

Lifestyle and opportunity @ your doorstep

# URBAN DESIGN REVIEW & PRELODGEMENT PANEL ADVICE

PROPERTY:	Lot 117 Lachlan's Line (6 Halifax Street, Macquarie
	Park)

MEETING DATE: 30/03/2023 TIME: 3:30pm to 5:00pm

PRELODGMENT No: PRL NO: PRL2023/0006

DEVELOPMENT: Proposed Affordable housing development. 9,887sqm of GFA including 13 storeys 38 car parking spaces and total 135 units

**Note:** The site benefits from a Concept Approval under SSD-5093.

#### ATTENDANCE:

#### UDRP Panel:

Gabrielle Morrish Matthew Pullinger Designer Architect/Urban Designer Architect/Urban

#### Council:

Sohail Faridy Senior Coordinator Development Assessment Nic Najar Development Adviser – Town Planner

#### **Proponents:**

- Lishi Li - Sevda Cetin
- Pip Hyde Anton Reisch
- Anion Reisc
  - Nigel Macdonald
    - Kemal Hughes
  - Tasha Burrell
- Fay Edwards -
- Sonny Naamo

### NOTES FOR PROPONENTS

The purpose of the UDRP & Pre-Lodgement Panels is to enable you to discuss your proposal with Council officers. Council officers will endeavor to provide information which will enable you to identify issues that must be addressed in any application.

However, the onus remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of the application. In addition, the quality of the officers' advice will depend on the information you are able to provide at the meeting.

The UDRP & Pre-Lodgement Panel's advice does NOT constitute a formal assessment of your proposal and at no time should comments of the officers be taken as a guarantee of approval of your proposal.

### Key Issue Summary

The following is a key issue summary, which is further detailed within the body of the notes:

#### Parking Provisions

- The scheme provides a non-compliance with the Housing SEPP's parking standard, as such a clause 4.6 is required to justify any non-compliance with parking
- It's recommended to include active transport methods in the scheme to offset any parking shortfall.

#### Compliance with SSD-5093

• The Application as submitted is inconsistent with the current maximum GFA afforded to the site under the masterplan. Given that the MOD is not yet approved by the DPE/ Minister, Council would not be supporting the current proposal. Such a variation could not be supported using Clause 4.6.

#### Modification Application - MOD5-5093

• The Applicant should further engage with DPE in relation to the current MOD under assessment. As the scheme isn't consistent with the approved masterplan (in its current form), its recommended that the Application be lodged after determination.

#### **Building Separation**

- The current separation between the two towers causes amenity issues for the occupants, in terms of visual privacy and acoustic.
- To address this, the Applicant is encouraged to undertake further testing of a taller and more slender built form, to increase separation.

#### Waste

• Internal Waste Chutes must be provided within the residential towers.

#### Vehicle Access

• The Applicant is recommended to revisit the design of their basement and vehicle access as the current basement configuration is not acceptable.

#### THE SITE

The site is located at Lot 117 in DP 1224238, Lachlan's Line, Macquarie Park, which has a street address of 6 Halifax Street, Macquarie Park (the site). The site is located within the Lachlan's Line Precinct, which was approved under a Concept State Significant Development Application (SSD 5093). Figure 1 shows the site in the context of the Lachlan's Line Precinct. The site has a total land area of 2,507m<sup>2</sup>. The site is a vacant allotment and underneath the site a Sydney Metro Tunnel is located. The site has a slightly irregular shape and a 2.4m wide drainage easement traverse its western boundary. The surrounding locality comprises a range of land uses, with mixed-use developments towards the southwest, commercial core and business parks west, roads and cemeteries east and future residential land uses within the immediate vicinity of the site (north, south and west).



Figure 1: Indicative Site outline (Source: Ryde Maps)

### THE PROPOSAL

#### Background

The site forms part of a Concept SSD application that was approved by the Department of Planning and Environment (DPE). The Concept SSD application formed part of the activation precinct that was announced in 2013 by the then Minister of Planning.

On 6 March 2015, the Executive Director, Infrastructure and Industry Assessments, granted development consent for the Concept Proposal and Stage 1 Development Application for Lachlan's Line (SSD 5093). The Concept Proposal permitted:

- subdivision of the site into 12 allotments
- allocation of floor space
- public open space, roads, and infrastructure works

The Concept SSD and Stage 1 works have been completed, as such detailed Development Applications (DA) consistent with the approved masterplan can be subsequently lodged to Council.

#### Proposal

The site forms part of an Activation Precinct that was approved under SSD-5093 and seeks consent for an affordable housing development on the site. The site has a split zoning under the RLEP 2014, split between R4 and RE1, this zoning is likely to be amended to R4 under Council's housekeeping Planning Proposal, removing any zoning anomaly. Under the SSD approval, a total 5413m<sup>2</sup> of GFA was allotted to the site. The proposal involves:

- Proposed Affordable housing development. The current scheme exceeds the approved GFA under the concept SSD application, however, is proposed to be consistent with the GFA proposed under the Mod being assessed by DPE.
- Construction of Mews Road on the sites northern boundary, ancillary landscaping and basement parking.
- Total GFA of 9,887m<sup>2</sup>
- Building height 13 storeys
- 38 car parking spaces (including 8 accessible spaces, 3 visitor spaces and 1 car share space), 7 motorbike spaces.
  - 135 units consisting of:
    - 78 X 1 bedroom
    - 57 X 2 bedroom

it is understood that the building will be used for affordable housing only for the statutory period of 15 years and beyond that it will be used as a standard residential flat building.

