

86

# City of Ryde

ABN 81 621 292 610

Civic Centre

1 Devlin Street Ryde

Locked Bag 2069

North Ryde NSW 1670

cityofryde@ryde.nsw.gov.au

www.ryde.nsw.gov.au

TTY (02) 9952 8470

Facsimile (02) 9952 8070

Telephone (02) 9952 8222

Michael Woodland  
Director, Metropolitan Projects  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

22 September 2011

**Attn: Amy Watson**

Dear Michael

**EXHIBITION OF ENVIRONMENTAL ASSESSMENT FOR CONCEPT PLAN  
APPLICATION – RESIDENTIAL DEVELOPMENT AT 74 - 76 BELMORE  
STREET, RYDE (MP10\_0110)**

I refer to your letter dated 23 August 2011 regarding a Part 3A Concept Plan within the Meadowbank Employment Area, Meadowbank/Ryde. The City of Ryde Council has reviewed the documentation placed on exhibition and has concerns regarding the proposed Concept Plan.

From the submitted documentation Council raises several concerns with respect to the built form and urban design, the environmental and residential amenity, transport and accessibility, the relation of the building envelopes to the heritage item and the management of stormwater.

It should be noted that Council is currently in the process of finalising the draft *Ryde Local Environmental Plan 2011* (RLEP 2011) for public exhibition. The Department of Planning and Infrastructure has recently issued Council with a Section 65 certificate endorsing the RLEP 2011 for community consultation. This policy provides amended controls for the Meadowbank Employment Area (MEA) including increased heights and the application of Floor Space Ratios.

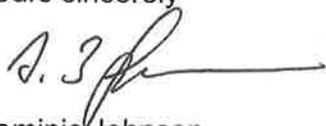
The RLEP 2011 will be accompanied by a revised Development Control Plan providing detailed controls for the MEA. These revised controls are largely based on work previously undertaken by Council in the preparation of the *Draft Meadowbank Employment Area Development Control Plan 2007* that was never adopted by Council.

Whilst Council's has some concerns as identified in the attached, subject to minor changes to the concept plan being made by the proponents, the application could be supported.

Council's concerns regarding the proposal have been detailed in length in the enclosed attachment and have been broken into sections correlating to those contained within the Environmental Assessment.

The City Of Ryde thanks you for the opportunity to comment upon the Environmental Assessment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Johnson', followed by a long horizontal flourish.

Dominic Johnson  
Group Manager, Environment and Planning  
City of Ryde Council

## Built Form and Urban Design

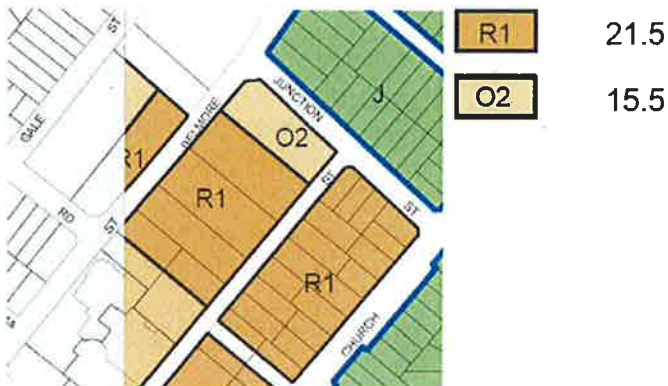
### Height

Council has several concerns regarding the proposed 7 storey height limit. Specifically, it is noted that the Department of Planning and Infrastructure currently requires all maximum height limits within Local Environmental Plans to be expressed in metres instead of storeys. As such, for consistency and clarity in the assessment of future applications, it is requested that any forthcoming approval on the site provide a maximum height limit in metres.

The proposed height, when expressed in metres, should not exceed those proposed under the RLEP 2011. Council has undertaken substantial studies and research in the identification of these heights which ensure a reasonable level of development throughout the Meadowbank Employment Area (MEA). In determining a reasonable level of development Council gave consideration to traffic, urban design and community concerns.

