

Appendix A – Response to Submissions Tables

A response to the key matters raised within the public submissions received during the public exhibition period is provided in the following table.

Table 1 Responses to Community Submissions

Matter Raised	Applicant Response
<i>Height, Bulk and Scale</i>	
The proposed heights will overwhelm existing properties creating a sense of enclosure.	The proposed building heights have been established through a coordinated consideration of the desired future character of the precinct, the applicable planning framework, site topography, building separation, setbacks and the relationship of future development to adjoining properties. While the proposed future development will result in a change from the existing built form, the proposed heights are not expected to create a sense of enclosure through the introduction of maximum street wall heights. The reference scheme that accompanies the Concept SSDA and Rezoning Proposal does not comprise detailed designs including façade design or detailed building articulation elements which will be shown in future detailed applications. An assessment of the impacts of the proposed building heights and built form is included in Section 9 of the submitted EIS and Section 6 of the Rezoning Report (Appendix KK of the submitted EIS). Further assessment has been provided within Section 3 and Section 4 of the Response to Submissions (RtS) Report.
Concerns regarding increased height and density within an already constrained urban area.	The maximum permitted density upon the site is not proposed to be changed as part of this Rezoning Proposal and Concept SSDA, noting the maximum permitted gross floor area (GFA) of 282,485.1sqm is the maximum available under the current planning controls, when considering the maximum FSR under the Sydney LEP 2012 inclusive of the 10% Design Excellence bonus. It is noted that any additional FSR proposed as part of the RtS Report that relates to the proposed parks was provided at the request of the City of Sydney and has not been accounted for in the maximum proposed under the Concept SSDA (refer to Section 3.1.1 of the RtS Report).
Void [blank] walls up to 8 storeys will be visible from the private properties within SP79210 (inclusive of 233-245 Cope Street and 111, 123 & 127 Cooper Street).	The proposed Concept SSDA Envelopes require a minimum 3m setback above Level 1 to the northern boundary of Building 2D. It is noted this boundary is shared with the existing residential development at 233-245 Cope Street and 111, 123 & 127 Cooper Street. No ground level setback is proposed to account for the future vehicular access to the privately owned properties should they redevelop in the future.
Apartment Design Guide (ADG) setbacks should be considered for the built form proposed adjacent to SP79210 (inclusive of 233-245 Cope Street and 111, 123 & 127 Cooper Street).	The 3m upper-level setback proposed by the Concept SSDA Envelopes are consistent with the 2022 Design Guide as depicted within the Revised Design Guide (refer to Appendix D). The reference scheme which accompanies the Concept SSDA and Rezoning Proposal does not comprise detailed design including façade design or detailed building articulation elements which will be apparent through future detailed applications. Each of the future detailed applications will also be required to provide an assessment against the relevant criteria of the ADG.
Setbacks that are inconsistent with the ADG are proposed (Building Separation) to private properties, and the ADG setbacks should be enforced.	

Matter Raised	Applicant Response
	It is noted that at this time, where building envelopes are shown with separation distances that depart from the guidance in Part 2F of the ADG, detailed building design will clearly demonstrate mitigation measures to maximise visual privacy within the precinct and to neighbouring developments in accordance with Part 3F of the ADG. Refer to Section 4.3.3.1 of the RtS Report for more detailed discussion.
Provide an assessment of the cumulative impacts of locating the 3 tallest towers at the edge of the precinct.	The current planning controls site the tallest towers (up to 33 storeys in height) at the southern edge of the precinct. Under the Rezoning Proposal and Concept SSDA, the tallest towers continue to be proposed in the same location. An assessment of the cumulative impacts of the proposed built form, including the cumulative impact of each of the three tall towers proposed is included in Section 9 of the submitted EIS and Section 6 of the Rezoning Report (refer to Appendix KK of the submitted EIS). Further assessment is provided within Section 3 and Section 4 of the RtS Report.
A slimmer building footprint should be proposed.	Comments regarding the proposed built form are noted. the proposed building footprints represent a standard envelope size and dimensions that will enable suitable residential floor plates that are consistent with the ADG design guidance and objectives. The proposed building envelopes also enable façade articulation and non-floor space elements such as balconies, which when included will inherently reduce the apparent width of the buildings. An assessment of the impacts of the proposed built form is included in Section 9 of the submitted EIS. Further assessment has been provided as part of the Response to Submissions Process within Section 3 and Section 4 of the RtS Report.
Buildings are too tall and close together, failing to provide adequate setbacks or a transition in scale.	The impacts of the proposed building heights across the precinct have been addressed throughout Section 9 of the submitted EIS and Section 6 of the Rezoning Report (refer to Appendix KK of the submitted EIS). It is noted that for some buildings proposed under the Concept SSDA, strict compliance with the building separation design criteria of 12m (up to 4 storeys), 18m (5–8 storeys) and 24m (above 8 storeys) is not achieved if it is assumed that habitable rooms or balconies are facing each building façade. The reduced building separation distances in certain locations across the site are proposed based on educated assumptions regarding the location of non-habitable rooms and blank walls which are shown in the reference scheme. This enables a reduction in building separation distances (in certain locations) while still achieving the objectives of the ADG. An identical approach was adopted in the formation of the current planning framework on the site, with multiple instances of inconsistent building separation distances under the 2022 Design Guide. While the proposed reference scheme is conceptual only, it is noted that each of the future detailed applications will be required to provide an assessment against the relevant criteria of the ADG. It is noted that at this time, where separation distances are not provided in accordance with Part 2F of the ADG, detailed building design will clearly demonstrate mitigation measures to maximise visual privacy within the precinct and to neighbouring developments in accordance with Part 3F Visual Privacy of the ADG. Refer to Section 4.3.3.1 of the RtS Report.

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Density should be closest to Waterloo Metro Station, not nearest existing residents.	The general distribution of density, location of open space and approach to distribution of building heights across Waterloo South was established through the earlier strategic planning processes (PP-2021-3265). It is noted the Rezoning Proposal does not seek to alter the maximum density envisaged for the site. Furthermore, all dwellings within the precinct are located within walking distance of the Waterloo Metro Station, consistent with the principles of locating additional housing and density within close proximity of public transport. In addition to the Metro, the site is also located in proximity to well serviced bus routes and the Green Square Train Station, meaning the future residents of the precinct will have a selection of public transport services to use based on their needs and preferences.
<i>Access, Parking, Traffic and Transport</i>	
Concerns raised regarding increased traffic congestion on McEvoy Street, the precinct (including on narrow and no through roads) and surrounds during the operational stage, creating congestion issues for other vehicles as well as safety issues for pedestrians and bicycles.	The Revised Design Guide underpins a key move to give priority to pedestrians, improve active transport and reduce vehicular movements through the precinct. This is proposed by reducing vehicular lanes to enable wider footpaths, more landscaping and slow traffic to create a safer pedestrian environment. Primary vehicle access to the precinct is proposed via Wellington Street, with internal streets designed as low-speed environments that balance local access requirements with pedestrian and cyclist priority.
The proposal generates an increased demand for on-street parking where it is already at capacity. Concerns were also raised regarding equitable parking provision, including access for social and affordable housing residents, support services and increased demand from future residents and visitors.	Car parking has been addressed in Section 9.14 of the submitted EIS and within the submitted Transport Impact Assessment (refer to Appendix CC of the submitted EIS). Car parking on the site will be provided in accordance with the City of Sydney maximum car parking rates to support sustainable travel behaviour and to reflect the site's public transport accessibility. Accordingly, car parking is proposed to be provided for each residential tenure type, as well as for the proposed non-residential uses in accordance with the maximum requirements under the Sydney LEP 2012. In addition to car parking, the Concept SSDA also outlines bicycle parking will be provided for each of the nominated uses, with the quantity to be confirmed in accordance with the Sydney DCP 2012 requirements at the detailed SSDA stage. The concept public domain plans maintain opportunities for on-street parking and on-street loading areas on City of Sydney owned roads.
Concern for the cumulative impacts of car park access being from no through roads (including George and Wellington Streets).	The access framework reflects the structure established in the 2022 Design Guide, with targeted refinements informed by traffic assessment and consultation with relevant authorities. The Transport Impact Assessment (Refer to Appendix CC of the submitted EIS) confirms that the proposed access arrangements are appropriate for the scale and nature of development proposed and are capable of supporting safe and efficient vehicle movements, including emergency access, servicing and waste collection, subject to detailed design at future SSDA stages.
Provide an assessment of the cumulative impacts of providing access on John Street.	The Transport Impact Assessment (refer to Appendix CC of the submitted EIS) considers the access arrangements within the precinct as a whole and therefore provides a cumulative assessment of providing

Matter Raised	Applicant Response
	access from John Street. It is noted the proposed access arrangements from John Street to basement parking are generally consistent with that established by the 2022 Design Guide, meaning that no change is proposed as part of this proposal to that contemplated by the existing controls. As outlined within Section 4.3.5.3 of the RtS Report, the Vehicle Access Location Assessment prepared by ptc (refer to Appendix K) demonstrates that reduced driveway widths can be accommodated within the precinct as part of future detailed SSDAs to improve pedestrian safety outcomes and consistency with the relevant Australian Standards. To ensure this outcome is possible, minor amendments have been made to Figure 18 of the Design Guide (refer to Appendix D).
Cooper Street block 2 vehicular access requires a pedestrian and traffic safety assessment.	The proposed access arrangements to Block 2D are generally consistent with that established by the 2022 Design Guide, meaning that no change is proposed as part of this proposal to that contemplated by the existing controls. A further assessment of the access arrangements will be provided within the Transport Impact Assessment to be prepared for the future detailed SSDA for Building 2D.
Concerns for traffic impacts on West Street, including its capacity, safety and residential access functions.	The proposed access arrangements from West Street to basement parking are generally consistent with that established by the 2022 Design Guide, meaning that no change is proposed as part of this proposal to that contemplated by the existing controls. The Transport Impact Assessment (Refer to Appendix CC of the submitted EIS) confirms that the proposed access arrangements are appropriate for the scale and nature of development proposed and are capable of supporting safe and efficient vehicle movements, including emergency access, servicing and waste collection, subject to detailed design at future SSDA stages. A further assessment of the access arrangements will be provided within the Transport Impact Assessment to be prepared for the future detailed SSDA for building 5A which is proposed to be accessed from West Street.
Public transport is at capacity, no assessment of public transport capacity has been undertaken.	The Rezoning Proposal does not seek to increase the maximum gross floor area currently permitted across the site. Accordingly, the proposal does not generate additional demand beyond the capacity previously assessed. Therefore, no further assessment of public transport capacity is required, as the maximum population for the site was already considered as part of the previous planning process (PP-2021-3625). Furthermore, the Transport Impact Assessment (refer to Appendix CC of the submitted EIS) outlines the site is serviced by a range of public transport services, including metro, train and buses, ensuring that public transport usage is not reliant upon a single mode or route.
Heritage	

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The proposal should include an assessment of the Victorian Streetscape on Kensington Street.	The Statement of Heritage Impact (SoHI) (refer to Appendix X of the submitted EIS) includes an assessment of the Victorian Streetscape (Heritage Item 2081 Terrace group including interiors'). It concludes that the proposed development has no physical impact to the item, and it notes that the building height proposed for Block 7 is generally in accordance with the maximum building height established by the Sydney LEP 2012. It confirms the Rezoning Proposal will have no additional impacts, however, the Concept SSDA will have a minor adverse impact on the heritage item, as envisaged by the existing planning controls.
The proposed envelopes of 9 to 33 storeys on a 4 to 6-storey heritage streetscape will overwhelm every element of the western Cope Street heritage fabric. It is also raised that the deletion of the two-storey height control from the Design Guide occurred without notification to, or consultation with, affected property owners.	The SoHI (refer to Appendix X of the submitted EIS) includes an assessment of Heritage Items on Cope Street, including Heritage Item 2078 '2-storey Victorian terrace houses' and 2296 'Terrace Group' and confirms that the Rezoning Proposal would not result in any additional impacts compared to what is contemplated under the existing planning controls. The SoHI also confirms the Concept SSDA would have the potential for minor adverse visual impacts due to the substantial alteration of the physical and visual setting of the heritage item, as envisaged by the existing planning controls. The terrace group to the west of Cope Street, known as heritage item 2087 'Terrace Group "Gordon Terrace"', was also assessed as part of the SoHI. The assessment confirms that the Rezoning Proposal would not result in any additional impacts compared to what is contemplated under the existing planning controls. The SoHI also confirms the Concept SSDA would have the potential for major adverse visual impacts due to the substantial alteration of the physical and visual setting of the heritage item, as envisaged by the existing planning controls and the scale of the proposed buildings. The SoHI recommends that the detailed design for future detailed SSDAs should seek to minimise the impacts of scale and mass on heritage items and open spaces, to help mitigate the adverse impacts of overshadowing and alteration to setting and skyline.
The proposed Block 4 envelope will overwhelm the Duke of Wellington Heritage item	The SoHI (refer to Appendix X of the submitted EIS) includes an assessment of The Duke of Wellington Hotel (Heritage Item 2085) and confirms that the Rezoning Proposal would not result in any additional impacts compared to what is contemplated under the existing planning controls. The SoHI also confirms the Concept SSDA would have the potential for moderate adverse visual impacts due to the substantial alteration of the physical and visual setting of the heritage item, as envisaged by the existing planning controls. It is however noted that the stepped building height as documented in the Concept design would help to minimise the visual impact and overshadowing caused by a large tower adjacent to the small-scale Duke of Wellington Hotel.
Block 7 should not be rezoned due to heritage impacts	The SoHI (refer to Appendix X of the submitted EIS) includes an assessment of the proposed development in relation to the heritage items surrounding Block 7, including the heritage conservation area to the east, known as C70 - Waterloo. The proposed built form maintains a considered transition to the lower-scale development and heritage setting along Gibson Street through the retention of a stepped built form, tower setbacks and reduced street wall heights. The Concept SSDA Envelope incorporates a 9m upper-level setback to reinforce the transition between the taller elements of Building 7A and the lower-density interface to the east, while existing high-

Matter Raised	Applicant Response
	value trees and significant landscaping provide additional screening and contribute to an appropriate relationship with surrounding heritage items and areas. Refer to Section 4.3.2.3 of the RtS Report.
Amenity and Privacy	
Solar	
The proposal constitutes a reduction in sunlight achieved to public spaces and open space.	The Revised Design Guide, consistent with the 2022 Design Guide requires a that a minimum of 50% of each park receives at least four hours of direct sunlight at mid-winter. Each of the public open spaces achieves the minimum requirement under the proposed scheme. This matter is further addressed within Section 4.3.2.2 of the RtS Report. While the proposal results in a reduction in the extent of sunlight received by George Street when compared to the provisions of the 2022 Design Guide, it is noted that the proposed scheme improves the duration and extent of sunlight access to other areas of the public domain within the precinct, including Cooper Street. Further assessment of these impacts is provided in Section 4.3.2.2 of the RtS Report and the Addendum Urban Design Report at Appendix F.
The proposed development should provide an assessment of solar impacts, including to the following properties: Outside of the site area • 266 Pitt Street • 40-46 McEvoy / 349 George Street • 222 Botany Road • 196 Cope Street • Kensington Street • 25 John Street • 19 John Street	It is noted there are a number of properties within close proximity to the site that have raised the matter of overshadowing to their property. The Precinct Site Analysis – Shadow Study (refer to Appendix F – Urban Design Appendices of the EIS) demonstrates that any overshadowing that results from the proposal generally ensures that all properties located to the west of the site are free from shadow after 11am at mid-winter, and properties to the east of the site are free from shadow until 12pm at mid-winter, whereby private properties to the east are not shadowed by the proposed development until approximately 1:30pm.
Privately owned lots in Block 2 • 233, 235, 237 Cope Street and 115 & 123 Cooper Street	Additional shadow analysis has been undertaken and is provided in the Addendum Urban Design Report at Appendix F). The analysis demonstrates that while these properties would experience some overshadowing under the proposed Master Plan massing, they would generally remain free from shadow between 11am and 2pm at mid-winter before becoming affected by shadows from the Waterloo Metro Quarter development. The exception is 111-113 Cooper Street which experiences overshadowing during this window from the proposed Block 2B community building. Notably, this overshadowing exists under both scenarios and is therefore not the result of the Rezoning Proposal or Concept SSDA, but is an expected condition under the current planning framework. Refer to Section 4.3.2.2 of the RtS Report.

