

RESPONSES TO LATEST COUNCIL & AUTHORITIES COMMENTS ON CONCEPT PLAN PPR 260712		
AUTHORITY	ISSUE RAISED	PROPONENT RESPONSE
City of Ryde response 23 April 2012		
1.	<p><b>Height:</b></p> <ul style="list-style-type: none"> <li>the proposal still substantially exceeds Council's intended controls for the Meadowbank Employment Area (MEA).</li> <li>will result in poor urban form that lacks human scale,</li> <li>have unreasonable and unacceptable impacts on views to and from the MEA,</li> <li>provide for additional dwellings that places further strain on the surrounding access networks</li> <li>Depth of 3 storey building envelope fronting Constitution Rd not adequate as transitional element</li> <li>interpretation should relate to existing ground level rather than assumed ground levels determined by the height of adjoining streets</li> <li>no additional allowance for lift overruns should be allowed as it will increase the risk of lift overruns not incorporated into the overall roof design of buildings and potentially allow for additional stories to be added within the maximum RLs.</li> </ul> <p><b>Building setbacks, Separation and Isolated Sites:</b></p> <ul style="list-style-type: none"> <li>3-5m from the street frontages is not supported</li> <li>no details have been submitted for the minimum building separations between each Building Envelope</li> </ul>	<p>In response to comments by the Department of Planning &amp; Infrastructure and Council Building forms have been amended to regrade the transition of heights to better relate to adjacent development and and entry points to the Concept Plan site, specifically:</p> <ul style="list-style-type: none"> <li>the transitions in height between the Concept Plan building heights and forms and the adjacent new developments fronting Bowden and Belmore Streets; lower building heights and increased setbacks fronting the foreshore reserve at the Central Foreshore Plaza which is the 'pinch point' along Rothesay Ave where the reserve is narrowest;</li> <li>generally accentuating or marking road intersections within the Concept Plan site with additional height at the corners of Bowden St &amp; Nancarrow Ave, Nancarrow &amp; Belmore, Rothesay Ave &amp; Belmore, Constitution Rd &amp; Belmore and the 'Gateway building' fronting Church Street;</li> <li>general acceptance of the Draft LEP heights along Constitution Rd and the majority of Rothesay Ave, in terms of height above the reformed ground level;</li> <li>adoption of a 7 storey height at the corner of Rothesay Ave (Stage 1 Project) which relates to the height of the existing substantial trees in the reserve in front of that parcel and the height of the now demolished Hoover building that until recently occupied that land;</li> </ul>

	<ul style="list-style-type: none"> <li>submitted Building Envelopes have failed to detail how development under the Concept Plan and Project Application will result in excellent design quality</li> <li>proposed building separations do not adequately address the minimum standards contained within the Residential Flat Design Code (RFDC)</li> <li>Building Envelope One 12 metre separations not adequate</li> <li>Building Envelopes 2 to 10 – Insufficient separations for habitable rooms</li> </ul>	<ul style="list-style-type: none"> <li>additional horizontal articulation of building envelopes to maximize solar access and view sharing with the introduction of 1 and 2 storey ‘pop up’ elements along Nancarrow Avenue, Belmore and Bowden Streets;</li> <li>Building forms along Constitution Road have been redesigned in line with Council’s Draft DCP to be 5 storeys fronting Constitution Road with no further stepping up in height in these building envelopes;</li> <li>Setbacks to Constitution Road also generally conform to the Draft DCP. Building setbacks greater than the Draft DCP have now been provided along part of Constitution Road, and Church Street;</li> <li>The residential component on the Church Street site has been setback from 18 metres Church St which exceeds the Draft DCP requirements;</li> <li>Revised building envelopes that are again all capable of compliance with SEPP65 and the guidelines contained in the Residential Flat Design Code with all development stages building separations now measured from the reformed ground level with the exception of Stage 1 where separations are measured from the new podium ground plane. All separations between every building envelope within the Concept Plan demonstrating compliance with the RFDC separations are indicated on the Concept Plan Building Height Plan and Indicative Storey Height Plan at Annexure 8;</li> </ul>
	<ul style="list-style-type: none"> <li>Amenity of apartments adjoining Hamilton Crescent and Nancarrow Avenue</li> </ul>	Detailed sections are provided on submitted drawing No. A104/3 demonstrating appropriate amenity is achieved in these apartments.

