

SUMMARISED RESPONSE TO RYDE COUNCILS 2ND SUBMISSION TO DPE

Issues as provided in Ryde Councils submission	Response																																																																																				
<p>Community submissions (Page 2 of Councils submission)</p> <p>161 submissions were received during the 2nd round of notification.</p>	<p>The submissions have been reviewed and are addressed separately (see Appendix 7). Our review indicates the submissions do not raise any planning based impediment to progressing the application. The majority of the issues raised have been addressed in Council’s submission.</p> <p>We note the submissions received during the 2nd round of notification (i.e. 161) was significantly less than the approximate 300 received by DPE during the first round of notification, and raised no new issues.</p>																																																																																				
<p>Status of Project (Page 2 of Councils submission)</p> <p>Status of the project DAs lodged to date with Council include the following:</p> <table><tr><th>Stage</th><th>1 Bed & 1 Bed + study</th><th>2 bed & 2 bed + study</th><th>3 bed</th><th>Other (e.g. loft/studio)</th><th>Total Apartments</th><th>Parking</th></tr><tr><td>Stage 1</td><td></td><td></td><td></td><td></td><td>246</td><td>342</td></tr><tr><td>Stage 2 & 3</td><td>228</td><td>195</td><td>17</td><td>14</td><td>454</td><td>607</td></tr><tr><td>Stage 4 & 5</td><td>341</td><td>134</td><td>13</td><td>13</td><td>511</td><td>647</td></tr><tr><td>Stage 6 & 7</td><td>134</td><td>148</td><td>29</td><td>-</td><td>311</td><td>427</td></tr><tr><td>Stage 8 & 9</td><td>168</td><td>215</td><td>39</td><td>-</td><td>422</td><td>581</td></tr><tr><td>TOTAL</td><td></td><td></td><td></td><td></td><td>1944</td><td>2604</td></tr></table>	Stage	1 Bed & 1 Bed + study	2 bed & 2 bed + study	3 bed	Other (e.g. loft/studio)	Total Apartments	Parking	Stage 1					246	342	Stage 2 & 3	228	195	17	14	454	607	Stage 4 & 5	341	134	13	13	511	647	Stage 6 & 7	134	148	29	-	311	427	Stage 8 & 9	168	215	39	-	422	581	TOTAL					1944	2604	<p>There appears to be a discrepancy in relation to the number of car spaces already approved. The discrepancy is minor but could have impacts in relation</p> <table><tr><th>Approval</th><th>Date of Approval</th><th>Stage</th><th>Approved No. of Car Space</th><th>Approved No. of Dwellings</th></tr><tr><td>MP09_219 (MOD 1)</td><td>16 October 2014</td><td>1</td><td>342</td><td>246</td></tr><tr><td>DC 2015/0018</td><td>20 October 2015</td><td>2 & 3</td><td>607</td><td>453</td></tr><tr><td>DC 2015/0019</td><td>18 September 2015</td><td>4 & 5</td><td>647</td><td>511</td></tr><tr><td>DC 2015/0032</td><td>15 December 2015</td><td>6 & 7</td><td>433</td><td>311</td></tr><tr><td>DC 2015/0031</td><td>15 December 2015</td><td>8 & 9</td><td>586</td><td>422</td></tr><tr><td>TOTAL</td><td></td><td></td><td>2615</td><td>1943</td></tr></table> <p>to any future caps.</p>	Approval	Date of Approval	Stage	Approved No. of Car Space	Approved No. of Dwellings	MP09_219 (MOD 1)	16 October 2014	1	342	246	DC 2015/0018	20 October 2015	2 & 3	607	453	DC 2015/0019	18 September 2015	4 & 5	647	511	DC 2015/0032	15 December 2015	6 & 7	433	311	DC 2015/0031	15 December 2015	8 & 9	586	422	TOTAL			2615	1943
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<p>Page 3 of Councils submission</p> <p>Council has consistently held that the proposed development densities and heights across the Shepherds Bay subject site are excessive resulting in poor built form outcomes, traffic issues and demand for new infrastructure. The proposals exceed planning outcomes upon which City of Ryde infrastructure planning and s94 contributions rates are based and as a result Council remains concerned for the provision of a satisfactory level of infrastructure and urban design outcomes within Shepherds Bay. Detailed below is a summary of the major concerns Council has with the</p>	<p>Our interpretation of meetings between Holdmark, its consultants and Council was that the proposed scheme was well received. Refer to minutes of a meeting held on 24 November 2015 (Appendix 8), extract of which is below:</p> <p>Stage A was presented by Cox and Kennedy and Associates and the following was resolved:-</p> <ol style="list-style-type: none">1. Council staff were enthused by the design and were very encouraged that the design competition had created such an innovative and quality design.2. Council stressed the need to maintain the integrity in the design. It was explained that the Design Integrity Panel had been engaged specifically for this purpose.																																																																																				
<p>Page 3 of Councils submission</p> <p><u>Building Height</u> Council acknowledges that the modifications to Stage A arise from the Concept Approval Design Excellence requirements to undertake a design competition in accordance with the Director General’s Design Excellence Guidelines. However, the subject Modification application seeks building heights and densities that exceed both the Concept Approval for the site (which is 10 storeys) and the competition winning scheme. Both the 19 storey competition winning scheme and the taller 24 storey scheme proposed in this Modification application dominate the skyline and the adjacent heritage listed Ryde Bridge and significantly increase the view catchment for the project.</p>	<p>The currently proposed height is suitable for the following reasons:</p> <ul style="list-style-type: none">▪ The additional 14.6m building volume height above the design competition winning scheme enhances the scheme’s slender appearance as viewed from the public domain, in particular the north and south Church St approaches.▪ The Design Integrity Panel (DIP) has endorsed the scheme as currently proposed, including the proposed height (see minutes of the various DIP meetings provided at Appendix 2).▪ The additional height adopts the finishes, façade treatment and fundamental division of the north and south elevations into 2 distinct components which further emphasises and enhances the slender appearance.▪ The additional height increases the site’s ability to provide a sense of arrival or act as a "marker" for the Ryde LGA.▪ There is no perceptible difference in the height when viewed from long distances, such as along the river.▪ The additional height does not provide any discernible difference in terms of shadow impacts or wind effects.																																																																																				