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Privately owned lots within Block 4 110 Wellington Street	110 Wellington Street will continue to be overshadowed by the proposed development and existing development to the north until 11:30am at mid-winter, before being shadowed again by the proposed development from 1:30pm to its eastern extent. Overshadowing impacts were considered as part of the previous Waterloo South Planning Proposal and this application does not seek to amend the applicable planning controls in a manner that would materially worsen the previously assessed impact. Further assessment of the solar impact to 110 Wellington Street will be provided as part of the relevant future detailed SSDAs when the detailed design of these buildings is known. Refer to Section 4.3.2.2 of the RtS Report and the Addendum Urban Design Report at Appendix F.
Solar analysis should demonstrate a 2 hour block of solar access is achieved, rather than 2 hours within an extended period.	Solar analysis is generally calculated in accordance with the ADG. It requires a minimum of 2 hours of direct sunlight to reach the living rooms and private open space of at least 70% of apartments between 9am and 3pm at mid-winter. The Design Guidance establishes that to be included, a minimum of 1m² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes. Therefore, the proposal is required to demonstrate that a total of two hours of sunlight is achieved between 9am and 3pm, ensuring that 15 minutes is achieved at a time in order to count it towards the total achieved.
Views The VIA does not include the whole development and should include viewpoints from privately owned lands within Block 2. The bulk and scale of the development will dominate views from surrounding properties, resulting in view loss.	The model within the Visual Impact Assessment (refer to Appendix P of the submitted EIS) is of the whole development. Photomontage 11 within the Visual Impact Assessment is provided from the north-western corner of Block 2. It provides an indicative representation of the visual relationship between the proposed development and surrounding properties (and public domain) within this location. It confirms that while the proposed building envelopes may result in some additional loss of open sky views due to the increased scale of development, the Concept SSDA does not introduce a significant increase in height and scale beyond that contemplated under the existing planning framework and the 2022 Design Guide. it is acknowledged that the proposed built form will alter existing views from surrounding properties, including privately owned land within Block 2. The proposed Concept SSDA Envelopes (refer to Appendix JJ of the submitted EIS) have been designed to minimise potential visual impacts through the application setbacks and a stepped transition in building heights between existing lower-density development and the larger-scale built form contemplated by the proposed controls. For example, a 6 storey podium is proposed for Block 3B below a maximum 15 storey tower that is setback 14m from Cooper Street to to manage the transition from the privately owned lots within Block 2 and the taller elements within the precinct. This approach has been applied elsewhere within the precinct, including Block 7, where a transition in scale is provided to Gibson Street. Further assessment of Block 7 has been provided within Section 4.3.2.3 of the RtS Report.
Privacy	

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Specific consideration for the privately owned properties at Cope Street. Increased setback should be provided along the boundary of 123 Cooper Street due to excessive overlooking impacts.	The Concept SSDA Envelopes require a minimum 3m setback above Level 1 to northern boundary of Building 2D. It is noted this boundary is shared with the existing residential development at 233-245 Cope Street and 111, 123 & 127 Cooper Street. The reason that no ground level setback is proposed is to account for the future vehicular access to these privately owned properties should they redevelop in the future. The 3m upper-level setbacks proposed by the Concept SSDA Envelopes are consistent with the 2022 Design Guide as depicted within the Revised Design Guide (refer to Appendix D). The reference scheme which accompanies the Concept SSDA and Rezoning Proposal does not comprise detailed design including façade design or detailed building articulation elements which will be apparent through future detailed applications. Each of the future detailed applications will also be required to provide an assessment against the relevant criteria of the ADG. It is noted that at this time, where building envelopes are shown with separation distances that depart from the design guidance of Part 2F of the ADG, detailed building design will clearly demonstrate mitigation measures to maximise visual privacy within the precinct and to neighbouring developments in accordance with Part 3F of the ADG. Refer to Section 4.3.3.1 of the RtS Report.
Tower form will overlook private open space.	Proposed tower forms are positioned away from private properties, often separated by roads and separation distances that exceed the ADG and as such any overlooking of properties will be at distant view lines. For example, the tower form within Building 3B is set back an additional 14 metres from Cooper Street above the podium level. When the width of the road reserve is included, the tower is approximately 27.5 metres from the privately owned properties within SP79210. The tower form within Block 5 is set back a minimum of 24 metres from West Street, providing an appropriate separation distance from the property at 110 Wellington Street. The tower form within Block 7 has also been appropriately set back from the private properties along Gibson Street, achieving a separation distance of approximately 20-24 metres, inclusive of the street. It is noted each of these separation distances are generally consistent with Part 2F and Part 3F of the ADG, ensuring that the visual privacy of existing properties is maintained. Where separation distances are less than established by the ADG, visual privacy measures may be included in accordance with part 3F of the ADG. This is to be demonstrated with the detailed design of buildings as part of the future staged SSDAs. Refer to Section 4.3.3.1 and Section 4.3.2.4 of the RtS Report.
Noise	
Ongoing acoustic impacts of the operational development on existing properties.	The Noise and Vibration Impact Assessment that accompanied the EIS considers the operational noise and vibration impacts of the proposed development. With consideration of mitigation measures, the assessment concluded the operational impacts of the proposed development will be appropriate on nearby residential receivers (refer to Section 7 of Appendix BB of the submitted EIS).
Wind	

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Cumulative wind impacts arising from the proposal and the broader Waterloo Metro Quarter development have the potential to contribute to adverse wind conditions.	The Environmental Wind Tunnel Study prepared by SLR that accompanied the submitted EIS at Appendix O included an assessment of the wind conditions of the proposed development at a precinct wide scale. The wind tunnel testing demonstrated the Rezoning Proposal and Concept SSDA does not give rise to any adverse pedestrian wind conditions at a precinct wide scale. Section 12 of the study included an assessment of the cumulative impact of future approved buildings and concluded wind conditions at each of these locations remain within the applicable pedestrian safety criteria. Further clarification regarding the wind tunnel testing undertaken as part of the application is included at Section 4.3.2.1 of the RtS Report and is further supported by the Addendum Wind Response Letter at Appendix L.
The Wind Assessment relies upon tree retention not guaranteed by the Arboricultural Impact Assessment.	The Environmental Wind Tunnel Study prepared by SLR that accompanied the submitted EIS at Appendix O included an assessment of the wind conditions of the proposed development at a precinct wide scale. While the assessment confirmed that no locations are predicted to experience winds which exceed the safety criterion, a range of mitigation measures are also proposed to further improve the environmental wind outcomes for the precinct and surrounds. Section 11.1 of the study recommended wind mitigation measures for public domain conditions including: • Retain the proposed and existing trees and landscaping within and around the development • Maintain the proposed ground-level setbacks and awnings at building entrances • Locate outdoor dining areas beneath the under croft or proposed awnings • Locate ground-level communal seating areas beneath overhead windbreaks Accordingly, the mitigation measures recommended to further improve wind conditions rely upon a range of strategies.
The proposed 9-storey building at the intersection of John and Cope Streets may generate wind deflection effects impacting private terraces, courtyards and outdoor living spaces.	The Environmental Wind Tunnel Study prepared by SLR that accompanied the submitted EIS at Appendix O included an assessment of the wind conditions of the proposed development at a precinct wide scale. While the assessment generally includes points within the public domain, it is noted that Points 25 and 26 are located within close proximity to SP79210 who raised this concern. Figures 15 and 16 of the Environmental Wind Tunnel Study (refer to Appendix O of the submitted EIS) identify these points as achieving a standing comfort level and illustrate that there is no change in the predicted comfort levels at these points between the 2022 Design Guide and master plan scenarios.
The assessment does not consider wind comfort conditions beyond the SSDA boundary, despite the potential for cumulative impacts on the surrounding public domain.	Refer to Section 4.3.2.1 of the RtS Report and the Addendum Wind Response Letter at Appendix L. The location of wind measurement points was strategically selected within the immediate proximity of the proposed development, where the influence of the building mass is the greatest. If the application was to include measurement points further from the site, these would predominantly be influenced by the surrounding urban environment, rather than the proposed development itself.
Infrastructure	

Matter Raised	Applicant Response
Increased population may not be met with sufficient infrastructure as there is existing pressure on infrastructure.	The project does not seek to increase the demand on infrastructure compared to that envisaged under the previous planning proposal. However, an Infrastructure Delivery and Staging Plan was prepared and submitted with the submitted EIS to demonstrate that the proposed redevelopment can be appropriately serviced and delivered in a staged manner. Refer Section 9.11 and Appendix Z of the submitted EIS.
Design Excellence	
The community raised concerns regarding the proposed design excellence framework, seeking continued application of design competition requirements across all housing tenures and expressing concerns that allowing a single architectural practice to design multiple buildings within a block may reduce architectural diversity and overall design quality.	The Design Excellence Strategy (refer to Appendix N of the submitted EIS) expressly acknowledges that an exemption to the competitive design process will be sought for market housing buildings lodged prior to 30 November 2027. The Strategy does not rely on this exemption as a permanent mechanism and competitive processes remain the default for market housing and will apply from November 2027. To expedite engagement of capable and qualified designers for key elements of the redevelopment, the Proponent will direct appoint architects for the concept, social housing, affordable housing, community buildings, and landscape/public domain within Waterloo South. It is noted that the Proponent may select individual architectural practices on a building-by-building basis, or to design all social or affordable housing buildings within a single block. Where a single architectural practice is appointed, the architect will be limited to design a maximum of two buildings (even if a basement is shared). In addition to being within the Design Excellence Strategy, this is reinforced in the Revised Design Guide submitted with the Concept SSDA at 8.12.1(3) that relates: <i>“To ensure architectural diversity across sites that include multiple buildings, no more than two buildings in the same street block are to be designed by each nominated architectural firm, notwithstanding whether that firm is selected following a Competitive Design Process or via direct appointment.”</i>
Community Consultation	
Engagement was not satisfactory as vulnerable tenants face barriers to meaningful participation, including language barriers, digital access, literacy, disabilities and the complexity of planning documentation.	Engagement during the public exhibition period is a statutory process that is largely undertaken by DPHI in accordance with the requirements of the <i>Environmental Planning and Assessment Act 1979</i>. Notwithstanding, through the Public Exhibition period, the Applicant undertook a range of additional engagement and information sessions to support the community to understand the Application, and participate in the process. This included preparing ‘Plain English’ Community Guides to the Application, running information sessions (including sessions specifically for Tenants and service providers who operate locally at Waterloo). The aim of this engagement during the Public Exhibition period was to enable opportunities for participation in the planning process. More broadly, extensive engagement has occurred on the Waterloo South project to date, as detailed in Section 8.1.2 of the submitted EIS and within the Engagement Outcomes Report (refer to Appendix M of the submitted EIS). This included both opportunities to build awareness and capacity to understand the planning process and application, as well as opportunities for feedback to inform the application prior to lodgement. Throughout the preparation of the Concept SSDA and Rezoning, various engagement activities occurred, as follows:

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	• Drop-in-space • Pop-ups • Community information and feedback sessions • Tenant specific information and feedback sessions • Aboriginal engagement • Engaging multi-cultural communities • Online engagement • Human Services and local support networks • Agency consultation
Letters not dropped in mailboxes of non-Cope Street facing properties.	The distribution of notification letters to surrounding properties is managed by DPHI in accordance with its established notification procedures. It is however noted these properties form part of SP79210 which has frontage to Cope Street in addition to Cooper Street.
Social and Affordable Housing	
More than 7% affordable housing should be provided in perpetuity.	Clause 7.29(3)(c) and (d) of the Sydney LEP 2012 require a minimum of 26.5% of residential floor space to be used for social housing premises and a minimum of 7% to be used for affordable housing. The proposal exceeds both minimums. The 7% of residential GFA to be owned and managed by a community housing provider in perpetuity satisfies the affordable housing requirement of clause 7.29(3)(d) in full and for the life of the development, consistent with the requirement of that clause that the floor space be used for affordable housing in perpetuity. The affordable and social housing allocation for Waterloo South is contractually secured between Stockland and Homes NSW, and the tenure split identified in the Concept SSDA, comprising a minimum 30% of residential floor space on Homes NSW land for social housing and approximately 20% for affordable housing, including a minimum 7% of residential GFA to be owned and managed by a community housing provider in perpetuity, will be maintained in accordance with those agreements. A minimum of 50% of the proposed residential floor space is proposed as social and affordable housing, which significantly exceeds the rate of other renewal precincts in NSW. Refer to Section 4.2.1.1 of the RtS Report.
Affordable housing must actually be affordable and permanent.	Affordable housing is proposed in accordance with the definitions contained in Section 1.4 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act). Clause 7.29(3)(c) and (d) of the Sydney LEP 2012 require a minimum of 26.5% of residential floor space to be used for social housing premises and a minimum of 7% to be used for affordable housing. The proposal exceeds both minimums. The 7% of residential GFA to be owned and managed by a community housing provider in perpetuity satisfies the affordable housing requirement of clause 7.29(3)(d) in full and for the life of the development. The affordable housing required under the relevant planning framework therefore will not be lost at the expiry of any retention period. Refer to Section 4.1.2.1 of the RtS Report.