	<p><b>Isolated Sites:</b></p> <ul style="list-style-type: none"> <li>• Indicative designs should be based on Council's Draft LEP and DCP and RFDC separations (50% from boundary)</li> <li>• Potential additional traffic generated to be included in revised traffic modelling</li> </ul>	<p>We note that Council has now exhibited its Draft LEP and DCP for the LGA and have amended the indicative designs for the isolated sites based on the Draft LEP which increased heights across the MEA. As requested by Council 50% of the required RFDC setbacks from boundaries have been provided on the adjacent Concept Plan sites. These studies demonstrate that the isolated sites are not disadvantaged by the Concept Plan development.</p> <p>The potential additional floorspace on the isolated sites has been included in the revised traffic modelling contained in Annexure 22.</p>
	<p><b>Number of Dwellings:</b></p> <ul style="list-style-type: none"> <li>• Number is excessive and unwarranted</li> <li>• may restrict or prevent the redevelopment of the remaining commercial/industrial and low density residential areas contained within the MEA.</li> <li>• No Social Impact Assessment has been submitted to include: <ul style="list-style-type: none"> <li>- Community facilities and their capacity to service the additional dwellings, and</li> <li>- Requirements and opportunities for active/passive recreation.</li> </ul> </li> </ul>	<p>Extensive traffic and urban design studies, carried out in close consultation with the Department of Planning independent experts conclude that the proposed maximum floor space proposed across the Concept Plan is acceptable and provides the opportunity for substantial general community benefits to be delivered.</p> <p>A Social Impact, prepared by Cred, experienced social planners. Their report was submitted as Annexure 25 to the PPR. That report provided an assessment of the community facilities and open space provided by the Concept Plan. That report has informed the additional detail now provided in the landscape plan on the use of a number of the publicly accessible open spaces across the Concept Plan site. In addition, that Study identified the need for a multipurpose community space that could be open at night within the site which could be either accommodated within the Gateway Building on Church St or at any of the locations identified on Figure 33 <i>Preferred locations for community, retail &amp;/or commercial uses</i> to the submitted PPR such as adjacent to the Central Foreshore Plaza.</p>

	<p><b>Access network:</b></p> <ul style="list-style-type: none"> <li>• cycle routes within the subject site do not connect into surrounding areas other than the foreshore cycleway.</li> <li>• Include the Nancarrow Link Road in Stage 1</li> <li>• Preliminary schematic designs for each access path for vehicles, pedestrians and cyclists should be provided</li> </ul>	<p>The Concept Plan includes numerous opportunities for shared pedestrian/cycle ways which can be connected to the broader cycleway system in the area as that is developed as indicated on Figure 32 <i>Pedestrian and Cycle Route Plan</i> of the submitted PPR. In this regard, the only identified cycle route that directly connects to the Concept Plan site is the foreshore cycleway which is part of Council's Riverwalk Strategy. In this regard, The Proponent has no power to extend the bicycle network beyond the Concept Plan site as the land is not part of the Application and is owned by Council and other private individuals.</p> <p>The Nancarrow link road has been scheduled to take place as part of Stage 2 as the demand for it is not generated until at least that development stage. In addition, for the purpose of managing the construction of Stage 1 without impacting on the foreshore reserve it is better that this link not be in operation at that time.</p> <p>Preliminary road designs were included in the submitted EA (Annexure 2 plan by BG &amp; Engineers) and in the Landscape Plan at Annexure 10 to the submitted and this PPR. Additional road designs also accompany this submission.</p>
	<p><b>Traffic:</b></p> <ul style="list-style-type: none"> <li>• The modelling has failed to consider development activity outside of the subject area</li> <li>• The accuracy of the modelling to reflect future situation/development levels and the capacity of the road network was questionable</li> <li>• The GEH values have not achieved the RTA requirements</li> </ul>	<p>A Transport and Accessibility Study (TMAP) prepared by Varga Traffic Planning, included in the EA, together with additional traffic modelling details provided to the Department on 24 August 2011 and accompanying the PPR at Annexure 22 support the Concept Plan (Preferred) and addressed issues raised by Council and the RTA. The methodology and findings have been confirmed by the Department's independent traffic consultants.</p>

