

ATTACHMENT 1

City of Ryde Submission Woolworths CFC and Warehouse, 144 Wicks Road Macquarie Park

SSD-48853239

**Submission Date: 05 June 2025
COR2023/61/1**

EXECUTIVE SUMMARY

Introduction

Thank you for inviting City of Ryde Council to comment on the proposed Woolworths Customer Fulfillment Centre (CFC) State Significant Development (SSD) Application for the Warehouse and Distribution Centre proposal at 144 Wicks Road, Macquarie Park SSD-48853239.

The SSD Application seeks approval for the for the construction and operation of Warehouse and Distribution Centre at 144 Wicks Road, Macquarie Park. The proposal involves the construction of a new warehouse and distribution centre with ancillary office space that is 32.2m tall. The proposal also includes the construction of a new road. Specifically:

- Proposed new warehouse facility that comprises off:
 - (i) Generic Warehouse and distribution facility
 - Warehouse floor space – 10,235m²
 - Office floor space – 440m²
 - Loading bay spaces- 7 (2 recessed loading docks & 5 on grade loading docks)
 - (ii) CFC premises
 - Warehouse floor space - 19,565 m²
 - Office floor space – 1,890m²
 - Loading bay spaces – 9
 - (iii) Common areas
 - Staff parking 324 space (including 10 accessible spaces)
 - Common rooftop landscaped space 1,440m²
 - End Of Trip facilities - 120m²
 - Direct to Boot storage - 390 m²
 - Rooftop lobby and ground floor lobby 410m²
- Total GFA: 33,050m² proposed building plus 540m² existing Child Care Centre (total 33,590m²)
- Floor Space Ratio: 0.56:1 (including accounting for the existing floor space of the Nought to Five Child Care centre adjacent to Waterloo Road)
- Building Height: 32.2 metres maximum
- Earthworks: Total Cut of 129,800m² and fill of 6,600m²
- Car Parking: 324 spaces for staff vehicles (including 10 accessible spaces)
- 163 spaces for delivery van fleet vehicles
- Cost Estimate \$189,300,000
- Construction Jobs: 421 direct and 1,167 indirect construction jobs per annum
- Operational Jobs: 536 direct and 1,048 indirect jobs

In review of the Environmental Impact Statement (EIS) and supporting documentation several issues have been identified. The key issues identified with the Warehouse and Distribution Centre application including:

- Engagement with City of Ryde Council.
- Open Space Requirement and Planning Agreement
- Design Guide Compliance
- Planning Matters
- Urban Design
- Arboricultural Impacts
- Contamination
- Development Engineering
- Flooding

- Traffic Impacts
- Public Domain

Councils' assessment of the application has outlined the above issues. To assist both DPHI and the applicant each issue raised, Council has included an appropriate mitigation measure/ design alternative that could be implemented that would improve the design and result in a better planning outcome.

Whilst Council is supportive of the land use not being residential development it is the view of Council that the proposal, is unacceptable in its current form and Council **objects** to it.

Whilst additional housing is not being provided as envisaged under the Key Site provisions, the development provides a land use that supports economic growth and provides for additional jobs which is consistent with the objectives of the Macquarie Park Innovation District. Council considers that the open space must be provided with the application to ensure that the Macquarie Park Rezoning's intent is delivered by the application irrespective of land use proposed.

Details of the issues are included below.

Detailed Consideration of the EIS and Feedback

1. Engagement with City of Ryde Council.

Council's submission to the EIS raises several issues that require detailed engagement with Council. Council is not supportive of the application in its current form and objects to the development.

Whilst Council is objecting to the development, issues can be resolved through detailed engagement with Council and DPHI by the applicant and by providing revised proposal and design responses to the matters being raised in this submission.

2. Open Space Requirement and Planning Agreement

2.1. Open Space Requirement

From an open space and planning perspective the site plays an important role in Macquarie Park to provide for active recreation for the Precinct not just this site. Council notes that the site is identified as Key site 10 Under Clause 7.17 *Development on land in "Area 10"* under the *Ryde Local Environmental Plan 2014* (RLEP), which requires the provision of a single recreation area that is 28,100m² in site area, which the current application does not propose.

The EIS notes the siting of the works preserve a large portion of the site which has been identified for potential future public open space and new publicly accessible movement routes, however no details of the dedication are included in the application. Council raises fundamental concerns with the application not proposing the dedication of the district park as required by the Macquarie Park Design Guide.

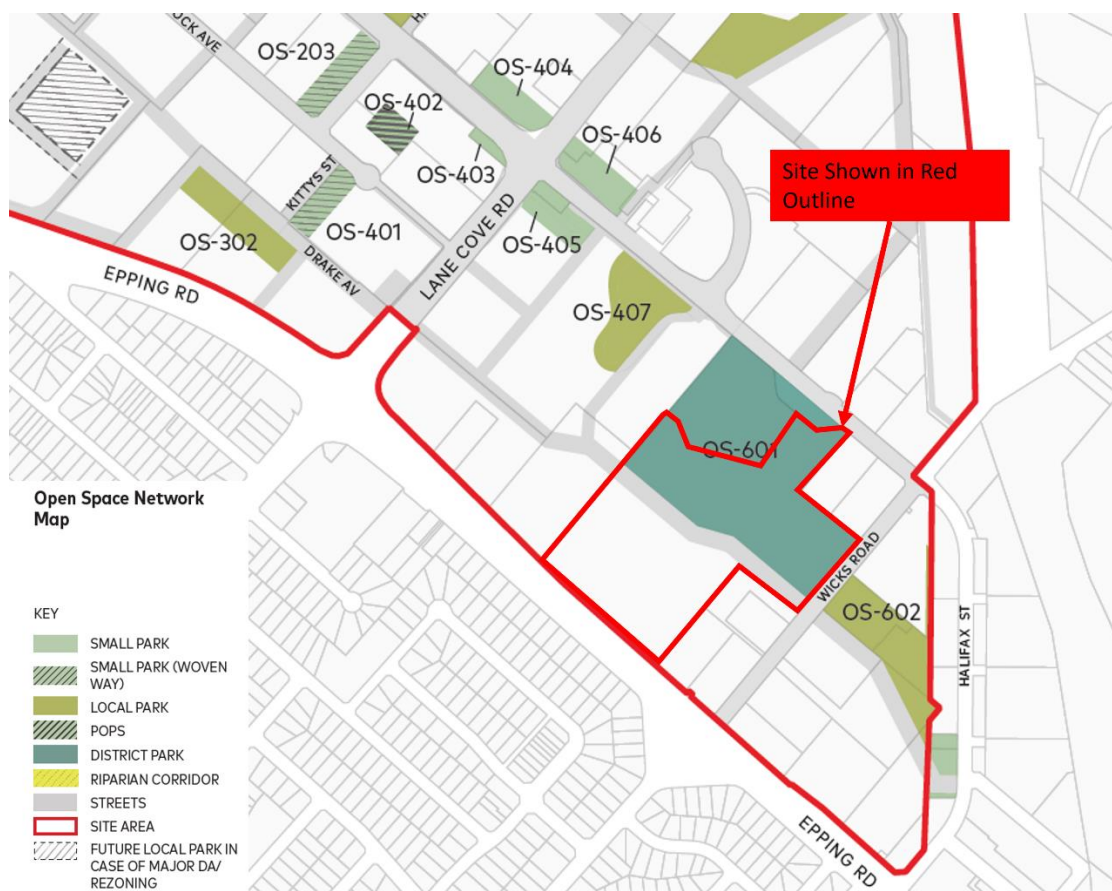


Figure 1: Markup of Open Space Network Map Figure 18a (Base Source: Macquarie Park Design Guide)

Figure 1 shows the district park identified on the site under the Macquarie Park Design Guide (Design Guide), that the current application does not propose the dedication to Council. Council considers that the current application must provide the district park as outlined in the Design Guide as if its not provided then the large planned open space in Macquarie Park will never be delivered and the planned population growth under the rezoning of Macquarie Park, will face an even worse open space shortage then it already does. While the proposal does not preclude future provision of public open space, it relies on the argument that the development complies with existing planning controls and does not itself generate additional demand.

Given that the site exceeds the base planning provisions and is therefore utilising the incentive provisions of key site 10, Council considers that the subject application must provide the open space. Should the open space not be dedicated to Council, and the warehouse constructed, the planned open space will likely be locked out of delivery for the entire lifecycle of the warehouse facility until its redeveloped again in the future, which may be 50 years or more. This outcome is unacceptable and must be resolved by the subject application.

The Application does not effectively address the community need for the site accommodating public open space that supports the cultural, recreational, social, and biodiversity needs of the local community through improved open space.

To resolve the matter Council suggests that:

- The application proposes the dedication of the district park as required in the Design Guide.
- Engagement occurs with Council in respect of a proposed Planning Agreement for the dedication of the open space.

Should the above not occur, Council raises significant concerns with the rezoning of Macquarie Park and the impact to existing infrastructure and its ability to cater to the additional population growth planned under the rezoning of Macquarie Park. Particularly as if 28,100m² (64% of the total planned open space) of the planned 43,680m² open space at Wicks Park is never delivered, it is unclear how Macquarie Parks additional population will have access to sufficient open space.

2.2. Planning Agreement

As outlined under Section 2.1 of this report, Council considers that the applicant is to engage Council with a planning agreement for the dedication of the required infrastructure identified in the Design Guide, being the open space and road as the development triggers the incentive provisions under key site 10.

The land is identified as Key Site 10 in the RLEP and the Design Guide. Part of the land is required to be used as a district park, at least 28,100m² in size. This district park is the primary piece of open space and recreation infrastructure to support the future population and workforce within the Macquarie Park Precinct. The application does not propose the use or dedication of any part of the land for recreation purposes. This is inconsistent with the Design Guide and RLEP and is not supported by Council.