The heights proposed under the RELP 2011 provide a maximum height limit of 21.5m for the majority of the site and a height limit of 15.5m for the north-most allotment within the subject area, as detailed within Figure 1.1. Generally, Council is of the opinion that a height limit of 21.5m provides a maximum height of 6 storeys and that a height of 15.5m provides a height of 4 storeys.

Figure 1.1



Excerpt from Height of Buildings Map Sheet HOB\_006 – Ryde Draft Local Environmental Plan 2011

It should be noted that Council has recently approved a development at the site immediately to the south (2-4 Porter Street) of the subject site which achieved a maximum height of 6 storeys. The development approval granted consent for two separate buildings with a maximum height of 19.2m and 18.2m.

With respect to the building height, it is noted that the proponents have identified the site at 82-84 Belmore Street as having a building height of 7 storeys. Whilst this is correct, the 7<sup>th</sup> storey of the development has been substantially setback with the approval at 2-4 Porter Street generally in keeping with the parapet wall height of 82-84 Belmore Street. Additionally, 82-84 Belmore Street does not immediately adjoin low scale residential

development that is not intended to be rezoned in future. The development at 2-4 Porter Street provides for a maximum RL of 40 for the building fronting Belmore Street and a maximum RL of 39.65 for the building fronting Porter Street. From the submitted elevations, it is clear that these heights will be below those proposed under the Concept Plan.

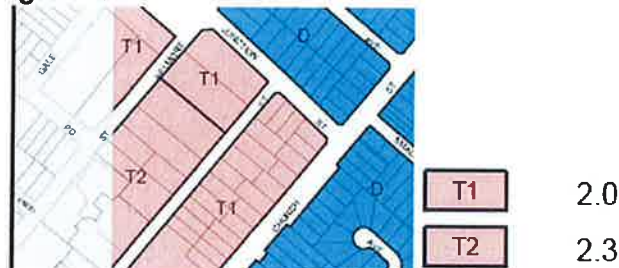
**Given the above, it is recommended that the height limit of the Concept Plan not exceed Council's proposed height controls of 21.5m and 15.5m.**

This does not mean that minor encroachments of this height are not supported, but that these heights should be considered on a case by case basis for the individual buildings at time of approval.

### ***Floor Space Ratio***

It should be noted that the RLEP 2011 provides a Floor Space Ratio (FSR) of 2.0:1 and 2.3:1 on the subject site. The position of these FSR are identified in Figure 1.2 below.

**Figure 1.2**



Excerpt from Height of Buildings Map Sheet FSR\_006 – Ryde Draft Local Environmental Plan 2011

It is noted that the proposal seeks consent for a total of 35,000m<sup>2</sup> on the subject site. This equates to a FSR of approximately of 2.1:1.

Given the relatively high level nature of the proposed Concept Plan and that no buildings are proposed at this time, **it is recommended that compliance with the requirements of Council proposed controls is imposed on future development.**

### ***Building Envelopes***

With regards to the proposed building envelopes, it is noted that several of the building blocks propose widths are in excess of the 10-18m identified within the Residential Flat Design Code.

Whilst this is a high level Concept Plan, care must be taken to ensure that a high quality result is achieved for the site. As such, should any approval be forthcoming, it should require compliance with the maximum building depths identified within the Residential Flat Design Code.

### ***Environmental and Residential Amenity***

Page 15 of the Environmental Assessment identifies that small service vehicles will be parked off the existing driveway leading to the retained heritage item. This should not be supported as it will result in unreasonable

negative impacts on the amenity of the central landscaped area. The use of this area for this purpose will also detract from the heritage item. Additionally, it should be noted that the landscape plan included in the Environmental Assessment fails to identify that parking will be occurring within this area. This disconnect within the Environmental Assessment should be addressed.

**Council believes that all vehicular servicing for the residential units should occur through the basement areas.**

## **Transport and accessibility**

### ***Traffic implications***

It is noted that the proponents have submitted a Transport and Accessibility Impact Assessment (TAIA) which has assessed the increase on development yields against those proposed under the *Draft Meadowbank Employment Area Development Control Plan 2007*. However, the TAIA has not considered the current Part 3A Concept Plan and Project Application for the Sheperd's Bay Urban Renewal (MP09\_216 and MP09\_219) and the ramifications of this proposal.