	<ul style="list-style-type: none"> <li>• The modelling of the intersections is inadequate and figures queuing times / distances and the results are not acceptable in 2016 or in 2026.</li> <li>• Regional routes through the area are likely to be forced elsewhere due to queue length and the impacts of this on surrounding road networks have not been considered</li> </ul>	<p>This additional work included further site specific, whole of the MEA and regional traffic modelling and TMAP details have been provided by Road Delay Solutions in their report at Annexure 22. That report which concluded:</p> <ul style="list-style-type: none"> <li>• based on a demographic analysis of existing travel patterns it is predicted that over the next 14 years a 10% modal shift to public transport will occur in the Concept Plan area;</li> <li>• the Concept Plan development will have minimal impact on the traffic in the area up to 2026 compared to the existing industrial uses which were modelled at their current 59% occupancy rate. The bulk of additional traffic in the area is regional traffic;</li> <li>• over and above the traffic generated by the existing industrial uses, the Concept Plan proposed residential and commercial development will only contribute to a small degree to the demand for the following road works in the area by 2026 (Refer Traffic modelling report by Road Delay Solutions at Annexure 22): <ul style="list-style-type: none"> <li>- Some widening of Constitution road to 4 lanes;</li> <li>- Installation of traffic signals at the intersection of Bowden street and Constitution Road;</li> <li>- Hamilton Crescent being made one way southbound;</li> <li>- Left turn in only (right turn from constitution banned) at the intersection of Constitution road and Hamilton Crescent</li> <li>- Installation of traffic signals at the intersection of Belmore Street and Nancarrow Avenue</li> </ul> </li> </ul>
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	<p><b>Open Space:</b></p> <ul style="list-style-type: none"> <li>• Particular reference is made to the amount of communal open space provided for each building, the differentiation between public, private and communal open space, and the accessibility of the public open space areas</li> <li>• the areas of deep soil areas, it appears as though this includes several areas that are to be hard paved</li> <li>• This documentation must be detailed and provide clear information on the nature of these public open space areas, their intended design and useability.</li> <li>• Details as to how these areas are to be funded and who will be ultimately responsible for their upkeep must be provided. Council will not support the dedication of assets</li> <li>• In addition to the above it is noted that Figure 50 Provided within the PPR does not detail any Deep Soil Zone areas along street boundaries.</li> </ul>	<p>We note that the Draft DCP contains <b>no</b> requirement for the provision of public open space.</p> <p>The PPR now submitted contains further clarification of the type and areas of open spaces required by the Concept Plan, together with potentially deep soils areas that will not have basements underground. Exact levels of deep soil planting will be a matter for the detailed designs of the individual development stages at the DA or Project Application stage. Refer Figures 52 and 52A.</p> <p>As stated in the PPR, we accept that council is unwilling to assume ownership of any publicly accessible open spaces within the Concept Plan site and as also stated previously, their ongoing ownership and maintenance will be the responsibility of the individual developments owners corporations.</p> <p>Figure 52 has been corrected to require that all street frontages are to be provided generally as deep soil areas, except where entry pathways and driveways are required to access buildings.</p>

	<b>Land uses:</b> <ul style="list-style-type: none"> <li>the location of commercial use areas must be further clarified, including within Building Envelope in Stage 5</li> <li>further identification of the supposed community spaces required</li> </ul>	Refer Figure 33 of the PPR which provides preferred locations for community, commercial and/or retail uses.
	<b>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005:</b> <ul style="list-style-type: none"> <li>Consideration of Sydney Harbour Foreshores and Waterways DCP 2005</li> </ul>	Although this REP has now been repealed, section 7.7 of the PPR now contains an assessment of the Concept Plan against the REP and the Waterways DCP. In this regard, the Concept Plan is not in conflict with the objectives or guidelines contained in the documents.
	<b>Wider Meadowbank Employment Area:</b> <ul style="list-style-type: none"> <li>Due consideration to the impacts of the proposal and its potential sterilising of development potential for the entire MEA must be undertaken. Of particular concern in this respect is the level of traffic generation resulting from the proposed development.</li> </ul>	As stated in the additional Traffic Modelling and TMAP at Annexure 22 the Concept Plan development contributes only to a minor degree to the future traffic volumes predicted in the area. These are more sensitive to the actual growth in background local and regional traffic using the locality.
	<b>Voluntary Planning Agreement:</b> <ul style="list-style-type: none"> <li>Council has not supported any offer and cannot support the proposal in its current form. This matter is of substantial concern to Council and must be resolved prior to any determination.</li> </ul>	We note that the Proponent has undertaken numerous meetings and submissions to Council on the VPA. We also note that Council stated in their latest correspondence to the Proponent, dated 23 April 2012 that <i>"it is noted that no further progress can be made on the VPA until total yield and scope of the development is finalised"</i> .
	<b>Contributions:</b> <ul style="list-style-type: none"> <li>Update reference in PPR to Section 94 Contributions Plan 2007</li> </ul>	Done
	<b>Schedule of Commitments:</b> Matters that require additional clarification: <ul style="list-style-type: none"> <li>The location, size and accessibility of public open space areas,</li> </ul>	Areas of open spaces included on the Plan at Figure 52. The Statement of Commitments simply commits to their provision for the community