Matter Raised	Applicant Response
Requests that Aboriginal affordable housing be secured in perpetuity rather than reverting after 25 years.	At least 20% of new social housing and 15% of new affordable housing at Waterloo South will be managed by an Aboriginal CHP and available to First Nations tenants. Confirming which CHP will manage the social and affordable housing on an ongoing basis is outside of the scope of this application.
The 13% of affordable housing that is not in perpetuity should be better described so it is clear what it is being proposed as.	The balance of the affordable housing is provided over and above the requirements of clause 7.29(3)(d) of the Sydney LEP 2012. This housing is proposed to be used as “affordable housing” for a minimum of 25 years, exceeding the 15-year period that is standard practice for affordable housing delivered under <i>State Environmental Planning Policy (Housing) 2021</i>, and reflects the term contracted with Homes NSW. No change to that term is proposed. The overall allocation of total residential floor space as affordable housing and social housing (a minimum of 50% of residential GFA) is above that typically delivered in comparable renewal precincts. It is also confirmed that all affordable housing will be provided in accordance with the definitions outlined in Section 1.4 of the EP&A Act. Refer to Section 4.1.2.1 of the RtS Report.
More 3-bedroom dwellings should be provided for social housing.	The apartment mix outlined in the Concept SSDA is based on anticipated demand in order to consider and assess the likely total apartment numbers to be delivered and population anticipated to be accommodated within the precinct. The proposed dwelling mix will be confirmed for each building at the relevant detailed SSDA stage and will be informed by the community housing provider (CHP) and Homes NSW briefs which is informed by needs and demands, in addition to the site constraints and relevant planning controls.
Social	
Key matters raised in relation to the SIA include the reliance on future mitigation measures and governance arrangements that are yet to be fully developed, uncertainty regarding how identified adverse impacts will be effectively managed over time, and the need for clearer accountability, funding mechanisms and delivery responsibilities.	The matter raised by the community, in addition to that of the City and DPHI is noted. A detailed response to each is provided in the Social Impact Response Letter prepared by L10 Collective at Appendix I, which identifies the amendment to be made to the SIA or SIMP in each case. The SIA and SIMP will be revised to: • apply the agreed baseline consistently across all impacts, and reassess the unmitigated and mitigated ratings on that basis, with any reduction in the significance of an impact clearly attributable to an identified mitigation measure; • assess impacts on a cohort-specific basis, including relocated residents, residents of Waterloo Central and Waterloo North, residents of privately owned lots, Aboriginal tenants, seniors and other groups at increased risk of social and psychological impact; • reflect the duration of impacts across the full lifecycle of the development, including pre-construction and relocation impacts; • consolidate impacts assessed more than once, and restructure the report in the form discussed with the City; • specify mitigation and enhancement measures across all impact categories, identifying the responsible party in each case; and

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	restructure the SIMP in accordance with the Department's Social Impact Management Toolbox for State Significant Projects, identifying for each measure the desired community outcome, responsibility, indicators and targets, data source and method, monitoring and reporting frequency, adaptive measures where targets are not met, and the treatment of cumulative impact. It is acknowledged that many of the SIA comments received in submissions relate not only to the identification of impacts, but also to the long-term implementation of mitigation measures over the life of the redevelopment. In addition to the mitigation measures identified within the SIMP, engagement and coordination with Homes NSW, government agencies, community organisations, service providers and other stakeholders will continue as future stages of the project progress. Governance, monitoring and stakeholder engagement arrangements will be reviewed and refined over time to respond to emerging needs, cumulative impacts and lessons learned through project delivery. Refer to Section 4.3.4 of the RtS Report.
Require binding right of return for existing tenants.	As outlined in the SIA (refer to Appendix EE of the submitted EIS) Homes NSW is working closely with existing tenants to ensure all existing social housing tenants who are relocated to another home during the renewal process have the right to return to Waterloo South, including into newly built social housing in the new development once new dwellings are complete, depending on their preference.
The proposal results in the displacement of local aboriginal community.	As outlined in the SIA (refer to Appendix EE of the submitted EIS) Homes NSW is working closely with existing tenants to ensure all existing social housing tenants who are relocated to another home during the renewal process have the right to return to Waterloo South, including into newly built social housing in the new development once new dwellings are complete, depending on their preference. The proposal includes a commitment to 20% of the social housing GFA and 15% of the affordable housing GFA, to be prioritised for Aboriginal households.
The new community will bear no resemblance to the existing community.	It is noted the concerns regarding potential changes to community identity, social connections and neighbourhood character as a result of renewal. While substantial change is anticipated, the renewal project seeks to retain a significant social and affordable housing presence within Waterloo South and includes measures intended to support community continuity, social inclusion and long-term positive social outcomes. However, as outlined within the Social Impact Assessment (refer to Appendix EE of the submitted EIS) the project is expected to result in an overall positive social impact.
Construction Impacts	
Concern raised regarding traffic congestion as a result of construction.	As the proposed development comprises no physical works, it is appropriate to address traffic related construction impacts as part of the staged future detailed SSDAs. This ensures that appropriate assessment is undertaken for the relevant stage and adequate mitigation measures are established.
Requests limiting construction hours to between 8am and 5pm.	It is noted the subject application does not include any physical works, however, the Noise and Vibration Impact Assessment submitted with the EIS details that in accordance with the NSW ICNG, for detailed applications, the construction works would likely take place as follows:

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	- Monday to Friday: 7:00am to 6:00pm; - Saturday: 8:00am to 1:00pm; and - Sunday and public holidays: no work.
Impacts from construction noise, dust, vibration, access over an extended 10-15 year period.	The potential impacts associated with the staged construction of the development have been considered as part of the Concept SSDA. These matters will continue to be addressed in greater detail through future development applications and the preparation of stage-specific management plans.
Construction vehicles should not be allowed on Kensington and Wellington Streets.	As the proposed development is for comprising no physical works and the envisaged will be completed over a number of stages, it is appropriate to provide a more detailed address to traffic related construction impacts as part of the staged future detailed SSDAs. This ensures that appropriate assessment is undertaken for the relevant stage and adequate mitigation measures are established.
Procedural	
Requests to appoint the IPC as the consent authority.	In accordance with Section 2.7(1) of <i>State Environmental Planning Policy (Planning Systems) 2021</i> , the IPC is not the consent authority for State significant development applications made on behalf of a public authority.
The removal of the 2 storey height control (Block 2) was not addressed in accordance with the requirements of the SARP.	Section 3.1.2(4) of the Revised Design Guide has been drafted to allow for a stepped transition between taller buildings and heritage items, while retaining flexibility in how an appropriate transition is achieved. The matter was also addressed within Table 9 of the Rezoning Report (refer to Appendix KK of the submitted EIS). The Revised Design Guide incorporates an amendment to the height in storeys map at the boundary between Block 2D and Cope Street, removing the guidance for a two-storey component in this location. The effect of this amendment is limited, having regard to the small portion of the site it effects, and the ability for future detailed development to provide physical separation from nearby heritage items. Section 4.3.8.3 of the RtS Report provides further detail in response to this submission.
Hold an additional exhibition period to allow submissions against changes proposed after RtS.	The EP&A Act does not necessitate the re-exhibition of the proposed development following the response to submissions. Further, no significant amendments have been made to the proposal which would warrant re-exhibition. The community will have the opportunity to comment on the detailed designs of each application both prior to lodgement and during the assessment of the application.
The project does not meet SEAR 7.	Item 7 within the SEARs relates to Environmental Amenity. It has been addressed within Section 6.3 the Rezoning Report (refer to Appendix KK of the EIS), Section 9.4 of the EIS and throughout the various supporting technical appendices. Further analysis has been undertaken as part of this response to submissions to ensure the item has been addressed thoroughly (refer to Section 4.3.2 of the RtS Report).
The project does not satisfy SEAR 21.	Item 21 relates to Construction, Operation and Staging. An Infrastructure Delivery and Staging Plan was submitted at Appendix Z of the submitted EIS, while an indicative staging plan was included as Figure 250 of

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	the Urban Design Report at Appendix F of the submitted EIS. Together, these documents outline the anticipated future staging and delivery of the project. We note the potential impacts associated with the staged construction of the development have been considered as part of the Concept SSDA including throughout the Social Impact Assessment. These matters will continue to be addressed in greater detail through future development applications and the preparation of stage-specific management plans.
Other Issues	
A lack of non-residential floor space is provided in Block 7.	Consistent with the 2022 Design Guide, no non-residential use is proposed within Block 7 as this block is identified as having a desired future residential character compared to other parts of the precinct. A minimum of 15,000m ² of non-residential floor space will be provided across the precinct, split between consistent with the findings of the Addendum Retail Demand Letter (refer to Appendix H).
Prepare an independent school catchment capacity audit.	The inclusion of 'educational establishment' as a land use that may contribute to the minimum 5,000sqm community service floor space requirement of the Sydney LEP 2012 provides flexibility to accommodate a future education facility within the precinct if demand requires in the future. Such an educational establishment could serve the resident population and fulfil a community service function consistent with the intent of the clause. Should an educational establishment not be delivered, the balance of the minimum community service floor space requirement would be met by community uses in accordance with the clause, ensuring the identified community service floor space needs are not diminished. Refer to Section 4.1.1.3 of the RtS Report.
Loss of mature tree canopy and subsequent environmental amenity.	During the development of the Concept SSDA every endeavour was taken to maximise tree retention within the scope and requirements of the project, with particular regard to trees of High Retention Value. As detailed within the Addendum Landscape Report and Landscape Response Pack (refer to Appendix G of the RtS Report) a further four trees have been identified as possible candidates for retention as part of the response to submissions process, subject to the detailed resolution of the Mead Street design (tree 127) and to detailed root mapping and awning design to the north of Block 5 (trees 213, 214 and 215). Canopy cover within the streetscape is calculated at 48.8% at approximately 10 years post-installation (which excludes canopy provided within the new parks and the through-site links). The target 50% cover within the streetscape is reasonably expected at maturity as the planting establishes beyond the 10-year horizon. Refer to Section 4.3.7.2 of the RtS Report and the Addendum Landscape Report and Landscape Response pack at Appendix G.
A BDAR waiver was issued for the project however, this does not adequately reflect the biodiversity of the site.	A BDAR Waiver was issued for the proposed development on 10 February 2026. The waiver was issued confirming that in accordance with Section 7.9(2) of the <i>Biodiversity Conservation Act 2016</i> the Planning Agency

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	Head and the Environment Agency Head determined that the proposed development is not likely to have any significant impact on biodiversity values. The development will be progressed consistently with the description provided in the waiver determination. Should any changes arise through detailed design that are inconsistent with that description, a further waiver request will be submitted as required.
Scale of development is a systemic failure within planning policy.	Comment is not further addressed as part of this RtS Report as it is beyond the scope of this proposal.
Not logical to approve the most consequential impacts of height and GFA at the Concept Stage.	The Concept SSDA seeks approval for the building envelopes which are the parameters for the future detailed design of buildings. Therefore, the impacts of the GFA and building height are considered as part of this application. A detailed assessment of each building will occur as part of future detailed SSDAs with respect to its impacts.
Concerns that deferring the assessment of envelope parameters to detailed stage will create negative impacts.	The application is for a Concept SSDA and concurrent Rezoning Proposal. The Concept SSDA seeks approval for the overarching framework and parameters for future development applications, this includes building envelopes. The envelopes are assessed as part of the application, to determine if a development which fits within the established parameters is suitable for the site. Future detailed SSDAs will be required to assess the detailed design of individual stages.
Any potential exceedance of height should be considered now.	The Rezoning Proposal (refer to the Rezoning Report submitted with the EIS as Appendix KK) addresses any proposed increases to height across the precinct. This matter has been further addressed within Section 4.1.1 of the RtS Report.
Provide a cumulative assessment of the construction and operational impacts of WMQ, Waterloo North and Waterloo South developments	The proposed development is for a Concept SSDA, noting that no physical works are proposed as part of the application, and it does not include any construction. The construction impacts will be further assessed as part of the detailed SSDAs. Where relevant conditions will be imposed on detailed SSDAs which require detailed construction methodologies, dilapidation surveys, geotechnical investigations, vibration management and structural protection measures prior to works commencing.
The proposed development will result in reduced property value for existing properties.	Property valuations are not a relevant matter for consideration in planning applications under the EP&A Act.
Existing property owners should be provided the opportunity to sell their properties as if this development was not existing.	Property valuations are not a relevant matter for consideration in planning applications under the EP&A Act.

Matter Raised	Applicant Response
Increased density will strain existing education and childcare infrastructure	The Concept SSDA includes provision for a centre-based child care facility to account for an increase in population. It is noted that the proposed rezoning and Concept SSDA does not seek to increase the maximum number of dwellings which would otherwise be able to be accommodated upon the site under the existing planning framework. Additionally, it is sought to include educational establishments as a land use type which can contribute to the non-residential community requirement upon the site, maximising the flexibility of future uses to accommodate the needs of local residents.
A detailed geotechnical assessment should be provided with the application	No physical works are proposed as part of the concept proposal. A detailed geotechnical assessment will be prepared and submitted as part of the future detailed SSDAs, which will address the site-specific ground conditions, excavation methodology, and any potential geotechnical impacts associated with the proposed works.
Nearby public land would be suitable for the development, instead the site should be refurbished	The proposed development is consistent with the relevant planning framework and with development envisaged for Waterloo South. The proposal also does not include the demolition of any dwellings, noting this has already been approved under a separate application.
Accessible public amenities should be provided within the precinct and public space should be inclusive.	The importance of accessible public amenities is acknowledged. The detailed design of future public spaces and community facilities will consider the provision, location and accessibility of public amenities to ensure these spaces are welcoming, inclusive and accessible to all users.

A response to the key matters raised within DPHI's Key Issues Letter issued on 6 July 2026 is provided in **Table 2**.

Table 2 Responses to DPHI Key Issues Letter

Key Issues	Applicant Response
Concurrent Rezoning Proposal	
<u>Reference Scheme</u> The reference scheme used to inform the impact assessments (including wind, solar access, overshadowing and GFA yield testing) is significantly lower in scale than the proposed envelope planning control changes in the Sydney LEP 2012, Waterloo Estate (South) Design Guide (DG) and Concept Plan. This indicates that the assessments have been undertaken against a scheme that does not reflect the maximum built form permissible under the proposed controls. While the Department acknowledges the need for flexibility in the proposed planning controls, the disparity in scale between the reference scheme and planning control envelopes introduces the potential for untested or understated impacts. The Department recommends that the controls within the DG and Sydney LEP 2012 are reviewed to align more closely with the reference scheme used in these assessments. Alternatively, further impact assessments should be undertaken for a scheme that reflects the maximum achievable GFA and built form permissible under the proposed controls to demonstrate worst-case impacts. This would ensure that the full extent of development envisaged by the planning framework is appropriately tested, and that resulting impacts can be robustly assessed and compared against the 2022 scheme.	The proposed LEP height controls have been amended in response to DPHI's comments to further rationalise the maximum LEP height to the building envelopes. Refer to Section 3.1.1 and 4.1.1.2 of the RtS Report and the Addendum Urban Design Report at Appendix F.
<u>Solar Impact</u> The updated reference scheme shows a 12% increase in some surrounding residential buildings receiving less than 2 hours of direct sunlight, as well as reductions in solar access to important public spaces like George Street. The solar access assessment has also not considered all surrounding developments, focusing only on three buildings. Submissions from the City of Sydney (the City) and the community have raised significant concern with increased overshadowing impacts and limited analysis provided within the EIS and Rezoning Report.	Additional solar and overshadowing analysis has been undertaken in response to the DPHI's comments, extending the assessment to surrounding residential properties not owned by Homes NSW, including those at Cope Street and Cooper Street, and to development surrounding Block 7. The analysis compares the proposed master plan with the 2022 Design Guide inclusive of the equivalent 10% design excellence uplift. Refer to Section 4.3.2.2 of the RtS Report and the Addendum Urban Design Report at Appendix F.

Key Issues	Applicant Response
Given the difference between the reference scheme and planning controls, solar impacts could vary widely from the assessment provided. It is recommended the solar access assessment be updated to consider all affected surrounding dwellings and changes to solar access clearly addressed. This should include existing residential properties in the precinct not owned by Homes NSW, such as: • 233–246 Cope Street • 111, 123 and 127 Cooper Street	
<u>Design Guide</u>	The Revised Design Guide has been updated (refer to Appendix D) in response to submissions received, including each of these points raised by DPHI. Amendments include clarification of upper-level setbacks, deep soil and planting on structure provisions, reinstatement of the Block 8 through-site link and updates to relevant figures, tables and street design requirements.
<i>a) Setbacks</i> The amended DG seeks to swap upper-level setbacks with new “street wall” provisions. While the Rezoning Report states that taller elements of buildings will be set back behind the street walls, it is not clear how the DG will achieve this. The DG should be updated to be clear on how buildings will differentiate the street walls and taller building elements.	A Design Guide control is proposed requiring a minimum 1.5m upper-level setback along George Street for most buildings (refer to Figure 13a of the Revised Design Guide at Appendix D) in recognition of the importance of George Street as the civic spine of the precinct. In combination with the maximum street wall height controls, this will deliver a clear podium and tower expression, establish visual consistency along the street corridor and maintain an appropriate human scale at street level. Maximum street wall height controls apply across the precinct and, together with the height-in-storeys and building separation provisions, establish the built form hierarchy along all street frontages. The additional mandated upper-level setback is proposed for George Street in recognition of its civic role and the continuity of address sought along that corridor. Elsewhere, street wall expression is calibrated to the character and scale of the individual street, including the street wall and podium outcomes at Block 7. Flexibility above the minimum setback enables future design teams to optimise floorplate efficiency, apartment amenity, solar access, wind performance, building separation and responses to individual site conditions, all of which are more appropriately resolved at the detailed design stage, guided by the ADG. Consistency with the ADG’s objectives will be assessed in each future development application. An assessment of the additional setback in relation to wind, sky view and solar impacts has been undertaken and is provided in the Addendum Urban Design Report (refer to Appendix F) and within the RtS Report at Section 4.3.1.2. The assessment concludes the proposed setback has no material impact upon each of these matters when compared to the submitted proposal.

