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WATERLOO METRO QUARTER OVER STATION DEVELOPMENT

Response to Submissions
Amending Concept SDDA
10441

Prepared for

WL DEVELOPER PTY LTD

24 March 2021

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Report Number	Final

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1. INTRODUCTION

This Response to Submissions Report (**RtS**) has been prepared by Urbis on behalf of WL Developer Pty Ltd to address the matters raised by government agencies, and public and community organisation groups during the public exhibition of the proposed Waterloo Metro Quarter Over Station Development (**OSD**) State Significant Development (**SSD**) applications. Specifically, this RtS relates to the amending concept SSD-1441 development application (**DA**).

The Department of Planning, Industry and Environment (**DPIE**) issued a letter to the applicant on 14 December 2020, requesting a response to the comments raised during the public exhibition period for both the amending concept modification (SSD-10441) and the four detailed SSD DA's (SSD-10437), (SSD-10440), (SSD-10439), and (SSD-10438).

Where applicable, this RtS provides consolidated responses to the submissions received which are relevant to multiple applications. Conversely, separate responses are provided for each application where the submissions received are only relevant to one application.

1.1. OVERVIEW

All five applications were on public exhibition from 04 November 2020 to 02 December 2020. During this period, submissions were received from NSW government agencies, the local Council and other key public authorities. The submissions received from public authorities for the amending concept SSD DA included those from:

- Environment Protection Authority (**EPA**)
- Department of Planning, Industry and Environment - Biodiversity and Conservation Division
- Transport for New South Wales (**TfNSW**)
- City of Sydney
- Sydney Metro Corridor Protection
- Sydney Water
- NSW Health – Sydney Local Health District (**SLHD**)
- Civil Aviation Safety Authority
- Sydney Airport Corporation

In addition, submissions were received from neighbouring property owners and residents, the broader community, and an elected representative. The key matters raised in the agency and public submissions relevant to the amending concept SSD DA include:

- Reduction in provision of affordable housing.
- Traffic generation and traffic impacts.
- Overshadowing, privacy, and visual impacts to neighbouring residences.
- Overshadowing and amenity of existing and proposed public open space.
- Wind conditions on the site.
- Commentary on overall architectural quality of the proposed designs.

This RtS provides an in-depth and holistic response to the above key matters and all other matters raised by public authorities and community submissions. In response to the submissions received, there have been no changes made to the proposed outcomes sought under the amending concept DA.

Revised specialist documentation to support the revised scheme are provided in support of the RtS which includes:

- Amended Architectural Design Report prepared by Hassel (**Appendix A**)
- Amended Design Integrity Report (**Appendix B**)

- Amended Design and Amenity Guidelines (**Appendix C**)
- Pedestrian Wind Environment Assessment prepared by RWDI (**Appendix D**)

2. SUMMARY OF SUBMISSIONS

2.1. AMENDING CONCEPT DA

A further breakdown of the submissions by respondent type and their position is provided in the table below.

Table 1 Amending Concept DA Submissions Received by Respondent Type

Submitter	Position	Number of Submissions
Public Authorities and NSW Government Agencies		
Environment Protection Authority	Comment	1
Biodiversity and Conservation Division	Comment	1
Transport for New South Wales (TfNSW)	Comment	1
Sydney Water	Comment	1
City of Sydney	Object	1
Sydney Metro	Comment	1
NSW Health	Comment	1
Civil Aviation Safety Authority	Comment	1
Sydney Airport Corporation	Comment	1
SUBTOTAL		9
Community and Organisations		
General public	Support	1
General public	Object	4
General public	Comment	3
Organisation	Object	2
Organisation	Comment	1
SUBTOTAL		11

2.2. ACTIONS COMPLETED FOLLOWING EXHIBITION

Since the public exhibition of the proposed amending concept DA, the proponent has consulted with government agencies as follows:

- Meeting with the DPIE on 16 December 2020 to discuss the key matters required to be addressed in the response to submissions and the supporting assessment and design analysis required to be demonstrated.

- Meeting with City of Sydney 16 February 2021 to illustrate the design amendments made to the proposal and discuss the design response to the key issues raised in their submission, including particular comments regarding site layout, visual bulk and scale, architectural character and materiality, and façade performance (subject of the detailed SSD DAs)
- The proposed development was re-presented to the Design Review Panel (**DRP**) on 27 January 2021 and 18 February 2021 in accordance with the Design Excellence Strategy endorsed under the concept approval. The DRP provided feedback on the detailed design of the proposal and raised no further comments or concerns regarding the proposed building envelopes contained within the amending concept DA.

Minutes of these meetings is provided in the Amended Design Integrity Report (**Appendix B**).

3. AMENDMENTS TO THE PROPOSED DEVELOPMENT

3.1. AMENDING CONCEPT DA

Since lodgement and public exhibition of the five SSD DAs, design development has resulted in minor amendments to the detailed SDD DAs. A key change to the Northern Precinct is the reduction of one level from Building 1, along with minor internal alterations to the atrium involving an amalgamation and subsequent updates to floor plate sizes.

These amendments however do not require any changes to the subject amending concept DA as it relates to both building envelopes and land use mix.

4. RESPONSE TO DPIE ASSESSMENT

The NSW DPIE wrote to the applicant on 14 December 2020 requesting a response to the submissions and matters raised during the public exhibition period for the amending concept modification (SSD-10441), and the four detailed SSD DA's, being (SSD-10437), (SSD-10440), (SSD-10439), and (SSD-10438).

The comments provided by the DPIE required further clarification on built form and amenity impacts (both external and internal) of the modified building envelope and detailed OSD designs.

Key matters that the DPIE have raised concern with relate to four of the applications (excluding the Basement SSD DA). Concerns raised are categorised under the following headings:

- Public Benefits
- Design Integrity Reports
- Wind Impact Assessment
- Active Street Frontages

Each of these key matters are addressed in the following sections. The key matters that relate to the individual SSD DAs are subsequently addressed.

4.1. PUBLIC BENEFITS

Condition A12 of the concept approval SSD-9393 requires that the following is provided across the Waterloo Metro Quarter site:

- a) a minimum 5% of approved residential gross floor area dedicated or transferred to a Registered Community Housing Provider as affordable housing.*
- b) 70 social housing dwellings dedicated or transferred as agreed by NSW Land and Housing Corporation.*
- c) publicly accessible open space provision of minimum 2,200m² across the Metro Quarter site including its final area, design and ongoing management, noting partial provision of this publicly accessible open space may also be delivered under the CSSI Approval.*
- d) community facilities gross floor area of a minimum 2,000m² including its final area, design and future operating model. Community facilities are as defined in the Sydney Local Environmental Plan 2012.*

The above is satisfied through the four detailed SSD DAs lodged concurrently for the Waterloo Metro Quarter OSD. The specific mechanisms of satisfying Condition A12 of SSD 9393 and the *Sydney Local Environmental Plan 2012 (SLEP 2012)* requirements have been addressed in the RTS reports prepared for the detailed SSD applications, and do not specifically relate to the outcomes sought under the amending concept DA. For completeness however, the below summary is provided demonstrating how the proposed Waterloo Metro Quarter OSD will deliver the required public benefits:

- A minimum of 5% of the residential gross floor area proposed to be delivered across the Waterloo Metro Quarter site (calculated including the floor space to be used for student housing) is to be delivered as affordable housing. This affordable housing is nominated on the architectural plans and in the Environmental Impact Statement (EIS) submitted with the Central Precinct SSD DA (SSD-10439).
- 70 social housing dwellings are proposed to be delivered within 'Building 4' included within the Southern Precinct. The social housing dwellings have been designed to satisfy the design and functional requirements of the NSW Land and Housing Corporation and are nominated in the architectural plans and in the EIS submitted with the Southern Precinct SSD DA (SSD-10437).
- A minimum of 2,200m² of publicly accessible open space is proposed to be delivered by the applicant and Sydney Metro across the Waterloo Metro Quarter. This area generally comprises Raglan Street Plaza (684m²) documented on the landscape plans submitted with the Northern Precinct SSD-10440, and the Cope Street Plaza (1,675m², including areas for future licensed outdoor dining) documented on the landscape plans submitted with the Southern Precinct SSD-10437.

- It is noted that additional publicly accessible open space is proposed to be provided within the various OSD applications in the form of through-site links, widened footpaths, a shared way, and open space at Church Yard and Church Square. While these areas are proposed to be publicly accessible, they are not proposed or required to be delivered under Condition A12 of SSD-9393.
- A tenancy within Level 1 and Level 2 of the podium of Building 2 is nominated to be used as a community facility, in accordance with the definition provided within the SLEP 2012, on the architectural plans and in the EIS submitted with the Central Precinct SSD DA (SSD-10439). The minimum gross floor area of this tenancy is 2,000m². This tenancy will be used in perpetuity for 'community facilities' as required by Condition A12 and will be secured by way of a Positive Covenant on title.

4.2. DESIGN INTEGRITY REPORTS

An amended Design Integrity Report has been prepared in response to the DPIE comments and is included at **Appendix B**. The revised Design Integrity Report relevantly includes:

- Advice letters from each DRP review session as endorsed by Panel Chair.
- A log of advice from the above letters, including a comprehensive matrix of how DRP comments have been responded to.
- The project team's response to DRP advice on building mass and façade articulation in *Appendix C* of the Design Integrity Report.