#### **Modification Application - MOD5-5093**

The Applicant has recently lodged a Modification Application to DPE, which is currently under assessment. The Modification application seeks to increase the maximum cap of GFA afforded to the site under the Masterplan, the modification seeks to increase the GFA allocated to Lot 117 to 10,263m<sup>2</sup>, from 5413m<sup>2</sup> (current approved maximum).

The Application as submitted is inconsistent with the current maximum GFA afforded to the site under the masterplan. Given it is unclear the status of this Application, it is recommended that the DA only after the determination of the Modification Application.

If the Applicant lodges a DA that's prefaced of a Modification Application being determined from DPE, that exceeds the current maximum GFA imposed by the SSD consent. Clause 4.6 is not considered an appropriate mechanism to justify any GFA exceedance imposed by SSD 5093, as such Council cannot support the application in its current form.

Should MOD5-5093, be approved, evidence of this should be provided with a future DA, including evidence of satisfying any conditions that could be imposed. It's recommended that the Applicant further engage with DPE on their modification application, before engaging with Council.

### APPLICABLE STATUATORY PLANNING CONTROLS & POLICIES

#### **Statutory Planning Controls**

The following planning & building controls are identified as applicable to the development:

• State Environmental Planning Policy (Planning Systems) 2021

- State Environmental Planning Policy No. 65 Design Quality of Residential Apartments & Residential Apartment Design Guide
- State Environmental Planning Policy Housing 2021
   Part 2 Development for affordable housing
- State Environmental Planning Policy (Resilience and Hazards) 2021
   Chapter 4 Remediation of land
- State Environmental Planning Policy (Transport and Infrastructure) 2021
   Division 15 Railway
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Ryde Local Environmental Plan 2014
- Urban Design Guidelines for High Density Residential Precinct & Lot 107 Lachlan's Line (LLUDG)
- Ryde Development Control Plan 2014
- North Ryde Station Precinct Development Control Plan 2013

#### State Environmental Planning Policies

#### State Environmental Planning Policy (Planning Systems) 2021

The Applicant has clarified in the online meeting that the Applicant is a crown authority, therefore the future application is identified as a crown development application. Further details on the 'Crown' status of the DA will be required with the DA documents. Please note that:

- For Crown Development that has a Capital Investment Value (CIV) of \$5m or more the Planning System SEPP 2021 would apply, specifically Schedule 6 Regionally significant development clause 4 Crown development over \$5 million.
- If the Application is not demonstrated to be a crown DA, for general development over \$30m CIV, the Planning System SEPP 2021 would Apply.

If the CIV of proposed works are \$5m for crown DA or \$30m or more, it will need to be determined by the Sydney North Planning Panel. Please provide a CIV Statement with the application, prepared by a qualified quantity surveyor, that values the proposed development to confirm if the development would be Regionally Significant Development

# State Environmental Planning Policy No. 65 Design Quality of Residential Apartments & Residential Apartment Design Guide

The Applicant is advised to meet compliance with controls contained in the ADG. Compliance tables with supporting plans and diagrams must be submitted to confirm compliance with the ADG. On submission of your application please provide:

- ADG Compliance tables of proposal
- Design Verification Statement

#### **Building Separation**

# Note: Information provided below, is provided in good faith, and should be tested by the Applicant

Buildings A and B are physically separated by approximately 6m on levels 1 to 10; on levels 11 to 12, the building separation increases to approximately 6.6m to 8.5m. This is an issue where habitable rooms and balconies will be overlooking each other.

The Applicant should investigate a more slender and taller towers by cutting some GFA from the edges and taking the lost GFA to new additional upper floors. Currently the scheme proposes a building height of 43.4m height against permitted height of 75m.

Figure 2 shows that 24 units taken away from one of the towers (red clouded area in figure 2– this can be split to both towers) that can be accommodated within two additional floors, increasing the height to approximately 49.6m. This will create much better and compliant building separation, better amenity from acoustic, cross ventilation and solar access perspective.

This design change will need to be tested from an overshadowing perspective on Linear Park.

The Applicant noted that the current building height is what's shown in MOD5-5093 submitted to DPE. This MOD is premised on the fact that no additional shadowing occurs to Linear Park. Therefore, this design aspect should be discussed and tested with DPE. The current design raised amenity issues for occupants of the building, however through slender towers and regaining the removed GFA through a higher tower form across both buildings, provides an improved amenity outcome for the occupants of the building, with limited impacts onto Linear Park.

If the Applicant is to explore this design change its recommended that, they engage with DPE on the built form change, to prevent any restrictions being imposed on the built form, by way of a determination on MOD5-5093.

On submission of a DA additional testing on built form massing and overshadowing impacts should be provided for Linear Park.



Further ADG advice will be contained in the UDRP's written feedback below.

Figure 2: Markup of Elevation (Base Source: SJB Architects)

#### State Environmental Planning Policy Housing – Part 2 Affordable Housing

The Applicant is advised to achieve compliance with the controls contained under Part 2 affordable housing. The Applicant has advised that Link Wentworth who are jointly proposing the Application is a social housing provider, therefore different controls apply.

On submission of a DA, please include detailed compliance tables on how the proposal is consistent with the Housing SEPP's requirements. Of particular relevance is the Applicants shortfall of parking spaces required to support the development.

Additional parking is suggested to be provided on site; further suggestions will be contained below. If the Applicant still proposes a non-compliance with the parking standards under the Housing SEPP, then a clause 4.6 variation request is required to consider the non-compliance with the development standard being breached.