Key Issues	Applicant Response
<i>b) Retail</i> The Department is supportive of the future retail mix to provide affordable options for lower-income households such as low-cost food retailers, second-hand retail, and community or not-for-profit operators. To support the delivery of these outcomes, the Department requests that clear provisions and implementation mechanisms be incorporated into the DG.	The Revised Design Guide does not amend controls relating to the retail mix when compared to the 2022 Design Guide. It is noted that the Design Guide already includes provisions at Section 3.1.1(4), Section 3.1.1(6), Section 5.3.3(1), Section 5.3.3(2)(b) and Section 5.3.3(5) to ensure that a diverse range of retail uses are provided to support the local area, particularly with respect to George Street. Additionally, as outlined in the Social Impact Response Letter (refer to Appendix I), a Retail Strategy is being prepared which will ensure long-term affordable retail and service options are provided within the precinct. This requirement will be embedded within the SIA and has therefore now been adopted within the Revised Design Guide. The future retail mix will be determined subject to market demand.
<i>c) Social impact</i> A key response identified in the SIA is to achieve a tenure-blind approach to the built form within the precinct. To support this outcome, the Department requests clear provisions and implementation mechanisms be incorporated into the DG.	The Revised Design Guide continues to include references to a tenure blind design approach throughout its objectives and principles (refer to Principle 3.1.2(8), Objective 5(g) and Objective 8.12(e)). No change is proposed to the 2022 Design Guide in this regard, and the project will continue to demonstrate that irrespective of tenure, all residential development will be of high quality. Accordingly, no additional provisions are proposed beyond what was included in the 2022 Design Guide.
<i>d) Flexibility</i> The updated DG introduces additional qualifying wording such as 'where possible' to provisions such as sections 7.1 and 8.5.3. While the Department acknowledges this seeks to add flexibility, the DG already has provisions that allow for this under Section 1.7. The Department considers these changes to be superfluous and recommends Homes NSW removes this additional wording to maintain clarity and consistency in the document.	The Revised Design Guide has been updated to remove 'where possible' wording that was introduced by the Rezoning Proposal and Concept SSDA.
<i>e) Deep Soil</i> The revised DG's deep soil mapping proposes deep soil above areas mapped for basements. Areas above basements are generally not considered to be deep soil areas. The Department requests clarification on how these deep soil outcomes would be achieved in practice. It is also noted that, as the proposal seeks both rezoning and concept approval, consistency is required between the DG, the Concept Plan and any future detailed development applications. The Department recommends that the deep soil mapping be reviewed and refined to ensure it accurately reflects achievable outcomes and aligns consistently across all approval stages. The Department also recommends further consideration be given to planting in through-site links.	To avoid confusion and ensure consistency between the Concept SSDA documentation and the revised Design Guide, references to deep soil have been removed from the Concept SSDA Envelopes. Future detailed development applications will be responsible for demonstrating compliance with the relevant deep soil provisions established within the revised Design Guide. Amendments have been made to Table 5 of the revised Design Guide (refer to Appendix D), to align the deep soil calculations with the calculations provided in the Public Domain and Landscape Report submitted with the Concept SSDA and Rezoning Proposal. This discrepancy arose as the figures included in the revised Design Guide were based on an earlier iteration of the landscape design, prior to the final calculation of deep soil areas which excluded hardstand areas, including paving. Section 4.3.7.3 of the RtS Report explores this matter in more detail.

Key Issues	Applicant Response
<i>f) Heritage</i> The updated DG seeks to remove requirements to step development down to heritage items. The Department recommends this clause be retained to ensure adequate transition between developments and heritage items, noting Part 1.7 of the DG allows for a flexible approach.	DPHI's comments regarding the transition between new development and heritage items are noted. Section 3.1.2(4) of the Revised Design Guide has been drafted to allow for a stepped transition between taller buildings and heritage items, while retaining flexibility in how an appropriate transition is achieved.
<i>g) Through-site link</i> The Department understands Homes NSW is redesigning Block 8 to reintroduce a southern through-site link to improve permeability and address CPTED concerns. The Department supports this approach and requests the through-site link to be reinstated and reflected consistently across the DG and Concept Plan.	The public access that was shown between Buildings 8AB1 and 8AB2 in Figure 151 of the Public Domain and Landscape Report has been included as a through-site link in response to DPHI's feedback. This has been updated throughout the revised Design Guide and is addressed in Section 4.3.6.1 of the RTs Report. The proposed additional through-site link, comprising a width of between 6m and 9m, reduces the potential risk of entrapment by providing a legible and direct pedestrian connection through from the proposed Block 8 park to McEvoy Street. The link also responds to established pedestrian desire lines, as it would form the most direct route through the site towards the Green Square heavy rail station, encouraging regular pedestrian activity.
<i>h) City of Sydney</i> The updated DG seeks to amend requirements on street design, including Sections 7.1 and 7.3. The City has raised concerns with these changes and has provided detailed comments on the DG more broadly. The Department recommends that Homes NSW work collaboratively with the City to address these concerns and ensure any proposed amendments are acceptable.	The Applicant has worked collaboratively with the City of Sydney on the design of the streets within the Waterloo South Precinct. Targeted amendments have been made to the revised Design Guide in response to feedback received during the Public Infrastructure Working Group sessions. Table 2 has been updated within the Revised Design Guide (refer to Appendix D) to reflect the street design as agreed with the City of Sydney Public Infrastructure Working Group. A response to each of the matters raised by the City of Sydney with respect to Street Design have been addressed within the Addendum Public Domain and Landscape Report prepared by Aspect Studios (refer to Appendix G).
<i>Height limit exclusions</i> The Rezoning Proposal seeks to introduce open space on the rooftops of future buildings and to exclude these from the height limits set in the Sydney LEP 2012. The Department understands that this is to provide consistency with the City's Planning Proposal PP-2024-709. As this Planning Proposal has not been determined by the Department, it is recommended that Homes NSW undertakes a review of the scheme to determine whether this exemption is required.	The amendment to clause 7.29(6) of the Sydney LEP 2012 is proposed to be removed from the Rezoning Proposal. The amendment sought to exclude structures associated with rooftop communal open space from the height limits under the Sydney LEP 2012, in alignment with the corresponding amendment proposed under the City's housekeeping planning proposal (PP-2024-709). Upon review of the proposed building heights, and in response to matters raised by DPHI, SJB have confirmed that allowances for communal rooftop structures and associated elements were generally incorporated within the Concept SSDA Envelopes and proposed LEP heights. The Concept Envelopes for Building 8AB3 and Building 8BB1 have been amended to ensure plant and other rooftop structures are able to be accommodated within the envelope (refer to Appendix C). Appropriate flexibility ranging from approximately 3.2m to 4.5m has been allocated to the principal usable part of communal open spaces across the Waterloo South precinct. Rooftop communal open space and associated structures can therefore be accommodated within the prescribed

Key Issues	Applicant Response
<u>Non-residential floor space reduction</u> Submissions by the City and community have raised concerns over reductions of non-residential GFA and introduction of educational establishments into the community space provisions. The Department recommends further justification be provided for these changes, including: - the intent and reason for the inclusion of these elements in the 2022 scheme; and - why this is required to change under the proposed scheme, noting that an increase in dwellings is proposed.	maximum heights, and the proposed amendment is no longer required (refer to Section 4.3.1.1 of the RtS Report). The reduction in minimum non-residential GFA from 17,000sqm to 15,000sqm reflects a change in the surrounding retail context since the 2022 scheme was prepared and the removal of the Health One Facility, rather than any reduction in the community serving function of the precinct. An Addendum Retail Demand Letter prepared by Urbis provided as (Appendix B) confirms that the revised minimum remains sufficient to meet the day-to-day needs and demands of the future resident population. Refer to Section 4.1.1.3 of the RtS Report.
<u>Road Acquisition</u> Transport for NSW has recommended that the land along the northern side of McEvoy Street (existing lots 3, 4, 5 and 6 in DP 252609) be included in the Land Reservation Acquisition Map under the Sydney LEP 2012. The Department recommends Homes NSW considers the impacts of the reservation mapping on the design and layout of the proposal and updates proposed mapping accordingly.	As detailed in Section 4.1.1.4 of the RtS Report, the potential future road widening along McEvoy Street has been further considered following the exhibition period, including through direct engagement with TfNSW. TfNSW has confirmed that it requires the full extent of the road widening provided for in DP 252609 to be retained. This impacts Blocks 8, 9 and 10 along McEvoy Street. Block 8 already has a setback consistent with DP 252609 as the road widening area is currently zoned SP2 on the LEP 2012 Land Reservation Acquisition Map. The road widening affecting Block 9 and 10 equates to a setback of 12.8m at the splay edges and approximately 10.34m along the majority of the McEvoy Street frontage (as measured by RPS). This exceeds the 2022 Design Guide 9m setback to McEvoy Street established for Blocks 9 and 10 by the Waterloo Estate (South) Design Guide 2022, which informed the exhibited Concept SSDA envelopes. In response the following changes are proposed: - The FSR Map has been amended for Blocks 9 and 10 so that the mapped development area excludes the land subject to the road widening in DP 252609 (refer to Appendix B). - The Height of Buildings Map has been amended for Blocks 9 and 10 so that the mapped development area excludes the land subject to the road widening in DP 252609 (refer to Appendix B). - The Block 9 and 10 Concept Envelopes have been amended to reallocate the GFA previously located within the widening area, which encroached 1.34m into that land in the exhibited scheme (refer to Appendix Error! Reference source not found.).
Concept Application	
<u>Built form and residential amenity</u> a) The Department has undertaken an assessment of the concept building envelopes and reference scheme against the ADG and has identified inconsistencies with the recommended solar access, building	The building separations provided for by the concept envelopes are consistent with the approach established under the 2022 Design Guide, which similarly provided for separation distances below those recommended under Part 2F of the ADG. The reference scheme achieves the ADG objectives by providing building separation that achieves the design criteria for non-habitable rooms and blank walls. The reference scheme demonstrates

Key Issues	Applicant Response
separation and natural ventilation criteria. In particular, internal building separation across all blocks is inconsistent. The Department acknowledges detailed apartment design will occur at a later stage and may incorporate mitigation measures such as privacy screening. However, relying on such measures should be minimised. Where feasible, and particularly in the delivery of affordable and social housing, increased building separation should be demonstrated at the concept stage to better achieve the objectives of the ADG and support high-quality residential amenity outcomes.	that achieving visual privacy in accordance with Part 3F of the ADG is achievable and appropriate, together with solar access and natural cross ventilation outcomes. Building separation and visual privacy will be assessed against the relevant provisions of the ADG as part of each future detailed development application. Refer to Section 4.3.3.1 of the RtS Report.
b) The proposed provision of communal open space appears disproportionate to the site area, particularly within Blocks 7, 8A and 9, resulting in significantly less open space than the recommended criteria of the ADG. The Department requests that the design be revised to maximise the provision of communal open space in these blocks and better align with the intent and objectives of the ADG.	The provision of communal open space has been reviewed on a block-by-block basis. Refer to Section 4.3.3.5 of the RtS Report and the Addendum Public Domain and Landscape Report at Appendix H.
c) Blocks 3A, 3B, 5A, 7A, and 8 have inconsistent heights when compared to the revised DG. Revise the Concept Application to ensure consistency with the DG.	The Concept SSDA building envelopes are consistent with the height-in-storeys parameters identified within the Revised Design Guide height-in-storeys map. It is noted inconsistencies raised by DPHI are referring to podium building heights and the specific modulation provided within the Design Guide that is not visible within the Concept SSDA Envelopes. The Concept SSDA Envelopes have been rationalised to enable different design solutions at the detailed SSDA stage. Future detailed applications will need to address the Design Guide height in storey provisions to demonstrate the built form is appropriate for its respective interface.
d) The Department has concerns that natural cross ventilation will not be achieved in line with the objectives of the ADG along McEvoy Street due to noise constraints. Refer to Section 9 of this letter.	The Addendum NVIA (refer to Appendix O) includes a precinct-wide concept natural ventilation strategy, incorporating a 'windows open' assessment to identify locations where untreated façade openings may result in exceedances of the relevant noise criteria. The assessment indicates that only a limited number of dwellings across the precinct are likely to require more substantial acoustic mitigation. As outlined in Appendix O and Section 4.3.3.4 of the RtS Response, a range of potential mitigation measures has been identified for the various exceedance scenarios, including acoustically lined soffits, building design responses, wintergardens and acoustic ventilators. The concept natural ventilation strategy demonstrates that appropriate design solutions are available to enable future Detailed SSDAs to achieve compliance with the relevant natural ventilation and noise criteria.

Key Issues	Applicant Response
<u><i>Social Impacts</i></u> Given the proposal seeks approval at a precinct scale, it is critical that the Social Impact Assessment (SIA) and Preliminary Social Impact Management Plan (SIMP) clearly establish a robust, overarching framework for managing social impacts. This is particularly important as future stages are likely to assess more isolated and site-specific impacts.	The SIA and Preliminary SIMP will be revised to establish an overarching framework for managing social impacts at the concept masterplan stage and across future stages of development. A detailed response to each matter raised is provided in the Social Impact Response Letter at Appendix I. This response letter will guide the update of the SIA and SIMP which is currently being worked through and will be provided to DPHI by 30 September 2026.
a) While the SIA identifies a diverse existing social baseline within the existing community, including a number of groups at increased risk of social and psychological impacts, the assessment and proposed mitigation measures are largely framed at a broad, whole-of-community level. The Department considers a more targeted and cohort-specific approach is required, including clearly explaining how different groups may experience impacts and the development of tailored mitigation measures.	The SIA identifies a diverse existing social baseline within the existing community, including vulnerable community members. Further consideration of how different groups may experience impacts will be provided in the revised SIA, and tailored mitigation measures to support these groups will be provided in the revised SIMP. Refer to Appendix I.
b) The Department also notes inconsistencies in the assessment of impact in the SIA and SIMP, particularly for pre-construction impacts such as tenant relocation. It is not clear how impacts will be managed across the full lifecycle of the development (Sections 7.2.1, 7.2.2, 7.2.4.1, 7.2.5.4, and 7.2.8.3). It is critical that the duration of impacts is accurately reflected throughout the SIA. Please revise the SIA and SIMP accordingly.	A consistent approach to impact assessment will be applied in the revised SIA and SIMP, addressing the duration of impacts and their management across the full lifecycle of the development. Sections 7.2.1, 7.2.2, 7.2.4.1, 7.2.5.4 and 7.2.8.3 of the SIA will be revised accordingly, together with Table 2 of the SIMP. Refer to Appendix I.
c) The SIMP does not clearly identify: - desired community outcomes; - monitoring and reporting frameworks; - performance measures; or - how cumulative impacts will be managed. The SIMP should be revised to address these matters and be consistent with the Department's Social Impact Management Toolbox for State Significant Projects.	The SIMP will be revised to identify desired community outcomes, monitoring and reporting frameworks, performance measures and the management of cumulative impacts, and to ensure consistency with the DPHI's <i>Social Impact Management Toolbox for State Significant Projects</i>. Refer to Appendix I.
d) The Department advises the Applicant to carefully consider the City of Sydney's key social impact matters and appropriately address the matters raised.	The social impact matters raised in the City of Sydney's submission have been considered and are responded to individually at Table 2 of this register and in the Social Impact Response Letter at Appendix I. Meetings have been held with the City officers who prepared the submission and agreement has been reached on the

