3 September 2024

2220353

Kiersten Fishburn
Secretary
NSW Department of Planning, Housing and Infrastructure
12 Darcy Street
Parramatta NSW 2150

Attention: Suzannah Byers, Principal Planner – State Significant Acceleration Team

Dear Suzannah,

Submission on proposed mixed use and in-fill affordable housing development (SSD-67424709) 9-13 Blaxland Road and 424 Concord Road, Rhodes

This submission has been prepared by Ethos Urban on behalf of Ecove Group (Ecove), the owner of the land to the immediate north of 9-13 Blaxland Road and 424 Concord Road, Rhodes, the site the subject of SSD-67424709 (SSDA). We make the following submission in respect of a number of issues including consultation, station bridge plaza design and delivery, wind impacts, fire engineering matters and construction access. Each of these issues are discussed under the relevant subheadings below. This submission should be read in conjunction with the Independent Review of the Wind Report prepared by Windtech Consultants included at **Attachment A**.

Consultation

As part of the industry-specific Secretary's Environmental Assessment Requirements (SEARs) cover letter associated with the SSDA, the Department of Planning, Housing and Infrastructure (Department) requires the following to be provided:

> '*Details of consultation with the northern adjoining property landowner, City of Canada Bay Council and TfNSW regarding the development's interface with the northern Station Bridge Plaza*'

It is noted that the Engagement Report submitted with the SSDA has not responded to a number of issues raised in email correspondence dated 3 July 2024, which are reiterated in this submission. The SSDA should provide responses to each of these matters.

Station bridge plaza design and delivery

The proposed development opens onto adjoining private land to the north and attempts to utilise this space without having any legal basis for such access and without any identified initial or ongoing financial contribution to deliver and maintain the plaza.

If access to the plaza is sought to be delivered as part of the SSDA, the station bridge plaza should be shifted further south onto the Applicant's site to be in alignment with the station crossing shown in Drawing SSDA-3022 dated 24 April 2024, or alternatively an increased setback of no less than 3m should be provided from the northern boundary of the site to provide area for retail activation solely within its own property.

It is important that the level of the plaza that is shown on the proposed SSDA plans is modified to align with the level of RL 8.4m, as this is the height of the plaza that best aligns the plaza with the Blaxland Road interface to suitably activate the plaza area and create a quality public open space. SSDA-3022A indicates the central 10 metre zone of the Plaza at RL 8.6 which is incorrect. The Plaza RL will be constructed at RL 8.4.

Drawings SSDA 3005, SSDA-3007, SSDA- 3021 and SSDA 3022 all illustrate a lift and stairs placed on the Ecove site to transfer pedestrians to and from a potential future elevated bridge. The inclusion of a lift and stairs on the Ecove site should be removed from the SSDA documentation as this is speculative and will also seriously impact Ecove's basement design.

Wind impacts

The EIS states '*All (largely minor) wind mitigation measures suggested by RWDI have been incorporated on the architectural plans. Therefore, the wind conditions within the various accessible outdoor spaces within and surrounding the development will align with their intended use*'. This statement is incorrect.

The Wind Study submitted with the SSDA does not assess wind impacts on a future public plaza to the immediate north of the site. This a significant deficiency and the study needs to be updated to consider all impacts on this plaza. Further, the model assumes the development on land to the north stays the same and does not consider future likely building forms contemplated by the planning controls. This is detailed further in the Independent Review Letter prepared by Windtech Consultants included at **Attachment A**.

Fire engineering matters

For abundance of caution, it is noted that the land to the north of the site should not be relied upon in any form for a fire exit and that this should be provided from other locations.

Construction access

The SSDA proposes a building that is built to the boundary both above and below ground. This will likely require construction access to neighbouring properties for ground anchors, safe access such as scaffold and screens as well as the crane swing. The applicant should design its building so that it does not require any form of access to the neighbouring site, either below or above ground, and either during or after construction as it will interfere with both the quiet enjoyment of existing tenants and the upcoming commencement of construction works for the adjacent site.

Yours sincerely,

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Attachment A – Independent Review of Wind Report

Doc Ref: WI857-01F02- Letter

Date: August 27, 2024

To: Stirling Project Solutions Pty Ltd

Address: 36 Mort Street, Balmain NSW 2041

Attn: Mr Graham Keeping

RE: ADJACENT DEVELOPMENT AT 9-13 BLAXLAND RD RHODES
- REVIEW OF WIND ENVIRONMENT REPORT

Dear Mr Graham Keeping,

I have reviewed the report that you have provided prepared by RWDI, reference 2301245 dated June 6, 2024.

The report has adopted the annual maximum 23m/s 3second gust as the safety limit and a set of comfort criteria that are generally consistent with other widely accepted wind comfort criteria, although the walking criterion is split into a strolling criterion and a much more lenient criterion that according to the RWDI report "can be tolerated if one's objective is to walk, run or cycle without lingering".