The application seeks to exceed the base height limits of 22m and 30m by 38.2% and 2.33% respectively, via a clause 4.6 variation to the base height permitted under the Height of Buildings Map. The EIS states:

“Although an incentive height bonus applies to that portion of the site where the base height control is 22 metres and 30 metres, the Proposal does not trigger or rely on these incentives”.

The EIS implies that a clause 4.6 variation circumvents the requirements of the Design Guide and the provisions in Part 7 of RLEP. This is incorrect and is strongly refuted. Regardless of whether a clause 4.6 variation is utilised or not, the outcome that the development is seeking to achieve is a

building height that is permissible based on the Incentive Height Map. Therefore, clauses 7.17 and 7.21 of RLEP apply and require the recreation use and dedication of land to Council. Additionally, the application does not satisfy cl 7.3 of RLEP as it is fundamentally inconsistent with the following provisions of the Design Guide:

- 2.3 Design Principles (principles 7 and 13)
- 2.4 Structure Plan Structure Plan Map (Figure 2a)
- 4.3 Open Space Network Open Space Network Map (Figure 18a)
- Land Dedication Map (figure 20a)
- Table 4 Publicly Accessible Open Space Characteristics

If approved, the development will prevent the future dedication of the required recreation land. The trigger for this dedication is the approval of any development on the land. If the application is approved, there is unlikely to be any future development and therefore no trigger for this dedication to occur. The only remaining mechanisms to secure this land will via be a commercial negotiation or compulsory acquisition which is inconsistent with the Design Guide and the NSW Government's Infrastructure Delivery Plan 2025.

The application contravenes the Design Guide and RLEP2014. If approved, it will fundamentally undermine the NSW Government's rezoning of the Macquarie Park TOD Precinct. It will also set a precedent for all other land subject to incentive provisions in all recently rezoned TOD precincts across the state. To resolve the above, Council recommends that:

- The applicant undertakes detailed engagement with Council regarding a proposed planning agreement that proposes the dedication of land (open space/ road) consistent with the design guide.

Council seeks that DPHI also engage with the applicant to ensure that the requirement for public open space under the Design Guide is delivered with the current proposal otherwise the whole intend of rezoning would be pointless for this site and the general locality.

2.3. Development Contributions

The Macquarie Park Corridor Section 7.12 Local Infrastructure Plan 2025 applies to the land. This Plan imposes a levy based on the estimated costs of works. In accordance with chapter 2.1.4 of the Plan, the application must be accompanied by a cost report prepared by a quantity surveyor who is a registered member of the AIQS.

The EIS contains a cost report prepared by Stephen Mee of Rider Levett Bucknall, however, the cost report available on the Planning Portal only contains the cover page of the report. Council requests that under separate cover the following is provided to Council:

- The full Quantity Surveyors Report be provided to Council.

The full report will allow the determination of a levy and draft condition of consent that would be provided to DPHI at a later date. Council will ensure that the full report is kept confidential and will not share or publish this information.

3. Design Guide Compliance

In accordance with Clause 7.3 of the RLEP 2014, any development within Macquarie Park consider and be consistent with the Design Guide. Council has considered the developments consistency with the design guide and notes the following areas the development is inconsistent with.

3.1. Locality Statement

Section 2.2 of the Design Guide sets out the neighbour precinct statements, which the site is located in neighbourhood 6 precinct known as Garungul. The Garungul Precincts locality statement states:

***Neighbourhood 6:** Garungul, meaning ‘Unbreakable’, will become the southeastern anchor of Macquarie Park and connect the emerging community of Lachlan’s Line into the Precinct. Garungul will become both a destination and a transitional precinct. It will provide the Precinct’s largest public open space (‘Wicks Park’), with multi-purpose active uses expanding from the existing hockey field. A second linear local park (‘Link Park’) will integrate the existing high-density residential fringe of Lachlan’s Line into the Precinct, with a Woven Way cutting across its centre. Tall residential towers will front the southern edge of both parks, orienting density around landscape amenity and providing year-round activation of the new open spaces.*

Council notes that the character statement outlines that the largest open space known as Wick’s Park is to be provided. As outlined in Section 2.1 of this submission, the application does not include the open space which is inconsistent with the locality statement.

It’s noted that the site is not provided residential land uses, but rather industrial and commercial land uses. Whilst additional housing is not being provided, the development provides a land use that supports economic growth and provides for additional jobs which is supported.

Council considers that the open space must be provided with the application to ensure that the precinct intent is delivered by the application irrespective of land use proposed. To ensure consistency with locality statement, the applicant is to dedicate the open space to Council consistent with the Design Guide and Key site provisions of the RLEP.

3.2. Structure Plan

Section 2.4 Structure Plan of the Design Guide outlines how future development is to occur within the precinct. The structure plan states:

General

*The Structure Plan for the Precinct takes into account and builds upon the existing land uses and established functions within the Precinct. It seeks to address the **acute deficit of open space** in the Precinct and to break up the large business park style lots into smaller blocks more appropriate to a high-density urban area, improving opportunities for canopy coverage, connectivity and walkability.*

The driving principles behind the structure plan is to address the “acute deficit of open space” in the precinct. The subject application is exacerbating this acute deficiency by not proposing the dedication of the open space, which is not supported. Figure 2 shows the site is to provide the precinct open space and public road, which the subject application does not provide.

Council recommends that DPHI require the applicant to undertake the following:

- 1) Provide the dedication of the open space
- 2) Provide the primary road

Should the above not be provided, Council considers that the application is inconsistent with the provisions two (2) and three (3) of Section 2.4 of the Design Guide.

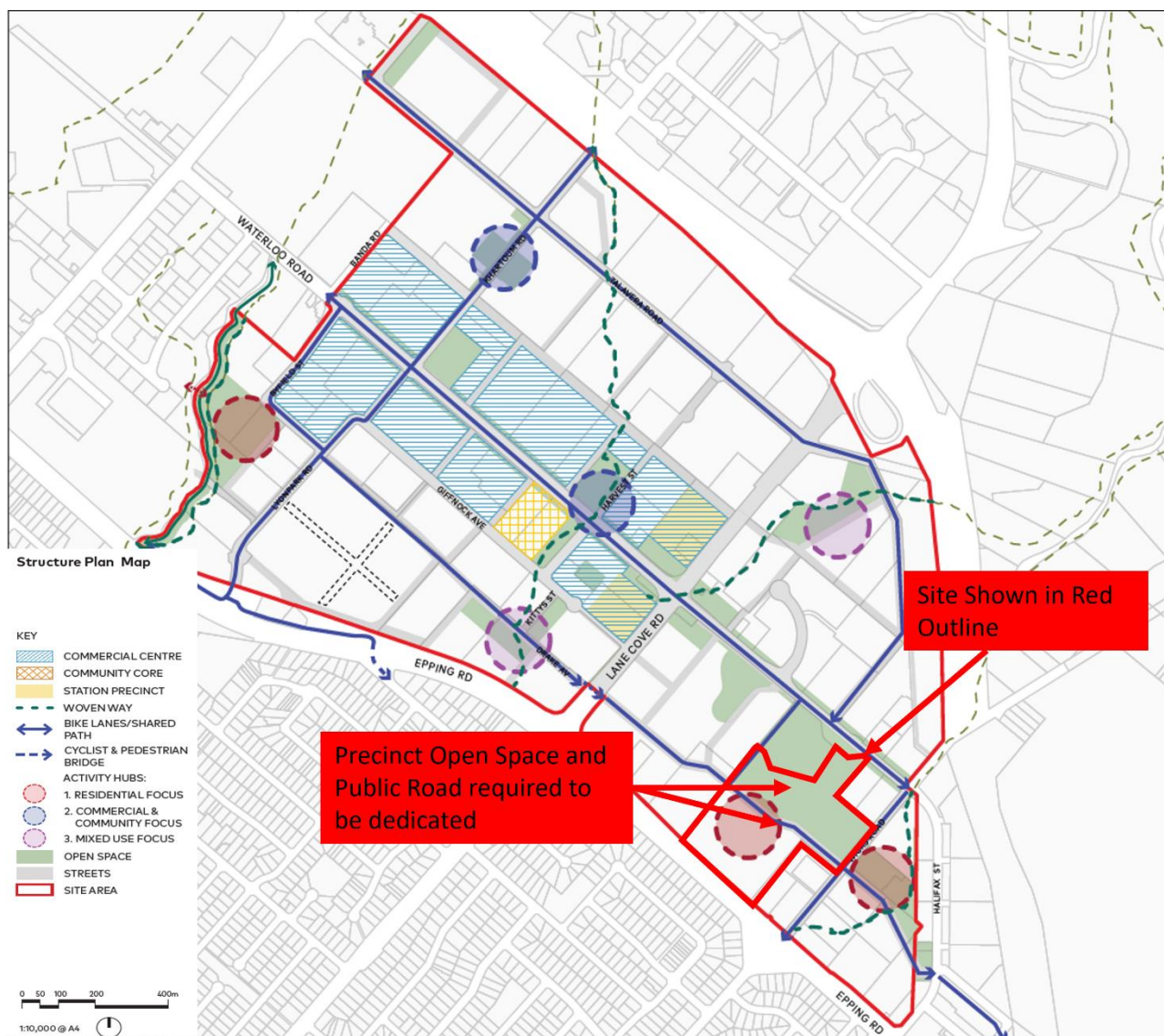


Figure 2: Mark up of Design Guide Structure Plan (Base Source: Macquarie Park Design Guide)

3.3. Street Network

Under Section 4.1. Street Network, the application is to include the delivery of a 20m wide road within the site known as ST7 – 20m secondary circulation route. This road is proposed for construction by the applicant, however, does not propose the dedication of the road.