Key Issues	Applicant Response
<u>Noise</u> The Preliminary Noise and Vibration Impact Assessment (NVIA) identifies high noise levels along façades fronting McEvoy Street and concludes the internal noise criteria for “windows open” would not be achieved. As such, mechanical ventilation is recommended to ensure adequate airflow. However, the proposed reference scheme relies on balconies and windows along the McEvoy Street façade to achieve cross ventilation. Given the identified noise constraints along McEvoy Street, it is unlikely that effective cross ventilation can be achieved without compromising noise to internal areas. The Department recommends additional cross ventilation opportunities be explored and that the design be revised accordingly.	required revisions to the SIA and SIMP, including the baseline conditions against which impacts are to be assessed. Refer also to Section 4.3.4 of the RtS Report. The Addendum NVIA (refer to Appendix O) includes a precinct-wide concept natural ventilation strategy, incorporating a ‘windows open’ assessment to identify locations where untreated façade openings may result in exceedances of the relevant noise criteria. The assessment indicates that only a limited number of dwellings across the precinct are likely to require more substantial acoustic mitigation. As outlined in Appendix O and Section 4.3.3.4 of the RtS Report, a range of potential mitigation measures has been identified for the various exceedance scenarios, including acoustically lined soffits, building design responses, wintergardens and acoustic ventilators. The concept natural ventilation strategy demonstrates that appropriate design solutions are available to enable future Detailed SSDAs to achieve compliance with the relevant natural ventilation and noise criteria.
Transport for NSW and the submitted Transport Impact Assessment (TIA) has identified McEvoy Street as a road with an annual average daily traffic volume that exceeds 20,000 vehicles. As such, the provisions of Section 2.120 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) must be considered, including limiting night-time noise impacts to: • 35 dB(A) in bedrooms; and • 40 dB(A) anywhere else at any given time. The NVIA does not clearly quantify the extent of noise exceedance and only provides anticipated daytime and night-time façade noise starting at 60 dB(A), significantly greater than the criteria of the Transport and Infrastructure SEPP. The Department requests the NVIA be updated to clearly identify expected internal and external noise levels for affected dwellings along McEvoy Street, and to demonstrate how compliance with the SEPP criteria would be achieved through appropriate mitigation measures.	An Addendum Noise and Vibration Impact Assessment (NVIA) has been prepared by E-LAB as part of the Response to Submissions (refer to Appendix O). The Addendum NVIA confirms the appropriateness of the controls contained within the Revised Design Guide, which establish a maximum internal noise level for habitable rooms under a windows-closed scenario. This approach is consistent with the controls contained within the Sydney DCP 2012 and Draft Sydney DCP and aligns with the acoustic assessment metrics established under the State Environmental Planning Policy (Transport and Infrastructure) 2021. The submitted NVIA included an assessment of external traffic noise impacts and identified appropriate mitigation measures. It concluded that the majority of façades across the precinct are capable of achieving the relevant internal noise requirements using standard single glazing. For the more noise-exposed habitable rooms facing McEvoy Street, higher-performing single glazing may be required however, double glazing is not expected to be necessary as part of the detailed design of buildings within the precinct. The Addendum NVIA (refer to Appendix O) also includes a preliminary façade glazing matrix to guide glazing specifications based on external noise levels and the proportion of glazed area, having regard to typical room dimensions and finishes. The matrix identifies three glazing performance categories, with minimum acoustic ratings of Rw32, Rw35 and Rw37. It is intended that this matrix will be used as a guide and be reviewed as necessary as part of the detailed SSDA stages.
<u>Wind Testing</u>	A technical memorandum has been prepared by SLR (refer to Appendix L) to accompany the Environmental Wind Tunnel Assessment Report at Appendix O of the EIS. The wind environment within the Block 1 park

Key Issues	Applicant Response
The Environmental Wind Tunnel Study predicts comfort levels in proposed parks in Block 1 and Block 8 to be: • “standing”; and • “walking”, respectively. The Department considers these outcomes to be unacceptable for public open space and requests design amendments to ensure wind comfort outcomes achieve a “sitting” comfort level.	satisfies the standing criterion and is consistent with the conditions arising under the existing Design Guide controls, and the Block 8 park was found to have a favourable baseline wind environment. The memorandum confirms that targeted wind mitigation measures, such as tree planting and shade structures, will reduce local wind speeds to allow the sitting comfort criterion to be achieved. As the design of both parks will be undertaken in collaboration with the City of Sydney, the specific mitigation measures and seating locations will be confirmed through the detailed design of each park, with further testing provided at the relevant detailed development application stage. Refer to Section 4.3.2.1 of the RtS Report.
The Environmental Wind Tunnel Study has not provided predicted comfort levels for existing development surrounding the site. The Department requests that additional wind testing be undertaken to identify predicted comfort levels across surrounding streets and key public domain areas, including: • Waterloo Park; and • Waterloo Oval. The assessment should demonstrate how appropriate design responses and/or mitigation measures would achieve suitable wind comfort outcomes, including a “sitting” comfort level where applicable.	Test locations were selected within the immediate proximity of the development, where the influence of the building mass is greatest, and include points at the western extent of Waterloo Park and the northern extent of Waterloo Oval, being the first areas within each park to experience development-induced changes in airflow. The memorandum confirms these are the most appropriate locations and that the results provide a conservative and representative indication of wind conditions within the parks. Refer to Section 4.3.2.1 of the RtS Report.
<u>Deep Soil</u> The proposed envelope plans refer to deep soil planting that is not consistent with the reference scheme or DG. Please remove reference to deep soil zones on the proposed envelope plans to avoid this discrepancy.	Deep soil mapping has been updated to align with the revised Design Guide and Landscape Design. Further detail is provided in Section 4.3.7.3 of the RtS Report and the Revised Design Guide (refer to Appendix D).
<u>Public Open Space</u> The Voluntary Planning Agreement executed in February 2023 (VPA 2020/14) requires the delivery of 23,600 m² of public open space in the Waterloo Estate (South) precinct. The Department requests clarification on how the proposal achieves the required 23,600 m² of public open space, including clear identification of all areas contributing to this total.	The Planning Agreement provides for approximately 21,000sqm of land to be dedicated as public parks, and separately provides for a total of approximately 23,600sqm to be embellished, that quantity being inclusive of any road closures. The approximately 20,000sqm large park and 1,000sqm small park identified in the EIS correspond to the park land to be dedicated under the Planning Agreement. The difference between the two figures reflects the inclusion of the permanent road closure within the embellishment obligation and does not represent a shortfall in the open space to be delivered. Refer to Section 4.1.3.2 of the RtS Report.

A response to the City of Sydney Council Submission is provided in the following table.

Table 3 Responses to City of Sydney Submission

Matter Raised	Applicant Response
Rezoning Proposal	
<i>Height of Buildings and Floor Space Ratio Maps</i> The application makes it difficult to compare the existing master plan approved and proposed height and floor space controls that are applicable to the site, and as such, make it challenging to consider the change in impacts of the proposal in a comprehensive manner. The Urban Design Report should clearly present the existing approved and proposed height and floor space controls. It is also unclear what should be considered as the proposed height as the application makes reference to both the 'planning envelope' and the 'height plane', which in many cases are at different heights. The application is presented to suggest the proposal is compliant with planning controls. However, it is clear that the proposal is not compliant and should be revised and clarified.	Additional diagrams have been prepared by SJB illustrating the relationship between the LEP controls, the Planning Envelope, the Master Plan Massing and the Reference Scheme, and the difference in approach between the 2022 Design Guide and the proposed scheme. The Planning Envelope defines the three-dimensional extent within which future development may be located, and the Master Plan Massing represents the maximum GFA achievable within that envelope as modulated by the planning controls and the Design Guide. Refer to Section 4.1.1.1 of the RtS Report and to the Architectural Response Pack at Appendix F.
<i>Heights of buildings</i> Height controls are generally reflective of the concept plan but are too coarse. If the proposed concept envelopes and reference schemes are to demonstrate that future developments are capable of complying with the proposed controls, the proposed heights appear significantly more generous than the maximum yield. In particular, on some sites where there is a 40m difference in height between the LEP control and the reference scheme height.	In response to the disparity identified between the proposed Sydney LEP 2012 height controls and the built form, the proposed Height of Buildings Map has been amended to reduce the controls applying to Buildings 4C, 5A, 6A and 8A, including those sites exhibiting a difference in the order of 40m. Refer to Section 3.1.3 and Section 4.1.1.2 of the RtS Report and the revised LEP Maps at Appendix C.
<i>Amend Cl 7.27</i> The EIS / rezoning proposal seeks to amend clause 7.27 to permit 'educational establishments' and 'creative industries' as allowable land uses along designated active frontages. It is also proposed to amend the Active Frontage maps to reflect the revised building envelopes. Whilst there is no objection to the inclusion of these two additional uses, uses at the ground floor should prioritise non-residential uses increasing public interaction. Clause 7.27(3)(b)(i) should be amended to reflect this.	Both educational establishments and creative industries contribute to the activation of the street frontages. The final location of non-residential uses will be determined at detailed design stage and will prioritise building entrances along key roads to encourage pedestrian interaction.

Matter Raised	Applicant Response
<u><i>Amend Cl 7.29(3)(a)</i></u> The EIS / rezoning proposal seeks to amend clause 7.29(3)(a) to reduce the minimum non-residential gross floor area requirement for Waterloo South from 17,000sqm to 15,000sqm. The City is not supportive of a reduction in non-residential supporting floor space. There will be significant demand for community serving uses, retail and recreation generated by the differing price point capacity of the new mixed tenure residential population and this should be accommodated in some part in the development.	An updated Retail Demand Assessment has been prepared by Urbis (Appendix H) confirming that the revised minimum of 15,000sqm remains sufficient to meet the day-to-day needs of the future resident population. Refer to Section 4.1.1.3 of the RtS Report.
<u><i>Amend cl 7.29(3)(b)</i></u> The EIS / rezoning proposal seeks to amend clause 7.29(3)(b) to include 'educational establishment' as an additional permitted land use that may contribute to the minimum 5,000sqm requirement under this clause. It is presumed that this may be to facilitate a future school that has been referenced in the SIA. Whilst there is no issue with the inclusion of the educational establishment use, the original intent of the minimum floor space requirement for community service uses was based on identified needs to particular community uses to support the large residential population. Further analysis is required to justify why an educational establishment can contribute to community service floor space rather than in addition to the existing uses.	The inclusion of 'educational establishment' as a land use that may contribute to the minimum 5,000sqm community service floor space requirement of the Sydney LEP 2012 provides flexibility to accommodate a future education facility within the precinct if demand requires in the future. Such an educational establishment could serve the resident population and fulfil a community service function consistent with the intent of the clause. Should an educational establishment not be delivered, the balance of the minimum community service floor space requirement would be met by community uses in accordance with the clause, ensuring the identified community service floor space needs are not diminished. Refer to Section 4.1.1.3 of the RtS Report.
<u><i>Amend cl 7.29(6)</i></u> The existing wording of this clause allows only solar panels and associated structures to breach the height control applicable to the site. The proposal to exclude communal open space structures as well is not supported and undermines the integrity of height controls and urban design analyses undertaken within the precinct thus far. Communal open spaces are generally designed with integrated shade structures and taller parapets that add additional bulk to the top of the building, and it is unclear whether any additional heights and bulk have been tested in the proposed scenarios. It is recommended that no changes to this clause are made and all communal open spaces on rooftops be contained wholly within the maximum heights prescribed for each site.	The proposed amendment to clause 7.29(6) of the Sydney LEP 2012 has been removed from the Rezoning Proposal. A review of the scheme has confirmed that allowances for communal rooftop structures and associated elements are already incorporated within the Planning Envelope, with buffers of approximately 3.2m to 4.5m provided to the principal usable part of communal open spaces across the precinct. Rooftop communal open space and associated structures, including integrated shade structures and parapets, can therefore be accommodated within the prescribed maximum heights, and no change to the clause is proposed. Refer to Section 3.1.3 of the RtS Report and Figure 18 of the Design Guide Amendments at Appendix D.

Matter Raised	Applicant Response
Concept Proposal <u>Planning Agreement</u> On 23 February 2023, the City entered into a Planning Agreement in connection with a planning proposal to amend the planning controls that apply to Waterloo Estate (South) under SLEP 2012. The Agreement formalised a public benefit offer for: • Land dedications and embellishment works to new road reserves; • Embellishment of existing road reserves; • Land dedication and embellishment of approximately 23,600sqm of public open space including one large open space and one small park; Land dedication and embellishment of approximately 2,400sqm of community facilities across no more than two locations. The Agreement requires that the public open space and community facilities are delivered no later than the Occupation Certificate of 50% and 75% of the GFA of the development, respectively. Based on the proposed staging and yield in this proposal, this would equate to the large public open space being delivered between the 2nd and 3rd phases and the community facilities between the 4th and 5th stages. The proposal includes the smaller park in the first stage but does not indicate a timeframe for the larger open space. The community facilities are indicated in the 1st and 2nd stages which is supported. The proposed locations of the open space and community facilities are supported. The EIS indicates the quantum of public open space appears to be 20,000sqm for the large park and 1,000sqm for the small park, well short of the 23,600sqm of park embellishment under the VPA. This may be a discrepancy between the land to be dedicated and the incorporation of the road closure to form the large park. The application should be amended to reflect the actual open space to be delivered inclusive of any road closures. The obligations of the applicant and the City for the permanent road closure are included in the terms of the VPA.	Delivery timing The support of the City for the proposed locations of the public open space and community facilities, and for the staging of the community facilities is noted. The Infrastructure and Staging Plan prepared by WSce identifies the delivery of Block 1, comprising the main park area, as the third stage in the proposed construction sequence, following the delivery of Blocks 8 and 9 and Blocks 2 and 4. On this basis, the large public open space would be delivered ahead of the timeframe required under the Planning Agreement. Public open space quantum The quantum of public open space identified in the EIS is consistent with the Planning Agreement. The Planning Agreement provides for approximately 21,000sqm of land to be dedicated as public parks, and separately provides for a total of approximately 23,600sqm to be embellished, that quantity being inclusive of any road closures. The approximately 20,000sqm large park and 1,000sqm small park identified in the EIS therefore correspond to the park land to be dedicated under the Planning Agreement, rather than the total embellishment area. The difference between the two figures reflects the inclusion of the permanent road closure within the embellishment obligation and does not represent a shortfall in the open space to be delivered. The obligations of the applicant and the City in relation to the permanent road closure are as set out in the Planning Agreement and are unaffected by the Concept SSDA. Community facilities The Planning Agreement requires 2,400sqm of community floor space to be dedicated to the City. This forms part of, and is not additional to, the minimum 5,000sqm of community uses required under clause 7.29(3) of the Sydney LEP 2012. The reference scheme is indicative and does not fix the location, configuration or floor area of community facilities, which will be resolved through future detailed applications. The reference scheme identifies 2,604sqm of floor space capable of satisfying the Planning Agreement dedication, demonstrating that the concept proposal retains sufficient capacity to deliver not less than 2,400sqm to the City across no more than two locations, consistent with the Planning Agreement. The City's preference for consolidation of City-owned facilities to minimise their spread across multiple floors is noted and will be addressed at the detailed application stage. Staging of infrastructure delivery The staging identified in the Infrastructure and Staging Plan is indicative. Should the stages be delivered in an order other than that proposed, the completion of the dedication and embellishment of new roads would be adjusted accordingly to ensure that the road infrastructure serving each stage is delivered with that stage. Refer to Sections 4.1.3.1, 4.1.3.2 and 4.1.3.3 of the RtS Report.