The amended Design Integrity Report also includes a number of minor "open" items that relate to the proposed design development of the Waterloo Metro Quarter OSD. It is anticipated that the timeline for resolution of these "open" items is at the next DRP meeting scheduled for 19 March 2021. These items however do not relate to the proposed building envelopes sought within the amended concept DA.

4.3. WIND IMPACT ASSESSMENT

As it relates to the detailed SSD DAs, the DPIE requested the applicant demonstrate the proposed development's compliance with the requirements of Condition B14 of the concept approval regarding applying standing criteria to waiting zones at crossings of intersections, including on the opposite sides of the streets.

In response to this, a revised Wind Impact Assessment has been prepared by RWDI and included at **Appendix D**, which applies to the Southern, Central and Northern Precincts.

The key waiting areas around the site include the bus stop zone along Botany Road, adjacent to Building 2 (Central Precinct), as well as the four main pedestrian crossings at the corners of the precinct. Prior to the implementation of mitigation measures, the bus stop zone along Botany Road generally satisfies the standing criteria, whilst the pedestrian crossing areas are noted to satisfy the walking criteria.

The inclusion of awnings and street tree planting result in the entire bus stop zone and pedestrian crossing areas satisfying the standing criteria as outlined in the Waterloo Metro Quarter Design and Amenity Guidelines (**WMQ Design Guidelines**) document. Areas for the bus stop waiting zone will also satisfy the sitting criteria conditions. This is outlined in the Supplementary Pedestrian Wind Environment Assessment at **Appendix D**.

With regards to the surrounding footpaths, wind conditions on the pedestrian footpaths opposite the site along Botany Road, Cope Street, Raglan Street and Wellington Street were found to generally satisfy the standing criteria.

Some localised areas within the southern end of Cope Street, the central area of Wellington Street, the northern end of Botany Road, and the eastern end of Raglan Street are noted within **Appendix D** as meeting the walking criteria. Additional testing with the inclusion of proposed new street trees in their mature form, as well as the inclusion of existing nearby adjacent trees in the wind model, indicate that wind conditions are further improved resulting in only localised areas satisfying the walking criteria, with the majority of areas satisfying the standing criteria.

As it relates to this amending concept DA, the conclusions are considered relevant in so far as demonstrating that the proposed building to be constructed within the envelope established by this amending concept DA can achieve the required wind criteria. No further comment is considered necessary in response to this item.

4.4. ACTIVE STREET FRONTAGES

A Clause 4.6 Variation Request has been prepared by Urbis on behalf of the Applicant to support the detailed SSDA for the construction and operation of a mixed-use OSD and public domain works located at the Northern and Southern Precinct of the Waterloo Metro Quarter site. As the requests do not specifically relate to the amending concept DA, these variation requests do not support this RTS. For completeness however, a summary of the requests is included below.

The requests seek to vary the strict application of clause 7.27 of the SLEP 2012 as it relates to active street frontages, namely that the proposal must comply with the Active Street Frontages Map as it applies to the site. While the proposal has sought to maximise activation of all frontages through business and retail uses, the site's operational requirements which have been designed to be consistent with the concept approval have resulted in small portions of frontages being required for critical building services.

As stated in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118* (Initial Action) at [25], clause 4.6(3) does not require the consent authority to form its own opinion of satisfaction regarding the matters identified in clause 4.6(3)(a) and (b), but only indirectly must be satisfied that the applicant's written request has adequately addressed those matters. The request does that, and therefore the consent authority is open to be satisfied that subclause 4.6(3) has been met.

The requests contain justified reasoning for the proposed variation to the active street frontages development standard, and demonstrates that:

- The objectives of the development standard will be achieved, notwithstanding that the development standard not being achieved in entirety, and in doing so, establishes that compliance with the standard is unreasonable or unnecessary (Initial Action at [17]).
- The proposal is consistent with the objectives of the zone in which the proposed development is proposed to be carried out, being the B4 Mixed Use Zone.
- Whilst strict application of the development standard is not achieved, there are sufficient environmental planning grounds to support the proposed development.

4.5. AMENDED CONCEPT SSD DA

4.5.1. Design Guidelines

Updated Design and Amenity Guidelines have been prepared by the applicant and Sydney Metro and are attached at **Appendix C**. The updated WMQ Design Guidelines incorporate the additional design objectives and design criteria that were contained within the Urban Design Report lodged with the amending concept DA and Design Integrity Report.

An assessment against the new WMQ Design Guidelines is provided within the RTS reports for each of the relevant detailed SSD DAs.

5. RESPONSE TO PUBLIC AUTHORITY SUBMISSIONS

5.1. AMENDING CONCEPT DA

5.1.1. State Public Authority Comments

A response to the matters raised by government agencies and other public authorities in relation to the amending concept DA is provided in Table 2 below.

Table 2 Response to Public Authority Submissions –Amending Concept DA

Comment	Response
Environmental Protection Authority	
<p>No comment.</p> <p>As an advisory note, the development will be located in the vicinity of tunnels containing operational rail lines, for which the EPA has a regulatory responsibility. The consent should include acceptable vibration and ground borne noise limits for spaces within the development drawn from the EPA's Rail Infrastructure Noise Guideline (EPA, 2013) and Assessing Vibration: A Technical Guideline (DECC, 2006).</p>	<p>This comment is noted.</p>
Biodiversity and Conservation Division	
<p><u>Biodiversity</u></p> <p>A Biodiversity Development Assessment Report (BDAR) Waiver was approved on 1 April 2020.</p>	<p>This comment is noted.</p>
<p><u>Floodplain risk management</u></p> <p><i>Environmental, Energy and Science Group (EES) notes that the final SEARs issued by DPIE dated 9 April 2020, did not contain EES recommendations for flooding despite requesting this in EES's previous correspondence to DPIE dated 1 April 2020. Therefore, EES will make no further comment in relation to flooding.</i></p>	<p>This comment is noted. Additional flood related matters are addressed under the detailed SSD DA applications and related RTS packages. The amended building envelopes do not impact the flooding conditions of the site.</p>
Department of Transport	
<p><i>The amendments to the concept proposal for the subject development application have been reviewed and no comments are provided at this stage for the above.</i></p>	<p>This comment is noted.</p>
Sydney Metro Corridor Protection	
<p>No comments.</p>	<p>No response required.</p>

Comment	Response
Sydney Water	
<p><u>Water Servicing</u></p> <p>Potable water servicing should be available via a 150mm CICL watermain (laid in 1897) on Botany Road.</p> <p>Amplifications or alterations to the potable water network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.</p>	<p>As outlined in the Services and Infrastructure Report provided at Appendix T of the EIS, connection for the Northern Precinct to which this amending concept DA relates is proposed to connect to the network on Botany Road.</p> <p>Direct connection to the 150CICL Water Authority Main along Raglan Street is proposed via a DN150 reticulated supply from the building water meter room.</p> <p>Requirements for modifications and/or diversions will be confirmed as part of the Section 73 NoR from Sydney Water.</p>
<p><u>Recycled Water Servicing</u></p> <p>While there is no existing Sydney Water recycled water supply to this area, Sydney Water is open to working in partnership with developers to consider potential decentralised recycled water servicing solutions that may offset potable water demands for irrigation, toilet flushing and domestic washing machines, as well as air cooling towers. Consideration can also be given for rainwater capture and stormwater runoff reduction.</p>	<p>The ESD Reports accompanying the detailed SSD DAs outline the sustainable water targets and initiatives for each building.</p> <p>It is noted that Building 1 is targeting a 4.5 star NABERS water rating and includes initiatives such as:</p> <p>4 star WELS rated taps, toilets and showers in the EOTF, landscaping design and plant selection to minimise irrigation demand, rainwater collection, best practice cooling tower water treatment and management systems, water sub-metering of major water uses and Water Sensitive Urban Design.</p> <p>The abovementioned sustainability initiatives will be further developed throughout the detailed design phase of the project.</p>
<p><u>Wastewater Servicing</u></p> <p>Wastewater servicing should be available via a 400 VC wastewater main (laid in 1891) within the property boundary.</p> <p>Amplifications or alterations to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.</p>	<p>As outlined in the Services and Infrastructure Report provided at Appendix T of the EIS, direct connection to DN225 Sewer Authority Main reticulated along Botany Road, is proposed via a DN225 reticulated from Building 1 Sewer networks.</p> <p>Requirements for amplifications and/or diversions will be confirmed as part of the Section 73 NoR from Sydney Water.</p>
<p><u>Stormwater</u></p> <p>Our available records indicate there that a major Sydney Water stormwater channel located on the western side of Cope Street. As per current Sydney Water's policy and guidelines for building over and</p>	<p>As outlined in the Services and Infrastructure Report provided at Appendix T of the EIS, stormwater drainage for the site is proposed to comply with the City of Sydney A4 Drainage Design</p>