Council notes that there are other applications under consideration or approved, that have developed/ will construct the other portions of the road as such the delivery and dedication of this road is important for the future road network. Council considers that the applicant must build the road to Council's standards and dedicate this road to Council.

Details of Council's requirements are provided in Section 11 of this report.

3.4. Through Site Links

Under Section 4.2 Through Site Links, the application is to include the construction and delivery of multiple through site links. The Appendix 6 show the east and west boundaries with 5m setbacks and do not make allowance for the through site links to be provided with the subject application.

The provisions for Section 4.2 require that:

- Through site links are to be provided and constructed by the applicant with each application
- The through site links are to be designed in accordance with Figure 17 of the Design Guide.
- Through-site links are to be provided with a continuous, 24/7 easement for public right of way

Council notes that the application is entirely inconsistent with the design guide as:

- It does not propose the construction and deliver of the through site links
- The through site links will not meet the design requirements of Figure 17 of the design guide.

To resolve the above, Council recommends that:

- Detailed Plans are provided for the proposed construction and delivery of the site links.
- Public access easements are to be placed on the proposed site links.
 - Council notes that LDA2015/0144 required 6m site links and imposed conditions requiring public access easements be created.

Noting that the boundary site links are to be designed as a 12m in width, Council considers that reduced widths can be considered as acceptable given the nature of the proposed use. Whilst the design guides principles were only developed considering this site was residential in nature, given the commercial aspect and the nature of the land use. Any site links must be designed to consider surveillance and safety considerations for pedestrians using these links.

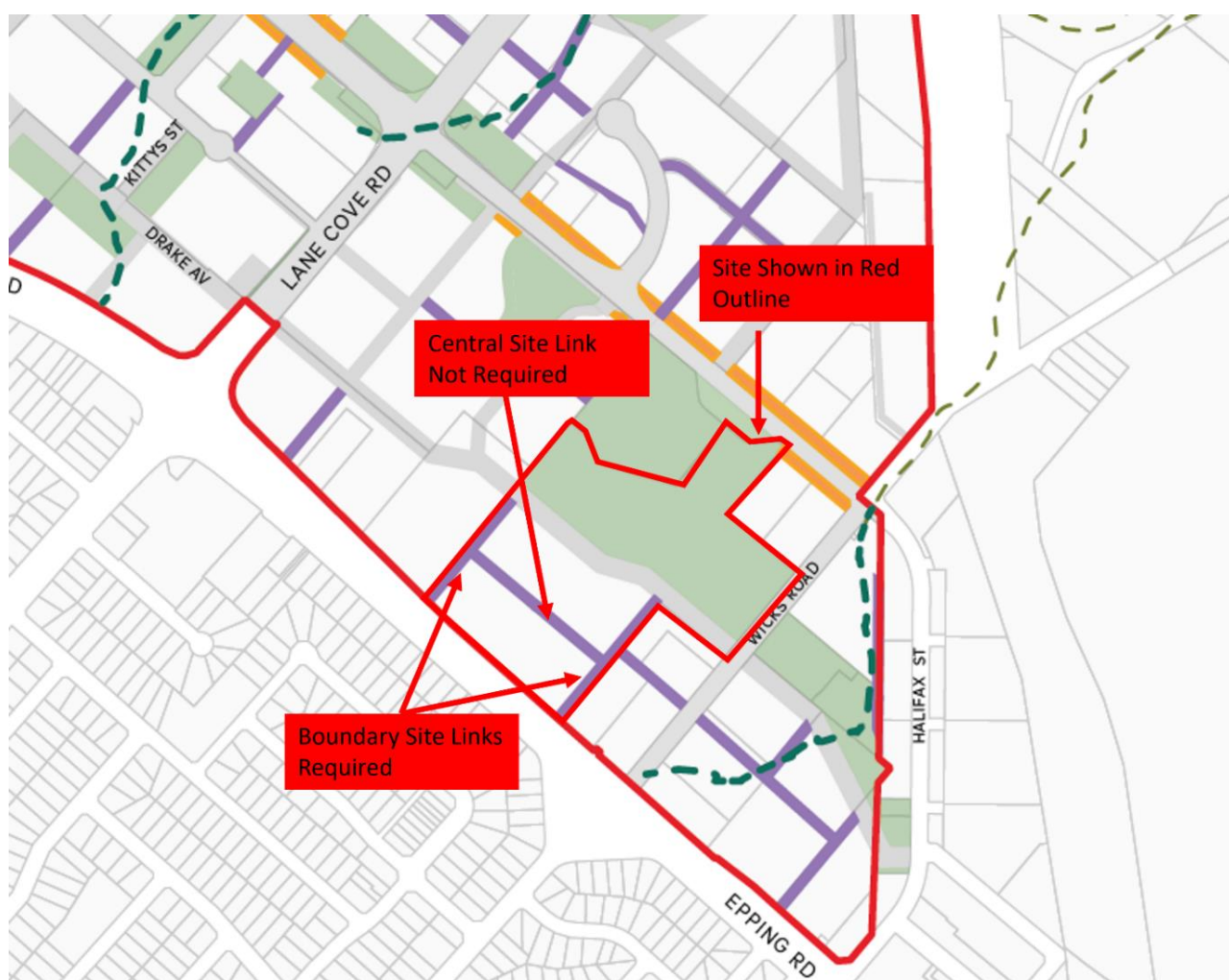


Figure 3: Markup of Figure 16A Through site links (Base Source: Macquarie Park Design Guide)

3.5. Open Space Network

As noted under Section 2.1 of this report, the site is required to dedicate the open space shown in Figure 1 to Council. Section 4.3 of the Design Guide requires the dedication of the Open space and Road to Council in accordance with the provisions of Section 4.3 Open Space Network. Provision two (2) states (partial provisions below):

Provisions

- 1. Open spaces are to be provided and designed in accordance with Figure 18. Open Space Network Map and Table 4. Publicly Accessible Open Space Characteristics.*
- 2. Open spaces are to be dedicated to the Council in accordance with Figure 20. Land Dedication Map, unless by agreement with Council where they may be provided as privately owned publicly accessible open space (POPS).*

Based on the provisions of Section 4.3, the applicant is required to dedicate the land shown in Figure 4 to Council. The provisions state unless by agreement by Council they can be kept in private owned publicly open space. No agreement has been made with Council, nor does Council support this open space being privately owned.

Council seeks that the applicant engage with Council in respect of a planning agreement to facilitate the dedication of land required under the Design Guide and Key site provisions.

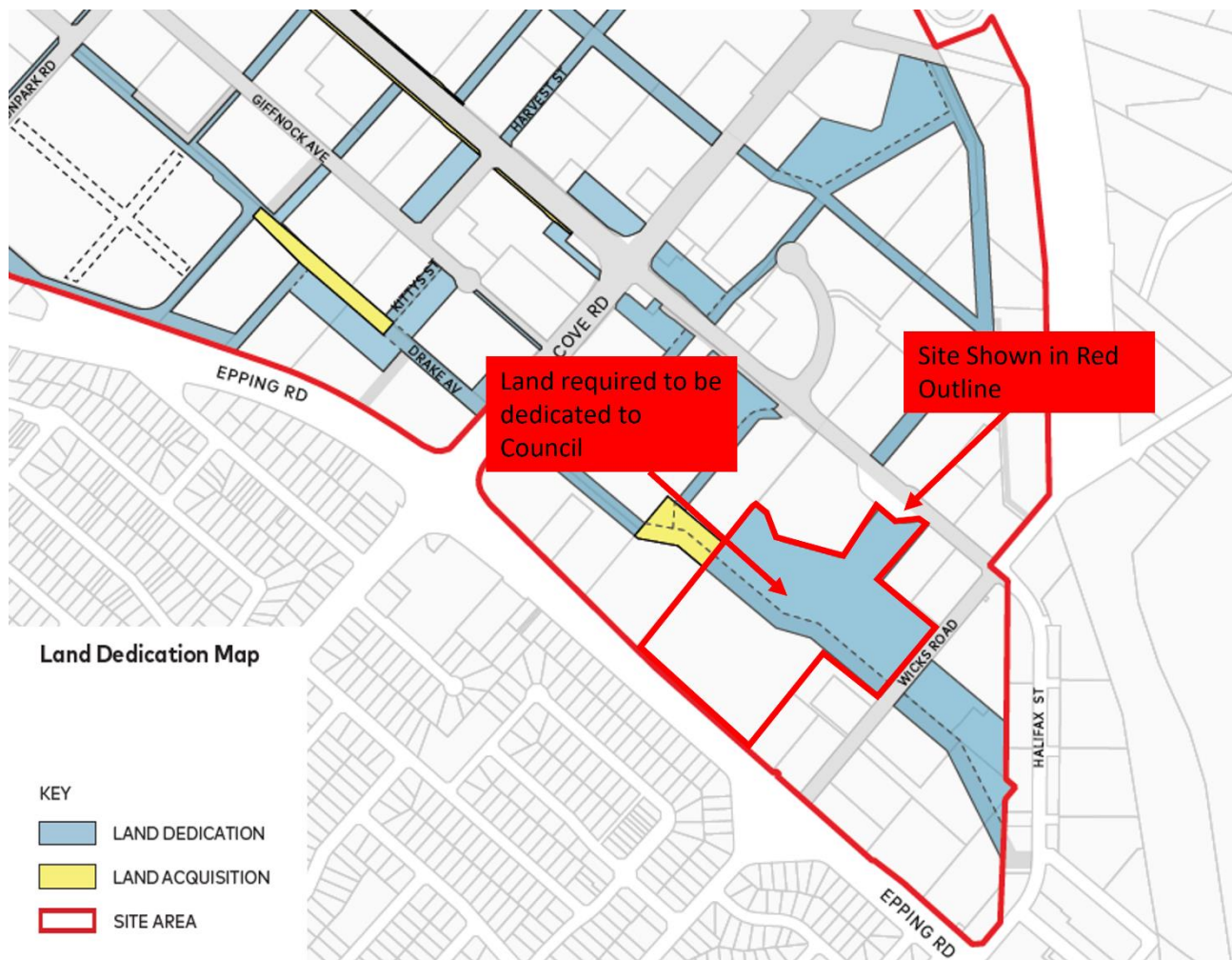


Figure 4: Mark up of Land Dedication Map (Base Source: Macquarie Park Design Guide)

3.6. Building Frontages

Section 5.4 Building Frontages of the Design Guide applies to the Development. The development site has prominent frontages, particularly as it interfaces with the proposed Wicks Park. Given the sites interface with Wick's Park, the development must sensitively respond to the emerging character of the precinct and be activating and enhance the pedestrian experience.