	<ul style="list-style-type: none"> ▪ The proposal is consistent with the scale of development in Rhodes. Specifically, it would relate to existing towers at Rhodes and create further visual interest. ▪ The proposal would enhance the linear nature of towers or landmarks ▪ The NSW of Environment & Heritage has not objected to the proposal, and specifically any impact to the nearby Ryde Bridge. ▪ An increase in height (above the Design Excellence Competition winning scheme) was contemplated in the decision of the Design Excellence jury. <p>9.5 The Jury recognises that the site does have a minor gateway role in concert with the existing vegetation and the bridge, announcing the arrival into the Ryde neighbourhood. As such the Jury considers that some additional height on the site may be justified. The jury also recognizes that within the allowable envelope a greater density than 62 units can be achieved. The Jury considers that such a site and location justifies an increase in the number of units that can be achieved subject to achieving high amenity and excellent design.</p> <p><i>(Source: Architectural Design Competition Jury Report: Stage A Shepherds Bay, City Plan Strategy & Development Pty Ltd, September 2015. Page 9).</i></p>
<p>Page 3 of Councils submission</p> <p><u>Development Density</u></p> <p>The application also seeks to exclude the Stage A dwellings and parking from the approved dwellings and parking caps across the Concept Plan site. This will increase both the density on the Stage A site and the density within the other stages of the proposal. The current dwellings cap under the approval is 2005 dwellings. The proposed total number of dwellings in stage A is 189. Council argues that a definitive dwellings cap should still be specified in the consent and that the cap should be increased by the number of dwellings in the concept scheme (152) minus the dwellings in the approved Stage A scheme (62). In other words, the allowance for increased development density in Stage A should be 90 additional dwellings.</p> <p>The dwellings cap should therefore be 2140 (2005 + 90 + 45).</p>	<p>It was Council’s suggestion to remove Stage A from any caps (refer to meeting minutes in Appendix 8 – extract below).</p> <ol style="list-style-type: none"> 1. The dwelling cap condition should be amended to exclude Stage A BUT must not be exceeded by the remainder of the site. 2. The parking cap condition likewise should be amended to exclude Stage A but must not be exceeded by the remainder of the development. <p>As stated previously to DPE and PAC, we strongly argue that a dwelling cap is an inappropriate tool to control the intensification of activity from the site. Council, when approving the DAs for Stages 1 – 9, did so knowing that it would allow for only 62 dwellings to be accommodated in the 10 – 12 storey Stage A envelope approved as part of the original Concept Approval. It was therefore inevitable that the dwelling cap would need to be modified.</p> <p>Further, a dwelling cap does not control intensity of activity, such as traffic generation, which is understood to be Council’s concern. “Dwellings” can be 1, 2, 3, or 4 bedrooms or a combination of these. The subsequent traffic impacts could be different dependant on the combination of dwelling types. This is a view which we understand is NOT disputed by Council staff. Accordingly, we strongly argue that the dwelling cap be removed.</p> <p>Moreover, Stage A is several hundred metres removed from the main development so its impacts are unrelated to the main Shepherds Bay Development (i.e. Stage 1 – 9).</p> <p>However, should DPE conclude that caps are necessary, they should reflect the development as proposed, being a 2174 dwelling cap and 3084 parking cap. Appendix 9 outlines which cap should apply and how we’ve arrived at the cap figure. We wish to remind DPE that currently there are only 62 dwellings left under the existing cap. This could not logically occupy the 10 – 12 storey envelope currently approved for the Stage A site according to the Concept Approval.</p>
<p>Page 3 of Councils submission</p> <p><u>Parking</u></p> <p>The parking cap of 2976 spaces is based on 2005 dwellings and 10,000sqm commercial floor space. The subject Modification application proposes Stage A be excluded from the parking cap. This is strongly opposed because the commercial floor space has been substantially reduced, the area is well served by public transport, and it is likely that the proposal will exceed City of Ryde development controls for parking. The City of Ryde supports parking quantum consistent with the Development Control Plan.</p>	<p>The scheme currently proposes a total of 3084 spaces.</p> <p>The proposal would exceed the parking cap by 108 spaces. The proposed supermarket, understood to be desired by Council, accounts for most of the 169 spaces provided for Stage A’s commercial component. Council has suggested that a variation of this quantum of parking spaces could be addressed at the DA stage, whilst at the same time remaining consistent with the Concept Approval (as modified). Whilst this may be possible, it is definitely uncertain. Since the Council seems to be suggesting that it does not strongly object to the additional parking related to the supermarket, it seems sensible to apply the parking cap as sought, at this time for clarity. This would avoid likely uncertainty around this matter during any DA stage.</p>

<ul style="list-style-type: none"> Notwithstanding the parking cap, a proposal to provide additional parking may be considered by the Consent Authority in accordance with Ryde Development Control Plan Part 9.3 Parking and clauses relating to large sites. 	