Comment	Response
<p>adjacent to stormwater assets requirements, no buildings or permanent structures are to be proposed over the stormwater channel / pipe or within 1m from the outside wall of the stormwater asset or within Sydney Water easement whichever is larger. Permanent structures include (but are not limited to) basement car park, hanging balcony, roof eaves, hanging stairs, stormwater pits, stormwater pipes, elevated driveway, basement access or similar structures. This clearance requirement would apply for unlimited depth and height.</p> <p>The proponent would be required to submit the elevation drawings with the stormwater channel/ pipe, to ensure that the proposed buildings and permanent structures are 1m away from the outside face of the stormwater channel.</p> <p>Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.</p>	<p>Guidelines and City of Sydney – Interim Floodplain Management Policy.</p> <p>Direct connection to DN900 Authority Main, reticulating along Botany Road is proposed via a DN300 reticulated from Building 1 Onsite Detention tank.</p> <p>The potential connection to the Sydney Water asset along Cope St will be further evaluated during the detail design phase post DA submission.</p> <p>Requirements for amplifications and/or diversions to the City of Sydney and Sydney Water assets will be confirmed as part of the detailed design phase post DA submission. It is not currently anticipated that amplifications will be required to the existing Botany Road DN900 Pipe.</p>
NSW Health	
<p><u>Cumulative Impacts</u></p> <p>Consider cumulative impacts and mitigation measures beyond those normally employed for isolated impacts.</p>	<p>Potential broader cumulative impacts on concurrent / consecutive projects and further mitigation measures will be considered and managed accordingly throughout the ongoing detailed design, construction, and operational phases of the project. In addition, such impacts and appropriate mitigation measures can be incorporated into and considered during the preparation of detailed construction methodology planning and where appropriate, additional mitigation measures will be considered and implemented when required.</p>
<p><u>Noise Impacts</u></p> <p>Support the amended plans resulting in fewer residences experiencing traffic noise exceedances than were expected from earlier plans.</p> <p>All reasonable and feasible mitigation measures should be undertaken to further minimise traffic noise exceedances to residences requiring alternative sources of ventilation.</p> <p>All reasonable and feasible best practice noise mitigation measures should be undertaken to minimise exceeding noise management levels,</p>	<p>This comment is noted.</p> <p>Whilst not directly related to the amending concept DA, to date, all reasonable and feasible acoustic mitigation measures have been considered and implemented into the detailed design of the residential buildings within the Central and Southern precincts.</p> <p>As outlined in the Noise and Vibration Impact Assessment submitted with SSD-10441 (<i>Appendix K</i>), the operational and construction noise and vibration generated from the proposal will comply</p>

Comment	Response
<p>including mitigating noise generated by truck movements as well as engaging an acoustics consultant given the size of the overall development.</p>	<p>with the relevant noise criteria subject to the implementation of the established mitigation measures.</p>
<p><u>Public/active transport incentives</u></p> <p>Support the incentives to use public, active, and shared transport. Clarify on basement plans if access to parking/bike parking/car share spaces is equitable for those in social housing, affordable housing, and private housing residences.</p>	<p>The basement car park accommodates vehicle parking for several uses including commercial, residential, car share, social housing, Church and metro. In addition, the basement includes commercial and retail end of trip facilities, as well as commercial, retail and residential bicycle parking to encourage and support active and public transport opportunities connecting to the Waterloo Metro Quarter site.</p> <p>The Basement Level P1 Plan submitted with the detailed SSD DA for the Basement clearly denotes parking spaces for affordable housing, private housing, social housing and car share. This includes 67 parking spaces for private and affordable housing (for Building 2), eight (8) social housing spaces (for Building 4) and a total of four (4) car share spaces. These provisions are below the maximum permissible parking spaces in accordance with relevant SLEP 2012, SDCP 2012 and Concept SSD 9393 conditions of consent. Furthermore, the parking provisions are suitable for the number of apartments for the overall Waterloo Metro Quarter site and are consistent with the objective of providing reduced car parking in proximity to public transport.</p> <p>All residential parking areas are accessible via the lift for Building 2, as well as the passenger lift off Church Square.</p>
<p><u>Water recycling/rainwater</u></p> <p>Support water recycling however public health risks from using recycled water will need to be managed appropriately, including approval by the appropriate regulatory authorities.</p>	<p>This comment is noted.</p> <p>During the detailed design work to be undertaken in parallel with and following DA consent, measures will be incorporated into the building design to ensure potential public health risks from using recycled water will be managed appropriately.</p>
<p><u>Contamination</u></p> <p>Recommend remediation of western portion of the site in accordance with the Contamination Strategy as prepared by Douglas Partners (SSD-10437 - Southern Precinct EIS Appendix 00).</p>	<p>Remediation does not form part of the amending concept DA. Notwithstanding; remediation of the site will be carried out in accordance with the Contaminated Sites Strategy prepared by Douglas Partners (dated 24 July 2020) for the Southern Precinct (SSD-10437) and Basement Car Park (SSD-10438) proposals. It is anticipated that a</p>

Comment	Response
	condition of consent will be included on any consent issued for remediation to be carried out accordingly.
Recommend using SLHD guidelines Building Better Health.	<p>As outlined in Section 8.14 of the EIS, various environmental and health issues have been considered and addressed in relation to matters such as built form, amenity, air quality, traffic and parking, construction, infrastructure, stormwater and water recycling, accessibility, fire safety, social and economic impacts and crime and safety.</p> <p>It is noted that the EIS was accompanied by an ESD Report which included health and well-being objectives, a Construction Environmental Management Plan (CEMP) to address construction impacts, a Stormwater Management Strategy to ensure appropriate treatment of runoff and a Transportation Air Quality Management Plan which confirmed the proposal will not be impacted by adverse air quality. In addition, the design incorporated CPTED principles and security risks to mitigate potential health risks associated with anti-social and criminal behaviour.</p> <p>Overall, the proposal will not result in any unacceptable local and regional health impacts and includes appropriate mitigation measures to further mitigate potential environmental impacts and health risks.</p>
Civil Aviation Safety Authority	
No comments.	No response required.
Sydney Airport Corporation	
No comments.	No response required.

5.1.2. City of Sydney Comments

Table 3 Response to Public Authority Submissions – Northern Precinct SSD DA

Comment	Response
Social Planning and community land uses	
<p>Affordable housing - The development must be held to provide the affordable housing in perpetuity as previously promised and in accordance with the statutory provisions (Clause 6.45 (2)) applicable to the Metro Quarter.</p>	<p>It is acknowledged that the proposal seeks to reduce the site wide residential floor space, in lieu of creating more commercial floor space within Building 1. The Waterloo Metro Quarter site will provide 70 social housing dwellings and 24 affordable housing dwellings which exceeds 5% of the proposed residential GFA. Social housing is proposed to be located within Building 4, whereas affordable housing is to be located within Building 2. The proposed affordable housing dwellings within Building 2 have a minimum area 50sqm (GFA). Affordable housing is proposed to be located within the Central Precinct (SSD-10439) will dedicated to a community housing operator to be utilised as affordable housing in perpetuity.</p>
<p>A wholistic approach to development - The developer and DPIE are to have greater consideration to the provision of community infrastructure and the future redevelopment of the Waterloo Estate to avoid duplication of infrastructure, provide flexible spaces for community uses and adequately meet the needs of the community in the decades to come.</p>	<p>This amending concept DA seeks to deliver a greater percentage of GFA to employment generating floor space, ensuring the long term viability of the site and surrounds. This floor space has strategically been located above a high frequency public transport network further enhancing this offering.</p>
<p>Engaging with the community - The development must imbed commitments to culturally appropriate design and community consultation in future contracts and tenders.</p>	<p>Not applicable to this amending concept DA.</p>
<p>Centre-based childcare</p>	<p>Not applicable to this amending concept DA. Refer to the Central SSD-10439 RtS.</p>
<p>Social enterprise café</p>	<p>Not applicable to this amending concept DA. Refer to the Central SSD-10439 RtS.</p>
<p>Makerspace</p>	<p>Not applicable to this amending concept DA. Refer to the Southern SSD-10437 RtS.</p>
<p>Place Manager - Further information regarding the role of a place manager to coordinate activities on site.</p>	<p>A place manager will be appointed by the Precinct Leadership Group to administer activation and place making activities.</p> <p>This role will be filled prior to practical completion and will be the point of contact for the community</p>

Comment	Response
	<p>on all (non-metro) issues related to the development.</p> <p>The role is yet to be fully defined by the Precinct Leadership Group however it is expected to have a stated mission to support positive social, cultural and environmental interactions between the community, commuters, visitors, tenants and residents. Practically, this will include both a community engagement role as well as administrative tasks around events and space management.</p>
<p>Voluntary Planning Agreement - Any Planning Agreement should address the provision of a place manager and require the social enterprise cafe and makerspace to be operated by an appropriate NGO, NFP or other suitable organisation in perpetuity, negotiated in consultation with the City of Sydney.</p>	<p>While not directly related to the amending concept DA, a Voluntary Planning Agreement is not proposed to be entered into in order to satisfy condition A12 of the concept approval (SSD 9393). The requirement for community facilities is satisfied through the provision of a centre-based childcare facility to be operated by a non-for-profit entity as outlined in the EIS for SSD-10439.</p>
<p>Non-compliance with development standards</p>	
<p>Location of loading facilities - It would have been preferable for loading facilities to be co-located underground within the basement car park to allow for greater activation on these streets and reduce vehicle crossings across the site. However, it is acknowledged that this option would require excavation under the Church which does not form part of the application site and that the driveway is required on Botany Road for servicing the metro.</p>	<p>This comment is noted.</p> <p>Service vehicle entry points conceptually proposed under this amending concept DA have been located as envisaged under the Concept SSD DA to ensure the overall site operations and functionality of both the metro station and the commercial aspect of the remaining development.</p>
<p>Design Excellence</p>	
<p>Wind – concerned regarding the Raglan Street and Cope Street plazas and areas surrounding the retail tenancies for sitting and outdoor dining. The development fails to satisfy Section 3G of the Waterloo Metro Quarter Design and Amenity Guidelines.</p>	<p>An amended Wind Impact Assessment has been prepared by RWDI and is submitted at Appendix D. This report has been prepared at a site wide level for the detailed SSD DAs. For completeness, the design of Building 1 has been considered as part of this concept amending DA. Key findings from the assessment responding to Council’s comments are outlined below, noting these do not relate directly to the amending concept DA, rather the subsequent detailed design facilitated by this DA.</p> <p>Raglan Street</p>

