

Objection: Trinité Lighthouse Build-to-Rent, North Ryde

I wish to lodge a strenuous objection to the 20-storey development on the Trinité Stage 2 site in North Ryde, proposed by Stockland Development. While I am keen to see this site utilised in the coming years, I believe there are substantial issues with the Stockland proposal, including its impact on the views of existing residents, as well as issues of inadequate privacy, natural light, access and parking, especially in regards to the wider community's access to the North Ryde metro station. This development is not in the best interests of existing residents, its own future hypothetical residents, or the wider North Ryde community.

View Sharing

As a resident of Ryde Gardens, I have significant concerns about the visual impact of this proposed development on my property. At present, my property enjoys panoramic views from Chatswood to the Anzac Bridge, including iconic views of the Harbour Bridge, Opera House and city skyline, as well as water views of Lane Cove River as it winds its way through the national park. The proposed Trinité development would eliminate my views entirely, as well as those of many other apartments in Ryde Gardens, and the neighbouring Centrale complex.

The *Tenacity Consulting vs Warringah Council* judgement provides a precedent for how view sharing ought to be assessed in situations like this. Notably, the complete elimination of views cannot be called 'view sharing', and is rarely considered reasonable. The Land and Environmental Court has determined four factors for assessing the claim of existing residents against potential developments.

- 1) Value of the views: iconic and water views are of particular value, and should be protected. This is clearly applicable to Ryde Gardens, especially at the higher levels of floors 15 and above.
- 2) The part of the property the views are obtained from: views from front and rear boundaries of existing properties should be protected. It may be reasonable to for a new development to restrict views from the side boundaries of existing properties. In the case of Ryde Gardens, the views are from the front boundaries of the properties.
- 3) Extent of the impact: the extent of the impact may be measured quantitatively, but should also take into account the value of the views obstructed. Even a mild quantitative view loss may be unacceptable if it obscures iconic views. In the case of Ryde Gardens, the extent is devastating both quantitatively and in terms of the value obscured. The affected apartments in Ryde Gardens have only one South-East facing aspect, with no side windows. The proposed Trinité development blocks this aspect entirely, and will eliminate the most valuable iconic views of the Harbour Bridge and city skyline from these apartments.
- 4) Reasonableness of the proposal: The development exceeds the height restrictions and floor space ratio of the Ryde LEP, and requires exceptions to these requirements to proceed. The impact of view loss may be compounded and considered more unreasonable if other aspects of the development are also questionable. As I will outline in later sections, there are further significant grounds to object to the Trinité development.

Based on these four criteria, the residents of Ryde Gardens and Centrale have valid grounds to object to the loss of panoramic iconic views. There are negligible attempts at view sharing by the proposed Trinité development. If they cannot mitigate the impact of their building through more skilled design, then the only equitable solution is to reduce the height of the proposed development.

At present, Ryde Gardens enjoys panoramic iconic views from the 11th floor and above (with partially obstructed views on the 10th floor), giving a total of 13 floors with these views in Building A, and 14 floors in Building B. It should be noted that the top three floors of both buildings are multi-storey penthouses, and should therefore be counted on the 23rd (Building A) and 24th (Building B) floors only. Due to the elevated ground level of the Trinité Stage 2 site, the proposed development would eliminate views for apartments below the 22nd floors of Ryde Gardens. The proposed development would then benefit from these same views from the 10th floor, giving them 10 floors of apartments with panoramic iconic views, and eliminate the view from all but 2 floors of apartments at Ryde Gardens. A more equitable solution would be to reduce the height of the Trinité development to 16 storeys, which would allow the top 7 floors of their development to enjoy these views (floors 10-16), and allow Ryde Gardens to also maintain 6-7 floors with views (floors 18-23/24). While this will still result in some view loss to Ryde Gardens, this compromise could reasonably be called view sharing.

Ryde Gardens was designed and constructed to take advantage of the panoramic views. As this view was the primary factor in my decision to purchase an apartment in Ryde Gardens, I did my due diligence before purchasing to ensure that these views would not be built out by the vacant lot next door. The Ryde Council LEP plan for this North Ryde precinct overall had provision to protect those views by restricting the height of development on the Trinité Stage 2 site to 37 metres. The burden is therefore on Stockland Development to justify the increased height limit of their proposed development, which based on the four criteria of view sharing does not seem reasonable. The loss of this view would be detrimental to the value of my property, as well as that of others in the complex, and personally devastating. At a minimum, the development should not be permitted to proceed to the height of 20 storeys as proposed. However, in addition to this view loss, I believe there are further substantial grounds to object to the Trinité development, which call into question whether this development should be allowed to proceed at all.