Council notes the following areas of concern as it relates to activate frontages:

- The development includes security fencing
- The development provides boundary fencing where the required site links are
- The development proposes perimeter access for vehicles which are highly exposed to pedestrians that would utilize the site links, which worsen the amenity of the required site links.
- The perimeter access is visually exposed and may cause future amenity impacts to future residential (BTR in the E2 zone adjoining) if not treated.

To resolve the above Council makes the following suggestions:

- Remove all security fencing as it interfaces "Wicks Park"
- Remove all Boundary Fencing, particularly boundary fencing that interface the required site links
- The Applicant should consider stepping sections and landscaping, colour and to soften to achieve a safe and convenient pedestrian environment that encourages public transport use and social interaction, rather than proposed security fencing.
- The applicant should revise the design to enclose / screen the elevated vehicle ramp.
- Remove perimeter fencing and increase planting (including mid-storey and tall trees) to increase tree canopy to meet target and improve connectivity to key areas in landscaping.
- Utilise landscape design to soften interface with public domain and mitigate perception of bulk and scale of this development.

Council recommends that a revised design be prepared that considers and addresses the above issues and that security be addressed by other means such as CCTV with motion detection, lighting, etc should be considered for these prominent frontage .

4. Planning Matters

4.1. Characterisation and Permissibility

Council notes that the EIS seeks consent for a Warehouse and Distribution centre, which is a land use type proscribed as being state significant per the Planning System SEPP. A warehouse and distribution centre are defined as:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

In consideration of the definition of the Warehouse and Distribution centre, Council notes that the proposed "Direct to Boot" service proposed, that is separate from the warehouse function. It's understood that the direct to boot service operates in a manner that has members of the public place orders online and attend the site in person to directly pick up the items ordered.

Based on the above, the direct to boot service proposes a retail sales operating from the site which does not accurately fit within the definition of a Warehouse and Distribution.

It is unclear the scale of the Direct to Boot Service, however based on the size, location on the site, amount of parking spaces and possible operational practices it does not appear to be an ancillary function and would be its own primary purpose separate from the Warehouse component.

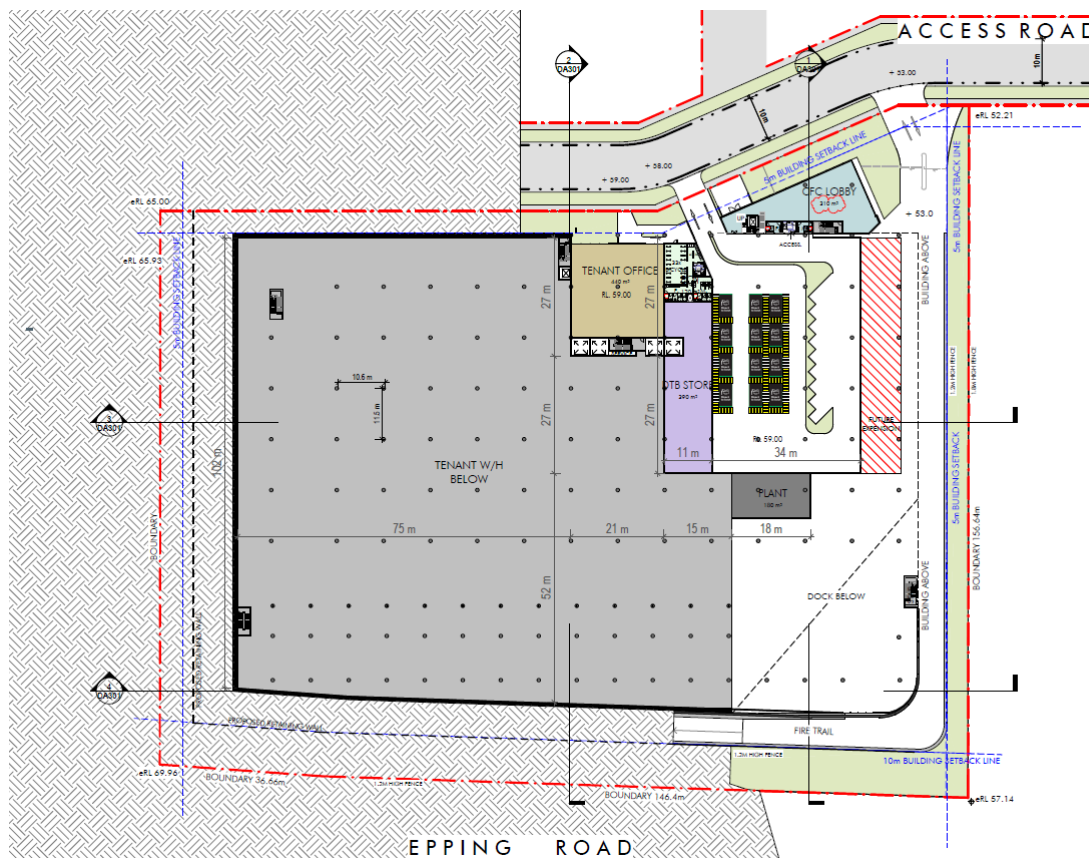


Figure 5: Extract showing the scale of the direct to boot service: (Source: Nettleton Tribe)

The Direct to Boot service does not accurately fit within the definition of a Warehouse and Distribution centre, and is most accurately defined as a “Specialised Retail Premises”, which is defined as:

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note.

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of **retail premises**—see the definition of that term in this Dictionary.

As a specialised retail premises is not development that is considered State Significant and the issued SEARs does not relate to the specialised retail premises, the ‘use’ of the site for such purpose requires consideration under a separate consent. Council recommends that should the application be approved; a condition be imposed that requires a separate consent for “use” be sought from Council regarding the direct to boot proposal.

4.2. Surrender of Existing Consent

It's noted that the site has a valid development consent known as LDA2015/0144. It is unclear if LDA2015/0144 has achieved physical commencement. In this regard the following is required:

- Confirmation if LDA2015/0144 has been physically commenced.
- Surrendering of LDA2015/0144 to Council, consistent with clause 67 *Modification or surrender of development consent or existing use right—the Act, s 4.17(5) of the Environmental Planning and Assessment Regulation 2021*.

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulations 2021*, the applicant would require to surrender LDA2015/0144 should the application be later determined by way of approval. Council would provide its recommended condition of consent on this matter later.

Notwithstanding the surrender of LDA2015/0144, Council considers that the relevant conditions of consent imposed under that application will be still applicable to the subject SSD, and that DPHI and the application should consider the conditions of that consent. Council view is that the following key conditions are relevant:

- Condition 38. Access to the site & Traffic Lights (RMS).
- Condition 39. Civil Design Plans (RMS).
- Condition 41. Waterloo Road intersection design
- Condition 46. Pedestrian Link
- Condition 47. Public Access and Right of Way
- Condition 100. Waterloo Road Access – Installation
- Condition 102. Traffic Signals - Installation

4.3. Floor Space

The site has an FSR of 1:1 under the base controls of the RLEP 2014, with the total development netting approx. 0.56:1 FSR, when considering the site holistically. However, when the road is constructed and subdivided off from the open space, the development will exceed the base FSR control as demonstrated below.

Site Address	Proposed site area whole	Site area Road and CFC	Total GFA	FSR whole site area	FSR for -CFC Site Area & GFA
144 Wicks Road	59,257m ²	Road = 5,847m ² CFC = 17,050m ² Total = 22,897m ²	33,050m ²	0.56:1	<u>1.44:1</u> FSR

Table 1: Calculation of GFA & FSR of 144 Wicks Road

As demonstrated above, the development will exceed the base FSR control on the subdivision and dedication of the road and open space as required by the Design Guide. The Application in its current form is taking GFA from other portions of the site and transferring it into the CFC site area. When considering FSR usage holistic, the development does exceed the base controls and is utilizing the incentive uplift under the key site 10 provisions.

In this regard Council considers that the development is seeking to utilize part of the incentive FSR under the key site provisions and is required to dedicate the road and open space to Council. Council notes that under clause 4.5(9) of the RLEP 2014 it provides the ability to require a covenant imposed on land that relates to two sites that transfer GFA into another site, to prevent double dipping. The clause states:

4.5 Calculation of floor space ratio and site area

(9) Covenants to prevent “double dipping” When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

As such DPHI must consider gross floor area holistically and impose a condition on any consent issued that requires the registering of a positive covenant on both sites to prevent double dipping of GFA. Council can provide a recommended condition once remaining issues are addressed.

Any covenant imposed in respect of GFA would also relate to the “unused” GFA being transferred into the CFC site for redevelopment purposes (such as residential accommodation) in the future. To effectively resolve the matter, Council seeks that the applicant engage Council with a Planning Agreement.

4.4. Operational Management

It's noted that the facility will be operating multiple business practices and operating a large-scale distribution network on a 24-hour basis. Whilst the EIS did contain general details of operational practice, Council requests that a detailed operational management plan be prepared.