The report shows that even the most lenient "walking" criterion is exceeded across a large section of Blaxland Road (refer to the orange areas in Figure 1, below). Further the wind conditions at Point 5 exceed the safety limit. These areas all currently experience favourable wind conditions and meet the standing criterion, which is expected particularly at the entrance to the train station and adjacent bus stop. These currently favourable wind conditions will no longer be tolerable even for the activities described as objective walking, running without lingering.

The mitigation proposed in the RWDI report: "A series of solid planters, each 1 meter in height … at the southwest corner of the site… supplemented with dense foliage" will not go nearly enough to mitigate this large scale impact, including a significant impact on the wind conditions across the road at the bus stop and train station entrance.

The RWDI wind tunnel model did follow standard procedure in modelling the existing building on your site (15-17 and 25-27 Blaxland Rd, Rhodes) and hence the absence of any modelling of the wind impacts on the future connection between Blaxland Rd and Concord Rd. However, it is very likely that the proposed activated southern plaza at the southern end of your site will be impacted by the significant tower development proposed on the 9-13 Blaxland Rd site. The proposed podium setback from the north in the adjacent development is likely to relieve the impact of the westerly and north-easterly winds but the exact extent of the impact can only be determined through a detailed wind tunnel model study.

Regards,

Windtech Consultants

Tony Rofail MEng BEng FIEAust CPEng RPEQ NER IntPE(Aus)
Director

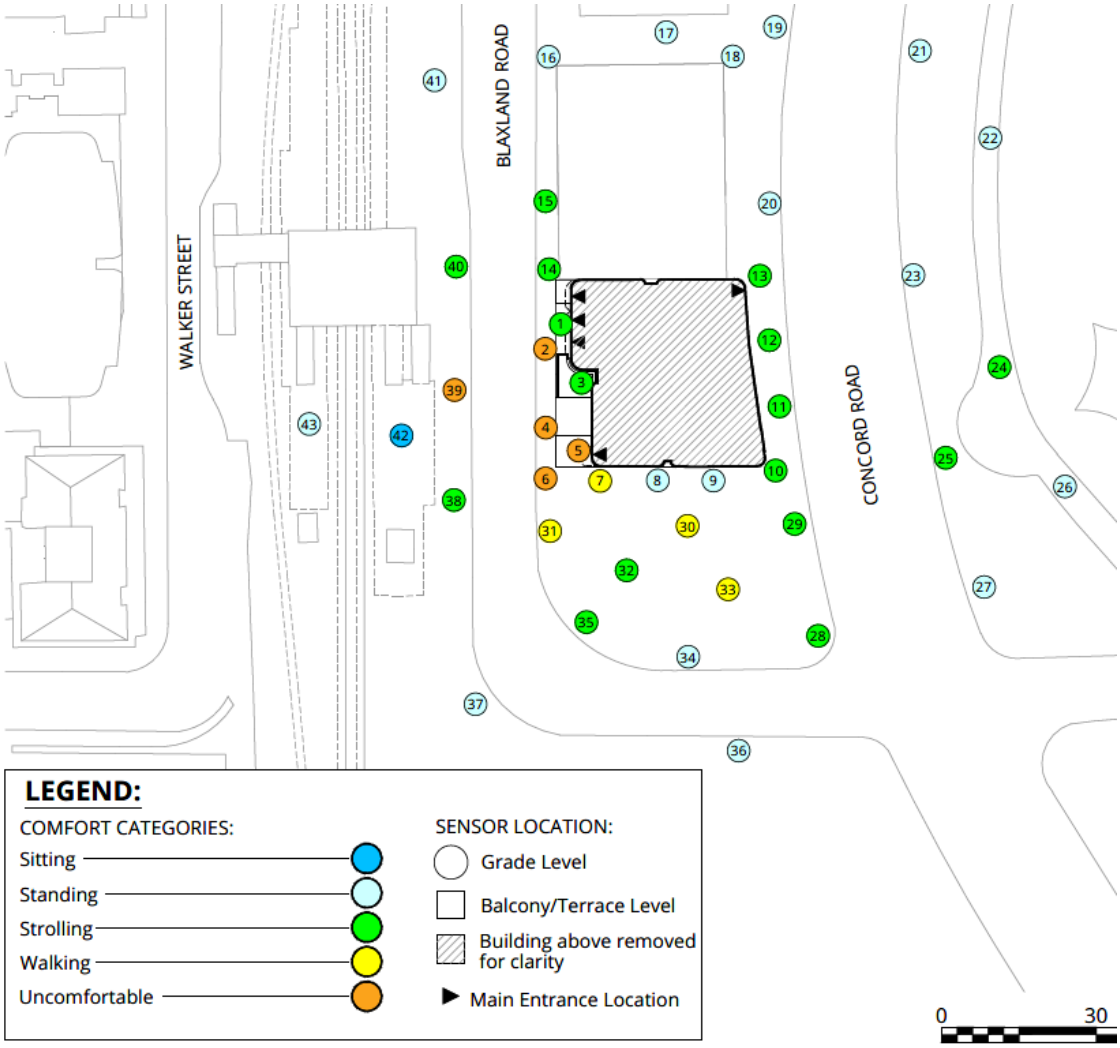

Figure 1: Results from the RWDI study.