Comment	Response
	<p>The wind conditions along Raglan Street generally satisfy the standing comfort criteria throughout the year. Localised areas at the eastern and western ends of Raglan Street are exposed to the north-easterly and westerly winds respectively, which interact with the built form resulting in conditions which satisfy the walking criteria. The inclusion of street trees in their initial state and awnings on the subject development is noted to further improve these conditions by helping to filter these winds directed along Raglan Street and reducing downwash winds from the form above. As such, the majority of the Raglan Street area will satisfy the standing criteria.</p> <p>A portion of the Raglan Plaza space is also noted to satisfy the sitting criteria during the summer months. Only one location at the corner of Raglan Street and Botany Road is noted to marginally exceed the standing criteria during the summer months (94% of the time satisfying the criteria).</p> <p>It is noted that as the tree planting along Raglan Street matures, the conditions will further improve, with a large number of locations satisfying the sitting criteria, especially during the cooler winter months.</p> <p>Laneways – areas surrounding retail tenancies</p> <p><u>Raglan Walk</u></p> <p>Wind conditions within Raglan Walk (linking Raglan Street to Cope Street Plaza) are able to benefit from the alignment of the laneway in the north-south direction and self-shielding by the development. The northern end of the laneway is exposed to the north-easterly winds causing a pressure driven flow through the laneway which will generally occur during the summer months of the year when these winds are more prevalent.</p> <p>Conditions within the laneway are more favourable during the winter period, with shielding from the westerly winds. As such conditions equivalent to standing and sitting will be provided for patrons. These conditions are generally unchanged as the landscaping matures, given their location outside of this area.</p> <p><u>Grit Lane</u></p>

Comment	Response
	<p>Grit Lane (linking Botany Road and Cope Street Plaza between Buildings 1 and 2) is exposed to the westerly winds, primarily during the winter months, which has been noted during the concept design phase. This is due to the funnelling of these winds and pressure different between the western and eastern ends of the laneway.</p> <p>During the summer months, the southerly winds are more influential, hence the inclusion of the noted awnings on Building 1 and landscape plan in Cope Street Plaza and along Botany Road will enhance conditions within the laneway providing standing conditions for pedestrians.</p> <p>During the winter months, conditions are noted to be marginally uncomfortable (satisfying walking conditions 94% of the time). The inclusion of the awnings along Building 2 and trees planting at the Botany Road end of the laneway are noted to enable walking conditions at the western end of the laneway, reducing to standing conditions further to the east within the laneway. These conditions are generally unchanged as the landscaping matures, given their location outside of this area.</p>
Building 1 – Amending Application	
<p>a. Clause 6.45(2)(d) requires consideration of the Waterloo Metro Design and Amenity Guidelines prior to determining the application.</p>	<p>Noted.</p> <p>Minor amendments are proposed to the WMQ Design and Amenity Guidelines which are provided at Appendix C and addressed in Section 7.1 (as applicable to the Northern Precinct SSD DA).</p>
<p>b. The analysis provided does not demonstrate that Design Criteria 4 of Design Guideline 3M is met and does not respond to the specificity of the criteria, which requires analysis of both ‘at grade’ areas and living rooms windows (living rooms windows are not addressed).</p> <p>The analysis does not acknowledge that properties to the south of the site are impacted to an extent which exceeds the criteria.</p> <p>The Guideline also does not distinguish residential properties by whether they are within a Heritage Conservation Area.</p> <p>The overshadowing analysis indicates a very minor reduction only in overshadowing to Alexandria Park</p>	<p>This amending concept DA seeks to modify:</p> <ul style="list-style-type: none"> ▪ The envelope of Building 1 to enable a midrise envelope that supports the proposed commercial uses in line with the strategic purpose of the Camperdown-Ultimo place strategy and City of Sydney Local Strategic Planning Statement. ▪ The envelope of Building 1 to reduce the maximum permitted tower height commensurate with a reallocation of floorspace from residential to commercial uses.

Comment	Response
<p>between 9am and 10am. The application therefore does not achieve the improvements anticipated in the Guidelines to improve solar access to Alexandria Park through detailed design by reducing the northern tower only, which is not responsible for the non-compliant overshadowing of Alexandria Park.</p> <p>A better urban design strategy would be to reduce the height of that part of the envelope which caused the noncompliant overshadowing.</p>	<ul style="list-style-type: none"> ▪ The envelope of Building 2 to adjust the podium and tower relationship facing Cope Street Plaza to the East. <p>As a result, the analysis of the solar impact for the amended envelope was focused to those areas where the impact previously assessed under SSD-9393 has changed.</p> <p>A Supplementary Solar Impact Assessment has been prepared within the supplementary Architectural Design Report, included at Appendix A. As shown in the report, figures 2.1.1-2.1.7 demonstrate that overall, potential overshadowing to surrounding residential dwellings has been reduced throughout the day as a direct result of the amendments to the concept approval.</p> <p>This changed impact does not remove the requirement for subsequent detailed DAs within the amended envelope to ensure compliance with the provisions of 3A and 3M of the design quality guidelines. This impact will be the subject of detailed reporting prepared by RWDI in support of the detailed SSD DAs. It is noted that the resultant impact of the detailed design of the Northern Precinct by way of SSD 10440 has further reduced this impact.</p> <p>No changes are proposed to the approved enveloped under SSD 9393 that would affect the previously assessed impact which at the time was deemed appropriate for a complex urban centre.</p> <p>Additional analysis undertaken by Hassell to understand the extent of improvement between SSD-9393 and the specific development proposals for the North, Central and South Precinct Buildings has demonstrated that previous expectations of compliance under the approved SSD 9393 were inaccurate with the improved overshadowing provided under SSD-10439 (Central Precinct) and SSD-10437 (Southern Precinct) by the proponent to Alexandria Park in the context of a complex urban environment.</p> <p>The analysis provided in Appendix A demonstrates that on the winter solstice, the amended envelope results in a significant decrease in overshadowing of Building 2 by Building 1.</p>

Comment	Response
Building 1 (Northern Precinct)	
b. Building Expression	Not relevant to the amending concept DA. Addressed in SSD-10440.
c. Active frontages – Almost 50% of the Botany Road frontage is occupied by non-active uses.	To support minor variations to clause 7.19 of the SLEP 2012, a detailed Clause 4.6 Variation Request has been prepared to support the detailed SSD DA for the Northern and Southern Precincts. These requests, despite not being directly related to the changes sought under this amending concept DA, have demonstrated they are supportable under the provisions of Clause 4.6 of the SLEP 2012.
d. Sun-Shading and Urban Heat	Not relevant to SSD-10441.
e. Glazing	Not relevant to SSD-10441.
f. Materials	Not relevant to SSD-10441
Building 2 (Central Precinct)	Not relevant to SSD-10441
Buildings 3 and 4 (Southern Precinct)	Not relevant to SSD-10441
Amenity – Central Residential Building	Not relevant to SSD-10441
Amenity – Students	Not relevant to SSD-10441
Amenity – Social Housing	Not relevant to SSD-10441
Natural ventilation and noise	Not relevant to SSD-10441
Landscaping	Not relevant to SSD-10441
Tree Protection	
43. City does not support the high number of trees and existing canopy coverage proposed for removal.	There are 13 trees in total located around the site. These include: <ul style="list-style-type: none"> ▪ Wellington Street – 3 trees ▪ Botany Road – 8 trees ▪ Raglan Street – 2 trees Under the CSSI consent, approval was granted for the removal of 8 trees.

Comment	Response
	<p>Consent is sought under the detailed SSD DAs for the removal of the remaining five trees locating on Wellington Street and Botany Road.</p> <p>A significant amount of replating will occur throughout the WMQ precinct, via both at grade planting and rooftop planting. This detail is covered under the detailed SSD DAs.</p> <p>This amending concept DA does not seek consent for the removal of any vegetation from around the site.</p>
<p>44. The redevelopment of Waterloo Metro will result in a significant loss of existing tree canopy. The various NSW Government documents should be applied to this site, retain medium-high 14 significance trees and increase the canopy coverage of the area including more tree planting within the site.</p>	<p>This amending concept DA does not seek consent for the removal of any mature vegetation. Nonetheless, it is noted that the detailed SSD DAs have considered a site wide approach to replanting, ensuring once redeveloped the site will incorporate sufficient to achieve green canopy cover.</p> <p>In addition to this, it is noted that the proposal is consistent with the NSW Government policy which seeks to retain medium-high significance trees and increase the canopy coverage of the area. The proposal removes only five trees of low to medium retention value.</p>
<p>45. Existing street trees and trees with medium-high retention values must be retained and protected.</p>	<p>An Arborist Report has been prepared by Urban Forestry Australia and was submitted with SSD-10437. No trees proposed for removal have a high retention value.</p> <p>The arborist has assigned the following retention values to the trees proposed for removal:</p> <ul style="list-style-type: none"> ▪ Low retention value – 1x ▪ Low to Medium retention value – 1x ▪ Medium retention value – 3x <p>Trees of medium retention value have been deemed necessary due to the proposed extent of the works at a site wide level. The proposed loss of vegetation has been considered appropriate in the context of the replanting strategy considered at a site wide level.</p>
<p>46. The location of any new driveway must ensure it does not require the removal of any existing street tree. The driveway shall be appropriately</p>	<p>Not relevant to SSD-10441, which does not seek to alter driveway locations.</p>