#### State Environmental Planning Policy (Resilience and Hazards) 2021

#### Chapter 4 Remediation of land

The requirements of Chapter 4 of the Resilience and Hazard SEPP apply to the site. In accordance with 4.6 Contamination and remediation to be considered in determining development application of the Resilience and Hazard SEPP, Council must consider if the land is contaminated and if so, is it suitable for the proposed use.

It's understood that under SSD 5093 Condition B7 (Contamination) required remediation works to occur consistent with the Remediation Action Plan (RAP) prepared for the precinct. Condition B8 required a site audit statement/ report be prepared confirming the precinct had been sufficiently remediated and was 'Suitable' for the proposed uses.

As such Council requires confirmation that the site has been sufficiently remediated and is suitable for the proposed use. Please submit information (Site Audit Statement/ report) confirming the remediation works have been carried out and the land is suitable for the proposed use.

#### State Environmental Planning Policy (Transport and Infrastructure) 2021

#### Division 15 Railway

The proposal involves excavation above the North-West Metro rail corridor. Please address the relevant sections of Division 15 within the submitted Statement of Environmental Effects (SEE). The proponent is encouraged to liaise with Sydney Metro prior to the lodgement of any development application to determine any specific lodgement requirements, particularly as the development will require concurrent from Sydney Metro due to the level of excavation.

Due to the location of the building and the development type being residential accommodation, a future DA will require a noise and vibration assessment that satisfies the policies requirements.

#### State Environmental Planning Policy (Sustainable Buildings) 2022

In August 2022 the NSW Government announced the *State Environmental Planning Policy* (*Sustainable Buildings*) 2022 (Sustainable Building SEPP). The Sustainable buildings SEPP was exhibited by the DPE and is currently exhibited on the "in force" legislation website and is deemed a draft Environmental Planning Instrument (EPI). The Policy commences on the 1<sup>st</sup> of October 2023. (Link below)

https://legislation.nsw.gov.au/view/html/inforce/current/epi-2022-0521#statusinformation

The Sustainable Building SEPP provides additional requirements for residential apartment buildings, which the proposed development would trigger. The DA submission will require to be supported by an Environmentally Sustainable Development (ESD) report consistent with control 4.14 Environmental Performance of the LLUDG.

The ESD report should explore any additional requirements that may apply to the development under the Sustainable Buildings SEPP and incorporate them into the scheme. In addition, please address the Draft EPI within the SEE.

#### Zoning and Permissibility

Under the *Ryde Local Environmental Plan 2014* (RLEP), the site has a split zoning of R4 High Density Residential and RE1 Public Recreation. The development proposed is a permissible purpose with development consent under the RLEP however parts of the development encroach into the RE1 zoned land, therefore being partially prohibited.

The proposal in its current form is prohibited under the existing land zoning controls under the Ryde LEP 2014, as some balconies protrude into the area zoned RE1 Public Recreation. However, there is a current Housekeeping Review Planning Proposal (PP-2022-1043) at the finalisation stage with the Department of Planning and Environment (DPE) to amend the RE1 land zoning to R4 (Figure 3 and link here):





Figure 3: Extract showing proposed rezoning (Source: House Keeping Planning Proposal)

The public exhibition of the above Planning Proposal is currently held up by the caretaker period before the NSW election. Once the LEP amendments are exhibited (expected to commence in April), the new LEP control shall apply and enable the DA to be lodged.

#### Height of Building

Clause 4.3 of the RLEP applies to the site. The RLEP proscribes a maximum permissible height on the site, being (Figure 4):

• 75m

Notwithstanding the maximum height limit permitted by the RLEP, SSD 5093 (concept approval) envisaged a maximum storey limit allotted to Lot 117 (6 Halifax Street). The maximum storeys envisaged are (Figure 5):

• G1 – 6 Storeys

The scheme provides for the following heights and storeys:

• Building split into 2 forms: 13 storeys - 43.4m



Figure 5: Indicative Layout Plan Extract (Source: Batessmart + Aspect Studio – Urban Design Report – SSD 5093)

The tabled scheme represents a deviation from SSD 5093 indicative built form and storey arrange arrangement, however, is compliant with the maximum permissible heights under Clause 4.3 of the RLEP. The overall built form proposed deviating from SSD 5093, should be examined, and tested to demonstrate impacts are appropriately managed on future allotments and Linear Park, through massing studies submitted with the DA.

#### Floor Space Ratio

Clause 4.4 of the RLEP applies to the site. The RLEP proscribes a range of maximum permissible FSR on the site, these being (Figure 6):

- 3:1
- 4.3:1

Notwithstanding the maximum FSR limit permitted by the RLEP, SSD 5093 (concept approval) envisaged a maximum GFA limit allotted to Lot 117 (6 Halifax Street) being capped at 5413m<sup>2</sup> (Figure 7).

The scheme provides for a maximum GFA of 9887m<sup>2</sup> which is inconsistent with the approved concept approval. Notwithstanding the significant exceedance of GFA permitted by SSD-5093, the Applicant has lodged a MOD to DPE, seeking to increase the maximum GFA.

MOD5-5093 has yet to be determined by DPE, as such the Applicant is encouraged to further engage with DPE on the progression of the MOD being determined before submitting a DA to Council.

Council will not be able to support any GFA exceedance imposed by SSD-5093 for the site. Clause 4.6 is not considered to be appropriate to justify the exceedance of GFA. Should MOD-5093-5 be approved by DPE, evidence of this approval should be provided with a future DA, including evidence of satisfying any conditions that could be imposed.





Figure 7: GFA Allotment Extract (Source: SSD 5093 – Stamped Plan page 3)

#### Ryde LEP 2014: Heritage

The site is not a heritage item.