Whilst the above applications have not yet been determined by the Department of Planning and Infrastructure, these applications when combined with the additional density proposed on 74-76 Belmore Street will result in a substantial increase in the amount of traffic within the MEA. This increase is likely to result in an unacceptable Level of Service for all intersections within in the MEA and surrounds.

As such, **consideration of these applications separate from the subject Concept Plan is not supported by Council.** Joint consideration of these applications and their ramifications must be undertaken prior to their determination, with particular focus on the traffic impacts in and around the MEA.

### ***Parking***

Council's *Part 9.3 Car Parking of Development Control Plan 2010* provides detailed requirements for the amount of car parking to be provided on the subject site. In this respect, it is noted that the proposal is a Concept Plan only and that any future development would be subject to further applications.

From the proposed number of units (225 x 1 bedroom, 225 x 2 bedroom, 20x 3 bedroom), the current *Part 9.2 Car Parking of Development Control Plan 2010* requires a total of 690 car parking spaces on the subject site. This is well above the proposed number of 584 spaces.

Council currently has on exhibition a draft Part 9.3 which provides different calculation rates which would result in the provision of between 460 – 621 spaces. The draft is only on public exhibition and has not yet been formally adopted by Council. Should Council and the community support the revised DCP, it is recommended that these car parking rates apply to the proposal. In the event that the DCP is not adopted by Council the current car parking rates should apply to the development.

As such, it is recommended that any forthcoming approval require provision of car parking spaces in accordance with Council's requirements.

Given that the proposal will require the provision of disabled parking spaces as a result of the 47 units retained by Achieve Australia, care must be taken to ensure that any calculations of overall basement areas has factored in the specific requirements for these uses. This is not demonstrated in the Environmental Assessment.

It is noted that the proponents have sought a reduction in the provision of parking facilities due to the proximity of public transport. Whilst this rationale is generally supported by Council, mechanisms for active and passive encouragement for the use of public transport, walking and cycling should form part of the proposal. The Concept Plan should detail how future residents will be encouraged to use sustainable forms of transport. This should address passive forms of encouragement such as provision of end of trip facilities in all building blocks, ready access to bicycle parking on site and active forms of encouragement such as monetary incentives from the body corporate for monthly or annual bus and train tickets.

### ***Vehicular access***

With regards to vehicular access it should be noted that the subject site will result in a level of development well beyond the current planning controls contained within the *Ryde Local Environmental Plan 2010* and *Part 4.2 Meadowbank Employment Area – Master Plan*. However, Council's RLEP 2011 and associated Development Control Plan envisages a level of density beyond that currently permissible and requires the widening of Porter Street along the eastern side.

The Environmental Assessment identifies that vehicular access points will be from Porter Street and that the vehicle entrances will have a nominal width of 12m. This distance is considered excessive and should be reduced. Furthermore, from the submitted documentation, it is likely that Council will require 'No Parking' along the Belmore Street, and 'No Stopping' along Porter Street and Junction Street.

### ***Pedestrian / Bicycle Connectivity***

The current *Part 4.2 Meadowbank Employment Area – Master Plan of Development Control Plan 2010* and the RLEP 2011 and associated DCP do not identify any pedestrian or through site links in the subject site. However, given the scope of the development and the configuration of buildings it is strongly recommended that the proponents explore possibilities to provide formalised publicly accessible through site links from Porter Street to Belmore Street.

It is noted that within the Environmental Assessment the proponents have argued that this should not be provided on the subject site as one will be provided on the site immediately to the south (2-4 Porter Street). It should be noted that this was achieved under a Development Application approved by Council that has not yet been enacted upon. As such, there is no guarantee that this link will eventuate.

Even should the redevelopment of 2-4 Porter Street proceed, the provision of a through site link on both the subject site and 2-4 Porter Street would drastically increase the permeability of the larger block bound by Junction Street, Porter Street, Belmore Street and Parsonage Street. As such, it is recommended that the proponents provide a through site link within the subject site.

Further to the above, it should be noted that connection from the subject site to the public pedestrian pathway at 2-4 Porter Street is unlikely to occur as this pedestrian pathway is a public right-of-way on private land. This right-of-way is off set from the subject site by a row of planter boxes in private ownership. As such, the ability of the subject site to connect to this public walkway area is highly questionable and will require the consent of the adjoining property owner.