<p>Page 3 - 4 of Councils submission</p> <p><u>Infrastructure</u></p> <p>Despite applying to increase the number of dwellings the Modification application seeks to reduce the size of the community centre from 1000m² to 500m². The application seeks to place the community centre within Stage 9, located over the subterranean gas pipeline. As a result of the clearance requirements for the pipeline and the floor to ceiling requirements for a multi-purpose community hall, the overall height for this community centre building (16m+), when combined with the proximity to the adjacent apartment building and consequent impacts, cannot be supported by Council (indicative section provided below). As a result of these concerns Council proposes that this building is restricted to 1 storey maximum. As options put forward for the community centre have proved unsatisfactory, it is suggested that conditions of consent allow Council and the Developer to continue to work together to achieve a satisfactory solution.</p> <p>Council anticipates a monetary contribution in the order of \$7.5 million (\$4 million with respect to Stage A uplift and \$3.5 million with respect to a previous agreement for the Community Centre) in addition to applicable s94 Contributions.</p>	<p>Council requested Holdmark to reduce the size of the community facility and relocate it to Stage 9 (refer to Council request dated 5 August 2015 at Appendix 10 between Holdmark and Council for confirmation of this request). Council entered into a deed with Holdmark, dated 8 October 2015, agreeing to the relocation and reduction in size of the facility. Holdmark didn't initiate the reduction.</p> <p>However, we since understand that Council have changed their view and would now prefer relocating the community facility to Stage A, or accept a financial contribution of \$3.5m in lieu of providing the facility. Holdmark would be amenable to contributing the requested \$3.5 million as part of a VPA for Stage A for the community facility, as well as revert Stage 9 back to the envelope approved in the Concept Approval (Mod 1). Any financial contribution which forms part of a VPA would be paid prior to the issue of an occupation certificate for Stage A.</p>
<p>Page 4 of Councils submission</p> <p>In November 2015, Council adopted an Affordable Housing Policy which requires 2% of the dwellings for DAs and 4% of the dwellings for rezoned land to be provided as affordable housing. In response, Council and Holdmark have agreed in principle to 8% of the dwellings uplift of stage 2 and 3 to be provided as affordable housing. Council requests that a condition of consent require both 8% affordable housing in respect of Stage 2/3 and 2% in respect of Stage A.</p>	<p>We understand the policy was adopted on 12 April 2016 and not November 2015:</p> <p>Council adopted the the "City of Ryde Affordable Housing Policy 2016-2031" on 12 April 2016.