Comment	Response
setback so as it does not adversely impact on any existing street trees both below and above ground.	
<p>47. All trees to be retained must be in accordance with <i>AS 4970-2009 Protection of Trees on Development Sites</i>, a Project Arborist must be engaged to assist with tree management advice during the various stages of the design and construction process.</p> <p>City staff met with the developer on 23 November 2020 where a commitment was made to provide the City with detailed sub-service plans (existing and proposed) within the TPZ and SRZ of existing trees and greater detail of their trenching (size, location etc). The developer also committed to undertake exploratory root investigations to inform location of new services. This information must be provided in the Response to Submissions.</p>	Not relevant to SSD-10441
<p>48. The protection and retention of all existing street trees is a priority for the City of Sydney. Street trees are long term assets that the community highly values. The City of Sydney Street Tree Master Plan includes general street tree protection measures and conditions that must be followed. See Section 8 of the document.</p>	Not relevant to SSD-10441
<p>49. The designers must liaise with an AQF Level 5 Arborist to design a development that will accommodate the retention of street trees and trees with medium/high retention values that will have minimal impact on the long-term viability of these trees, where possible.</p>	Not relevant to SSD-10441
<p>50. All new street trees must be planted in accordance with the City's STMP 2011, this includes species, adequate spacing (refer to Part D Section 2.2 STMP), soil and tree pit type etc.</p>	Not relevant to SSD-10441
<p>51. Newly planted trees must meet Australian Standard 2303: Tree Stock for Landscape Use (2015).</p>	Not relevant to SSD-10441
<p>52. All street tree plantings must be in accordance with the City's Street Tree Master Plan 2011. The street trees must be a minimum container size of 200 litres, at the time of planting and stock must be sourced well in advance.</p>	Not relevant to SSD-10441

Comment	Response
Heritage	
<p>Construction Management – request CMP includes specific construction methodology strategies to ensure that bulk excavation adjacent to the Waterloo Congregational Church will have no physical impact on the stability of the ground beneath.</p>	<p>This amending concept DA does not seek consent for physical construction, rather these works are accounted for under the detailed SSD DA applications. For completeness however, a CEMP was developed by John Holland dated 30 September 2020 and included at Appendix Q of the amending concept DA EIS to demonstrate consideration of the construction impacts the subsequent detailed applications will produce. It is noted that this CEMP will be further developed prior to commencement of construction and address specific construction methodology strategies to ensure that bulk excavation adjacent to the Waterloo Congregational Church will have no physical impact on the stability of the ground beneath.</p>
<p>54. A detailed dilapidation report of the church and surrounds to record the existing conditions should be prepared and submitted for approval prior to works commencing on site.</p>	<p>Noted. Not relevant to SSD-10441</p>
<p>55. If any damage to the church fabric occurs during the excavation or the construction, it should be reported to DPIE and City of Sydney along with a remediation report to rectify the works in consultation with the heritage consultant.</p>	<p>Noted. Not relevant to SSD-10441</p>
<p>56. Vibration measurements should be conducted on the structure of the Waterloo Congregational Church to ensure the vibration generated on the structure does not exceed the values for cosmetic damage and structural damage outlined in BS 7385 and DIN 4150.</p>	<p>Noted. Not relevant to SSD-10441</p>
<p>57. Detailed material, colours and finishes schedule and sample boards to be provided for all the buildings.</p>	<p>Not relevant to SSD-10441</p>
<p>58. A detailed Heritage Interpretation Strategy should be prepared in consultation with the Council, implemented prior to OC and certified by their Heritage Consultant to Council's satisfaction. The HIS should be developed in conjunction with the Landscape and Public Art strategies.</p>	<p>Noted.</p>
<p>59. Adopt all heritage and archaeology related recommendations and strategies in the Heritage</p>	<p>Noted. All heritage and archaeology related recommendations and strategies in the Heritage</p>

Comment	Response
Impact Statement, Geotechnical Report, Structural Report, Public Art Strategy, Landscaping Strategy and Heritage Interpretation Strategy.	Impact Statement, Geotechnical Report, Structural Report, Public Art Strategy, Landscaping Strategy and Heritage Interpretation Strategy will be implemented.
Transport	
<p>60. Walking access</p> <p>(a) Concerned regarding pedestrian priority and functionality of the new shared street and the surrounding intersections during peak hours (having regard to Section 3D of the Waterloo Metro Design and Amenity Guide), particularly morning peak is of concern.</p> <p>Vehicle parking on the site should be constrained further to reduce conflicts between people walking to and from the site and people driving through the shared zone.</p>	Not relevant to SSD-10441
<p>(b) It is recommended that level of service for walking follow Transport for NSW's guidance to ensure that sufficient space is provided to achieve comfortable environments which encourage people to walk as relevant to the NSW context.</p>	Not relevant to SSD-10441
<p>61. Vehicle parking</p> <p>(a) The vehicle parking proposed for residential and commercial use is excessive for a transit-oriented development and should be minimised.</p>	<p>The Waterloo Metro Quarter has site specific parking controls set out through the WMQ Design Guidelines, Concept SSD 9393 conditions of consent and the SDCP 2013 which contemplated the proposed parking provisions for the site and future development. The required parking spaces, for which consent is sought under SSD-10438, are considered relevant to this amending concept DA due to the reallocation of floor space from residential to commercial.</p> <p>The proposal incorporates parking below the maximum permissible rates to reduce private vehicle dependence and encourage active and sustainable modes of transport (supported by the delivery of compliant bicycle parking provisions and EOTF).</p> <p>The beforementioned controls permit a total of 272 parking spaces for all proposed uses. The basement provides a total of 155 spaces which is well below the maximum permissible rates (approximately 43% below).</p>

Comment	Response
	<p>Ptc ad the project traffic engineers have identified that the proposed residential parking provisions for the Building 2 represents 84% of the maximum SLEP provision and almost half the current average for the Waterloo area. In addition, ptc state that the proposed commercial office parking provisions for Building 1 represents 80% of the maximum SLEP provision and is suitable to service the estimate occupancy of over 3,000 commercial workers.</p> <p>Overall, the proposed parking provisions are consistent with the controls applying to the site and suitable to support the land uses as envisaged. The proposal has struck a balance between providing parking below the maximum permissible rates to reduce private vehicle dependency and encourage active/sustainable transport, whilst also alleviating on-street parking pressures within the surrounds. Further to this point, whilst the WMQ destination is well connected, the origin from where people are travelling from may not be.</p>
<p>(b) The amount of parking directly impacts the overall objective of the new metro line which aims to reduce reliance on cars.</p> <p>The mode share targets to shift private car users to public and active transport uses will never be achieved without making the parking supply competitive.</p>	<p>Not relevant to SSD-10441</p>
<p>(c) DPIE are strongly advised to insist the proponent work together with the development partners, TfNSW, RMS and strive for 'zero' car parking provision or absolute minimums.</p>	<p>Not relevant to SSD-10441</p>
<p>(d) If parking is to be provided, accessible car parking space provision should be prioritised and provided for as per SDCP. All accessible car spaces are to be allocated to adaptable units.</p>	<p>Not relevant to SSD-10441</p>
<p>(e) Parking for loading and servicing should be prioritised over general vehicle parking. Given the rate of vehicle parking provided the site should provide for the required amount of loading and servicing.</p>	<p>Not relevant to SSD-10441</p>
<p>62. Traffic modelling</p>	<p>Not relevant to SSD-10441</p>
<p>63. Bike parking</p>	<p>Not relevant to SSD-10441</p>

Comment	Response
64. Loading and servicing	Not relevant to SSD-10441
65 – 68. Sustainable development	Not relevant to SSD-10441
68 – 71. Public Art	Not relevant to SSD-10441
Waste	
72. Requests that the developer use the waste calculator and demonstrate that sufficient area has been provided to meet the needs of each use proposed on site. Please note that the City discourages more than 3 collections per week to minimise traffic movements.	Not relevant to SSD-10441.
73. The turntable is to be a minimum dimension of 10.5 metres in accordance with the City's Guidelines for Waste Management and Section 3P of the Waterloo Metro Design and Amenity Guidelines.	Not relevant to SSD-10441.
74. Sufficient space must be provided for food waste for each relevant use. The City is trialling a food waste collection service and the developer is encouraged to make provision for this service, rather than providing on-site composting which in the City's experience is likely to fail. Again, the Guidelines for Waste Management in New Development provides suitable provisions.	Not relevant to SSD-10441.
Signage	
75. Insufficient information such as form, size, siting, materiality, illumination and proliferation, has been provided to support the indicative signage zones. It is recommended that a wholistic signage strategy be the subject of a separate application to Council post consent.	Not relevant to SSD-10441. Consent is sought for the installation of three signs including top of building signage and smaller building entry signage under the detailed SSD DA for the Northern Precinct. As such, a response to this item has been included under the RTS package for Building 1 within the northern precinct and Building 3 in the southern precinct.
76. Do not support top of building signs to the commercial and student housing buildings. The proposal is inconsistent with the Schedule 1 Assessment Criteria under <i>State Environmental Planning Policy 64 – Advertising and Signage</i> as top of building signs are prohibited within this location in accordance with sections 3.16.5.2 and 3.16.12.15 of the SDCP. Furthermore, the signs	Not relevant to SSD-10441.