With respect to the public domain areas surrounding this site, any forthcoming development must ensure the provision of public domain areas and street lighting in accordance with Council's Public Domain Manual. This manual provides specific requirements for the treatment and widths of public pathways. These public domain upgrades should occur as part of the substantial redevelopment of the site.

In particular, footpaths meeting Councils requirements should be provided around the site along Junction Street, Belmore Street and Porter Street. Of particular concern is the provision of a footpath along Porter Street. In this respect, it is noted that there is minimal space along the road verge of Porter Street to provide a footpath.

In a meeting between the proponents and Council on 15 September 2011 the dedication of some of the site to Council was raised as a possibility. Council would support this where a footpath is provided within a dedicated road reserve to Council's specifications. Failing this, a footpath should be provided on the subject site at the proponents expense and made legally accessible to the public. This would need to address appropriate liabilities and insurances associated with publicly accessible space on private land.

With respect to bicycle connectivity, little to no detail has been provided within the EA regarding how the use of bicycles as a mode of transport will be encouraged. Specifically, it is noted that the TAIA does not identify any site access arrangements for bicycles. Detailing of how the use of bicycles will be encouraged by the development and its connectivity to surrounding areas must be provided.

### **Ecologically sustainable development (ESD)**

Council is supportive of the 4 Star Green Building Council of Australia (or equivalent) benchmark for the future development of the site. As it is nominated as a commitment, it must be ensured that this will be achieved through out the whole development process.

It is suggested that this be achieved through the provision of a report prepared for each stage of the development that clearly and unambiguously demonstrates the elements/systems included in the development will result in an ESD level equivalent to 4 Star Green Star Standard.

## **Contributions**

Council has had some preliminary discussions with the applicant regarding the proposed development and the payment of development contributions. In this respect, it is noted that the proponents have identified within the Environmental Assessment that Section 94 Contributions will be paid to Ryde Council on a stage by stage basis.

Council recommends that full payment of Section 94 Contributions be a condition of consent for the Concept Plan, notwithstanding any potential developer agreements that might eventuate from future negotiations.

## **Heritage**

Council has reviewed the proposal with respect to the heritage item and its curtilage and has several concerns regarding the proposal. It should be noted that the Heritage Impact Statement prepared by NBRS + Partners incorrectly states that 390 residential units as proposed, when the Concept Plan provides 470 units on the subject site.

The Heritage Curtilage Study prepared by NBRS + Partners does not provide specific dimensions in relation to the view corridor for Belmore Street. The preferred option being the "reduced heritage curtilage" shows a rough sketch where the curtilage is proposed behind the historic line of the hedge adjacent to Belmore Street. Unfortunately the plans as submitted show this reduced curtilage to be smaller along the Belmore Street frontage. Confirmation is required on this matter and it should be updated to nominate a specific figure.

It is considered preferable for the Belmore Street view corridor to the heritage item to be larger than shown on the submitted plans. In Council's opinion this should be a minimum of 40m in width. The stepping back of Block A along this corridor is considered beneficial and should be retained. Additionally, the corridor between proposed Block D and E should be increased a minimum 20m to improve the visibility of the heritage item. This area could be utilised as a formalised through site link. The corridor between Block C and B should also be increased to a minimum 10 m. The above amendments would allow the heritage significance of the site to be incorporated and appreciated into the overall site. The avenue of trees along Belmore Street must be retained as part of the significance of the listing;

Further to the above it is considered that a detailed Conservation Management Plan (CMP) and archival recording of the current building in accordance with the NSW Heritage Office Guidelines should be undertaken. The Archival recording (in accordance with the NSW Heritage Office guidelines) must be lodged at the Mitchell library and the CoR Council.