	<ul style="list-style-type: none"> <li>• The scope, extent, cost and feasibility of the proposed road works,</li> <li>• The Sustainable Trip Plan must be completed prior to any approval and should be approved by the Department of Planning and Infrastructure rather than a Principal Certifying Authority.</li> <li>• A Waste Management Plan identifying all waste collection points must be prepared which includes demonstration that the road network is capable of being serviced by Council's Waste vehicles.</li> </ul>	<p>Detailed costs of road works will be included in the VPA. The Statement of Commitments commits to their provision for the community.</p> <p>The Proponent has now revised the Statement of commitments to include commitment to Sustainable Trip Plan being approved by the Department of Planning &amp; infrastructure prior to the release of any Occupation Certificates for any developments on the Concept Plan site.</p> <p>The Proponent has now revised the Statement of commitments to include require that Waste Management Plans demonstrate that the relevant section of the road network is capable of being serviced by Council's waste vehicles.</p>
	<p><b>Flooding:</b></p> <ul style="list-style-type: none"> <li>• a detailed Flood Impact Assessment Report for each precinct as they progress should be submitted to the relevant Consent Authority using the Flood Study Report findings</li> <li>• With respect to the proposed trunk drainage line Council considers this infrastructure will benefit the land owner as the floodplain width will be reduced, allowing for increased development potential on the subject site</li> </ul>	<p>Data has been provided to Council engineers and flood modelling revised and is now included in Annexure 15. The Proponent has no issue with requirement for individual Development or Project Applications being supported by detailed Flood Impact assessments.</p> <p>The revised Concept Plan the subject of the PPR, consistent with Council's Draft DCP requires the dedication of a 16m wide area wide strip of land which is to be dedicated to Council for area wide stormwater purposes. This parcel of land will be free of any buildings and building envelopes have been appropriately setback from this area. It is not accepted by the Proponent that this easement is purely to enable the development of the concept Plan site. On the contrary, the provision of this easement is a long standing plan of Council to address stability issues along Constitution Road and flooding issues in relation to Anne Thorn Park in addition to downhill benefits to the Concept Plan site and the foreshore reserve.</p>



	<b>Master plan and Staging:</b> <ul style="list-style-type: none"> <li>not considered that the submitted proposal contains sufficient detail to adequately guide the future redevelopment</li> <li>Nancarrow link road should take place as part of the Stage 1</li> <li>not been detailed how variation in building form, type, materials and overall design will be achieved across the Concept Plan area</li> </ul>	<p>The Proponent has consulted extensively with the Department of Planning and believes the level of detail provided in the Concept Plan to guide development and permit flexibility and variety in the eventual detailed designs of the individual development stages is appropriate.</p> <p>Reason for inclusion of Nancarrow link road provided above.</p>
	<b>ESD Guidelines and Report:</b> <ul style="list-style-type: none"> <li>Council have concerns with ESD Guidelines and report – seek further clarification</li> </ul>	<p>The Proponent has consulted extensively with the Department of Planning and believes the level of detail provided in the Concept Plan to ensure best practice ESD principles are inherent in the detailed design of the future developments and open spaces within the Concept Plan site.</p>
	<b>Utilities:</b> <ul style="list-style-type: none"> <li>additional work on the capacity of existing infrastructure needs to be undertaken.</li> <li>extent of required Energy Australia upgrades and the number of additional substations required must be detailed. Council will not support the location of these facilities within the public domain areas.</li> <li>insufficient information has been submitted detailing how the replacement substation on the corner of Hamilton Crescent and Belmore Street will relate to the surrounding public domain.</li> <li>substation location will result in the loss of Deep Soil areas along the street. The locating of the substation in the identified area is not supported by Council.</li> </ul>	<p>The Proponent has consulted extensively with the Department of Planning and the essential services providers and believes the level of detail provided in the Concept Plan is appropriate. Details connections and required amplifications will be provided as the individual Stages are developed.</p> <p>The substation locations for the individual stages will be determined in consultation with Energy Australia at the detailed design stage of the individual development stages.</p> <p>With respect to the substation adjacent to the Stage 1 development. That is simply proposed to be reinstated on the existing site owned by Energy Australia and the landscape plan for the Stage 1 Project has included screen planting on that site.</p>