</p> <p>(Source: Ryde Council website)</p> <p>Notwithstanding the above, there has been separate discussions between Holdmark and Council in relation to a VPA, which includes an affordable housing component to the value of 8% of the <u>additional</u> units proposed within Stage 2/3 (refer to Holdmark offer of VPA to Council dated 9 December 2015 – Appendix 4). In relation to Stage A, Holdmark is prepared to agree to 2% of the apartments being for affordable housing purposes provided the market value of these apartments is included in the overall offer amount of \$4.13 million. We understood that this was favourably received by Council. The proponent is prepared to continue with this VPA.</p>
<p>Page 4 of Councils submission</p> <p>As a result of the increased vehicle volumes and traffic generation from the proposed retail/supermarket a number of intersections around the Stage A site are required to be upgraded to mitigate impacts.</p>	<p>Road Delay Solutions has advised that while Stage A has increased vehicle generation over the former Stage 5 modelling, undertaken in 2007, the infrastructure originally proposed was based upon 3000 residential apartments and a total vehicle generation of 1,250vph. The current generation associated with the full Stages 1-9 and Stage A is 1,157vph. The current models suggest that with the exception of the immediate intersections on Parsonage Street recommended to provide access to Stage A, no significant change to the committed infrastructure, as determined in 2007, is necessary. The 2007 model is considered conservative as supported by ARUP and the Dept of Planning in 2007. Further, RMS or TfNSW has not requested additional infrastructure upgrades, other than those specified in Holdmark's architectural and civil plans submitted to them for their assessment, and as already agreed by RMS in their submission to DPE (copy provided at Appendix 6)</p>

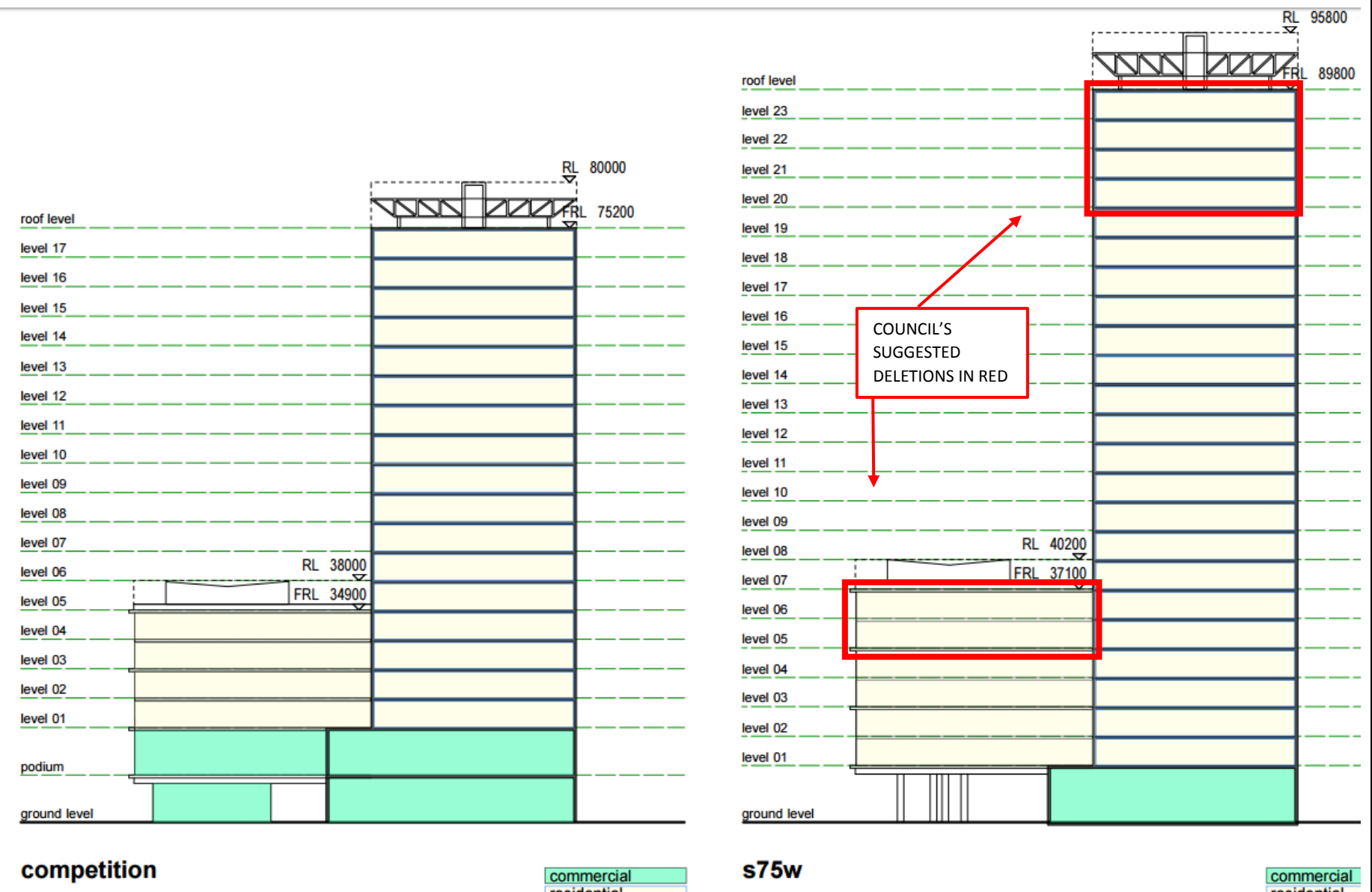
Page 4 of Councils submission

Amend the maximum number of storeys in Stage A to be consistent with the Competition winning scheme i.e. a 19 storey tower and 4 storey podium.

There appears to be confusion in the use of the term 'storeys' for the purposes of the competition winning scheme and the scheme proposed as part of the current S75W application. As can be seen in the section diagram below, the roof RL of the 'podium' building in the competition winning scheme is RL 34.9, whilst the podium building's roof proposed as part of this S75W application is RL 37.1 – 2.2m difference. The tower element for the competition winning scheme, excluding the exoskeleton roof feature, was RL 75.2m. The RL for the tower component in the S75W application, excluding the exoskeleton roof feature, is RL 89.8m – a difference of 14.6m (or approximately 4 residential levels).