#### Ryde LEP 2014: Earthworks

Clause 6.2 Earthworks of the RLEP 2014 applies to the proposal. It's noted that the site involves significant earthworks/excavation to accommodate the development.

Due to the scope of excavation and potential ramifications of the proposed works to neighbouring properties, the North Ryde Metro corridor, a Geotechnical Report must be prepared and submitted with the application. Its recommended to engage with Sydney Metro on their requirements for excavation in proximity to their tunnels.

#### **Development Control Plans, Guidelines and Contribution Plans**

#### Ryde Development Control Plan 2014

The proposal is subject to certain sections within the Ryde Development Control Plan 2014 (RDCP), these being:

- 4.5: Macquarie Park Corridor
- 7.2: Waste Minimisation and Management
- 8.2: Stormwater and Floodplain Management
- 9.3: Parking Controls

Certain requirements relating to these sections will be further detailed Council's advisory panel's notes below.

#### North Ryde Station Precinct Development Control Plan 2013

The North Ryde Station Precinct DCP was subject to land within the Ryde Station Precinct and provided planning controls, prior to SSD 5093, being approved. This DCP does not reflect the Concept approval (SSD 5093). The North Ryde Station Precinct DCP should be generally addressed within a table of the SEE, however, please refer to the LLUDG for specific requirements relevant to the site.

# Urban Design Guidelines for High Density Residential Precinct & Lot 107 Lachlan's Line (LLUDG)

The *Lachlan's Line Urban Design Guidelines* (LLUDG) were prepared by Council in 2019 specifically for development within the North Ryde Station Precinct. The LLUDG reflects the SSD approval (5093) and provides for detailed design and planning requirements for development within the Precinct. The LLUDG provide detailed planning controls that the scheme should be designed to and be informed by.

The scheme should address the LLUDG provisions in detail within the submitted SEE and demonstrate complies with the controls or provide sufficient rationale justifying deviation from the control.

On submission of a future development application please address the LLUDG within the SEE (table) and further consideration should be given to the schemes design to respond to the planning controls within the guidelines.

# 6 Halifax Street, Lachlans Line, Macquarie Park – Urban Design Review Panel

Panel: Gabrielle Morrish, Matthew Pullinger

Date: 30 March 2023

This is the first time the Panel has reviewed a proposal for this site. The proposal is for affordable housing developed by Landcom and managed by Link Wentworth as Community Housing Provider. The proposal comprises 135 residential units. The Panel is reviewing the proposal at pre-DA.

The 2,507sqm site - known as Lot 117 - is located in the Lachlans Line precinct addressing the north south linear park along Halifax Street. The site is zoned R4 High Density Residential with a maximum permissible height of 75m and a maximum permissible Gross Floor Area of 10,263sqm (subject to a SSD MOD currently under assessment by the Department of Planning). The site presents its long frontage to Halifax Street and provides for an anticipated new mews road to the northern boundary.

To the southern boundary the site addresses an anticipated future road and community facility set in open space. The site has a significant cross fall with the lowest point in the north west corner at RL 44 rising to RL 52.5 in the south east corner.

Design Principles	UDRP Comments	
Context and Neighbourhood Character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The Panel notes the emerging neighbourhood character of the Lachlans Line precinct and acknowledges that this proposal is contingent on a MOD currently under assessment by the Department of Planning. Broadly, the MOD anticipates increasing the floor space allocation on this lot, but accommodates it well within the maximum building height of 75m. The current proposal is approximately 45m in height and seeks to minimise off site overshadowing impacts, particularly on the linear park. The Panel notes that the proposal is responding to the anticipated future character of the area, including providing a new mews roads to the north and accommodating a similar mews road on adjacent land south of the site, and strongly supports their realisation. The longer site frontage addressing Halifax Street and the linear park is an important opportunity to bring improved animation and passive surveillance to the emerging character of this portion of Halifax Street. Certain aspects of the proposal may be able to be refined to better interface with this primary street address. These opportunities are discussed later in this report. Generally, the Panel is supportive of the proposal, subject to more detailed comments in this report, and thanks the proponent for engaging with the Panel in the pre-DA environment.	

Design Principles	UDRP Comments		
<ul> <li>Built Form and Scale</li> <li>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</li> <li>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</li> <li>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</li> </ul>	The Panel supports the primary site planning principles and built form strategies evident in the proposal, which seek to define the Halifax Street frontage, create the northern mews road and align with the southern boundary. The Panel supports the splitting of the building at the centre of the site to create two separate building forms for the intended purpose of improving natural cross ventilation attributes of the scheme and also reducing the total apparent building mass. The Panel notes the current central building separation is termed a 'breezeway' and is 6m wide. This is a building separation below that recommended in the Apartment Design Guide. The Panel offers qualified support for this reduced building separation on the basis that cross viewing, and visual and acoustic privacy impacts are completely 'designed out' and that other more specific recommendations set out later in this report are adopted. Alternatively, the Panel cautiously notes a possible adjustment to the proposed building mass - which would increase the central building separation by some margin whilst accommodating the same dwelling count and maximum GFA in two slimmer but taller building forms. Understanding that taller building forms may bring with them some overshadowing impacts to the linear park, the Panel is willing to consider this 'trade off' whereby better building separation is achieved while also maintaining the high levels of cross ventilation and solar access current evident in the proposal. The Panel appreciates such an approach would also		
	need a measure of support from Council and the Department of Planning.		
Density Good design achieves a high level of amenity, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	The proposal seeks to meet the GFA proposed within the MOD currently under assessment by the Department of Planning. The Panel acknowledges that the proposed density appears capable of being accommodated on the site well within the maximum permissible height of building control. The proposed building envelopes and early pre-DA design solution are supported in principle, subject to the developed design addressing comments in this report.		