Given the businesses interface with low density receivers across Epping Road, Council recommends that a detailed operational management plan consider the businesses practices and its impacts on surrounding receivers. The following impacts should be considered (but it not limited too):

- Noise Management (Particularly late-night noise generating activities)
- Vehicle movements
- Light Spill Impacts
- Air Quality Impacts
- Waste Management
- Complaint procedures
- Timing of deliveries and cumulative management of the facility (Warehouse, Direct to Boot, the tenanted warehouse component).

5. Urban Design and Form

Council notes that the applicant has sought to engage Council's Urban Design Review Panel on the 5th of June 2025. Council's Urban Design advice will be provided to the applicant under separate cover once the meeting is held and advice prepared.

6. Arboricultural Impacts

Council has reviewed Appendix 15- Arboricultural Impact Assessment (AIA) and its findings are unsatisfactory. The AIA does not document all trees on site, only trees that can be retained around the boundaries, therefore there is no indication on the number and species of trees to be removed.

The report is inadequate, lacking thorough assessment utilising general sweeping statements that are not sufficient to warrant approval for removal. Statement such as;

'All remaining trees within the proposed setbacks are either dead, poor condition and or in decline, exempt weed species, termite infested or located close enough to the measured setbacks that retention would be unviable and therefore, have not been assessed'

The report lacks detailed assessment of tree impacts caused by the development and does not accurately identify the number of trees being removed. The report strongly features terms 'assuming' throughout the report which does not validate assessment or utilises broad sweeping terms that does not adequately provide if the tree needs to be removed or can be saved.

Based on the AIA, it is unclear the number of total trees being proposed for removal, given that it has not undertaken a complete assessment of all trees on site or considered all trees for removal and is not considered accurate or complete. It's recommended that:

- A revised AIA be undertaken that undertakes an assessment of all impacted trees
- The AIA clearly identify the number of trees for removal
- The AIA clearly identify any mitigation measures required to tree retention
- The AIA provide a tree protection plan to understand any impacts the development may have on the structural root zones of trees.

Given the lack of information on tree impacts, it's unclear how many trees are to be removed. Council requires tree replacement at a 3:1 ratio.

7. Environmental Health

Council has reviewed the submitted contamination assessments and it's noted that these assessments don't consider that part of the site will be future open space and if the site will be suitable for the future open space, instead the assessment considers it being suitable for industrial and commercial usage.

Considering the development is proposing to convert open space to the ownership of Council, Council needs to be satisfied that the remediation as outlined in the RAP is done to ensure the site is suitable for its intended open space usage.

Council requests that a revised Remediation Action Plan (RAP) be prepared that considers the sites future open space usage and propose appropriate mitigation measures to ensure the future open space is suitable for use by the public.

Should this not be undertaken, then Council recommends that the following condition be imposed on any consent:

Before the issuing of the relevant construction certificate, a NSW Environment Protection Authority Accredited Site Auditor must review the validation report and submit a Site Audit Statement to the satisfaction of Council. The Site Audit Statement must verify that the investigation, remediation and validation was carried out in accordance with the undermentioned guidelines and that the site is suitable for the proposed use:

- A) NSW EPA's Guidelines for Consultants Reporting on Contaminated Land (2020)
 - B) NSW EPA's Sampling design part 2 - (interpretation) (2022)
 - C) NSW EPA's Contaminated Land Management guidelines for the NSW Site Auditor Scheme 3rd edition (2017)
 - D) National Environment Protection Council (NEPC) National Environment Protection (Assessment of Site Contamination) Measure (2013)
- NSW EPA's Waste Classification Guidelines, Part 1: Classifying Waste (2014).*

Council notes that DPHI will need to be satisfied of contamination related matters pursuant to the Clause 4.6 of the Resilience and Hazards SEPP 2022.

8. Development Engineering

8.1. Stormwater Management

Council has reviewed the applicants Stormwater Management plan and note the following matters:

- The stormwater design is noted to incorporate both OSD and WSUD components.
- The OSD design rational slightly deviates from the DCP's detailed design methodology in that it simply seeks to ensure that the post-development discharge is less than pre-developed site conditions. This can be considered a conservative approach given the current state of development over the lot (relatively low level of hardstand area) and is acceptable.
- The OSD is in an odd location being at the upper end of the site frontage and therefore does not accommodate runoff from the surrounding roadway (OSD bypass). It appears this has been accounted for in the OSD analysis however this would need to be confirmed with review of the DRAINS results.

Matters warranting attention

- The internal driveway is noted to have an engineered sag located midway along the eastern side of the development footprint. Consideration must be given to the resulting failure mode should the inground drainage system be subject to blockage or be impaired. In this case, the degree of sag (ponding) would be some 200mm and therefore it would be prudent that a kerb with sufficient freeboard be provided along the downstream of the road (so as to prevent this ponding water bleeding off to the neighbouring lot), as well as consideration be given to the potential inundation of internal areas.
- The design parameters for the proposed stormwater management system are designed/derived utilising DRAINS software modelling. To ensure the adequacy of this modelling, the data input files must be provided with the results saved for each particular storm event. If undertaken in relation to the design of a proposed OSD system, this will require files run for both the 5yr and 100yr ARI storm events.
- The catchment characteristic of the proposed roof area is nominated to be 92% hardstand in the DRAINS analysis. It appears this is all roof area and therefore would be 100% hardstand (impermeable). The report provides no further clarification for this. Whilst the proportion appears minor (8%) the subject catchment area is of modest size and so would present a respectable difference in runoff. This should be addressed in the design or clarified by the applicant.

8.2. Vehicle Access and Parking

The provided traffic report has presented a parking analysis partly based on Council's DCP requirements and partly an analysis utilising first principals.

In summary, the report presents:

- Based on the Macquarie Park Corridor Commercial and Industrial land uses parking rate (Max. 1 parking space per 60m²) the development would yield a parking maximum of 462 parking spaces for the site.
- For the "Customer Fulfillment Centre" (CFC) component, the report presents an analysis on first principles, reckoning that an allocation of 226 spaces for employee parking and 140 spaces are required for home delivery parking.
- For the separate warehouse tenancy, the analysis presents a comparison of potential rates could be held in regard, either the Industrial rate for the Macquarie Park Corridor (max 1 space per 60m²) or a combination of the warehouse and commercial office rate (Warehouse - min 1 space per 300m² & Office - min 1 space per 40m²). Between the two this presents a parking requirement between 46 and 178 parking spaces. The proposal nominates to provide 108 parking spaces.

The summation of this parking analysis in the report however specifies several inconsistencies with regards to the net parking provision. Section 5.8 specifies a net provision of 331 parking spaces, claiming it is derived from the CFC allocation (226 staff spaces) and the warehouse component (108

staff spaces). These parking allocations however present a net of 334 parking spaces. The final sentence in this section presents 332 parking spaces.

The figures above exclude the delivery van spaces (140). It is accepted that the delivery van parking spaces would be associated with the planning use and can be excluded from parking analysis (akin to a bus parking depot, bus parking spaces would not be considered as "parking") but obviously the traffic movements from such spaces must be accounted for in the traffic analysis.

9. Flooding

In review of the Civil Plans prepared by Martens & Associates Pty Ltd dated 29 November 2024, Council requests that the civil plans be revised to reflect the following:

- Update the plan to show the existing Council drainage asset (refer Figure 6)
- Ensure adequate clearance is maintained from Council drainage assets. Where no easement is registered over a Council pipe, a notional (pretend) easement of 3 m must be shown on the plans for pipes less than 1350 mm in diameter. The easement is to be centred over the pipe alignment.
- Ensure the ownership of the road and drainage assets is clearly noted on the plan. Also, indicate the maintenance and ownership responsibilities for the GPT.

Note: Due to the high maintenance requirements of GPTs, Council is aiming to minimise the number of these devices within their ownership.

- Details of the proposed pipes sizes, pipe class, slopes, long sections, covers to be provided.
- HGL is to be clearly indicated on the plans.
- The proposed connection details, including the pit and pipe, must be clearly indicated on the plan
- Drainage network capacity analysis must be undertaken by the applicant to ensure the proposed development can be effectively drained and managed via the downstream drainage network.
- There is significant flooding along Wicks Road as shown in Figure 7. To minimise the flooding impact within Wicks Road, opportunities to upgrade Council drainage system within this road to be explored. As apart of the drainage network capacity analysis investigation into the upgrading of Council assets must be undertaken to determine which assets require upgrading to minimise flood impacts by virtue of the proposed development.

General Comments for Proposed New (Drainage Infrastructures):

1. The design must comply with Council's DCP 2014 – Part 8.2 Stormwater Management Technical Manual.
2. The proposed pipe within Council land, including the connection from the boundary pit to the proposed pit, must be a Class 4 Steel Reinforced Concrete Pipe with a minimum diameter of 375 mm.
3. 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)
4. Existing Council drainage infrastructure details including, diameter, etc. shall be shown on the plans.
Note: Please use Council asset numbers.
5. Details of the connection to Council pits/ pipe shall be included in the Stormwater Management Plan.
6. Minimum 1% slope to be proposed for new drainage lines in Council land.
7. Council Details shall be incorporated, from Council Standard Drawings.