NOTE: The current modification application proposes envelope heights as follows:

- Tower building – RL 95.8m
- Podium building – RL 40.2m



	Council wishes to reduce the podium by 2 levels, below the design excellence competition winning scheme. Holdmark are willing to consider this outcome on the basis that the total increase in the height of the tower, as proposed in the modification application, is accepted. It should be noted that the DIP has already endorsed both the podium and tower heights (NOTE: Holdmark's VPA offer is affected if heights are reduced).
Page 5 of Councils submission Amend the maximum number of storeys for Stage 9 (café) building adjoining 146 Bowden St to 1 storey.	Holdmark would accept reverting back to the Concept Approval, as modified, in relation to Stage 9, on the basis Council accepts a \$3.5 million monetary contribution in lieu of the community facility forming part of a VPA for Stage A, AND all of the modifications proposed to Stage 2/3 in the current modification application are approved.
Page 5 of Councils submission Insert a new condition with respect to community benefit to require that an agreement is entered into with Council with respect to Stage A (similar to that contained within the Royal Ryde Rehabilitation Centre Concept Consent Instrument MP.05_0001) as follows: Prior to the lodgement of a Development Application for Stage A a planning agreement between the proponent and Council, pursuant to Sections 93F to 93L and Sections 94A to 94E of the Act shall be formalised to provide the following measures: <ul style="list-style-type: none"> Community facilities. Affordable Housing. Public domain and pedestrian infrastructure upgrades. Traffic mitigation measures. 	The proponent prefers that any monetary contributions, WIKs or the like, are specified as a condition of any modified Concept Approval. This is because VPAs are voluntary and another administration at Council may refuse to enter into the agreement. Nevertheless, if Council formally agrees to the existing VPA offers, Holdmark would accept these as a condition of any modified Concept Approval, provided the proponent has the opportunity to review the draft conditions of consent before any recommendation is made to the Planning Assessment Commission (PAC)
Page 5 of Councils submission Insert a new condition requiring: <ul style="list-style-type: none"> 8% of the dwellings uplift in stage 2 and 3 as affordable housing (Note: The outcome of this condition is between 3 and 4 dwellings) and; 2% of the dwellings in Stage A as affordable housing. 	In total, three VPAs have been offered by Holdmark to Council. One VPA has been offered for Stage 2/3 (refer to letter dated 9 December 2015 at Appendix 4). Two have been offered in relation to Stage A, with one relating to a full height podium building as originally proposed in the S75W application, and the other based on the reduced podium building height, as was requested by Council (refer to letters dated 14 March 2016 and 4 May 2016 at Appendix 5 , respectively). Each included an offer to allocate part or all of the contribution for affordable housing. The proponent is prepared to maintain these VPAs.
Page 5 of Councils submission Amend Condition 18 Modification 1 MP09_0216 to read: b. Should the developer be unable to provide appropriate community space to Council's satisfaction by 30 June 2018, the developer is to provide a monetary contribution to Council under Section 94EE of the Environmental Planning and Assessment Act (1979) within fourteen (14) days to the amount of \$7.5 million indexed by Sydney CPI annually from the date of this consent.	Holdmark would accept the intent of this outcome. For clarity, it is noted however that the contribution for the community centre is \$3.5 million, not \$7.5 million. Further, any contribution would be paid prior to the issue of an occupation certificate for Stage A.
Page 6 of Councils submission Insert a new Design Excellence condition of consent requiring Design Integrity Panel certification at key project milestones, including lodgement of the DA (or as subsequently modified), issue of construction certificate and at completion of the project.	A condition requiring DIP certification for the purpose of DA lodgement would be acceptable. Further certification prior to the issue of any Construction Certificate for any aboveground works is also acceptable. This would ensure the scheme's design integrity will be retained.
Page 6 of Councils submission Insert into Condition 24 <i>Road and Pedestrian Infrastructure Upgrades</i> a requirement to undertake a Stage 1 Road Safety Audit of the access intersection configuration and existing roundabouts.	Road Delay Solutions has advised that a Safety Audit will be undertaken on the recommended Pedestrian and Cyclist infrastructure. Further revision is to be undertaken in accordance with issues raised by the RMS and TfNSW in their most recent agency submissions to DPE. A TMP is to be prepared focusing on a number of aspects pertaining to pedestrian/bicycle accessibility to Stage A.