Design Principles	UDRP Comments		
Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	The Panel notes the achievement of solar access and cross ventilation in excess of the minimum targets set out within the ADG. The Panel encourages the introduction of clear sustainability commitments, exceeding the minimum targets for BASIX and for the adoption of an 'all electric' building.		
Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well- designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local	The Panel supports the conceptual basis of the proposed landscape design solution across the site, subject to the following minor comments. The 'hero' tree encapsulated within the 'breezeway' created by the central building separation appears to be too tightly compressed within this space. The Panel is concerned to ensure this tree has a growing environment and space sufficient for it to reach maturity with good form. The brick plinth that unites the two building forms at lower levels further serves to hold the tree too tightly. During the meeting, the Panel suggested that the portion of the brink plinth addressing Halifax Street might be omitted to reveal the tree to the primary street more positively. Earlier comments offered by the Panel regarding		
context, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	potentially increasing the building separation would also improve the curtilage around the tree. The Panel understands and supports the ambition to create a diversity of communal open space settings and functions for residents across the site and on the two rooftop communal spaces. The Panel supports this diversity and questions only the proposal to allocate different communal functions to each building. Such a strategy would potentially necessitate residents having to access the neighbouring building to enjoy a particular function. An alternative would be for both rooftop communal spaces to provide a range of communal functions. Further to comments regarding the function and character of the northern mews road, made under Amenity below, the Panel encourages ongoing refinement of the landscape design language and		

Design Principles	UDRP Comments		
	character of the mews road. The introduction of s planting, trees and permeable paving within the me road is strongly encouraged.		
	The Panel encourages further development of the landscape treatment, planting and communal uses for the western site frontage which interfaces with an adjacent commercial site and is situated over deep soil. This presents as an opportunity for the establishment of large canopy trees and screening planting.		
Amenity			
Good design positively influences internal and external amenity for workers and pedestrians. Achieving good amenity contributes to positive environments and well-being.	The ground level of the southern building presents to Halifax Street as a consolidated service area including substation, fire pump rooms and tanks.		
	The Panel encourages an alternative arrangement that situates more of these servicing functions to the new northern mews road, which the Panel understands, was conceived in part to accommodate such servicing demands away from the primary street frontages.		
	Similarly, the Panel understands that Council's waste engineers' preference is to accommodate all garbage truck movements and waste collection within the basement. This has the effect of increasing the extent of basement 'lifting' out of the ground and partly constrains the use of the mews road for other servicing functions.		
	The Panel would support the mews road being designed to accommodate waste collection and handling on-street rather than entirely within the basement - if the resultant solution improved the ground level presentation and interface to Halifax Street.		
	As noted earlier in this report, the decision to split the building mass into two forms is supported and the improved cross ventilation and solar access which follows is critical to this support.		
	Nonetheless, the 6m separation is tight and below that recommended within the ADG. The Panel is concerned to ensure that any privacy and cross viewing impacts are entirely eliminated. This is not yet demonstrated.		
	A number of living, study, bedroom and kitchen windows appear to be directly opposed across this 6m separation. Similarly, some balconies are also directly opposed across the breezeway and will require design treatments to mitigate against cross viewing.		
	The 'S' type 2B units at Level 1 appear to include kitchens with no access to natural light and air and should be refined.		
	The Panel also notes that the separation distances between built form proposed in the central part of the site (particularly units adjacent to the breezeway), close to the western site boundary may be impacted adversely by any future commercial development on the adjacent site.		

Design Principles	UDRP Comments		
	It would not be reasonable for this proposal to transfer its share of separation distance onto the adjacent site and the Panel encourages the applicant to consider relocating or reconfiguring the corner units closest to the 'V-shaped' boundary geometry, to perhaps additional levels above the currently proposed massing to avoid this impact.		
Safety			
Good design optimises safety and security within the development and the public domain. It provides for quality public and semi -private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	The proposal is broadly consistent with this principle, generally offering good passive surveillance from apartments into the street and at the primary street address. The recommendations made by the Panel regarding the ground level interface with Halifax Street will also improve safety and security. A positive, safe and interesting street address and presentation is highly desirable along Halifax Street and currently the servicing demands of the proposal are eroding this opportunity. The Panel would strongly support the reconfiguration of street level servicing away from Halifax Street.		
Aesthetics			
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well- designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The emerging architectural expression of a pair of buildings with strong, ordered tripartite form is supported. The architect is encouraged to continue to refine the detailed expression of the facade types across the project. The Panel encourages the preparation of detailed facade studies of each primary facade types to more completely describe the design intent, investigating the overall architectural treatment, junctions, fenestration, balustrading and the integration of services (balcony drainage, down pipes and AC enclosures).		

#### **Further Comments & Outcome**

The Panel is generally supportive of the pre-DA proposal and recommends the proposal be refined to respond to the above comments and resubmitted for review at the time of formal DA lodgement.

## Comments from Council's Pre-Lodgement Panel

Following are the comments and major issues that have been identified in the pre-lodgement meeting which need to be addressed with any application submitted to Council. It should be noted that the identified areas contained within these comments do not constitute a full exhaustive list of all applicable requirements.