Comment	Response
are not accommodated under the Waterloo Metro Quarter Design and Amenity Guidelines.	
77. As top of building signs are not common in the locality and are not accommodated within existing planning policies, they cannot be considered reflective of either the existing or desired future characters of the area. Support for these signs will establish an unacceptable precedent for future development in the area and should therefore be refused.	Not relevant to SSD-10441.
Public domain	
78. Public domain works - There is a discrepancy between the scope of works to be undertaken by the station development under CSSI and these SSDs. It is strongly recommended that the Interface Agreement and the scope of public domain work is agreed prior to the detailed design SSDs being approved.	Not relevant to SSD-10441.
79. Flood planning - Each application has its own site-specific flood assessment which is based on the proposed building layout to produce flood planning levels for the individual precincts. The flood planning levels specified in the assessment are in accordance with Councils Interim flood plain management policy with the exception of a retail strip fronting Botany Road identified as retail area 11 in the Central precinct. In this case the proposed floor levels of 15.2m AHD are below the flood planning level of 15.7m AHD. The flood planning level being the 1% AEP flood level for retail floor space.	Not relevant to SSD-10441.
80. The reason given for the non-compliance is the relatively small areas of retail floor space available does not allow for adequate DDA compliant ramping from the surrounding Botany road public domain level. This reasoning is not supported and given this is a new development with no site constraints, compliance with the required flood planning levels should be achieved. The depth of flooding in the proposed retail space of up to 500mm during the 1% AEP storm is not acceptable	Not relevant to SSD-10441.
81. Public access - A public access easement (or similar) is required for the private land along Botany Road and Raglan Street. The buildings along these	Not relevant to SSD-10441.

Comment	Response
frontages have been set back to allow for public access but a formal guarantee is required so that these access paths will remain in perpetuity.	

6. RESPONSE TO COMMUNITY AND ORGANISATION SUBMISSIONS

Detailed responses to both the public and organisational submissions have been provided in the tables below.

Table 4 Response to Public Submissions

Comment	Response
Adequate provision of social and affordable housing	
<ul style="list-style-type: none"> ▪ Inadequate provision of social housing. ▪ Reduction of affordable housing units in comparison to the concept approval, noting the changes specifically to increased commercial GFA across the precinct. ▪ Over provision of other types of uses, e.g. commercial and student housing. Should reconsider the provision of commercial spaces from the change in office demand due to COVID 19. 	<ul style="list-style-type: none"> ▪ The Waterloo Metro Quarter development will provide a total of 70 social housing dwellings, which is consistent with the concept DA conditions of consent. ▪ 24 affordable housing dwellings are proposed, which exceeds 5% of the total residential GFA within the Waterloo Metro Quarter as required under clause 6.45 of the SLEP 2012 and concept DA conditions of consent. ▪ Overall, the proposed Waterloo Metro Quarter development is anticipated to create a vibrant mixed-use precinct on the fringe of the Sydney CBD. The proposed mixed of uses are supported by the market assessment identifying demand for the proposed uses. ▪ The proposed commercial use will deliver more readily available employment opportunities by integrating new commercial floor space with high frequency public transport network connecting to Sydney CBD and other strategic centres across the city.
Provision of car parking	
<ul style="list-style-type: none"> ▪ Should provide greater number of car share vehicle spaces. ▪ Too much parking space. ▪ Not enough car parking provided for the residential units. ▪ Should consider power points for installation of car charging stations in each car parking space. ▪ Inadequate car parking space for residential units, support workers, care providers, nursing staff and student 	<ul style="list-style-type: none"> ▪ The proposed Waterloo Metro Quarter development provides car share parking for the residential and commercial land uses in accordance with the guidelines and concept DA (SSD 9393) conditions of consent. The basement incorporates four car share parking bays, two each for Building 1 and 2. ▪ Overall, a maximum of 155 car parking spaces is proposed to support the operation of the commercial Building 1, residential Building 2, social housing Building 4, car share provisions for the wider Waterloo Metro Quarter site, and spaces to service the Waterloo Congregational Church and Sydney metro users. The provision of car spaces is less than what is permitted under the concept DA conditions of

Comment	Response
<p>accommodation - may create adverse impact on the local streets.</p> <ul style="list-style-type: none"> ▪ Project requires more consideration of providing more parking for units and student accommodation to minimise impacts on local streets 	<p>consent. This is to support a reduction in the reliance of private vehicle ownership across the Waterloo Metro Quarter site, which is consistent with government sustainability initiatives.</p> <ul style="list-style-type: none"> ▪ Car charging station could be considered as part of detailed design and subsequent detailed SSDAs, however does not form part of this amending concept DA. ▪ No car parking is proposed for the student accommodation component, which is consistent with the numerous similar student accommodation developments in the area (e.g; Iglu Broadway, Urban Nest Newtown etc).
Traffic generation and traffic impacts	
<ul style="list-style-type: none"> ▪ Consider winding of Botany Road for additional bus lane. ▪ There is no bus stopping bay at the Waterloo station on Botany Road. Busses may block a lane on the extremely busy Botany Road. ▪ The proposed southern loading dock on Wellington Street is concerning for pedestrian, cyclists and driver safety. The location of the loading dock will also create traffic congestion on Wellington Street, as a number of vehicles wait to access the loading dock area on a very small stretch of road on Wellington Street. The loading dock should be relocated to Botany road to create a more effective and safer access and exit point. ▪ Increase traffic congestion on surrounding road network. 	<ul style="list-style-type: none"> ▪ Botany Road is a publicly owned and managed road situated outside the property boundary and scope of this proposal. ▪ There are two new bus stops provided on Raglan Street and Botany Road. Widened footpaths around the perimeter of the precinct will enable waiting bus passengers to safely queue whilst also allowing pedestrians to pass. ▪ The traffic assessment and SIDRA model concludes that in the 2036 scenarios, Wellington Street/Cope Street and Wellington Street/Botany Road intersection will operate in good condition during the AM peak hour, and good to good with acceptable delays condition during the PM hour. ▪ Management of loading docks, including access from Wellington Street will be guided by the Freight and Servicing Management Plan, which will include measures to ensure the safety of pedestrian, cyclists and other potential users of this space both internal and external to the site. ▪ The projected peak hour trip generation associated with the Waterloo Metro Quarter basement car park is approximately 57 trips. This represents a net reduction of 41 trips when compared to the concept DA, which projected 98 trips. The overall projected traffic generation of 57 vehicles is deemed a low traffic volume (approximately 1 per minute).
Increased pedestrian movement	

Comment	Response
<ul style="list-style-type: none"> ▪ Future increased pedestrian movement across Botany Rd and Wyndham St should be considered. ▪ Adequate provision of pedestrian crossing should be considered for safety. 	<p>Modelling and analysis of the existing and future pedestrian and cyclist movement, connectivity and circulation within the extent of the site and to surrounding areas have been assessed in the Pedestrian Modelling Report prepared by WSP.</p> <p>The Waterloo Metro Quarter precinct design is compliant with the project requirements under the 2056 assessment scenario within the internal walkways, footpath surrounding the site, Raglan Street and Botany Road and Raglan Street and Cope Street intersections, Botany Road bus stops.</p> <p>A new pedestrian crossing on Botany Road will provide direct connection to the proposed Grit Lane and the metro stations, providing safe pedestrian connection into the site.</p>
Overshadowing, privacy, view and visual impacts to neighbouring residences	
<ul style="list-style-type: none"> ▪ Development should consider overshadow impact on existing buildings to the east. ▪ The project will have significant view impact to the eastern boundary of the Alexandria Park Heritage Conservation Area and Alexandria Park. The loss of crucial access to sky views from these areas would damage vital heritage value for the area. 	<ul style="list-style-type: none"> ▪ Majority of the overshadow falls to the west and south of the site. Additional modelling on solar impacts has been undertaken for neighbouring dwellings to the west and south of the site. ▪ Cardno prepared a Visual Impact Assessment which supported the amending concept DA EIS. This VIA identifies the visual changes from the concept DA built form and the proposed detailed built form, including view from Alexandria Park. Distant views along view corridors within the conservation area are rare towards the site and the location of the proposed development. As such, the proposal would have a negligible, if any, visual impact on the conservation area. ▪ It is noted that with an additional reduction in building height for the Northern Precinct, the proposed detailed design will result in a lesser impact.
Overshadowing and amenity of existing and proposed public open space and conservation area	
<ul style="list-style-type: none"> ▪ Height of the Northern Precinct building should be reduced to increase solar to the proposed public open space and Alexandria Park. ▪ The development should maximum the amount of solar into adjacent apartments. 	<p>A Supplementary Solar Impact Assessment has been prepared within the supplementary Architectural Design Report, included at Appendix A. As shown in the report, figures 2.1.1-2.1.7 demonstrate that overall, potential overshadowing to surrounding residential dwellings has been reduced throughout the day as a direct result of the amendments to the concept application are proposed.</p> <p>This changed impact does not remove the requirement for subsequent detailed DAs within the amended envelope to</p>