Figure 6: Extract showing Council Drainage Assets (Source: Ryde Maps)

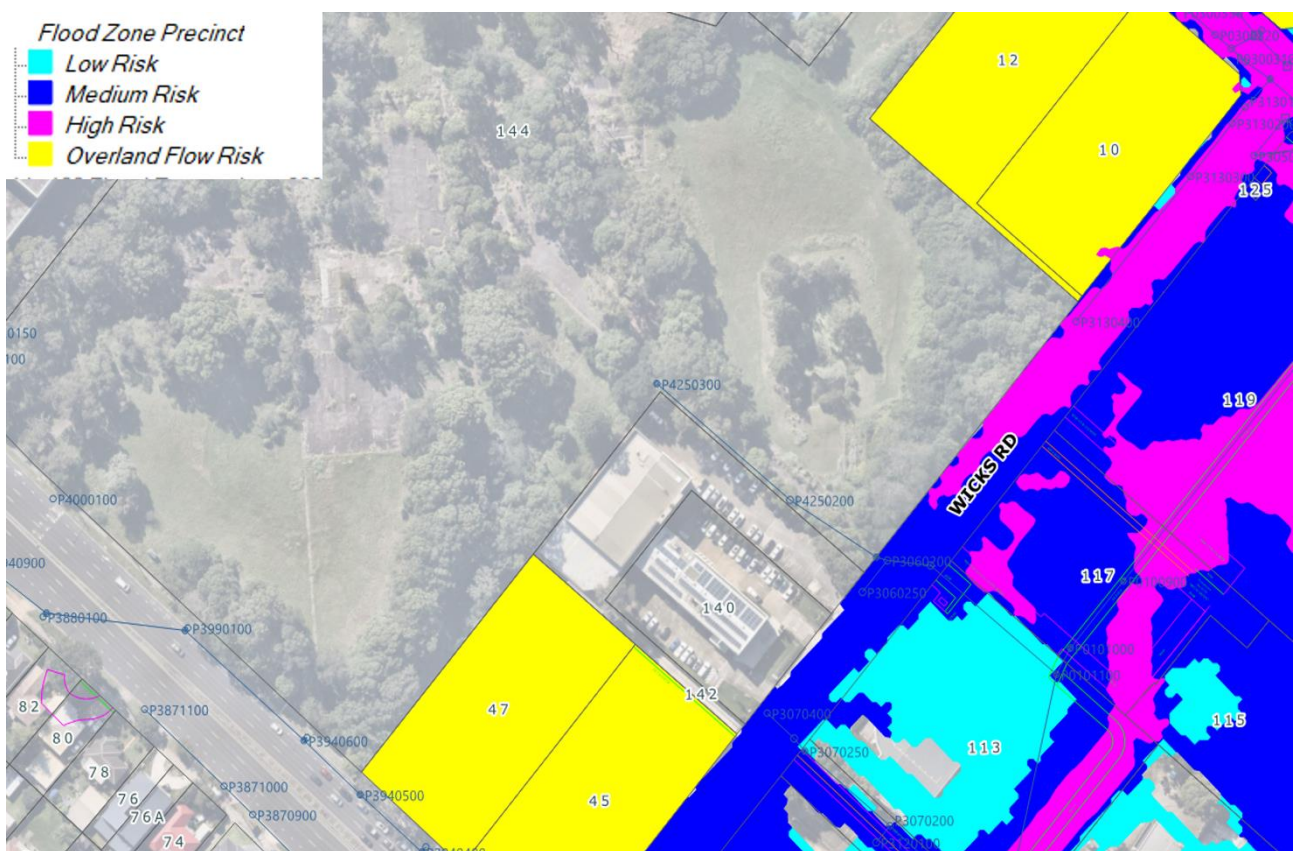


Figure 7: Extract showing Flood Affected Land and Council Drainage Assets (Source: Ryde Maps)

10. Traffic Impacts

Council has reviewed the EIS and provides the following comments that require to be addressed:

1. The TAIA report states that existing weekday morning and afternoon peak hour traffic volumes for the intersections of Wicks Road/Epping Road and Wicks Road/Waterloo Road were sourced from the Macquarie Park Detailed Precinct Transport Study. However, the traffic surveys for that study were conducted on 14 and 15 September 2022, a period when traffic volumes were still affected by the residual impacts of COVID-19 restrictions. As such, the data from those surveys is not considered to reflect typical traffic conditions.

The applicant is therefore required to undertake updated traffic surveys during weekday morning and afternoon peak periods (7:00am–9:00am and 4:00pm–6:00pm) at the relevant intersections, to inform the traffic modelling using current conditions.

2. The TAIA report states that, based on correspondence from TfNSW dated 19 September 2024, traffic surveys and modelling were requested for the intersections of Epping Road/Wicks Road, Wicks Road/Waterloo Road, and Lane Cove Road/Waterloo Road, covering the following scenarios:
 - existing conditions.
 - immediate post development with and without signals; and
 - 10-year post development incorporating background traffic growth and nearby developments with and without traffic signals.

However, the TAIA report did not undertake all modelling scenarios as requested by TfNSW. The report provides the following justifications:

- the intersection of Waterloo Road/Lane Cove Road was not modelled as the additional development traffic through the intersection would be minor (some 30 to 35 vehicles per hour, two way) during the weekday AM/PM peak hours and the distance of the intersection from the site access.
- not undertaken an assessment of the 10-year post development incorporating background traffic growth and nearby developments as traffic effects of 2041 traffic conditions, taking into account future development within Macquarie Park have been assessed in the Macquarie Park Detailed Precinct Study (TfNSW September 2023).

It is noted that the Macquarie Park Rezoning Project was endorsed in November 2024. Therefore, it is reasonable to assume that TfNSW's request for these modelling scenarios was made with full awareness of the findings of the 2023 Study. This suggests that TfNSW is seeking modelling specific to the proposed development in order to assess its direct impacts on the surrounding road network—something not captured in the high-level precinct-wide study.

Accordingly, the applicant is required to update the TAIA report to include all traffic surveys and modelling scenarios as requested by TfNSW.

3. The TAIA report notes that, according to correspondence from TfNSW dated 19 September 2024, any proposal for traffic signals at the intersection of Wicks Road and the site's access road must include a warrants assessment in accordance with *Traffic Signal Design – Section 2 Warrants, v1.4*. The report further states that an assessment of the proposed intersection's operation during weekday AM and PM peak periods concluded that the TfNSW traffic signal warrants would not be met at completion, though they may be met in the future with significant additional development in the precinct.

However, the report does not provide any supporting data or analysis to demonstrate how the warrant criteria are not currently satisfied. As such, the applicant is required to update the TAIA

report to include a detailed warrants assessment, providing clear evidence and justification for not proposing traffic signals at the intersection of Wicks Road and the site's access road.

4. While TfNSW has requested a warrants assessment for any proposal involving traffic signals at the intersection of Wicks Road and the site's access road, it is strongly recommended that this intersection be signalised regardless of the assessment outcome, for the following reasons:
 - The proposed development will generate a high volume of truck movements. These turning movements are likely to disrupt traffic flow on Wicks Road and pose safety concerns if the intersection operates under priority control, even if current modelling shows acceptable levels of service.
 - The Macquarie Park Design Guide, prepared by the Department of Planning, Housing and Infrastructure (DPHI), identifies that Key Site 11 (currently subject to a SEARs request) on the eastern side of Wicks Road will include an access road directly opposite the proposed development's access. This will create a four-leg intersection, which (with anticipated high passenger and freight vehicle volumes) is more appropriately managed under signalised control.
 - A future bus depot located at the northern end of Wicks Road is expected to generate significant bus traffic along the corridor. Incorporating this future traffic into modelling may influence the outcome of the warrants assessment and support the need for signalisation.
 - This intersection was required to be signalized under the existing consent LDA2015/0144, Condition 38 and Others. Given the scale of the development and its impact on the surrounding road network, particularly with Key Site 11 (SSD-83872208) that will be delivering part of the road that would connect into the sites road network, the signalisation of this intersection is required.
5. It is strongly recommended that the applicant consider incorporating an additional left-in only access point from Epping Road into the site, in order to alleviate traffic impacts on Wicks Road. This would be subject to TfNSW agreement as Epping Road is a classified Road.
6. The Active Transport Map in the DPHI's *Macquarie Park Design Guide* identifies the site's access road as part of a bicycle and shared path route. Accordingly, the applicant is required to submit a detailed design plan for the access road, clearly showing the allocation of space for footpaths, traffic lanes, parking lanes, and bicycle lanes. If all these elements cannot be adequately accommodated due to turning constraints for heavy vehicles, an increase in the access road width may be necessary.
7. The DPHI's *Macquarie Park Design Guide* identifies the requirement for through-site links to be provided within the subject site. However, the plans submitted with the SSD application do not show any such links. Accordingly, the applicant is required to amend the proposed development design to incorporate the through-site links as identified in the Through-Site Link Map of the *Macquarie Park Design Guide* (dated 15 November 2024).
8. The applicant is required to reconstruct the existing Shared User Path (SUP) along the western side of Wicks Road, between Waterloo Road and Epping Road, and upgrade all associated signage and line marking to meet current standards. This requirement aligns with the Active Transport Map in the DPHI's *Macquarie Park Design Guide* (dated 15 November 2024).
9. The TAIA report is to undertake a cumulative impact assessment of all major development occurring within the precinct. These developments will be utilizing Wicks' Road as the primary access point into the precinct, therefore traffic impacts must be considered from a cumulative perspective and propose appropriate mitigation measures. This assessment must include but be not limited too:
 - Key site 11 (Concept SSD Application)

- Lachlan's Line precinct development Some but not all include, 3 Halifax Street, 6 Halifax Street, 5 Halifax Street and the new 2050 student school proposed at 7-9 Halifax Street
- Macquarie Park Bus interchange and
- Other development within the locality.

11. Public Domain

11.1. General

The proposal incorporates the following roads to be contracted within the site:

A new 20m width road extending Wicks Road, adjoining the southern boundary of Lots A and B and culminating in a cul-de-sac arrangement in the south western corner of Lot A.

The alignment and width appear to comply with the requirements of the Updated Design Guide. As noted earlier the applicant does not propose the dedication of this road consistent with the design guide to Council. Council seeks that the applicant engage with Council for the dedication and deliver of this road.