Matter Raised	Applicant Response
The concept SSDA proposes 5,389sqm of community uses, shown within the reference scheme, in accordance with the minimum 5,000sqm required under clause 7.29(3) of the SLEP 2012. The reference scheme produced by SJB provides for only 2,169sqm of GFA to be dedicated to the City, far short of the target 2,400sqm identified in the VPA. Additionally, while this is only a reference scheme, the co-location of City owned community facilities with other community and non-residential uses may not be the most efficient use of the floorplates of the buildings, and lead to the limitation of potential uses. Where applicable, future City-owned community facilities should be consolidated to minimise the spread over multiple floors in the two locations. This can be addressed in detailed applications but should be noted by the proponent. The EIS has indicated the staging is indicative, however the following comments relate to the staging of the delivery of the infrastructure based on this proposal and items contained within the submitted Infrastructure Delivery and Staging Plan. Should the Developer elect to deliver the Stages in a different order than proposed in this application, then the completion of the dedication and embellishment of new roads may also need to be adjusted.	
<u>Existing and New Roads</u> The VPA obligates the Developer to undertake works to the immediate frontage of each development block in accordance with the Design Guide. Works to the road carriageway are generally limited to "make good" except where Australian Standards or flood management requires an adjustment of road levels and/or upgrade of storm water system. Further, Section 6.4 of the EIS describes the staged infrastructure delivery. Whilst this extent is generally supported, the Infrastructure Delivery Plan has indicated various works on opposite sides of streets as needed to provide for the staged delivery. Consideration should also be given to a similar approach to public domain elements on opposite sides of streets and at intersections such as pedestrian ramps, kerb extensions, pedestrian crossings, street lighting and the like, where they are required for the effective function and to meet Australian Standards of the immediate frontage of each stage. A review of Table 10 in the EIS has identified the following errors or anomalies that require clarification and resolution for consistency:	The general support of the City for the extent of works is noted. The staging of public domain works will be reviewed to ensure that public domain elements on opposite sides of streets and at intersections, including pedestrian ramps, kerb extensions, pedestrian crossings and street lighting, are delivered where required for the effective function of the immediate frontage of each stage and to meet the relevant Australian Standards. The errors and anomalies identified in Table 10 of the EIS are acknowledged. The revised indicative development staging and associated land dedication and Planning Agreement commitments are set out at Table 7 of the Response to Submissions Report. Refer to Sections 4.1.3.4, 4.1.3.5 and 4.1.3.6 of the RtS Report for a detailed discussion. The staging of street dedication and embellishment will be reviewed to ensure that the new street sections fronting each stage, including the relevant sections of John Street and the West Street extension, are delivered within the corresponding stage to provide pedestrian and vehicle access and circulation.

Matter Raised	Applicant Response
• Stage 1 indicates the upgrade of public domain frontages to Mead Street; however, this street does not exist as yet. The dedication and embellishment of Mead Street should be included in this Stage 1 to ensure pedestrian and vehicle access.⁶ • Stage 2 indicates delivery of the western extent of Cope Street; however, this should be the eastern extent between John Street and Wellington Street to the development site frontages. • A similar error has been stated regarding Cooper Street. It is noted that the proposal is for both sides of Cooper Street upgrades to occur in this stage. • The table also indicates Stage 2 is to include public domain improvements on the adjoining Block 3 development site along West Street. However, Block 3 does not adjoin West Street. It is possible this should reference West Street adjacent to Block 4 and requires clarification. Stage 2 has frontages to the proposed new streets of a section of John St and the West Street extension. These sections of street dedication and embellishment should be included in this stage to ensure pedestrian and vehicle access and circulation. Table 10 of the EIS also indicates a new street extension for West Street in Stage 4, allowing for its connection to Wellington Street. Notwithstanding comments above about including the new road in Stage 2, the section of West Street will connect to the new section of John Street not Wellington Street. Street widening is also proposed to the northern extent of West Street, improving the connection to John Street. This would be Wellington Street. Stage 4 has frontages to John Street and the dedication and embellishment of this section of John Street should be included in Stage 4. As only the first section of the Pitt Street extension is proposed in Stage 4, a temporary turning head for vehicles may be required. These comments on completion of road infrastructure should be read in conjunction with the below detailed infrastructure comments.	
<u>Electrical substations</u> Four existing substations are located across the development area, all within property boundaries.	The existing substation is located on a separate lot outside the Waterloo South development land and is not included within the proposed open space area. As the asset is outside the project boundary and is not proposed to be redeveloped as part of Waterloo South, relocation or undergrounding of the substation is not proposed.

Matter Raised	Applicant Response
One substation on Cope Street between Wellington Street and Raglan Street is proposed to remain and be located in the future large park. As this substation will be somewhat disruptive to the future design and use of the open space, it is the City's preference for this to be located to within a different development block or below ground, where it must remain. Then, the extent of the substation and required curtilage is to be excluded from the calculation and offset of open space.	
<u>Street lighting and power lines</u> The applicant should note that while underground powering of all proposed street lighting is supported, the extent of street lighting works does not demonstrate what existing street lighting is on the opposite side of streets to the development, particularly in relation to intersections. This may affect the location and number of light poles to meet the required standards	Following consultation with City of Sydney following the PIWG meetings in 2025 and March 2026, it is proposed to incorporate the following into the precinct design: • Smart poles to be designed and installed - to George Street between McEvoy Street and Raglan Street on both sides of the street; - to Wellington Street between George Street and Cope Street on both sides of the street. • Standard Ausgrid Street lighting would apply throughout the balance of the precinct. • Due to physical space constraints and the potential impact on tree canopy outcomes and other underground utility infrastructure, this approach is subject to agreement regarding the application of the electrical corridor separation and cable containment requirements.
<u>Potable water and sewer works</u> New potable water infrastructure works are proposed in Stage 4 which includes works to the northern site of John Street between West Street and Block 3. These works would have been completed in Stages 2 and 3. The below ground works in this location should be undertaken in Stage 2 to avoid the need to dig up the earlier completed works. Similarly, new sewer infrastructure proposed in Stage 4 includes works to the northern side of John Street between West Street and George Street which would have been completed in Stage 2. The below ground works in this location should be undertaken in Stage 2 to avoid the need to dig up earlier completed works	The Infrastructure and Staging Plan notes that the staging of utility infrastructure is indicative and that components of the service infrastructure outlined in later stages may be brought forward based on construction feasibility or utility authority requirements. The staging of the below-ground potable water and sewer works on John Street will be reviewed with the intent of delivering these works in Stage 2 where practicable, to avoid excavation of completed public domain works.
<u>Flood impacts</u> Noting the highly urbanised area and the lack of opportunity to significantly alter flood paths, previous advice obtained from the SES on other projects has noted a "shelter-in-place" strategy is not supported for certain land uses, particularly in relation to those people with reduced mobility such as education (children) and aged care (seniors).	It is noted this matter was not raised by the SES in their assessment of the Concept SSDA. Flooding at the precinct level has been assessed as part of the Concept SSDA and included in the Flood Impact and Risk Assessment (FIRA) prepared by GRC Hydro (refer to Appendix AA of the submitted EIS). The assessment found that large-scale evacuation off site is not feasible during a flood and therefore occupants would adopt a shelter in place strategy. The reasons this strategy has been adopted include: • Building occupants will include residents, staff of commercial premises, other building staff and community users. It is likely that a significant number of occupants (non-residential uses, community users and visitors) will not be aware of flood risk in the wider Waterloo area.

Matter Raised	Applicant Response
	• All buildings will have flood free upper levels (level 1 and above), flood-free basement levels (if there is a basement) and most will have flood-free areas on the ground floor. • Flooding will occur during or immediately after flood-producing rainfall and is likely to last around one hour or less. • During and after very heavy rainfall, surrounding roads in the area will be hazardous due to low visibility, flooding in some locations, and potential debris. • There are no warnings issued by the BOM or SES that would warn of flooding at the site, as flash flooding warnings are not issued at such a specific scale. Flood emergency management measures will be considered through future detailed applications by way of an updated or addendum FIRA, having regard to the specific land uses, occupant profiles and advice of relevant emergency management authorities. Further detail is provided in Section 4.3.9 of the RtS Report.
<i>Design Excellence</i> The City's Competitive Design Policy applies to the Waterloo South as set out in GANSW's Design Competition Guideline. The existing Design Guide was prepared on this basis. The application has now been accompanied by amendments to the Design Guide and a separate Design Excellence Strategy. The separate document should not be considered or endorsed in this application as all design excellence provisions should be wholly contained within the Design Guide.	The Design Excellence Strategy (refer to Appendix N of the submitted EIS) has been prepared and submitted with the Concept SSDA to ensure the approach to design excellence for the precinct comprises a holistic and site-wide approach with tailored processes to reflect the different components of the precinct. The proposed approach to provide an alternative design excellence pathway for social and affordable housing is consistent with the City's draft Competitive Design Policy. However, the proposed framework seeks to ensure that all social and affordable housing within the precinct is eligible to participate in the alternative pathway, regardless of whether the housing is provided in perpetuity or for a 25-year period. This provides certainty to the Concept SSDA by ensuring a holistic and site wide tailored approach to design excellence.
<i>Competition Requirements</i> No change is supported to the competition requirements applying to Waterloo South. The current NSW Government competition exemption will lapse in November 2027, and given the 10-15 year delivery timeframe of the project, planning controls should not presuppose future exemptions. The City supports an alternative design review process for social and affordable housing as reflected in its updated Competitive Design Policy, which applies to Waterloo South.	The Design Excellence Strategy (refer to Appendix N of the submitted EIS) expressly acknowledges that an exemption to the competitive design process will be sought for market housing buildings lodged prior to 30 November 2027. The Strategy does not rely on this exemption as a permanent mechanism and competitive processes remain the default for market housing and will apply from November 2027. The proposed framework is therefore consistent with the City's position. It does not presuppose the continuation of any exemption beyond its lapse date, and the City's alternative design review pathway for social and affordable housing, is already embedded in the Strategy.
<i>Gross Floor Area</i> The City acknowledges that 10% bonus floor space available under Section 6.21D of the SLEP 2012 has already been embedded in the LEP controls, against the City's previous advice. The new proposal is inconsistent with the existing controls however, as throughout the EIS and Urban Design Report, statements are made noting that either the proposed envelopes will be compliant with the permissible floor space	Under the existing planning framework, the maximum FSR applicable to the site is that established by clause 4.4 of the Sydney LEP 2012 plus an additional 10%, subject to granting of design excellence, under clause 6.21D of the LEP. The Rezoning Proposal seeks to embed the 10% additional FSR within the controls and subsequently remove the provision for any additional FSR to be allocated to the development under clause 6.21D(3)(a) and 6.21D(3)(b) of the Sydney LEP 2012.

Matter Raised	Applicant Response
in the LEP or will be able to accommodate the bonus available under Section 6.21. Concern is raised that the process of embedding additional floor space without demonstrating first that a building is capable of achieving design excellence significantly weakens the integrity of the design excellence provisions standards the City upholds. Notwithstanding this, whilst it is the City's preference to maintain any height or floor space bonuses as a separate incentive under Section 6.21D of the SLEP 2012, should DPHI continue to support embedding the additional floor space within the controls, the site-specific provisions of the SLEP 2012 should be amended to clearly state any other bonuses relating to design excellence under the SLEP 2012 are not applicable to the site, to avoid any ambiguity.	It is noted that despite excluding future development from being able to access additional floor space under clauses 6.21D(3)(a) and 6.21D(3)(b), each future development application continues to be subject to design excellence, in accordance with the proposed Design Excellence Strategy (refer to Appendix N of the submitted EIS). This approach to design excellence GFA has been adopted in many precincts within the City of Sydney which have been subject to site specific planning and where building envelopes have been established which provide an extra level of design guidance on the site.
<i>State Design Review Panel</i> For development that is to be subject to design review, a specific 'State Design Review Panel – Homes NSW' is proposed. The 'SDRP-Homes NSW' is proposed to be utilised unless agreed between Homes NSW, GANSW and Stockland and is to be convened by the Proponent. The proposed constitution of the SDRP-Homes NSW is: • 1 x GANSW nominee (including the chair) • 1 x City of Sydney nominee • 3 x Independent nominees It is recommended that any SDRP for Waterloo South is to be convened in accordance with GANSW's requirements and, for transparency, should not be replaced by another (unknown) form of design review at the request of the proponent. The inclusion of 'independent' members is at odds with the SDRP terms of reference and should only include members from the pool of expert panel members.	The State Design Review Panel will be undertaken in accordance with the future Alternative Design Excellence Strategies which will accompany the Detailed SSDAs. These strategies will each require endorsement from GANSW and in accordance with the State Design Review Panel procedures of GANSW.
Social and Affordable Housing and Social Impacts	
<i>Social and Affordable Housing</i> The City supports the increase in social and affordable housing being provided in the development, noting that it is the Council's view that affordable and social housing outcomes should be maximised on the site.	The proposal results in an increase of social, and affordable dwellings on the site. While the proposed development does not seek to alter the legislative planning framework applicable to the site with regard to the percentages of tenure types proposed, it is noted the proposal results in a net increase to social housing upon the site. Furthermore, an additional public benefit of affordable housing is also proposed, noting that in perpetuity, a minimum 37% of the GFA will be for the purposes of social and affordable housing representing significant increase compared to what is existing upon site.

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The NSW Government should consider more dwellings being assigned long term social housing within the precinct. Currently, the Waterloo South Estate includes around 749 public housing dwellings comprising approximately 1,555 bedrooms. While there will be an increase in dwellings, the application suggests social housing will provide approximately 1,782 bedrooms, equating to only a 14% increase in social housing bedrooms.	
Given the significant increase in housing stock within the precinct, the City strongly encourages Homes NSW to further explore a greater share of affordable/social housing. Notwithstanding, the City notes the proposed allocation of at least 30% of the residential floor space (on land owned by Homes NSW) for social housing and at least 20% for affordable housing based on no more than 30% household income as per the City of Sydney Affordable Housing Program. It is noted that of the 20% affordable housing, there is commitment that a minimum of 7% of residential GFA is proposed as affordable housing that will be owned and managed by a community housing provider – proposed as City West Housing (provided in perpetuity). Any additional affordable housing delivered in the precinct must be used as affordable housing for a minimum of 25 years. This is not inconsistent with the LEP requirement; however, we are concerned the remaining affordable housing may be lost after 25 years. The EIS states that affordable housing delivery, duration, allocation and management arrangements will be confirmed through future stages in collaboration with Homes NSW and CHPs. Whilst the City notes that this is a concept proposal only, further details on the long-term plan for affordable housing should be provided at this stage. It is strongly advocated that all the affordable housing in all future stages be: • provided in perpetuity, with any future sale of the property being directed towards affordable housing in the LGA; and • subject to income-based rents, that is, it should not be rented using a discount to market model that, in many cases, will not provide an “affordable” home	The proposed commitments to social and affordable housing in perpetuity exceeds the requirements of clauses 7.29(3)(c) and 7.29(3)(d) of the Sydney LEP 2012 which require a minimum of 26.5% of residential floor space to be used for the purposes of social housing premises, and 7% as affordable housing, in perpetuity. The remaining affordable housing proposed above 7% is proposed as affordable housing for a period of 25 years. This additional benefit of the proposal goes above and beyond the requirements of the Sydney LEP 2012 and also exceeds the minimum 15 years that is currently standard practice for affordable housing under the provisions of <i>State Environmental Planning Policy (Housing) 2021</i>. The affordable housing component of the development will be provided in accordance with the definition of affordable housing established in Section 1.4 of the <i>Environmental Planning and Assessment Act 1979</i>. Refer to Section 4.1.2.1 of the RtS Report.