Comment	Response
<ul style="list-style-type: none"> ▪ The development shadows Alexandria Park Heritage Conservation Area in Winter Solstice 9am-11am and Equinox 9am-10am. This results in: <ul style="list-style-type: none"> – Significant impact on heritage east-west facing, adjoining terraces with loss of crucial morning sunlight for significant periods of the year. – Significant impact on heritage value of Alexandria Park that provides civic and visual focus for the Alexandria Park Heritage Conservation Area. 	<p>ensure compliance with the provisions of 3A and 3M of the design quality guidelines. This impact will be the subject of detailed reporting prepared by RWDI in support of the detailed SSD DAs.</p>
Commentary on overall architectural quality of the proposed designs	
<ul style="list-style-type: none"> ▪ Inconsistent with the context and character of Waterloo. ▪ Design of the development should consider transition to lower scale residential area and the urban landscape. ▪ The Northern Precinct is a cultural and visual clash with the three 19th century heritage buildings at the intersection of Botany Road/Ragland St/Henderson Rd. ▪ The Northern Precinct should have a similar scale and height to the central and northern precincts. ▪ The student housing building is inconsistent with the scale of the surrounding context. ▪ The materiality and design of the Central building is inconsistent with the character of Waterloo and the nearby heritage conservation area/item. ▪ The three precincts should be considered as whole. 	<p>The amending concept DA proposes to reduce the building envelope heights from that which was approved.</p> <p>Carefully considered articulation has resulting in providing a visual transition of scale of building mass to the surrounding context as dealt with under the RtS for SSD 10440.</p> <p>Buildings and public domain have benefited from an extensive DRP process and the team has focused on developing highly distinctive buildings while also ensuring the precinct remains cohesive.</p> <p>A diverse palette of building materials and finishes have been employed to provide visual interest with a focus on highly detailed podium structures. This is documented within the detailed SSD DAs.</p> <p>Overall, the proposed development delivers a built form that is responsive to the context of the existing and future desired character of the site and the surrounding area of Waterloo including, the heritage conservation area.</p> <p>Nonetheless, this amending concept DA does not preclude the subsequent detailed SSDAs from delivering on high quality architectural form and materiality.</p>
Public open space	
<ul style="list-style-type: none"> ▪ The land/plaza around the buildings will be privately owned by the Developer – 	<ul style="list-style-type: none"> ▪ All proposed public domain space, including Cope Street Plaza are publicly accessible. It is managed by

Comment	Response
<p>does this mean that the public has no access to these areas.</p> <ul style="list-style-type: none"> ▪ More public open space and green recreational open space should be provided for the increased population. 	<p>Mirvac, however the public open space will not restrict public access.</p> <ul style="list-style-type: none"> ▪ The overall Waterloo Metro Quarter site achieves 10.7% deep soil coverage, exceeding the DCP and ADG guidelines. ▪ The proposed Cope Street Plaza provides 1,325m² of public open space. Raglan Street plaza provides 875m² of open space. The combined area of new public domain is 2,680m², which exceeds the required 2,200m² under the WMQ Design Guidelines and is able to achieve the best public domain outcome for the site.

Table 5 Response to Organisation Submissions

Comments	Response
Counterpoint Community Services Inc	
<p>Community consultation concerns:</p> <p>The pre-lodgement consultations were significantly disadvantaged by Covid19 restrictions and the effectiveness of which questionable.</p>	<p>The timeframe for engagement coincided with the restrictions imposed to respond to the COVID 19 pandemic. Accordingly, engagement activities were modified to comply with restriction requirements to minimise community exposure and transmission.</p> <p>Various strategies were implemented to ensure collaborative community involvement in the project. This included online forums, targeted emails to stakeholders and invitations to contact the Stakeholder Manager to discuss issues and opportunities relating to the design of the Waterloo Integrated Development Site as well as construction impacts. A specific program to engage with Aboriginal stakeholders was also undertaken by Murawin, an Aboriginal placemaking consultancy.</p> <p>Specific community consultation actions are summaries in the details SSD DAs, however occurred between 11 May 2020 and 1 July 2020. The events which occurred during this time were notified by:</p> <ul style="list-style-type: none"> ▪ Emails to approximately 1700 subscribers. ▪ Flyers distributed to 5000 properties within 500 metres of the site, incorporating residents, landowners, businesses and community groups. ▪ Invitations to community-based groups and organisations.

Comments	Response
<p>General comment on amended proposed plans:</p> <ul style="list-style-type: none"> ▪ No health impact study completed, ▪ It is not clear that planning controls will protect any future request to increase the height. ▪ Preparation of a local employment strategy to ensure targeted employment creation is realistic. 	<p>Key environmental and health issues have been addressed in detail through the EIS report prepared for the SSD DAs.</p> <p>The height of the building is governed by the approved plans and the approved concept DA, any future increase in height limit will need to be sought via a Section 4.55 Variation request to both concept DA and detailed SSD.</p> <p>The Eastern City District Plan includes planning Priorities that directly relates to employment target for the area.</p>
<p>Placemaking /management:</p> <ul style="list-style-type: none"> ▪ Missed opportunity for shared use of facilities in conjunction with the overall Waterloo Redevelopment. ▪ Placemaking strategies are lacking attention to the physical, cultural, and social identities that define Waterloo Metro Quarter and support its ongoing evolution. ▪ Limited details on cultural/community dynamics strategies for residents from different backgrounds. 	<p>Proposed basement and servicing requirements are shared between the uses with the Waterloo Metro Quarter. The proposed public plaza and community facilities will be shared with residents and visitor of the Waterloo area.</p> <p>The Public Art Strategy and Placemaking Strategy has a strong emphasis on recognition and celebration of Aboriginal culture and the multicultural diversity of the area.</p> <p>Comments on diversity and social identify of Waterloo have been noted. There is a commitment to establish a placemaking fund to run events and activations. A place manager will also be employed to coordinate activities on site. As the site is being constructed, the developer will be working with local organisations to explore how this would be curated.</p>
<p>Traffic and pedestrian safety:</p> <ul style="list-style-type: none"> ▪ Adequate pedestrian and bike paths around the Metro Quarter 	<p>Bike and pedestrian paths are provided around the Waterloo Metro Quarter site, which links directly into the regional cycle network via the bike path on Wellington Street.</p>
<p>Northern Precinct:</p> <ul style="list-style-type: none"> ▪ Possible light pollution from the office building at night ▪ No guarantee that commercial aspect will have balanced affordable, space for start-ups or reduced or rent-free space for community providers. 	<p>This comment is noted. Both internal and external lighting will comply with Australian standards to be resolved during the detailed design stage of the development.</p> <p>The commercial floorspace proposed will focus on delivery of a high grade offering above a high frequency public transport network.</p>
<p>Inner Sydney Voice</p>	
<p>Northern Precinct:</p> <ul style="list-style-type: none"> ▪ Too much commercial GFA. 	<p>The proposal aligns with objectives of the Sydney Region Plan: 'A Metropolis of Three Cities' by providing a significant amount of high quality commercial office floor space, and a mix of residential accommodation in a highly</p>

Comments	Response
<ul style="list-style-type: none"> ▪ Changes in the types of businesses currently available will likely impact the affordability of, and access to, key services — including medical care, mental healthcare, and pharmaceuticals. 	<p>accessible location, and by maximising opportunities to leverage off the Waterloo metro station to improve connections from the home and work, thus, supporting the 30- minute city.</p>
REDWatch	
<p>The scale and density of the development will have a major impact on the surrounding community with no adequate infrastructure support.</p>	<p>The Waterloo Metro Quarter development is a transit orientated development supported by planning metro infrastructure.</p> <p>Utility infrastructure has been considered in the Utilities and Infrastructure Servicing Report, which identifies the existing capacity of the site to service the Waterloo Metro Quarter OSD and any augmentation requirements for utilities.</p>
<p>Cumulative impact from this development, and the lack of integration of proposed nearby developments.</p> <p>Impacts on possible open space and the development to the east is not assessed.</p>	<p>Cumulative impacts (traffic, noise, dust, etc.) associated with concurrent construction and operation of station and OSD, and other development in the area have been considered throughout the EIS and technical report submitted to each SSD. Mitigation measures are also recommended to minimise impact.</p> <p>The site is located in close proximity to a number of public open space areas that will be able to accommodate existing and the incoming population. In addition, the development facilitates new public open space including the delivery of the Church Square, expanded footpaths on Botany Road and public domain upgrades.</p>
<p>Northern Precinct:</p> <ul style="list-style-type: none"> ▪ Overshadowing of public plaza and the lack of any winter sunlight after 1pm. ▪ Façade of the commercial building has little / no relation to the surrounding heritage area. It is out of scale, and inconsistent with the character and heritage of the area. This is especially the case for the North West corner of the northern precinct building. 	<p>This amending concept DA seeks to reduce the maximum building height of Building 1 compared to the original concept approval and has consequently improved the solar access to the public plaza. Additional detailed assessment comments on the solar impact on the public plaza are provided with the RtS package for SSD-10440.</p> <p>Additionally, detailed design considerations for Building 1 have been further refined as part of the RtS package for SSD-10440.</p>

7. REVISED PLANNING ASSESSMENT

7.1. ASSESSMENT OF PROPOSED MODIFICATIONS

This section provides an assessment of the amended design proposal against the relevant statutory planning framework including relevant Acts, environmental planning instruments, draft environmental planning instruments, and development control plans under section 4.15 of the EP&A Act.

