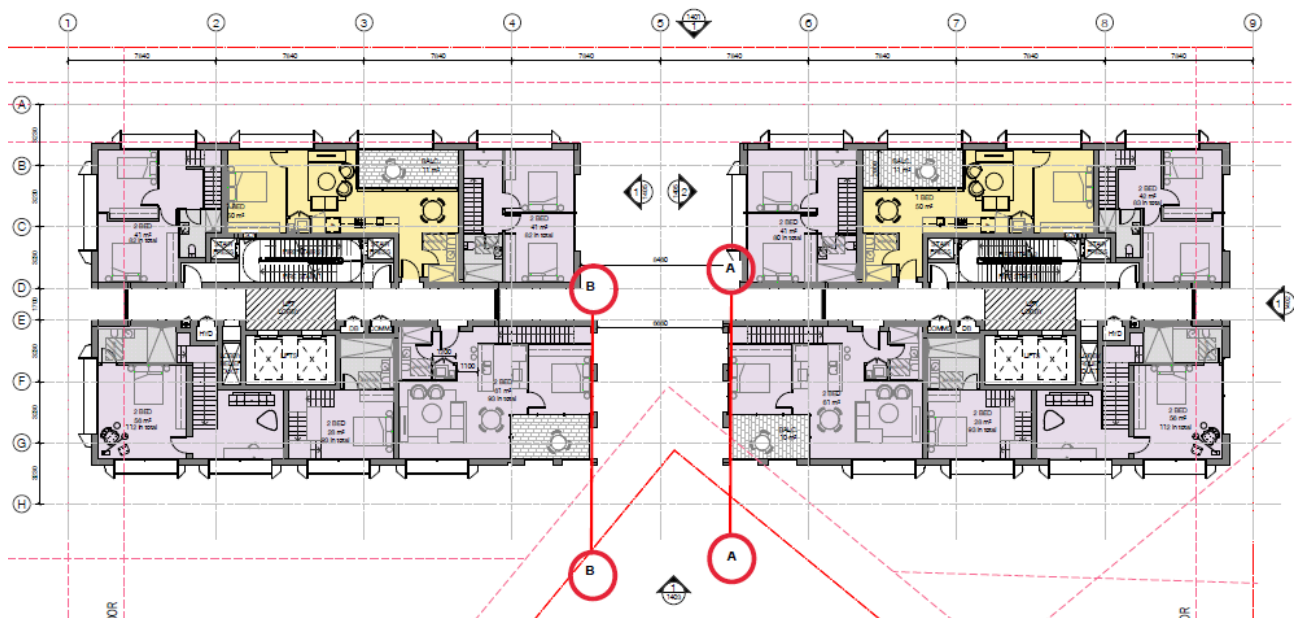


Figure 10: Mark up of submitted plans

10. City Resilience

Further information is required on the development's sustainability outcome, this includes:

- Claiming of 'future' net zero building possibility if procurement of Green power is undertaken. This will be at the cost passed onto each of residents/ apartment by which, will have a cost imposition onto residents of lower economic capacity to do so and therefore will unlikely be achieved.
- Minimisation should be priority. The Proponent should seek to minimise emissions as far as possible through design and prioritisation of low emissions materials during construction. Embedded networks are not supported, avoidance by the Proponent should be provided.
- It is unclear as to why Appendix I outlines a proposed car wash bay, however given the lack of carparking provided on it site, it is unclear the demand for such service.
- Thermal comfort inclusions – insulation R values – for south facing apartments R should be higher than north facing which will also act as a buffer should a future road be planned to provide sound attenuation.
- Further information on the provision of electric vehicle charging on the site is required. The scheme does not demonstrate any provision for EV charging or its ability to be made EV ready in the future. It's noted that the Lachlan's Line Urban Design Guidelines, *Control 4.14 ENVIRONMENTAL PERFORMANCE, 4.11.2 clause 8*, requires basements to provide Electric vehicle charging, or demonstrating the required infrastructure to transition into it in the future. Furt

Conclusion

City of Ryde appreciates the need for affordable housing and supports the development proposing to be used for affordable housing purposes; however the current format of the development is inappropriate from an operational perspective and provides compromises residential amenity and does not respond to environmental planning matters outlined above, as such for these reasons Council objects to the developments outcome.

Council has previously provided detailed advice on the matter which has been disregarded by the applicant. This submission and the issues outlined in Attachment 2 and Attachment 3 demonstrate that the proposals current form is inappropriate and requires revision to ensure a satisfactory residential outcome occurs for future residents. It is disappointing to see Council's previous advice be disregarded on the submission of this SSD, as well as the application being submitted without adequate engagement from the Applicant to inform its application. Council requests that a meaningful attempt to engage and address issues raised in this submission and past submissions occurs.

Council request that the Department of Planning not approve the application in its current form for the number of deficiencies raised in this submission. Council submits that this submission and its previous issues outlined in Attachments 2 and 3 be read concurrently as the applicant prepares its Response to Submissions.

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.

Should the Applicant or DPHI wish to engage with Council on this matter, Council would welcome the opportunity to discuss this further.

In the applications current form, Council **objects** to it.

End Advice