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<i>Social Impacts</i> All documents (SIA, SIMP, CPTED) considered are insufficient and the City is not satisfied that the applicant has comprehensively considered the social impacts of the proposal.	The matters raised are accepted. The SIA and SIMP are being revised and will be submitted to DPHI by 30 September 2026. A response to each matter is provided in the Social Impact Response Letter prepared by L10 Collective at Appendix I, which identifies the amendment to be made in each case. Meetings have been held with the City officers who prepared the submission and agreement has been reached on the baseline conditions against which impacts are to be assessed. The approved concept plan will be used as the baseline for impacts relating to physical form and urban design, and the community profile prior to any development or relocation will be used as the baseline for social and community impacts. That baseline will be applied consistently throughout the revised SIA, and the basis on which the magnitude of each impact has been determined will be stated. The revised SIA will further: • prioritise the social impacts identified as important to the community through engagement, consistent with the DPHI SIA Guidelines (2026); • address the social impact associated with the future of the Health One facility, informed by engagement with the Sydney Local Health District; • consolidate those impacts which assess substantially the same change, being impacts 7.2.2.2, 7.2.5.2 and 7.2.7.3; 7.2.1.1 and 7.2.1.2; and 7.2.3.3 and 7.2.5.5, so that positive outcomes are not represented more than once; • differentiate the impacted groups, distinguishing relocated Waterloo South residents, residents of Waterloo Central and Waterloo North, and residents of private lots within Waterloo South, and identify the management measures applicable to each, including at impacts 7.2.2.1 and 7.2.5.3; and • revise the mitigation and enhancement measures so that each is specific, deliverable and enduring, and identifies the party responsible for implementation and the basis on which the measure alters the impact.
Provide clarity on the following: • Impact 7.2.3.1: relevance of impact given Waterloo Metro station is not part of the proposal. • Impact 7.2.5.2: how schools will have “improved access and stronger connection to Waterloo South through integrated site design”, noting the schools listed (including Alexandria Park Community School) are located several blocks away and the demand to capacity is unknown. • Impact 7.2.1.2: consider how the extent and duration of this impact will change over time, noting relocations may place supply pressure on the local social housing network. • the intended uses for non-council community spaces. The SIA notes this is not confirmed, while the EIS notes the reference schemes locates a new school fronting George Street (pg.118).	The clarifications sought are provided in the Social Impact Response Letter at Appendix I. In summary: • Impact 7.2.3.1 — the Waterloo Metro station does not form part of this application. The impact will be recast to address the precinct's relationship to the station as an existing element of its context, rather than as an outcome delivered by the proposal. • Impact 7.2.5.2 — the assessment will be revised to identify the schools serving the precinct, their distance from it, and the specific pedestrian and public domain improvements giving rise to improved access, rather than asserting improved access generally. [• Impact 7.2.1.2 — the revised SIA will address how the extent and duration of this impact changes over time, including the effect of relocations on demand within the local social housing network, informed by the meetings held with the Homes NSW Relocation Team.

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- the development will ensure long-term affordable retail and service options are provided within the precinct. The SIA notes a retail strategy will be developed as part of project planning however, it is imperative that the parameters of this strategy include the consideration of a minimum percentage of retail floor space to provide goods and services for lower-income households. Clarification is also sought how this strategy will be implemented and complied with in the long-term. - whether there has been any consideration of including a commitment to prioritising commercial floor space for Aboriginal businesses. As above in the retail strategy, clarification should be provided on how Aboriginal businesses may be prioritised and managed in the long-term.	
Similarly, the SIMP is insufficient and does not align with DPHI guidance under the SIA Guidelines (2026) and the Social Impact Management Toolbox for State Significant Projects (2023). Further, the Plan is still weak on the implementation of the People and Place Plan – Waterloo (South) Redevelopment. It provides no details on how impacts will be monitored, evaluated or reported, which is the main purpose of a SIMP. The Preliminary SIMP must be amended to include the following for each impact measure: - Desired outcome - Suggested indicators and targets to measure and monitor effectiveness - Expected data collection method - Monitoring and reporting frequency - Adaptive measure if target is not reached The Preliminary SIMP also needs to provide clarity on management responsibility, timing and the relationship to future development stages to ensure its effectiveness. To support this, the Preliminary SIMP must also be amended to include the project delivery stages as the indicative timing measure to support where the SIMP is required in future development applications and/or to inform conditions of consent.	The Preliminary SIMP will be revised to include, for each impact measure, the desired outcome, the indicators and targets by which effectiveness is to be measured, the data collection method, the monitoring and reporting frequency, and the adaptive measure to be applied where a target is not met. The revised SIMP will identify the party responsible for each measure, the timing of its implementation by reference to the project delivery stages, and whether the measure is to be addressed in a future development application or is capable of forming a condition of consent. The revision will be consistent with the DPHI SIA Guidelines (2026) and the <i>Social Impact Management Toolbox for State Significant Projects</i> (2023), and will set out how the People and Place Plan – Waterloo (South) Redevelopment is to be implemented, monitored and reported. Refer to the Social Impact Response Letter at Appendix I.
In addition to the above, while the inclusion of a CPTED assessment in the application is commended, there are some gaps in the assessment	The CPTED Report (refer to Appendix M) has been updated to include an appropriate inner city comparison, rather than a comparison against the state average. It has also been updated to distinguish between public space and dwelling crimes as well as alcohol and non-alcohol related crimes. Site visits were undertaken as

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that require addressing. The assessment should be amended to include: • A selection of a suitable urban comparison area in the crime profile or removal of the state average. The current assessment compares Waterloo to the state average which is not appropriate given the significant differences in activity levels between inner city areas to those in suburban or regional areas. • An update of the crime profile to provide a distinction between rates of crimes occurring in public spaces and private dwellings, as well as a distinction between alcohol related and non-alcohol related crimes, for all recorded crime types in the crime profile. • Robust primary data to inform the crime baseline, including evidence of site visits undertaken at different parts of the day and night and consultation with the South Sydney Police Area Command, to more accurately understand and respond to current safety concerns on the estate. • A CPTED assessment specific to the impacts of construction. If not fully incorporated into the concept report, a detailed CPTED assessment must be provided at each stage of detailed design and construction given past safety concerns on Cope and Raglan Street during the Waterloo Metro Quarter redevelopment. • Ensure a detailed lighting staging plan at the detailed planning phase and include as a management measure in the CPTED assessment. All future detailed applications and the design of the public domain should then be required to respond to and incorporate recommendations provided in the amended comprehensive CPTED assessment.	part of the process to prepare the CPTED Report, and attempts were made to contact the South Sydney Police Area Command. It is confirmed that CPTED Reports will accompany the future detailed SSDAs and address stage specific matters such as the impacts of construction, and including a lighting staging plan.
Urban Ecology	
<i>Canopy cover</i> There is significant canopy both within and surrounding the site, mostly provided by large, healthy trees that are of substantial importance to the local environment and the character of the area. In particular, the high number of trees within the site along McEvoy Street, the high value Fig trees located on the site corners, as well as street trees and trees listed on the City of Sydney's Register of Significant Trees on neighbouring properties to the north of Wellington Street.	The AIA prepared by TMS has been prepared in accordance with AS 4970–2025, and the Tree Protection Zones and Structural Root Zones identified in that assessment have informed the block, envelope and road layout throughout the development of the Concept SSDA. Tree retention has been maximised within the scope and requirements of the project, with particular regard to trees of High Retention Value. Refer to Section 4.3.7.1 of the RtS Report.

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The tree numbering has been adopted from the Arboricultural Impact Assessment (AIA) prepared by TMS, dated 30 March 2026, recommending that the proposed concept design requires the removal of 236 trees and retention and protection of 304 trees. These trees provide important environmental, ecological, and amenity benefits and form part of the City's essential green infrastructure. The proposed significant extent of tree removal appears driven by the current proposed envelope layout and design of roads. High-value trees must be treated as a key site constraint and integrated into planning and design in accordance with Australian Standard for Trees on Development Sites - AS 4970-2025 and relevant Council policies. While the City raises no objection to the removal of 164 of the proposed trees, several of the remaining trees should be reconsidered for retention as they are considered to be of high retention value or are mature, well-established assets that contribute significantly to streetscape character, urban forest canopy cover, biodiversity, local amenity and long-term environmental resilience. Trees that are recommended to be reconsidered for retention are trees 50, 53, 58, 59, 60, 61, 62, 63, 64, 69, 70, 72, 90, 91, 92, 93, 101, 109, 127, 134, 135, 137, 138, 139, 140, 141, 154, 167, 168, 171, 175, 179, 181, 198, 199, 201, 202, 207, 213, 214, 215, 226, 230, 231, 233, 234, 235, 236, 243, 244, 245, 246, 247, 267, 280, 281, 282, 283, 284, 286, 290, 329, 330, 331, 340, 341, 385, 391, 406, 407 and 429. The site currently has 60% greening, including 50% canopy cover, and while the submitted documentation states that the future development of Waterloo South will deliver additional open space, canopy planting and achieve a minimum 50% tree canopy cover target across the precinct at maturity, there is currently insufficient information to demonstrate that these outcomes can realistically be achieved. The scheme appears to be heavily reliant on the canopy being provided in the new parks and the through relatively narrow through-site links. As a benchmark, the concept should establish public and private-domain expectations for canopy cover in accordance with the Greening Sydney Strategy targets including: • 15% in private property • 70% within streets • 55% within neighbourhood parks • 70% within pocket parks	The Design Guide requires the retention of a minimum of 50% of high value trees and a minimum of 50% of moderate value trees. Of the 155 High Retention Value trees on the site, 50.97% are proposed to be retained, together with 51.4% of moderate value trees. No change to that control is proposed. Of the 71 trees that the City has recommended be reconsidered, 12 are already identified as candidates for retention (trees 53, 63, 64, 127, 213, 214, 215, 247, 267, 280, 286 and 391), subject to detailed root mapping during detailed design, the detailed resolution of Mead Street during Stage 1, and awning design to the north of Block 5. Of the remainder, 56 appear in the tree retention diagram in the 2022 Design Guide and their proposed removal reflects the amended block, envelope and road layout rather than a reassessment of their condition or value. Two trees (trees 154 and 202) have been assessed as having Low Retention Value. Conversely, 16 High Retention Value trees shown as removed in the 2022 Design Guide are proposed to be retained under the Concept SSDA. Refer to Section 4.3.7.1 of the RtS Report. The minimum 50% canopy cover target refers to canopy within the streetscape across the precinct rather than across the entire precinct area, as set out in Section 4.7.3 of the Public Domain and Landscape Report. Canopy cover within the streetscape is calculated at 48.8% at approximately 10 years post-installation (and excludes canopy provided within the new parks and the through-site links). The target is therefore not reliant on canopy within those areas, and 50% cover within the streetscape is reasonably expected at maturity as planting establishes beyond the 10-year horizon. Refer to Section 4.3.7.2 of the RtS Report. The benchmark targets apply to the development through the instruments and strategies already applicable to it, being the 15% private property target in Section 3.5.2 of the Sydney DCP 2012 and the street, neighbourhood park and pocket park targets in the Urban Forest Strategy. Future development applications will be assessed against those targets and no amendment to them is proposed. The 70% street canopy target is not achieved within the precinct. The extent and species of planting achievable within the road reserve are constrained by the technical requirements of Ausgrid, Jemena and Sydney Water regarding the type and location of tree planting in proximity to their services. Planted kerb extensions have been provided within the road reserve in George Street and Wellington Street to allow additional planting should those requirements change.

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<u>Soil Volumes</u> The concept plans indicate inconsistent provisions of deep soil with the Design Guide. It is recommended that envelope plans remove references to deep soil and future development applications rely solely on deep soil targets provided in the Design Guide. It is also encouraged that the Design Guide incorporate additional requirements for deep soil and on-structure planting design requirements as provided in the Sydney Development Control Plan 2012 (SDCP 2012).	References to deep soil have been removed from the Concept Envelopes and the Revised Design Guide has been updated to clarify deep soil and planting on structure provisions. Future detailed development applications will address soil volumes, deep soil and planting requirements in accordance with the Revised Design Guide and relevant provisions of the SDCP 2012. Further detail is provided in Section 4.3.7.3 of the RtS Report.
<u>Green roofs</u> Consideration should also be given to the retention of green roof requirements on buildings above 15 storeys. It is acknowledged that the viability and environmental performance of extensive green roofs unprotected decrease as building height increases, and that roof space has been allocated for servicing. However, green roofs are still viable options in these locations and should be considered at detailed design.	Green roofs have been proposed where viable. Further investigations will occur during the detailed design stage.
Built Form	
<u>Flexibility</u> It is critical that the concept envelopes demonstrate an appropriate scale of future development in terms of bulk and height relative to the streetscape, public and private open spaces and block and lot sizes. Whilst it is acknowledged that some degree in flexibility of envelopes is crucial to allowing future design development, some urban form controls must be established to ensure future developments are compatible with the desired urban form. For instance, critical setbacks should be reflected in the envelopes, both for building separation and guiding the desired building form (podium vs tower). Building depths also support the delivery of good residential floor plates and guide future buildings to achieve the Design Guide objectives, design criteria and design guidance of the ADG. As demonstrated by the reference scheme, many of the building depths are too deep, resulting in double-loaded corridors, where many apartments have single-aspects. Further, several buildings within the reference scheme do not include any setbacks above the street wall height, resulting in an undesirable public domain as buildings are overbearing over the street experience, incompatible with the human scale street wall at street level.	The Concept SSDA Envelopes are not the proposed built form. The Concept SSDA Envelopes establish the maximum extent of development, the Master Plan Massing is the built form against which environmental testing has been undertaken, and the Reference Scheme demonstrates that development achieving the proposed yield can be accommodated within the envelopes while satisfying the Design Guide and the ADG. Urban form controls are established through the Revised Design Guide operating alongside the amended Sydney LEP 2012 height and floor space controls, which together fix maximum street wall heights, height in storeys, building separation and setbacks. The Design Guide provides certainty on the outcomes determining precinct character while retaining defined flexibility in the means by which those outcomes are achieved. Matters raised in relation to setbacks above the street wall are addressed at Section 4.3.1.2 and building separation at Section 4.3.3.1 of the RtS Report.

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<u>Upper-level Setback</u> Proposed envelopes now do not require the provision of an upper-level setback to mandate the provision of a podium. The proposed building envelopes will result in several sheer walls, poorer wind conditions and a poorer urban form outcome at street level. This is not supported and appropriate setbacks with reference to similar built form controls of the SDCP 2012 should be incorporated into the Design Guide.	A Design Guide (refer to Appendix D) control is proposed requiring a minimum 1.5m upper-level setback along George Street, in recognition of its role as the civic spine of the precinct. In combination with the maximum street wall height controls this delivers a distinct podium and tower expression and maintains an appropriate scale at street level. Refer to Section 4.3.1.2 of the RtS Report. Maximum street wall height controls apply across the precinct and, with the height-in-storeys and building separation provisions, establish the built form hierarchy to all street frontages. Street wall expression is otherwise calibrated to the character and scale of the individual street rather than through a uniform mandated setback. Wind conditions arising from the proposed envelopes are addressed at Section 4.3.2.1 of the RtS Report.
<u>Height Transition</u> Block 7 is unique in that it extends out from the cohesive Waterloo South area into a lower scale residential area and is surrounding on three sides by heritage items, including “Our Lady of Mt Carmel Church and School” (I2088) and “Waterloo Park and Oval” (I2079), and the Waterloo Heritage Conservation Area (C70). The topography also rises in this area. The design for this block must respond to this context. The proposed concept envelopes indicate the maximum storey height of buildings within Block 7 as 28 storeys, one of the highest within the precinct. A sheer wall to a height of RL 126.40m is proposed in Wellington Street. This does not present a gradual transition in heights from the adjacent heritage item and may create adverse visual impacts on the setting of the heritage item and greater conservation area. The building envelope should be amended to provide a podium level that mitigates between the low-scale terraces of the HCA to the north, the adjacent heritage items to the south and south-east, and the new tower development. An upper-storey setback should also be provided to Wellington, Gibson and Kellick Streets. The height in storeys should be reduced to respond to the unique topographical and heritage context of Block 7. It is recommended that a total building height similar to those along Pitt Street opposite. Likely a 16 or 17 height in storeys.	The maximum 28 storey height within Block 7 does not alter the maximum building height contemplated for the block by the 2022 Design Guide or by the existing planning controls established under PP-2021-3265, and no amendment is proposed to the development standard establishing a maximum building height of RL 126.40m. The proposal extends Building 7A further north than the 2022 Design Guide contemplated. A 9m tower setback is embedded in the concept envelope to maintain the stepped transition to the lower scale development on Gibson Street to the east, and maximum street wall heights of 5 storeys to the eastern interface and 6 and 7 storeys to Wellington Street establish a lower scale frontage than the 2022 Design Guide. The Block 7 Preliminary View Study in the Addendum Urban Design Report (refer to Appendix F) confirms that retained high value trees and landscaping screen the majority of podium level development in views from the conservation area. Refer to Section 4.3.2.3 of the RtS Report.
<u>Floor Space Ratio</u> There is insufficient information to confirm if the changes to the Floor Space Ratios on the maps are correct and are rationalised in the proposed envelopes and reference scheme. A comparative analysis will assist in confirming this.	A table providing a comparison of the existing and proposed FSRs on a per block basis is provided in the RtS Report at Table 4. The treatment of the areas that will become parks with regards to the FSR mapping has not changed between the proposed LEP maps and in force LEP maps. If any additional floor space is allocated to the parks, it would be additional to what is established for the site under the existing planning framework. In order to maintain