<p>Page 6 of Councils submission</p> <p>Amend Condition 24 to require intersection upgrades in accordance with the Stage 1 Road Safety Audit and to Council satisfaction at:</p> <ul style="list-style-type: none">○ Parsonage Street / Well Street / Porter Street○ Parsonage Street / The Loop Road○ Well Street / Church Street.	<p>Road Delay Solutions has advised as follows:</p> <p><i>“I am not privy to the Stage 1 Safety Audit. I have not seen the audit nor have I seen a Stage 1 Traffic Report. I would consider the subject intersections will not be significantly impacted by Stage 1 given the vehicle generation will be in the order of 71vph over and above the current vehicle flows. In further support, the full Stages 1-9 and Stage A modelling would suggest that these intersections are capable of sustaining an acceptable level of service.”</i></p>												
<p>Page 6 of Councils submission</p> <p>Documentation</p> <ul style="list-style-type: none">• The documentation lacks clarity with respect to the outcomes of the proposed modifications sought, for example:○ The proposed increase in apartment numbers is unclear.○ The proposed total number of parking spaces is unclear.○ The shadow diagrams for Stage A are inaccurate (this is addressed in more detail later in this submission).○ Impacts on views are not adequately considered (discussed later in this submission).	<p>The documentation submitted to date is suitable for Concept Approval application. Detailed plans are typically provided at DA stage. This aside, dwelling yield and parking provisions for Stage A (inclusive of the Community Facility) is provided at Appendix 11. Dwelling yield and parking provisions as part of the Design Competition winning scheme is provided at Appendix 12. Dwelling yield and parking provisions for the scheme as currently proposed is provided at Appendix 13. Appendix 3 provides updated solar access diagrams.</p> <p>Discussion regarding the view loss assessment is provided below.</p>												
<p>Page 6 of Councils submission</p> <p>1.1 Proposed Modification to building heights in Stages 3,9 including:</p> <ul style="list-style-type: none">- an increase of one storey in portions of the Stage 3 building envelope (from 4 to 5 storeys, 7 to 8 storeys and 8 to 9 storeys)- an increase of one storey in the southernmost portion of the Stage 9 building envelope (from 1 to 2 storeys)	<p>Noted.</p>												
<p>Page 7 of Councils submission</p> <p>Council notes that the application lacks clarity and includes some discrepancies with respect to the detail of the proposal; further information is required to allow a comprehensive assessment of the impacts.</p>	<p>Sufficient information, for the purposes of a Concept Approval application, has been provided. Further detailed plans and information is typically provided at DA stage.</p>												
<p>Page 8 of Councils submission</p> <table><tr><th colspan="3">Table 1 Comparison of the approved Stage A building, Competition Scheme</th></tr><tr><th></th><th>Concept Approved Scheme</th><th>Competition</th></tr><tr><td>Height (storeys)</td><td>Tower – 6 and 10 Podium - 2</td><td>Tower – 19 Podium – 4</td></tr><tr><td>Dwellings</td><td>62 (source: Competition Jury Report)</td><td>152 (source: Competition Jury Report)</td></tr></table>	Table 1 Comparison of the approved Stage A building, Competition Scheme				Concept Approved Scheme	Competition	Height (storeys)	Tower – 6 and 10 Podium - 2	Tower – 19 Podium – 4	Dwellings	62 (source: Competition Jury Report)	152 (source: Competition Jury Report)	<p>The design competition scheme included a 6 level podium, as demonstrated in the following diagram prepared by Cox Richardson Architects and Kennedy Associates. It is only 2.2m lower than the podium proposed in the current modification application.</p> <div><div><p>competition</p></div><div><p>s75w</p></div></div>
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<p>Page 8 of Councils submission</p> <p>COR expresses concerns with respect to the height of the Stage A tower as it:</p> <ul style="list-style-type: none"> o Dominates the heritage listed bridge adjacent and reduces its prominence and significance as a landmark. o Will significantly increase the view catchment of the proposed Stage A tower. o Being significantly taller than the context, the proposal will have a visual impact akin to Blues Point Tower and its visual prominence in the landscape context. Refer to the table below. o Appears slender when viewed from the north, but from other vantage points (such as from the east and west) it is visually bulky - i.e. From the residential areas to the east and west it will appear bulky (refer also to Table 2 and comparison with the Horizon and Blues Point Towers). 	<p>The height as proposed should be retained for the following reasons:</p> <ul style="list-style-type: none"> ▪ The additional 14.6m height above the design competition winning scheme, excluding the exoskeleton roof feature, enhances the scheme's slender appearance as viewed from the public domain, in particular the north and south Church St approaches. ▪ The Design Integrity Panel (DIP) has endorsed the scheme as currently proposed, including the proposed height (see minutes of the various DIP meetings provided at Appendix 2). ▪ The additional height adopts the finishes, façade treatment and fundamental division of the north and south elevations into 2 distinct components which further emphasises and enhances the slender appearance. ▪ The additional height increases the site's ability to provide a sense of arrival or act as a "marker" for the Ryde LGA. ▪ There is no perceptible difference in the height when viewed from long distances, such as along the river. ▪ The additional height does not provide any discernible difference in terms of shadow impacts or wind effects. ▪ The proposal is consistent with the scale of development in