- Landscaping and Deep Soil
- Waste
- Public Domain Interface
- Mews Road Design
- Communal Open Space
- Visual and Acoustic Privacy
- Solar Access and Overshadowing
- Drainage and Flooding
- Development Engineering, Stormwater Management and Vehicle Access and Parking
- Traffic and Transport
- Crime Prevention through Environmental Design (CPTED)
- Lachlan's Lines Urban Design Guidelines, Additional Lodgement Requirements
- Vehicle access and Transport
- Wind Impact

#### Landscaping and Deep Soil

Council provides the following comments in respect of landscaping and deep soil:

- Landscaping in the mews road is to be amended to stay consistent with LLUDG as illustrated in Section 1C of the LLUDG, a 2m wide landscape strip should be provided along the private open space frontage of the ground floor units.
- Landscape and tree planting is to be maximised in the mews road; as illustrated in the LLUDG, street trees and garden beds should be provided in the on-street parking zone to improve the visual quality of the mews road and increase deep soil landscape planting.
- The proposed basement levels are only setback by 1.8m from the street boundary, whereas a setback of 3m is required by LLUDG (see Section 1C on page 28).
- The reduced basement-level setbacks are inadequate to provide the soil volume required to support large tree planting within the setback zone.
- The LLUDG specifies on page 17 that "The minimum dimension of the deep soil zone is to be 6m in any direction on sites greater than 1,500m<sup>2</sup>". In this case, only deep soil zones meeting the minimum dimension (i.e. 6m) are to be included in the calculation of deep soil provision. Deep soil landscaped areas within the Mews Road can be included. The percentage calculation on drawing SK-6015 is to be revisited and updated accordingly.

#### Waste

Councils provides the following comments in respect of waste:

- Swept paths have been provided for an MRV, however the plans show that ingress and egress will be very tight, cutting across the wall of the lifts.
- An HRV is generally used to service the bins for a development of this size
- Residents will be required to access the bin room on the basement level to dispose of their waste. Waste chutes are to be provided on each floor of each building within a room that is large enough to house a 240L recycling bin.
- The NSW EPA will mandate the recycling of food organics by 2030. The bin room on each floor of the complex needs to allow sufficient space for an additional 240L food organic recycling bin.

- The building will require 26 x 240L recycle bins in the above configuration. 240L bins should be decanted into 660L recycle bins for collection.
- Concerns are raised on the access to the basement being directly next to the driveway to Basement 2.
- The bulky waste room is located near the entrance and an HRV truck is expected to stop in the driveway to service the bulky waste room, potentially blocking traffic access
- It is recommended that the whole of the basement level is reviewed on a number of factors with the aim to have the loading bay as close to the entry as possible and for the use of an HRV vehicle to be incorporated into the swept paths.

#### Public domain interface

The following design amendments are recommended to improve the quality of the public domain interface:

- Increasing ground floor level activation in Building B by swapping the one-bedroom apartment unit from the south western corner to south eastern corner.
- Providing direct street access to each ground floor unit.
- Encapsulating hydrant boosters, master water assembly and master gas meter within the building form, integrating with the façade design on the ground floor level.
- Providing large street tree planting in the street setback zone (see 'deep soil provision' below).

#### Mews Road design

- The currently proposed 1m footpath on the northern side is below the Austroads' minimum width requirement (i.e. 1.2m) for a low-volume pedestrian path.
- The width of the footpath should increase to 1.5m on the northern side, while on the southern side, the footpath should be reduced to 2m so that they are consistent with the Mews Road design outlined in the Lachlan' Line Urban Design Guide (LLUDG).

#### Communal open space

• The landscaped street setback zone is not considered part of the communal open space and that should not be included in the percentage calculation for communal open space on drawing SK-6015.

#### Visual and acoustic privacy

- Buildings A and B are physically separated by approximately 6m on levels 1 to 10; on levels 11 to 12, the building separation increases to approximately 6.6m to 8.5m.
- The building separation is insufficient to mitigate the visual privacy impact on bedrooms/study rooms that overlook the breezeway. In the current design, windows facing the breezeway are openable to enable cross-ventilation through the units, leading to potential acoustic privacy impact. The design must demonstrate how the visual and acoustic privacy impacts can be effectively mitigated while maintaining the ability to achieve natural cross-ventilation.
- Refer to Comments under *State Environmental Planning Policy, 65* regarding Council's feedback on this.

#### Solar access and overshadowing

The sun-eye diagrams on drawing SK-3210 indicate that the east-facing units on Level
1 will receive limited direct sunlight due to their setbacks from the street. The Applicant
is advised to consider providing two-storey apartment units on the ground floor level
facing Halifax Street as an alternative, which will improve the solar access performance
to a greater number of units, diversify the unit mix and housing choices, and potentially
increase street activation by increasing the number of unit entries from Halifax Street.

• Additional information is required to closely examine the cumulative overshadowing impact on Linear Park 4, particularly around 11:30 am to 1:30 pm on the winter solstice. It is important to ensure that the proposal is able to maintain a minimum of direct solar access to at least 50% of the open space in Linear Park 4.

#### Drainage and flooding:

- A detailed Flood Impact Assessment is required to be submitted with the Application
- Flood modelling files are required to be submitted with a DA
- A flood emergency response plan is required consistent with the LLUDG

Based on the information provided, the below major issues are to be addressed on a future DA submission:

• The site is affected by an overland flow path (Figure 8). 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 and PMF Velocity Depth product (VxD), Flood Hazard Vulnerability, Flood Velocity and Flood Level values.



- Flood emergency response plan detailing the flood evacuation strategy during 1% AEP and PMF flood event must be submitted to Council.
- Full electronic copies of executable TUFLOW/HECRAS modelling file clearly identifying each scenario shall be submitted to Council. 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 and PMF flood event shall be submitted to Council.
- Existing scenario flood levels shall be calibrated with the flood levels provided by Council in the flood certificate. Please provide flood level calibration in the table or in the map for the locations shown in Council flood certificate.
- Any proposed basement and openings to basement such as stairwell entries, ventilation openings etc. shall be protected up to PMF level. Driveway crest level, openings to basement and PMF level must be shown in the report.
- The freeboard requirements of Ryde DCP to be implemented in the design of the habitable/non-habitable building areas. Please Figure 9 from Council's 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 (d)	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.