	<ul style="list-style-type: none"> <li>no further consideration of the location of the Shell Crude Oil Pipeline has been undertaken or the possible impacts of the development on this piece of infrastructure. It may prevent the construction of buildings in accordance with the Concept Plan, requiring substantial alteration to any Concept Plan.</li> </ul>	As illustrated on the submitted title plans the Crude Oil easement is not located on the Concept Plan site. Building envelopes on the Concept Plan site have been setback to enable easy maintenance of that facility, however, access for maintenance is actually available directly from Bowden Street to that easement.
	<b>Waste:</b> <ul style="list-style-type: none"> <li>further details are still required detailing that the proposed access roads and development will be able to be adequately serviced by Council's waste vehicles</li> </ul>	As detailed in the submitted road designs, all road profiles will comply with Council's waste vehicle requirements (refer Annexure 27)
<b>Transport for NSW</b>		
	<b>Traffic Modelling:</b> The RMS does not support the traffic modelling submitted with the original PPR. Further address and clarify: <ul style="list-style-type: none"> <li>traffic distribution and assignment</li> <li>traffic movement assumptions during AM peak</li> <li>Church St limited capacity in AM peak for additional traffic</li> <li>Level of service of Church St and Morrison Road in PM peak at 2016</li> <li>Assumptions made and analysis of intersections of Belmore/Junction and Victoria Rd/Bowden</li> <li>Traffic on Loop Road by 2016</li> <li>Inclusion of the proposed 10,000sqm commercial space in traffic modelling</li> <li>Meaning of 'recommended level of commercial use'</li> <li>Traffic movements Saturday midday peak</li> <li>Future growth rate used in traffic modelling for</li> </ul>	See comments responding to these queries above.

	<p>future years</p> <ul style="list-style-type: none"> <li>• What future land uses were used in traffic modelling for future years</li> <li>• Treatment of Constitution Rd/Bowden St intersection</li> </ul> <p>Recommend Linsig or Transyt modelling used to assess intersection performance of Church and Devlin Streets.</p>	
	<p><b>Car parking supply:</b></p> <ul style="list-style-type: none"> <li>• Consider lowering rates given site's location</li> </ul>	<p>In response to this request the Concept Plan Parking rates are lower than Council's DCP to be more aligned to the RTA guidelines in recognition of the Site's excellent access to public transport and in response to the DGR's to adopt a minimalist approach to car parking provision with onsite parking reduced where feasible. Specifically rates applying to the Concept Plan developments are as follows:</p> <p>1 space per 1 and 2 bed unit;  2 spaces per 3 bed unit; plus  1 space per 5 units for visitors  1 space per 40sqm for commercial or community uses</p>
	<p><b>Pedestrian and bicycle access:</b></p> <ul style="list-style-type: none"> <li>• Should include a cycle strategy showing connections to the station and surrounding cycle network</li> <li>• Consideration of appropriate pedestrian crossings for Constitution Rd, Belmore St and Bowden St</li> <li>• Pedestrian connections to Richard Johnson Crescent via Ann Thorn Park</li> <li>• Layout of Bowden St between the Wharf and Underdale Lane incorporating cycle facilities</li> </ul>	<p>See above response with respect to offsite cycle ways.</p>

	<b>RMS Property:</b> <ul style="list-style-type: none"> <li>Site of Waterview Street for SCATS Cabin to continue to be provided access and area for parking for RMS purposes</li> </ul>	The Proponent confirms the Concept Plan will not impact on the proposed location or operation of the SCATS Cabin on the RMS Waterview St site.
<b>Department of Environment &amp; Heritage</b>		
	<b>Biodiversity:</b> <ul style="list-style-type: none"> <li>OEH notes further recommended surveys have been undertaken by the Proponent and considers that the concerns raised have been adequately addressed.</li> </ul>	Noted
	<b>Flood Risk Management:</b> <ul style="list-style-type: none"> <li>Public safety in lower level basement – important that all vehicular access to basement car parking is included in suggested Approval Condition – <i>“vehicular and pedestrian entries to the site will be set to a level equal to the 100 year ARI flood levels plus 300mm”</i></li> <li>Additional public safety measures recommended: <ul style="list-style-type: none"> <li>Clearly signposted ‘Escape Route’ to a suitable refuge area above the level of the probable maximum flood. If disabled car spaces involved access route should also be accessible.</li> </ul> </li> <li>Public access and dwellings should be designed and constructed to accommodate flooding above flood planning level up to the PMF level</li> <li>Any approval for development should ensure that the proposed drainage augmentation works are undertaken so as to limit the existing and future risks to people and property from a full range of flooding up to the PMF level.</li> </ul>	<p>Additional height allowance has now been included in the Building Envelopes across the Concept Plan site In response to this request to ensure that buildings are designed to ensure habitable floor levels and basement entries are now designed to be above the PMF levels and 300mm above the 100 year ARI flood levels. In this regard, this additional level will not be translated into additional development potential which is governed by the maximum residential and commercial GFA established by the Concept Plan for the whole Concept Plan site.</p> <p>Additional personal safety measures recommended have been included in the revised Statement of Commitments.</p>