Rhodes. Specifically, it would relate to existing towers at Rhodes and create further visual interest. ▪ The proposal would enhance the linear nature of towers or landmarks ▪ The NSW of Environment & Heritage has not objected to the proposal, and specifically any impact to the nearby Ryde Bridge. ▪ An increase in height (above the Design Excellence Competition winning scheme) was contemplated in the decision of the Design Excellence jury. <p>9.5 The Jury recognises that the site does have a minor gateway role in concert with the existing vegetation and the bridge, announcing the arrival into the Ryde neighbourhood. As such the Jury considers that some additional height on the site may be justified. The jury also recognizes that within the allowable envelope a greater density than 62 units can be achieved. The Jury considers that such a site and location justifies an increase in the number of units that can be achieved subject to achieving high amenity and excellent design.</p> <ul style="list-style-type: none"> ▪ <i>(Source: Architectural Design Competition Jury Report: Stage A Shepherds Bay, City Plan Strategy & Development Pty Ltd, September 2015. Page 9).</i>
<p>Page 8 of Councils submission</p> <p>The views analysis undertaken by RLA appears to consider 4 storey podium (as the proposed s75W envelope) and a 3 storey podium as a reduced scheme. See below. It is understood from other submitted documentation that the 75W podium envelope is 6 storeys. It is requested that this anomaly be addressed and the RLA conclusions be updated to address the podium height. Notwithstanding this anomaly, it is clear that the lower the podium height, the less the visual impact as this element is experienced in the foreground of many local views.</p>	<p>The view analysis by RLA refers to a 6 and 4 level podium. Each 'storey' in the scheme, as viewed from the street, is in fact 2 levels. Holdmark would be amenable to a 4 level podium height, subject to retaining the full height of the tower, as is proposed in the current modification application, and the associated amendment to the VPA offer.</p>

<p>Page 9 of Councils submission</p> <p>With respect to visual character; COR supports the industrial language of the competition winning scheme and argues strongly for the retention and expression of the steel exoskeleton and that these elements should not be filled in.</p>	<p>The competition winning scheme was successful specifically because it related to the industrial nature of the bridge. The S75W scheme retains the industrial nature of the design competition winning scheme. The industrial frame is enclosed with glazing only and would not affect its appearance. Further, other industrial related elements of the design competition winning scheme have been retained such as the frame and tanks across the top of the proposal.</p> <p>The proposal's industrial language was a key consideration of the Design Excellence Competition Jury (refer to Jury Report at Appendix 14) as well as the DIP. The industrial nature of the proposal was a particular item discussed at the last DIP meeting of 15 February 2016. It should be noted that the DIP has endorsed the scheme. Refer to DIP minutes at Appendix 2.</p>
<p>Page 10 of Councils submission</p> <p>Council comments that the <i>Concept Approval issued 26 March 2013 required Future Development Application/s for Stage 5 (the signature building fronting Church Street) shall demonstrate design excellence in accordance with the Director General's Design Excellence Guidelines</i>. According to the <i>DGs Design Excellence Guidelines</i> a Design Integrity Panel should be convened to ensure the competition winning scheme is implemented. In particular Design Integrity Panel certification that the <i>"design is substantially the same and retains the design excellence exhibited in the winning submission will be required at key project milestones, including lodgement of the DA [or as subsequently modified], issue of construction certificate and at completion of the project"</i> is required.</p>	<p>Agreed. As stated earlier, Holdmark would accept the requirement for DIP certification at 2 further stages, being DA lodgement as well as before the issuing of any relevant Construction Certificate for above ground works. This is fully compliant with the Ryde Development Control Plan 2014.</p>
<p>Page 10 of Councils submission</p> <p>Overshadowing</p> <ul style="list-style-type: none"> The shadow diagrams are not correct and a complete assessment of the overshadowing impact cannot be made. However, it appears that the competition winning scheme and the further increases to the tower height will likely result in overshadowing to homes at 2-8 Waterview St from around 2.30pm onwards mid-winter. Objection is raised to this impact. 	<p>It is acknowledged that the solar access diagrams did not take into account the dwellings at 2-8 Waterview Drive since the likely impact was seen as minimal. The survey has since been updated as have the solar access diagrams (Appendix 3). The amended diagrams demonstrate overshadowing of dwellings at 2-8 Waterview Street from 2.30pm onwards, meaning such dwellings receive at least 5 hours solar access between 9-2pm at June 21. This outcome is fully compliant with the related controls in the Ryde Development Control Plan 2014.</p>
<p>Page 11 of Councils submission</p> <p>3. Community Benefit</p> <p>The offer in respect of the Stage A building uplift is approx. \$4.13 million if the podium is 6 storeys and \$2.77 million if the podium is 4 storeys. However, the figures relating to the 4 storey podium are not justified and Council is of the view that the reduction is too great and the figure should be closer to \$4 million.</p>	<p>As stated earlier, the proponent is amenable to providing a financial contribution of \$3.5 million in lieu of the construction of the community facility, on the basis that the Stage 2/3 amendments as currently proposed in the modification application, are all approved unamended. This is in addition to existing VPA offers already provided to Council for Stage 2/3 and Stage A.</p>