Figure 9: Council Free Board Requirements (Source: RDCP 2014)

#### **Stormwater Management**

- A stormwater management plan must be provided, and it 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 375mm stormwater pipe within the site. Exact position of pipe/pit shall be obtained by non-destructive method.
- If the pipe is not located centred within the existing easement, a new easement will have to be created to replace the misplaced one.

Note: Any new drainage infrastructure 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 >= 375mm.
- 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.

Note:

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 therefore no loading is placed on Council's drainage system. In this regard, structural plan must be submitted to Council.



Figure 10: Area of proposed easement encroachment

The Applicant noted that they have received legal advice on the encroachment into an easement. If the Application still proposes to encroach into the easement, please submit the legal advice received.

#### **Development Engineering:**

#### Stormwater Management

- The site drainage system must discharge directly to inground drainage infrastructure located in the easement adjoining the rear boundary.
- Due to the location of the site in the catchment, proximity to receiving waters and the flooding regime downstream, there is scope the development would be exempt from onsite detention.
- The development will warrant WSUD components and ideally these measures should be integrated into the landscaping features of the proposal, in lieu of a proprietary product.
- It is noted that a portion of the development is constructed over the easement at the rear. This is not supported as it will restrict access to this service and could impose on the future capacity of this easement to convey stormwater runoff. The development must be wholly clear of the easement.

#### Vehicle Access and Parking

• The development is undertaken in liaison with a social housing provider (Link Wentworth) and therefore the relevant parking requirements of the SEPP (Housing)

stipulate rates which warrant at least 0.4 spaces per 1 bedroom unit and 0.5 spaces per 2 bedroom units. On this basis, the development will warrant:

Bedrooms	Rate (spaces / unit)	Total
78 x 1Bdrm	0.4	31.2
57 x 2Bdrm	0.5	28.5
TOTAL		59.7 (60)

- The development provides only 38 parking spaces which does not comply with this requirement. For further comparison, the parking limits in the North Ryde Station Precinct DCP would present a parking demand maximum of 99 parking spaces (parking rates 0.6 per 1bdrm and 0.9 per 2 bdrm). Noting that the SEPP provides a discounted parking demand rate which respects access to public transport and the demographics likely to occupy the development, there is no further justification as to why the parking capacity can be lowered further.
- The development also provides only 4 visitor parking spaces which is a considerable undersupply given the development density of 135 units, equating each visitor parking space to service 34 units.
- Whilst the planning objectives with transit-oriented development seek to reduce the degree of vehicle ownership and reduction of vehicle trips for occupants of the development, visitors to the area are very likely to own a vehicle and there is a need to accommodate this parking demand on the site itself, rather than it spreading to the public parking in the surrounding area.
- Accordingly it is advised that a further 10 spaces be provided internally (14 spaces in total) so as to align with the North Ryde Station Precinct DCP visitor parking rates. The nominated visitor parking at grade is also very likely to be abused by visitors resulting from other development in the surrounding area and for this reason, it is strongly warranted that some visitor parking be accommodated in the basement level.
- In total, the development would need to provide a further 32 parking spaces for residents and visitors.
- In relation to the layout of the parking area and service bays, there is concern the presented design presents an inefficient utilisation of the area (ie maximising parking capacity given the scale of work) as well as poor vehicle circulation through the parking levels. The following matters of concern are noted;
- The plans do not clarify levels or ramp grades on Mews Road or entry to the facility. The design is to be mindful of the limiting grades required by AS 2890.2 for service vehicles and the maximum crossfall grade (6.25%) of the visitor parking spaces located on Mews Road. These levels also need to account for stormwater management, ensuring that runoff in this area does not flow freely into the basement garage.
- No sight distance splays are provided for vehicles emerging from the parking facility to Mews Road. There is also some concern that there is limited sight distance between opposing vehicle flows at the entry.
- The design does not account for restricted access to the basement which is foreseeably to be controlled by a boom gate or intercom system. There is some potential for this to be located on Mews Road due to the low pedestrian environment

but it is strongly desirable to accommodate any vehicle queuing in the confines of the development footprint and most crucial, not interfere with the public domain.

- There are considerable fundamental issues with the arrangement of the service bays in the development. The positioning of the HRV loading bay in the access aisle is unacceptable as it will impose on vehicle movements, present a significant traffic safety issue due to obscured sight distance in the service area to through traffic and pedestrians plus it will require the vehicle to reverse out of the facility with very limited visibility to approaching traffic. The loading bay positioned at the far eastern end of the basement parking area is also of great concern as there would appear to be inadequate manoeuvring clearance being provided in this location. Notably a portion of the swept path is through a corner of the lift shaft, no clearances appear to be provided from the surrounding structure and the design still requires a vehicle to perform a multipoint turn to exit. The applicant is also to note that the Council's waste vehicle dimensions are longer than a MRV vehicle and will therefore have greater swept path which will exacerbate the matter.
- The configuration of the internal ramp having right angle corners down to the lower level presents a poor design outcome for a new development as it does not reflect the circular path of a vehicle, is not compliant with AS 2890.1 in terms of minimum ramp radii and the configuration effectively presents as a one way ramp being unable to accommodate opposing traffic flow.
- The Applicant is recommended to investigate providing additional parking spaces underneath the proposed Mews Road. The Applicant should investigate extending the basement underneath the Mews Road, to increase parking provisions on the site.