Table 6 Assessment of amended proposal against relevant statutory planning framework

Consideration	Response
Strategic Planning Context	There are no changes to this amending concept DA, and as such the proposal remains consistent with the strategic planning framework as outlined in the EIS previously submitted with SSD-10441. In particular, the proposal aligns with objectives of the Sydney Region Plan: 'A Metropolis of Three Cities' by providing a significant amount of high quality commercial office floor space, and a mix of residential accommodation in a highly accessible location, and by maximising opportunities to leverage off the Waterloo metro station to improve connections from the home and work, thus, supporting the 30-minute city.
Acts	
<i>Environmental Planning and Assessment Act 1979</i>	The proposed development remains consistent with the objects and general terms of the EP&A Act as outlined in the EIS submitted with SSD-10441.
<i>Biodiversity Conservation Act 2016</i>	The assessment provided in the EIS for SSD-10441 remains applicable and it is noted a BDAR waiver was issued by DPIE and OEHS on 28 July 2020. Additional biodiversity and conservation matters raised by Environment, Energy and Science Group (EES) within DPIE have been addressed in Section 5.1.1 of this report.
SEPPs	
<i>State Environmental Planning Policy (State and Regional Development)</i>	The proposal remains SSD in accordance with clause 12 of the SRD SEPP as a subsequent DA under the concept DA (SSD 9393).
<i>State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)</i>	In accordance with clause 85 and 104 of the Infrastructure SEPP, the application was referred to Sydney Metro and TfNSW for comment. Comments received from TfNSW have been addressed in Section 5.1.1 of this report. It is anticipated that relevant conditions will be included on any consent issued for key traffic and parking documentation to be updated in consultation with the Sydney Coordination Office of TfNSW.
<i>State Environmental Planning Policy (Building Sustainability Index: Basix) 2004</i>	The proposed design amendments to Building 1 (not the subject of this amending concept DA) do not impact upon Building 2 achieving compliance with the BASIX requirements. This matter will be further addressed in the Central Precinct RtS.

Consideration	Response
<p><i>State Environmental Planning Policy</i></p> <p><i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i></p>	<p>The proposed changes amendments to Building 1 (not the subject of this amending concept DA) do not change the proposed footprint and as such, the assessment provided with the EIS submitted with SSD-10441 remains applicable. The site is within an established urban area and all vegetation, buildings and structures has been undertaken under a separate CSSI approval.</p>
<p><i>State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55)</i></p>	<p>Not applicable to this amending concept DA.</p>
<p><i>State Environmental Planning Policy No. 64 (Advertising and Signage) (SEPP 64)</i></p>	<p>Not applicable to this amending concept DA.</p>
<p><i>State Environmental Planning Policy No. 65 (Design Quality Residential Apartment and Apartment Design Guide. (SEPP 55)</i></p>	<p>Not applicable to this amending concept DA.</p>
<p><i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i></p>	<p>As the proposed building envelope is not proposed to be amended from that lodged with the amending concept DA, the assessment provided in the EIS for SSD-10441 remains applicable.</p>
<p><i>Draft State Environmental Planning Policy (Environment)</i></p>	<p>The assessment provided within the EIS remains applicable. The site continues to be defined within the Sydney Harbour Catchment and continues to not be located in any specific zones contemplated by the SREP. On this basis, the previous assessment of the general principles of the SREP remain relevant.</p>
<p><i>Sydney Local Environmental Plan 2012</i></p>	<p>As the proposed building envelope is not proposed to be amended from that lodged with the amending concept DA, the assessment provided in the EIS for SSD-10441 remains applicable.</p>
<p>Design Guidelines / DCP</p>	<p>It is acknowledged that minor amendments have been made to the WMQ Design Guidelines (Appendix C). These changes include updated imagery throughout and changes to the objectives and criteria in Sections 3C, 3D, 3J, 3K and 3N to reflect changes predominantly to Building 1.</p>
<p>Environmental impacts</p>	<p>There are no changes proposed to the amending concept DA in response to the submissions received on the application. Accordingly, there are no changes to the environmental impacts which have been assessed within the EIS submitted with SSD-10441. In particular, it is noted that key issues raised in the submissions with regards to the proposed use, bulk and scale of Building 1 have been further</p>

Consideration	Response
	justified in direct response to the comments provided from TfNSW, City of Sydney and the community.
Social and Economic	The proposed changes do not compromise the assessment of social and economic impacts provided within the EIS submitted with SSD-10441.
Public Interest	As outlined in the EIS submitted with SSD-10441, the proposal remains in the public interest as it primarily supports a commercial land use above a high frequency public transport service. This will result in a reduction in reliance on private vehicles trips generated by commercial floor space through sustainable transport modes, supporting the concept of the '30-minute city'.
Site Suitability	As outlined in the EIS submitted with SSD-10441, the proposed commercial land use sought under the amending concept DA is permitted with consent under the SLEP 2012. As such, the site remains suitable to support the proposed development.

7.2. SUMMARY OF MITIGATION MEASURES (AS AMENDED)

A consolidated set of mitigation measures required for each environmental and social impact was provided in Section 10.2 of EIS submitted with SSD-10441.

For the amending concept DA, consideration has been given to whether the mitigation measures outlined below are consistent with the mitigation measures adopted for the original concept approval, or whether these are new mitigation measures as part of this amending concept DA. Mitigation measures which were labelled as 'new' may not necessarily have resulted from the changes proposed under the amending concept DA, rather result from a more rigorous assessment conducted as part of the application.

As the proposed building envelope is not proposed to be amended from that lodged with the amending concept DA, there has been no identified need to update the mitigation measures submitted with SSD-10441.

8. CONCLUSION

This RtS Report has been prepared by Urbis on behalf of the Waterloo Developer to address the matters raised for SSD-10438 during the public exhibition period from 4 November 2020 to 2 December 2020. The amending concept DA seeks consent to amend the concept SSDA (SSD 9393) approved for the OSD at the Waterloo Metro Quarter site. The subject amending DA is a new concept SSDA made under Section 4.22 of the EP&A Act.

The detailed design of the proposed building envelopes has been the subject of design development and testing and ongoing review from various government and independent parties to ensure that it achieves the highest standard in architectural design, while ensuring a functional interface is delivered with the Sydney metro. The proposed building envelope amendments are considered an improvement upon the approved building envelopes within SSD 9393, and the revised land use mix better reflects the strategic priorities identified for the City Fringe and the Botany Road corridors.

This RtS report provides a thorough consolidated response to address the various issues raised by the DPIE, City of Sydney, public authorities, community organisations and the general public. In response to the comments made, there have been no changes to the development for which consent is sought under this amending concept DA.

This RtS and the EIS previously submitted with SSD-10441 demonstrates that the proposal is appropriate for the site within the Waterloo Metro Quarter site and warrants approval by the NSW Minister for Planning and Public Spaces, for the following reasons:

- The proposal supports the objectives for development within the Eastern City District as outlined within the District Plan. The proposal provides a place for investment and innovation at a suitable scale that can contribute to the Waterloo and Redfern locality to develop as a knowledge intensive cluster, while enhancing urban amenity and local character.
- The proposal results in an orderly and economic use of the land that leverages significant NSW Government investment in public transport to the site, specifically Sydney metro. The mix of uses provides activation through various times of the day, optimising use of the new metro infrastructure throughout the day.
- The proposal will deliver approximately 34,125sqm of commercial office floor space, rather than a third residential tower. This ensures employment generating floor space is located above and adjacent to high frequency public transport, supporting the ambition for a 30-minute city.
- The remaining residential accommodation proposed across the site meets the diverse housing needs of the community through the provision of social housing, affordable housing, traditional market housing, and student accommodation. A mix of dwellings typologies and unit mix is also facilitated through the building envelopes.
- The proposal satisfies the applicable State planning policies and relevant environmental planning instruments that apply to the site. The proposed uses are permitted with consent and meet the objectives of the B4 Mixed Use zone in SLEP 2012.
- The proposed envelopes facilitate the delivery of through-site links to improve the walkability and amenity of the precinct and provide connected places within the precinct to support knowledge sharing and collaboration between diverse businesses and institutions.
- The proposal delivers a genuine mixed-use precinct that celebrates distinct economic, social, heritage and cultural characteristics of Waterloo.
- The proposed building envelope amendments enhance the ability of future development on the Waterloo Metro Quarter site to achieve consistency with SEPP 65 and the Apartment Design Guide.
- The proposed building envelope amendments reducing the maximum height of buildings within the northern precinct by 26.5m and removes overshadowing from the building to the Alexandria Park Heritage Conservation Area compared to the original approved envelope.
- The proposed amendments reduce the total provision of car parking spaces on the site, supporting sustainability initiatives and reducing the reliance of private vehicle ownership within the precinct.

When considered on balance, this amending concept DA proposal will contribute positively to the built

environment, and the future social and economic life of the precinct, without adversely impacting local amenity. In view of the above, we consider this RtS package confirms that the amending concept DA is in the public interest and should be approved subject to appropriate conditions.

9. DISCLAIMER

This report is dated 24 March 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of WL DEVELOPER PTY LTD (**Instructing Party**) for the purpose of Response to Submissions (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

**AMENDED ARCHITECTURAL DESIGN
REPORT**

APPENDIX B

AMENDED DESIGN INTEGRITY REPORT

APPENDIX C

AMENDED DESIGN GUIDELINES

APPENDIX D

**PEDESTRIAN WIND ENVIRONMENT
ASSESSMENT**