<p>Page 15 of Councils submission</p> <p>6. Traffic</p> <p>The use of discounted traffic generation rates based on the RMS Technical Direction for a high density residential development is not supported as the location of the development is dissimilar to the locations of the developments from which the high density residential rates were derived.</p>	<p>Road Delay Solutions has advised that neither the RMS or TfNSW have raised objection to the adopted vehicle generation rates. The adopted generation rate of 0.29/apartment is higher than the prescribed generation rate outlined in the RMS Technical Direction and is consistent with regional centres. The adopted generation rate is considered conservative.</p>
<p>Page 15 of Councils submission</p> <p>The existing configurations of the roundabouts at the Parsonage/Well/Porter Street intersection and the Parsonage Street/The Loop/Stage A Egress intersection were tested to determine any upgrades required to accommodate the additional traffic and it was found that both intersections operated within the practical operating capacity for a roundabout.</p>	<p>Road Delay Solutions has advised that modelling suggests both intersections will operate within acceptable levels of service, as proposed. Both the RMS and TfNSW have raised no objection following review of the Traffic Impact Assessment of full development.</p>

<p>Page 15 of Councils submission</p> <p>The proposed access arrangement immediately south of the Parsonage/Well/Porter Street roundabout provides opportunities for unnecessary weaving, introducing potential operational and safety issues. It is recommended to maintain a single southbound lane departure from this roundabout prior to developing the access left turn lane (refer to Figure 1 below).</p>	<p>Road Delay Solutions has advised that <i>“the Parsonage/Porter/Well roundabout will be a single lane circulating. A diverge movement will be permitted after leaving the roundabout in a SB direction and will be performed within the constraints of acceptable traffic management practice and the Motor Traffic Act. No weaving manoeuvres are anticipated. The dual lanes SB in Parsonage will reduce the level of queueing and potential for overflow back into the roundabout, as would certainly be the case if only a single lane SB were to be adopted. Modelling suggests a single lane would invoke a queue length in excess of 160m and raise potential for rear end collision. Therefore, the dedicated entry lane is proposed to circumvent such a coincidence. The RMS and TfNSW have raised no objection to the recommendation but desire further investigation of sight distances which will be undertaken in the preparation of the fore mentioned TMP”</i>.</p>
<p>Page 16 of Councils submission</p> <p>The proposed access onto the Parsonage Street/The Loop Road roundabout introduces sight distance and turn radius concerns which require further investigation, particularly for traffic approaching from The Loop Road and their ability to observe a vehicle exiting the development’s driveway (refer to Figure 2 below).</p>	<p>Road Delay Solutions has advised that as part of their liaison with RMS and TfNSW, civil engineering plans were prepared which addressed sight distances. It is noted that RMS and TfNSW has not raised any objections. Road Delay Solutions has further advised that sight distances can be further investigated as part of the TMP.</p>
<p>Page 16 of Councils submission</p> <p>It is noted that 900mm wide splitter island in Well Street will be extended to the pedestrian refuge. It is recommended that the pedestrian fence be installed to prevent pedestrians from walking across Well Street and to encourage using the proposed pedestrian refuge (refer to Figure 3 below). It is recommended that the provision of these works be conditioned in any consent.</p>	<p>Noted and accepted. A pedestrian fence in the Well Street median is acceptable and will be documented in the relevant TMP.</p>
<p>Page 17 of Councils submission</p> <p>Pedestrian connections and permeability Careful design attention is needed to ensure linkages to the rail station and to the foreshore and adequate footpaths etc. Some concern is raised with respect to pedestrian access around Stage A as follows:</p> <ul style="list-style-type: none"> - The proposed slip lane treatments on Church Street frontage and Parsonage Street present a very poor outcome for pedestrian amenity and safety. Namely the slip lane on the Church Street frontage presents significant exposure of pedestrians at this vehicle access point which extends some 32 metres across the property frontage. Similarly the proposed road widening along the Parsonage Street frontage reduces the footpath width to a significant degree. - The proposed slip lane vehicle entry to the Stage A development on Parsonage Street presents as a public roadway entering the facility. This raises some concern with traffic speeds approaching a vehicle control point, pedestrian safety and amenity and the need to demarcate infrastructure between the private and public domain. Ideally there should be a driveway crossover, footpath and verge at the vehicle entry point. 	<p>The vehicular access in, from and around Stage A, as well as pedestrian accessibility, was the subject of detailed and lengthy discussions with RMS and TfNSW. The current Stage A ground floor plan is a result of such discussions.</p> <p>It is noted that RMS and TfNSW has not objected to the proposal. RMS’ has in fact issued their in principal agreement to the scheme, as shown in the architectural plans as well as related civil engineering plans. Their approval is provided at Appendix 6.</p>