Light and Privacy

The proposed Trinité development is particularly close to Building A of Ryde Gardens, at points, less than 30 metres away (while notably, greater consideration has been given to the space between the proposed Trinité buildings, with a minimum of 52 metres between them). As mentioned above, the Ryde Gardens apartments have only one aspect. As such, they will be directly looking into, and overlooked by, the proposed Trinité building. This proximity is detrimental to the privacy of residents in both buildings.

Moreover, this proximity will also reduce the quality of natural light reaching both buildings. The Stockland proposal suggests that there will be limited direct overshadowing of Ryde Gardens by the new buildings. However, what they do not adequately consider is the impact of overshadowing of their site by Ryde Gardens. As my window looks onto the site, I have been observing and documenting the shadows that fall on it since the Stockland development was

announced. The impact of overshadowing on this site is severe. In spring and summer, the site is substantially overshadowed by 3.30pm, while in autumn and winter, it is 50% overshadowed by 2pm, and entirely in shadow by 3pm. Access to adequate natural light is essential for physical and mental wellbeing. It is also an environmental concern, as limited natural light results in greater use of resources for heating and artificial lighting. The impact is particularly severe on apartments on the north-western side of the proposed Trinité development, which will not experience morning sunlight due to their orientation, nor afternoon sunlight as a result of the overshadowing from Ryde Gardens. It is very likely that many apartments in this proposed complex, especially those lower down on the western sides of the buildings, will not experience the minimum two hours of direct sunlight in midwinter that is required by NSW department of Planning and Environment. There are reasons why this site was designated for commercial, and not residential, use by the Ryde Council LEP. The severity of the overshadowing of this site may call into question if this site is suitable for dwellings at all. While Build-to-Rent housing is technically considered commercial, it should be subject to the same stringent standards as any other residential housing for the wellbeing of its residents.

Access

Permission to exceed the 37 metre height restriction and 2.1 FSR of the LEP is dependant on Clause 6.9 which allows for an increase if *and only if* adequate access and recreation areas are provided. Firstly, this clause's stated intention is to encourage commercial development. While Build-to-Rent housing is commercial property in the sense that it allows corporations to profit from housing, it is fundamentally also residential. High density residential housing is still not permitted within commercial zoning. The applicability of this clause to justify the height increase is therefore questionable.

Secondly, the provisions for access in the Stockland proposal are vague and insufficient. In fact, in several ways, the proposed development reduces existing access. Stockland has proposed converting New Link Road into a pedestrianised zone. At present, this road provides a valuable direct link from Ryde Gardens and Centrale to Epping Rd and the Lane Cove Tunnel. Rennie Street, funnelling onto Delhi Road, will become the only entrance and exit point for residential traffic, deliveries, and workers in the surrounding commercial buildings, placing enormous pressure on this one point. In addition, the proposal from Stockland locates the entrance and exit to their buildings also on Rennie Street, compounding the problem. Of particular concern is that this increased traffic on Rennie Street passes immediately beside an outdoor play area for children in the childcare centre on the ground floor of Ryde Gardens, and presents an increased risk to their safety which is not considered by Stockland.

It should also be noted that in the original planning for the Trinité site, consent was given by Ryde Council to subdivide the lot into Trinité Stage 1 and Trinité Stage 2 with the proviso that New Link Road was constructed between them. The application now to pedestrianize New Link Road is to renege on that condition which was fundamental to the development consent of both sites. The pedestrianization of New Link Road should not be allowed to proceed, and without the pedestrianization of this space, the Trinité Stage 2 development does not have sufficient recreational spaces and access routes for its proposed residents. Many of the so-called 'access' routes of the Stockland plan lead to dead ends, or only encourage thoroughfare through the planned shops of the Trinité development, once again putting corporate profit over the wellbeing of residents.

The proposed Stockland development drawings indicate only limited recreational and green spaces, which are not proportionate to the numbers of dwellings and residents suggested and rely on the pedestrianization of New Link Road. Therefore, the Stockland proposal does not sufficiently meet the access and recreation requirements necessary for Clause 6.9 to justify the increased height of its development.