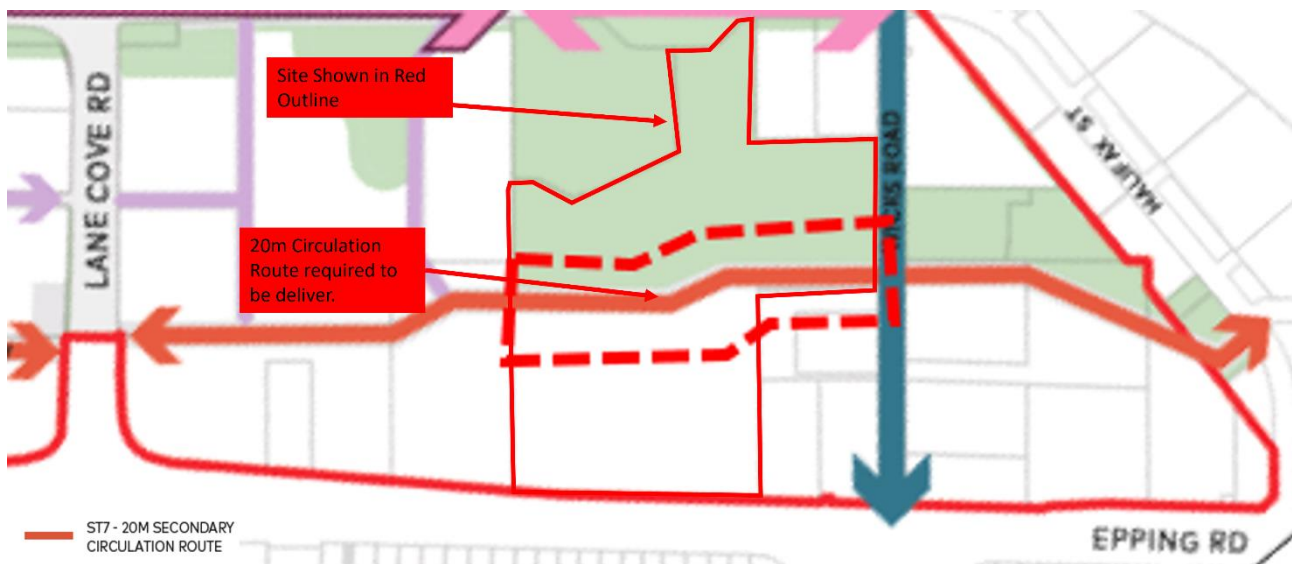


Figure 8: Mark up of Street Network (Base Source: Macquarie Park Design Guide)

11.2. Other Roads proposed

The proposal also includes two new roads (Figure 9) being a 15m road and 20m width road reserve extending south from Waterloo Road to Road No.4.

This road is included within the Macquarie Park Public Domain Technical Manual (PDTM), which has been superseded by the Updated Design Guide issued in November 2024 by DPHI. In the updated design guides there are no specified local roads running between Road No.4 and Waterloo Road, given that this land is intended to be used for the Wicks Park. It is recommended that:

- The architectural plans are amended to remove the two roads from Waterloo Road
- The architectural plans are updated to show the Wicks Park.

In summary road No.4 extending from Wicks Road, along the southern boundary of Lots A and B is required to be constructed and dedicated to Council in accordance with the requirements of the Updated Design Guide. The other two roads extending from Waterloo Road to the southern boundary of the site are not required public roads but as open space under the Macquarie Park Design Guide.

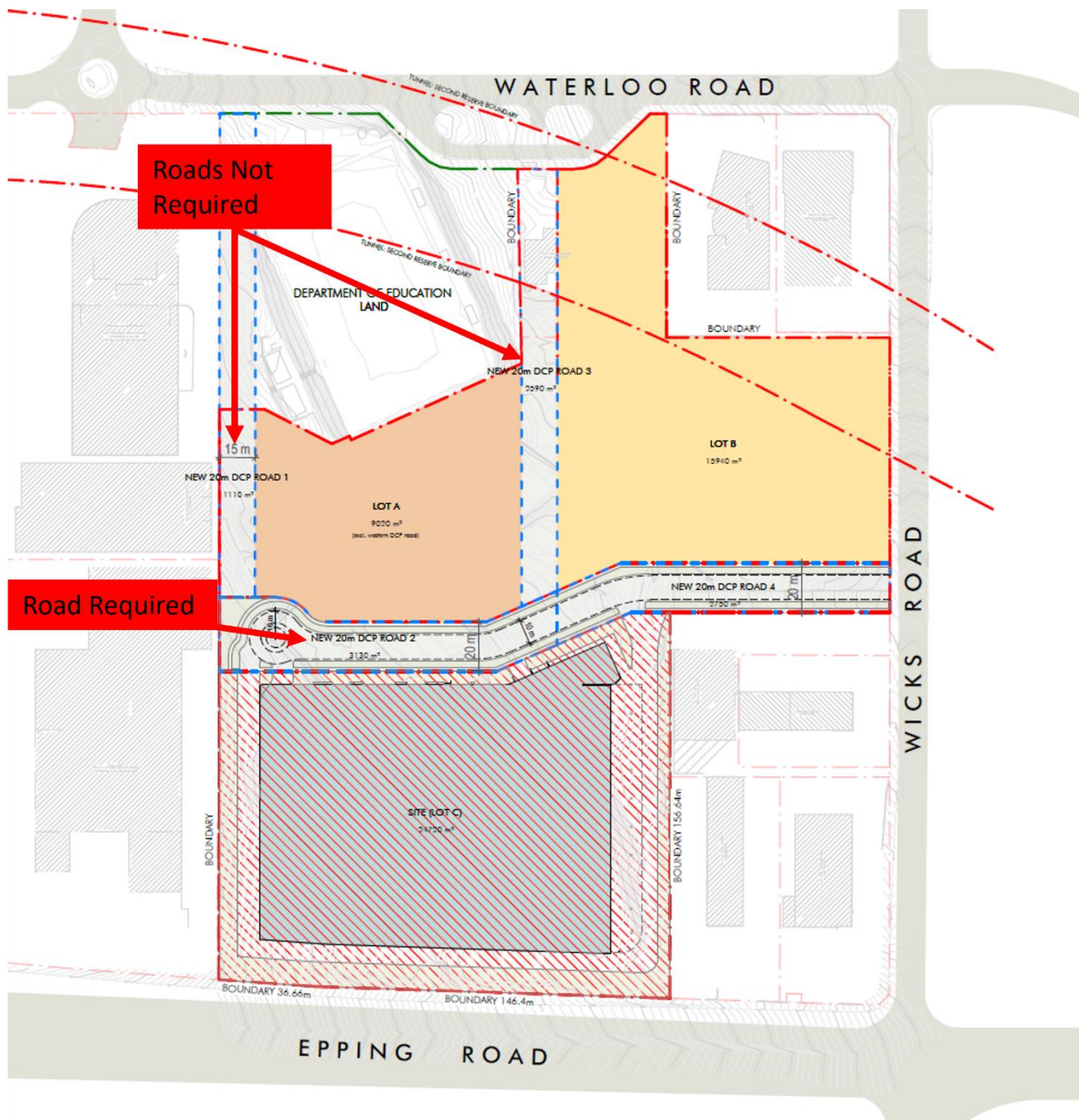


Figure 9: Mark up of Applicants Plan showing Required Roads (Base Source: Nettleton Tribe)

11.3. Public Domain Upgrades

Public domain upgrade works will be required along the Epping Road, Waterloo Road and Wicks Road frontages in addition to the delivery of a new road extending from Wicks Road to the south-western corner of lot A. These public domain works include, but are not necessarily limited to: -

- Road pavement upgrades,
- Installation of new street lighting – Multi –Function Poles.
- Granite footpaths
- Shared user paths
- Parking bays
- Parking sensors
- Parking meters
- Street trees and pits

- Stormwater management upgrades
- Bus stop and bus shelter upgrades.
- Street furniture
- Kerb and gutter
- Kerb ramps
- Utility asset adjustment to facilitate works
- Traffic management infrastructure
- Removal of any existing encroachments onto Council land
- Retain structures required to facilitate any proposed level differences between public and private land (retaining structures are to be wholly within private land).

The scope and details of these works should be captured in a detailed submission to be approved by Council under the Roads Act. A public domain concept plan capturing the core civil and landscape aspects, as required by the Updated Design Guide issued by DPHI is required to be provided as a part of any response to submissions.

11.4. New Road Central to the Development Site

A new road central to the lot extending from Wicks Road, along the southern boundaries of Lots A and B must be constructed and dedicated to Council as per the Updated Design Guide issued by DPHI upon finalisation of the Macquarie Park rezoning proposal in November 2024.