With these issues in mind, it is advised that the basement parking levels be designed with the following suggestions:

- The loading bay area could be relocated to the southern (lowest) side of the development footprint, towards the end of the Mews Road driveway. Having the loading bay accommodated in the development footprint and enable Mews Road to be utilised as a manoeuvring area.
- The garage entry for vehicles could be located further uphill of the Mews Road ramp.
- The ramp to the lower level could circulate around a lift shaft at the eastern end.
- The basement level be extended under Mews Road to expand parking capacity, noting that a right-of-way (required for access to the development to the northwest) could be defined in stratum.
- <u>Note this VERY conceptual plan below and should be tested by the Applicant</u> (Figure 11):



public transport, cycling and walking, and providing end of trip facilities.

- The proposed vehicular access, off-street car/bicycle parking and heavy vehicle servicing arrangements shall be designed to comply with AS2890.1, AS2890.2, AS2890.3 and AS2890.6
- Car share parking also needs to be provided within the 'Mews Road' should be dedicated for in accordance with the City of Ryde's Urban Design Guidelines for Lachlan's Line Precinct. With regards to the proposed off-street parking provision, it is recommended that consideration be given to increasing the supply of car share and visitor parking spaces, which is in line with Council's long term transport strategy in the area.
- A swept path assessment is to be undertaken to demonstrate that the largest/longest vehicle is access and vacate the site in a safe and efficient manner without any unreasonable encroachment on the surrounding public road infrastructure. At a minimum, the following swept paths need to be provided for the largest/longest vehicle expected to frequent the site:
  - A left turn from Halifax Street into Mews Road
  - A left turn from Mews Road into Halifax Street
  - Entry and exit movements to and from the new driveway connecting with Mews Road.

The proposed Mews Road and internal driveway arrangements may need to be adjusted accordingly based on the swept path assessment

#### Crime Prevention through Environmental Design (CPTED)

The SEE submitted with the application should address the relevant CPTED Principles to the proposal.

#### Lachlan's Lines Urban Design Guidelines, Additional Lodgement Requirements

The LLUDG provide for additional development application requirement for proposal within the precinct. Please refer to clause 1.7 of the LLUDG, which states:

Information requirements for development applications are set out in Part 1.9 of the Ryde DCP 2014. Additional information required to be submitted includes:

- **Desired Future Character Statement** for each lot that responds to the context and specifies the apartment building type and outcomes for the lot.
- **Design Excellence Statement** that indicates how excellence will be achieved and details:
  - Deep soil as a percentage of the site area
  - Pedestrian access and entries
  - Sustainability measures including WSUD, use of low embodied energy materials and robust materials and finishes that reduce long term maintenance
- Social Impact Assessment which includes:
  - Unit mix (Studio to 4-bedroom apartments)
  - Housing mix (terrace houses to apartments)
  - Demand for community facilities and services and how they will be met; and
  - Affordable housing and consistency with Council's policy of 5% of all new dwellings being affordable

Please address the above requirements on submission of a future DA.

#### Vehicle Access and Transport

The proposal should demonstrate the principles of transport orientated development and provide for sufficient active and passive transport solutions to promote reduction of vehicle use and encourage sustainable transport methods as the site is appropriately serviced in a

transport hub. This should be incorporated into a detailed transport and parking assessment that's submitted with the application which provides for:

- A Framework Travel Plan (FTP) or Green Travel Plan
- Car sharing
- Electrical Vehicle charging
- Sustainable transport methods

Including the above measures in lieu of compliant parking will assist. In particular the provision of car sharing spaces on the proposed Mews Road

#### Wind Impact

A detailed Wind Impact Assessment should be provided with the application, given the height of buildings, the change to the indicative height per the SSD 5093 and as required per the UD Guidelines

# **OUTCOMES and DA Lodgement Requirements**

Before the Application is submitted, the Applicant should further engage with DPE regarding their pending modification application. The scheme before Council is inconsistent with the current SSD consent GFA cap imposed, and therefore is unable to be supported.

It's recommended to address these outcomes on submission of a future DA. On the submission of the DA, Council recommends that the following be provided:

- Boundary Identification Survey Current survey is outdated and from 2016
- Clause 4.6 variation request for Parking (if still proposed)
- Confirmation that MOD5-5093 has been approved and any conditions imposed satisfied
- Statement of Environmental Effect
- Capital Investment Value (CIV) Statement
- Complete master plan set (including massing studies of solar impacts on Linear Park)
- Landscape plans
- Complete ADG assessment and design verification statement should be provided include addressing 1.7 of the UD Guidelines
- Acoustic and Vibration Assessment
- Geotechnical Report
- Contamination (confirmation that the land is suitable per the SSD approval) a RAP or site audit statement confirming the works have occur
- Sustainability Management Plan or ESD design statement should be provided including addressing new Draft EPI
- Wind Impact Assessment
- Social Impact Statement
- Traffic and parking assessment which includes:
  - Swept path analysis including waste vehicle assessment
  - Green Travel Plan or Framework Travel Plan
- Flood Impact Assessment
- Water Sustainable Urban Design Strategy Plan
- Stormwater Management Plans
- Waste Management Plan
- Civil Engineering Plans including Structural

Council thanks you for choosing to engage with us for formal Pre-Development Application Advise and associated Urban Design Advice.

If you require any additional information regarding this matter, please contact Nic Najar-Town Planner – Development Advisory Services on 0403 215 603 or email to <u>NicholasNa@ryde.nsw.gov.au</u>

Yours sincerely

Nicholas Najar Town Planner - Development Advisory Services.

#### End of advice