Parking

Related to access is the issue of parking. The Stockland development shows 296 parking spaces provided for 508 residential apartments. As Stockland acknowledge in Appendix P, DCP parking ratios suggest that approximately 450 car spaces would be more appropriate for the size of the development. While the proposal claims that residents should be encouraged to use alternative means of transport, such as car-shares, bicycles, or public transport, this is entirely unrealistic. Census data indicates that the average Australian household still owns not one, but two cars. The provision of significantly less parking spaces than apartments in total is entirely inadequate. If Stockland cannot provide adequate parking within their facility, this is also grounds to reduce the number of apartments included in their development.

In addition, the planning proposal indicates only 15 retail spaces will be made available, while DCP ratio again suggest that 74 spaces would be more appropriate. New Link Road and Rennie Street provide some of the only available on-street parking in this area. The proposal to pedestrianize New Link Road, and install an entrance to the development on Rennie Street will result in the loss of substantially more than 15 community car spaces. The proposed development therefore is not only insufficient in its provision for community car spaces, it is actively detrimental to the existing situation, which is already limited.

Utilisation of the Metro

One of the often-cited justifications for high density development is proximity to public transport, such as Metro stations. In the case of North Ryde, however, this need has already been substantially met by Ryde Gardens, Centrale, as well as the ongoing development of Lachlan's Line, which will see another 2000 apartments added within walking distance of the metro station in the coming years. What this does not take into account, however, is the overall composition of North Ryde. According to 2021 census data, nearly 75% of North Ryde is individual houses, or low/medium density apartments. The majority of these are not within walking distance of the metro.

The Parking Management Strategy for the North-west metro line identified commuter parking near metro stations as a key priority, with 400-1360 new spaces built around each metro station from Cherrybrook to Tallawong. Data from the Sydney Metro parking app shows that these commuter spaces are regularly filled, encouraging commuter use of the metro. A commercial and community precinct in immediate proximity to the metro station, with provision for significant commuter parking, would be of far more value to the established North Ryde community who do not have easy access to the metro, and a better utilisation of this public service than yet another residential building, whose impact is insignificant compared to existing buildings and the ongoing Lachlan's Line development. In addition, as noted previously, the reduction of

community parking spaces on New Link Road and Rennie Street as proposed by Stockland would reduce already limited commuter parking in proximity to the North Ryde metro station.

Rental Crisis

Another justification given for the rapid development of new housing is the current rental crisis affecting Australia. However, this presupposes that the rental crisis is primarily driven by an under-supply of rental properties, when in reality, there is a far more complex web of factors in play. Other key factors include rising rental costs, and the lack of affordable housing to purchase, which drives more individuals and families into the rental market, increasing competition and exacerbating rising rental costs. In their initial community consultation with North Ryde residents, the Stockland representatives were open about the fact that affordable housing was not a priority of their development. Often, Built-to-Rent developments, such as the LIV Indigo by Mirvac in Olympic Park, attract a premium above market value due to high-spec facilities and the supposed security of tenure. Luxury apartments do little to help the majority of struggling Australian renters who are burdened by increasing costs of living and rising rents.

In addition, private Build-to-Rent housing may ultimately exacerbate housing issues in Australia, by allowing corporations to monopolize housing at a time when it is already so difficult for many to enter the housing market. This proposed development by Stockland does not offer any realistic solution to the rental crisis, but is instead an attempt to exploit the crisis and incentives intended to increase construction for their own corporate profit.

Conclusion

I would like to end this letter by stressing that I am a firm believer in high-density living. I believe it has environmental and social benefits, and is key to the future of our cities. This is all part of why I chose to move into a high-density development. However, I believe that individuals such as myself who have already made this decision should not now be disadvantaged by taking away fundamental aspects of our properties and communities. If permission was granted to Stockland to exceed the height and FSR limits, it would also set a dangerous precedent to allow further excessive development within the commercial zone of North Ryde. This sort of development cannot be sustained by the infrastructure of North Ryde, and is in opposition to the considered and well-designed Ryde Council LEP for this precinct.

When compared to the Lachlan's Line development, which provides housing and community facilities including a sorely needed school, all while staying within the Ryde Council LEP constraints, it is clear that the proposed Trinité Stage 2 development by Stockland offers negligible community benefit to North Ryde, does not have adequate access, and is actively detrimental to the wellbeing of existing residents in Ryde Gardens, Centrale, and even its own hypothetical future residents, through the inadequate design for natural light and privacy. There are no grounds to justify exceeding the height and FSR of the LEP under Clause 6.9, and in my opinion, grounds to seriously consider whether this proposal is suitable at all. I am very keen to see this site properly developed in a way that enhances our community.

Thank you for your time and consideration in reading this letter.