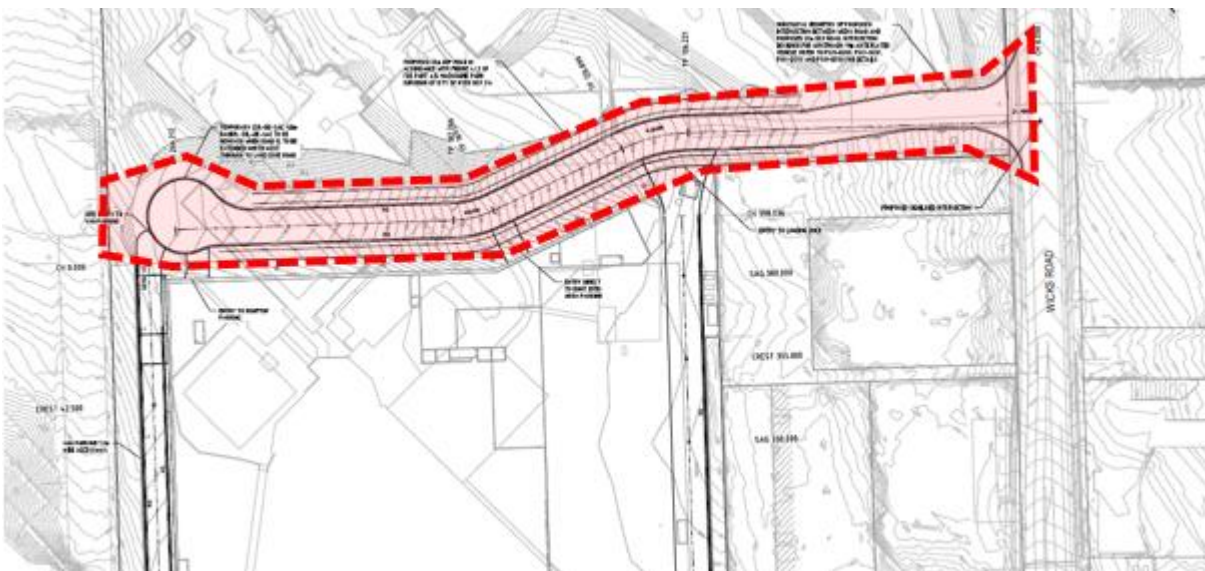


Figure 10: Mark up of Civil Plans showing required road in red to be dedicated to Council

The new road is to be dedicated to Council as specified in the Design Guide. The new road must extend up to the boundary to facilitate continuation upon the development of the adjoining lot – 61-65 Epping Road. The plans provided show an interim cul-de-sac termination approximately 10-15m from the boundary with 61-65 Epping Road. The plans must be revised to show the road extending to the boundary of 61-65 Epping Road. Upon future extension of the road, the cul-de-sac arrangement would become redundant as it would function as a through road.

The plans should address future turning paths for heavy vehicles, when the new road extension is delivered as part of the adjoining development. If the cul-de-sac is being used to accommodate necessary heavy vehicle management, a consideration needs to be made of how these manoeuvres will be achieved once the through road connection is made.

The plans need to demonstrate consistency with the below figure that shows the design requirement for street type 'ST7'.

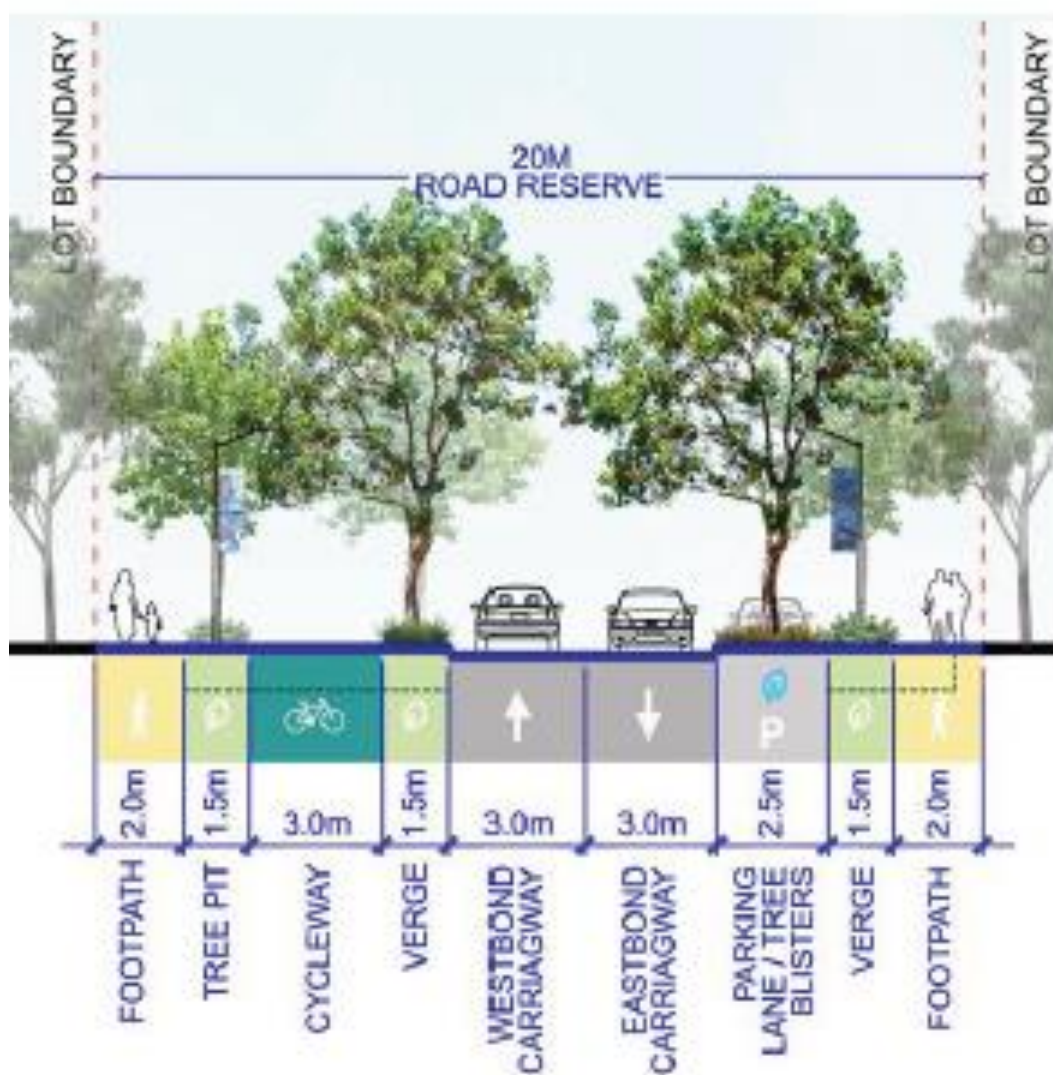


Figure 11: Extract from Macquarie Park Design Guide Showing Road Reserve Design (Source: Macquarie Park Design Guide)

11.5. Design Life of Road Pavement Surfaces

Upon operation, the site use will result in a high volume of truck movements, not only along the central newly constructed road but also on existing Council roads – Wicks and Waterloo. Council's standard road pavement profile (CIV 14.2 - <https://www.ryde.nsw.gov.au/files/assets/public/v/1/development/drawings/civil/civ.14.2-typical-pavement-structure-commercial-industrial-high-density-residential-mixed-developments.pdf>)

accommodates a design life of 1×10^7 ESA, which based on standard traffic volumes results in design life duration of 20 -30 years.

Further information on the volume of truck movements anticipated when the development site is in operation, is required to make an assessment on whether Council's Road pavement profile is sufficient to support the high volume of heavy vehicle movements. In the case that Council's existing road pavement will not adequately support the expected volume of heavy vehicle movements, an alternate road pavement profile will be required, and must be implemented along the full route of any existing or new Council Road assets. The extent of new road pavement profiles should continue to the nearest state roads - Lane Cove Road and Epping Road.

11.6. Traffic Management of Heavy Vehicles

Council has concerns over whether new and existing road assets adjoining the site will provide sufficient capacity to accommodate turning manoeuvres of a high volume of heavy vehicles. Wicks Road may experience capacity issues, as it will be subject to much high volumes of traffic in the near future as the new bus depot comes online, Key site 11 and the Lachlan's Line precinct becomes populated on completion of numerous high density residential developments. Detailed information should be provided demonstrating adequate turning paths and expected volumes of heavy vehicles.

There is a high likelihood that additional traffic management infrastructure will be required to facilitate heavy vehicle movements between the site and Wicks Road. These works will be subject to the review of traffic studies and assessment by Council's Transport Department. The 20m road width of the new road central to the site is proposed to be 20m in width as per Street Type 'ST 7'. Swept for all required manoeuvres should demonstrate the minimum width of the road carriageway required, Swept path analysis should incorporate assessment of future manoeuvres required following removal of the cul-de-sac arrangement and extension through the 61-65 Epping Road site.

Additional Information Required

Please provide additional documentation addressing the following: -

- A public domain concept plan detailing the full extent of public domain works addressing the requirements of the Updated Design Guide issued by DPHI and any issues raised by Council. Public domain concept plans should address level of the new internal road and future extension through the adjoining site 61-65 Epping Road.
- Provide details of the volume of heavy vehicles entering and exiting the site to enable assessment of the impact upon Council's existing a new road pavement asset.
- Provide swept paths for heavy vehicle movements along existing Council roads on the site frontages as well as the new road central to the site. Consideration should be given to manoeuvres following completion of the development and upon future extension of the new road extending into the 61-65 Epping Road site.
- Design details for the new road central to the site, extending from Wicks Road along the southern boundaries of Lots A and B, should include consideration of the future extension to 61-65 Epping Road. The extent of the new road should extend to the boundary or proximity (1-2m) from the boundary to facilitate future connection works.

Conclusion

City of Ryde Council thanks the Department for providing Council the opportunity to comment on the proposed SSD Application.

Council does not support the application in its current form due to the development seeking the incentive uplift under the key site 10 provisions of the RLEP 2014, whilst not providing the required public benefit (Open Space and Road) being dedicated to Council.

Council's submission has identified concerns and provided suitable recommendations to resolve these matters. Council recommends to DPHI that these matters be requested of the applicant to address and resolve prior to any consent being granted.

At this stage Council is seeking additional information and is not able to provide its recommended conditions of consent.

As outlined above as the Applicant is relying on Clause 7.17 for incentive height, and the proposal has been designed as such is required to engage Council with a Voluntary Planning Agreement (VPA) which has not been done. Council requests that DPHI require the applicant engage with Council on this matter.

Should the Applicant or the Department wish to engage with Council directly on the issues raised above, Council would welcome the opportunity to consult with the Applicant or the Department.

Council **objects** as outlined in this submission should be considered by the Applicant and DPHI.

End Submission