The CMP must address and incorporate the following:



- the method for the removal/demolition of the intrusive 2 storey building attached to the heritage listed property;
- the method and design of the proposed new addition to the rear of Crowle Home that ensures preservation of heritage fabric;
- possible materials and finishes of the new single-storey extension to be attached to the heritage listed item; and how the remainder of the future buildings will address and compliment the heritage listed building components;
- detailed information on the methods and procedures to re-instate the north-eastern corner of Crowle Home. This section of the heritage listed building will require repair and reinstatement of original features to ensure it retains the historic significance of the building. The CMP must clearly identify what works are proposed and how they will ensure integration into the existing fabric;
- the proposed 'use' of Crowle Home supported by the CMP. In this respect, the information submitted does not advise what the building or new extension would be used for;
- how future buildings will address the memorial gardens and the cultural setting of Crowle Home. The gardens, palisade fencing, hedging and street trees (Belmore Street) are included within heritage listing of Crowle Home and are a significant component of the setting of Crowle Home. Any units addressing this space must be carefully planned to ensure the space does not adversely impact on the heritage significance of Crowle Home and the surrounds;
- It is noted that page 15 of the EA states that service vehicles will be parking of the driveway to the heritage item. Parking within the front of Crowle House and within the gardens should be severely restricted. This area must not be the centre location for service vehicle and the like, for a complex of 470 units it could mean this space becomes a car parking area as opposed to the memorial garden, open space ensuring the retention of heritage setting of Crowle Home;
- CMP must address and discuss the memorial garden and all associated landscaping (palisade fencing, exotic plantings and Belmore Street trees);

## **Drainage and Flooding**

With respect to drainage and flooding, Council raises concerns with the proposed stormwater management plan and Water Sensitive Urban Design (WSUD).

Specifically, the provision of Onsite Stormwater Detention (OSD) for half the site draining north into the Council's drainage system at the intersection of Belmore and Junction Street is considered desirable. However provision of OSD for the remaining half of the site drained to Council's stormwater system in Porter street is considered not beneficial as this is draining directly to the

bay and is located in the downstream part of the catchment. As a result, Council does not believe that OSD is necessary for the site, but that the volume required should be retained onsite for internal reuse in the toilet, laundry, gardens and other uses.

With regards to the extent of OSD required, it is considered that the required OSD volume is extremely low for the large catchment area involved. Please be advised that OSD volume should be calculated based on a predevelopment Permissible Site Discharge value equal to the site being fully pervious. The design of the OSD should limit post development discharge to predevelopment values (assuming 100% pervious) for all storms event and durations up to and including the 1 in 100 year storm

In addition to the above, the proponents should ensure that stormwater discharge from the site is connected to an underground drainage system. The new underground drainage system is to be sized for the catchment area draining in to it including those from external catchments for a minimum 1:20 Year storm event.

Whilst the Concept Plan will be determined by the Department of Planning and Infrastructure, as the applications for individual buildings will be dealt with by Council, in the event of approval being granted the proponents should be advised that any forthcoming development applications should comply with Council's Stormwater and Drainage requirements.

With respect to the overall water management system, it is acknowledged that Water Sensitive Urban Design features have been incorporated into the concept design and this is supported. However, it is considered that the treatment measures proposed do fall somewhat short of typical Total Suspended Solids, Total Phosphorus and Total Nitrogen targets.

Given the size and density of the development, the application should be supported by an Integrated Water Cycle Plan prepared by a suitably qualified engineer with experience in Water Sensitive Urban Design where further improvements can be made in the design. Issues to be addressed should include all issues and responses affecting the water cycle including water conservation, the quality of stormwater run-off and run-off frequency. The strategic placement of more small scale treatments such as tree bioretention pits and rain gardens within required landscaped areas and the potential for increased water reuse from rainwater harvesting for things like flushing toilets laundries and irrigating land, to supplement the proposed linear bioretention and wetland systems, can be considered to further improve stormwater run-off from the site.

## **Waste**

It should be noted at this early stage that waste will not be collected from bins within the basement and that any bins will need to be placed on either Porter Street or Belmore Street for collection. This has substantial ramifications for the overall design and location of access points, footpaths and possible issues with traffic and parking.

Generally, under Council's current policies, general waste would be collected in 1100L waste bins serviced 3 times per week and recyclable waste would be collected in 240L bins serviced weekly. As a result, 470 dwellings would result in a total of at least 235 recycling bins being placed out for collection. Placement and collection of this number of bins would be of substantial concern, especially where the proposed vehicular access points are only located along Porter Street.