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Further, as the lots have not yet been subdivided, the areas that will become parks it would be prudent to have FSRs of 0:1:1 on them and not be left unrestricted. <u>Building Separations</u> Many of the building separations are insufficient and must be addressed. Except where there are thin profile one-sided buildings, the required separations are determined by the height of the lower building as per part 2F of the ADG and follows: • 0-4 storeys – 12m • 5-8 storeys – 18m • >8 storeys – 24m For thin profile buildings with enclosed no-vision access corridors, the required separation is half the above values. Note that where these lower values are used there cannot be cross ventilation through an access corridor. Non-compliant building separations are shown in red text in the diagram below. The number in brackets indicates what a complying separation would be in that location. Compliant separations are not highlighted. Further, the building envelopes are too deep for the side boundaries not to include windows to habitable rooms meaning compliant separations must be achieved for visual privacy. Consideration should also be given to providing a larger separation to the north of the substation (Building 8AB3) to provide windows. Overall, the built form should be adjusted so that non-compliant separations be made compliant and the corresponding reference scheme must demonstrate this.	consistency with the sites maximum GFA (including what is available under the design excellence bonuses), no additional floor area is proposed for the site. It is noted that for some buildings proposed under the Concept SSDA, strict compliance with the building separation design criteria of 12m (up to 4 storeys), 18m (5–8 storeys) and 24m (above 8 storeys) is not achieved if it is assumed that habitable rooms or balconies are facing each building façade. The reduced building separation distances in certain locations across the site are proposed based on educated assumptions regarding the location of non-habitable rooms and blank walls which are shown in the reference scheme. This enables a reduction in building separation distances (in certain locations) while still achieving the objectives of the ADG. An identical approach was adopted in the formation of the current planning framework on the site, with multiple instances of inconsistent building separation distances under the 2022 Design Guide. While the proposed reference scheme is conceptual only, it is noted that each of the future detailed applications will be required to provide an assessment against the relevant criteria of the ADG. It is noted that at this time, where separation distances are not provided in accordance with Part 2F of the ADG, detailed building design will clearly demonstrate mitigation measures to maximise visual privacy within the precinct and to neighbouring developments in accordance with Part 3F Visual Privacy of the ADG. Refer to Section 4.3.3.1 of the RtS Report. A substation is not a habitable room and the separation criteria of Part 2F of the ADG are not engaged by it. South-facing windows to Building 8AB3 are able to be provided at the separation shown, and no amendment to the concept envelope is required for that purpose. The configuration of Building 8AB3 and its relationship to the substation will be resolved through the Stage 1 detailed application. Refer to Section 4.3.3.1 of the RtS Report.
<u>Wind</u> Supporting documentation relating to wind impacts does not allow a comprehensive understanding of the comparison of impacts between the existing approved envelopes and proposed envelopes. Wind studies should provide 5% exceedance speed data for comfort and data for safety, so it is possible to do a proper comparative analysis with the current Design Guide. Further, test locations in surrounding streets and parks need to be included in testing to understand the impact of the development.	has provided a technical memorandum (refer to Appendix L) to accompany the Environmental Wind Tunnel Assessment Report (refer to Appendix O of the submitted EIS) which confirms that the original testing was undertaken using 5% exceedance speed data for both comfort and safety, and that the point-by-point comparison at Table 7 of the Environmental Wind Tunnel Assessment Report provides a consistent comparative analysis between the 2022 Design Guide and the proposed master plan. The findings of this memorandum are discussed in detail in Section 4.3.2.1 of the RtS Report.

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Based on the submitted documentation, it is indicated that wind conditions have worsened on George Street with fewer locations suitable for sitting which is the anticipated use. There were not enough test points within the location of the future park and suitable conclusions are not able to be made. Further, there is insufficient testing in Waterloo Park except for some results indicating worsening conditions to walking, and not enough test points have been considered within the new small park to provide sufficient data. At a minimum, concept envelopes should be informed by comprehensive wind assessments and ensure the following: • That the wind environment on George Street is not made worse than the current Design Guide • Comfort (walking - the 5% exceedance is not more than 8m/s) conditions are achieved at the base of all towers) • At least 50% of each park is suitable for sitting	
<u>Noise</u> The proposed envelopes included along McEvoy Street show wide frontages that are at the threshold of being too high to manage noise using acoustic plenums. Building envelopes should be amended to instead provide thin-profiled single sided-buildings for the first 6 storeys where nighttime exposure is >60dB(A). This is demonstrated in the proposed built form of building 8AB2 whereas buildings 9AB1 and 10AB1 are unlikely to achieve acoustic comfort. This is more likely to achieve acoustic amenity and natural ventilation simultaneously and be consistent with ADG objective 4B-1. Further, acoustic reporting must address the capacity of the proposal to achieve compliance with the <i>NSW State Environmental Planning Policy (Transport and Infrastructure) 2021</i> and accompanying Interim Guideline in addition to the site specific Design Guide inclusions currently under 8.11. which includes references to the ADG, SDCP 2012 and the City of Sydney Alternative natural ventilation of apartments in noisy environments (draft). Comprehensive acoustic and natural ventilation reporting is to be provided to enable assessment and to inform the Concept reference scheme, the design excellence strategy, the invited design competitive processes, and detailed applications on how to mitigate noise to achieve the windows open criteria from first principles.	An Addendum Noise and Vibration Impact Assessment (NVIA) has been prepared by E-LAB as part of the Response to Submissions (refer to Appendix O) The Addendum NVIA also includes a precinct-wide concept natural ventilation strategy, incorporating a ‘windows open’ assessment to identify locations where untreated façade openings may result in exceedances of the relevant noise criteria. The assessment indicates that only a limited number of dwellings across the precinct are likely to require more substantial acoustic mitigation. A range of potential mitigation measures have been identified for the various exceedance scenarios, including acoustically lined soffits, building design responses, wintergardens and acoustic ventilators. The concept natural ventilation strategy demonstrates that appropriate design solutions are available to enable future Detailed SSDAs to achieve compliance with the relevant natural ventilation and noise criteria.

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<u><i>Solar access and daylight to public spaces</i></u> The proposed amended design redistributes solar access to public places which now reduces solar access to more important places including George Street, John Street and the new small park, which less important public places like Cooper Street and Pitt Street are provided with increased solar access. Similarly, the daylight (sky view) levels follow a similar pattern and results in a diminution of light in George Street, which is of particular concern. This is not supported and the built form should be modified to ensure that there is no reduction of solar or daylight access to George Street or park spaces relative to the current Design Guide.	Further solar access and daylight analysis has been undertaken in response to submissions received. The revised assessment considers solar access to key public domain areas, including George Street and Waterloo Park, and is provided in the Addendum Urban Design Report (refer to Appendix F) and Section 4.3.2.2 of the Response to Submissions Report.
<u><i>Solar access to built forms</i></u> The proposed envelopes currently do not demonstrate that at least one of the buildings within the blocks achieve direct solar access compliance. Envelopes must be amended to ensure that all future reference scheme buildings achieve a minimum of 70% of apartments receiving at least 2-hours of direct solar access in mid-winter.	Solar access testing of the revised reference scheme has been undertaken and is discussed in Section 4.3.2.2 of the RtS Report. Further detail regarding solar access outcomes on a building by building basis and future detailed development requirements is provided in Section 9 of the Addendum Urban Design Report (refer to Appendix F). The building by building analysis demonstrates that at least one building per block achieves the minimum 70% apartments receiving at least 2 hours of direct solar access in mid-winter.
<u><i>Overshadowing of neighbouring buildings</i></u> The submitted documentation indicates that only three sites have been formally modelled however, all sites appear to be below the established threshold (2 hours of solar access to at least 70% of apartments) and results in a poorer outcome than what the existing Design Guide anticipates. Built forms must be modified to ensure that there is no reduction of solar access to neighbouring residential buildings relative to the current Design Guide and where neighbouring buildings have <70% of apartments receiving 2 hours of sun in mid-winter the number of apartments achieving 2hrs should not be reduced.	Additional shadow analysis has been undertaken in response to submissions, including assessment of surrounding residential properties and comparison against the 2022 Design Guide scenario. The updated assessment and response to overshadowing matters is provided in Section 4.3.2.2 of the RtS Report and the Addendum Urban Design Report (refer to Appendix F).
<u><i>Private communal open space</i></u> The application allocates private communal open space per Block with some blocks being allocated a significantly lower amount than what is required by the ADG and SDCP. The concept should not establish	The provision of communal open space has been reviewed in response to submissions received from the City and DPHI. The revised assessment considers the distribution and amenity of communal open space across the precinct, including Blocks 8 and 9. Further detail is provided in Section 4.3.3.6 of the RtS Report and the Addendum Landscape Report and Landscape Response Pack (refer to Appendix G).

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communal open space areas lower than what the standard provisions are, particularly in Blocks 8 and 9.	
Transport and Access	
<u>Vehicle Access Locations</u> There are some inconsistencies between the submitted Transport Study and the Design Guide. The Transport Study does not show a vehicle access into Block 4A from West St, while the latter does. Additionally, the Transport Study does not show access into 2A, 2B or 2E, while Design Guide shows two access points. This should be clarified in documentation. Further, the Transport Study indicates that driveways are much wider than driveway widths recommended by the City. Street design should prioritise pedestrian safety and the driveway widths should be reduced as much as possible, preferably to a maximum of 6m. This can generally be achieved by: • Two-way yield driveway: Combining into a single lane serving both entry and exit, with movements controlled via signal. Entering vehicles given priority, while exiting vehicles can wait in a waiting bay. AND/OR • Allowing entering and exiting vehicles to cross the centreline, which allows them to swing wider and enter the driveway from a more perpendicular angle. Vehicle entries should generally be designed in accordance with the relevant provisions of the SDCP 2012, including distance from other driveways and intersections. Additional recommendations for vehicle entry locations are provided by the City.	In response to the matters raised within the submissions, the vehicle access locations and driveway widths have been reviewed. The Vehicle Access Location Assessment prepared by ptc (refer to Appendix Error! Reference source not found.) demonstrates that reduced driveway widths can be accommodated within the precinct as part of future detailed SSDAs. To ensure this outcome is possible, minor amendments have been made to Figure 18 of the Design Guide (refer to Appendix Error! Reference source not found.). This matter is further addressed in Section 4.3.5.3 of the RtS Report.
<u>Site loading</u> The proposed Design Guide confirms that the rates for loading and service vehicles required by the SDCP 2012 apply to the site. The submitted Transport Study however, notes that “Each block shall meet the minimum recommendations of the TfNSW Freight Forecaster as outlined in Table 9”. As the TfNSW forecaster model is more appropriate for the subject land uses, particularly in regard to the proposed supermarket, it is	No change is proposed to the Design Guide. The Concept SSDA will meet the minimum recommendations of the TfNSW Freight Forecaster as per the Transport Impact Assessment submitted with the EIS.

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recommended that reference to the DCP is replaced with reference to the TfNSW model. <u><i>George Street and McEvoy Intersection</i></u> The desired future character of George Street is to be of a high street in nature. The proposed cul-de-sac design of the southern end of George Street at the McEvoy is not conducive to a local main street character and is recommended to be designed to allow for a left-in, left-out option. Further, a cul-de-sac design requires a larger turning circle, reducing the widths of footpaths and landscaping, and requires larger service vehicles including waste vehicles to complete complicated turns to return north along George Street. It is acknowledged that further analysis requires to be undertaken to ensure there are no adverse safety impacts to the existing bicycle network however, appropriate traffic impact modelling should be undertaken in this application to demonstrate an acceptable impact. The Design Guide and accompanying documents should note the preferred option and prioritise the delivery of this design to avoid a separate approvals process in the future.	Primary vehicle access to the precinct is proposed via Wellington Street under the Concept SSDA. The access framework reflects the structure established in the 2022 Design Guide, with targeted refinements informed by traffic assessment and consultation with relevant authorities. It is noted the current design of George Street does not intend or allow for vehicles larger than a B99 (car) to travel along George Street South, as there are no block access driveways located on George Street South and therefore the turning circle at the southern end is designed to accommodate a B99, as per the existing arrangement. In a meeting with City of Sydney on 30 June 2026, the City advised that the City and TfNSW recommend a left in from McEvoy Street north into George Street. The City also confirmed that they were continuing to have discussions with TfNSW to support a left in and left out at this intersection. Once alignment between both CoS and TfNSW has been agreed, further traffic analysis can be considered to incorporate the community concerns in the preparation of the Block 9 and Block 8 SSDAs. Refer to Section 4.3.5.1 of the RtS Report and to the Transport Response letter at Appendix K. The revised Design Guide (refer to Appendix E) has been updated to include the City's recommended wording to ensure that a left in and left out from George Street may be pursued in the future.
<u><i>Bicycle parking</i></u> As there is an increase in usership of e-bikes and cargo bikes, it is recommended that the Design Guide be updated to include a requirement that end of journey and bicycle storage areas must be designed in accordance with AS2890.3 relating to bicycle storage design however should increase the percentage of storage facilities for horizontal bike storage to 50%.	The rezoning does not seek to amend the provisions of the Design Guide that relate to bicycle parking. As per the existing Design Guide, bicycle parking requirements for the site are established by Chapter 3.11 Transport and Parking of the Sydney DCP 2012. Bicycle parking will be assessed against the relevant requirements as part of future detailed applications.
Flooding A precinct-wide Flood Impact Risk Assessment, prepared by GRC Hydro, dated April 2026 has been submitted. It has used the latest 2023 version of Councils TUFLOW hydraulic model of the Alexandra Canal catchment. The assessment has concluded that the proposed development will not be affected by flooding or worsen flooding on adjoining properties subject to proposed future buildings and	The potential for on-site detention within the Village Green has been investigated previously by WSce and Stockland. Constraints have been identified which may preclude its use for flood mitigation, and GRC Hydro has advised that detention within the park would achieve only a limited reduction in flood levels in the 1% AEP and PMF events. Discussions with the City are ongoing and the role of the park will be addressed in the updated FIRA. Refer to Section 4.3.9.3 of the RtS Report.

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entrances to basement parking areas being elevated above the appropriate Flood Planning Levels (FPL) for each proposed land use. The concept proposal identifies the land bounded by Raglan, George, Cope and Wellington as a "Park Stage". This location adjoins Cope Street which is significantly affected by flooding. There would appear to be an opportunity to incorporate on-detention infrastructure within the park that would lower downstream flood levels along Cope Street and improve flood conditions for surrounding areas. This also then allows future design for on-site detention and retention for water re-use and irrigation. The applicant is encouraged to discuss this matter further with the City noting that on-site detention is subject to the design of the future park ensuring the park provides flexibility in uses and the park is not solely designed to be a detention basin. Additionally, the FIRA identifies the need to maintain areas of land on Block 8 as an "overland flow path" in order to maintain existing flood paths through the site from George Street to John Street. It recommends lowering this land to RL16.6m AHD. This level will need to be established and maintained on title through an appropriate legal instrument preferably an easement or similar restriction. This may also have an impact of the design of building envelopes in this area as building setbacks at the ground level may need to be incorporated to provide this flood path.	The design of Block 8 has considered the overland flow path, which is maintained through the proposed drainage design and ground levels. No amendment to the concept building envelopes is proposed to address this comment.
Stormwater	
This application has submitted a detailed stormwater concept plan that outlines compliance with Sydney Water specified stormwater quantity controls and the MUSIC Link storm water quality reduction targets. The concept relies on connecting site stormwater runoff to the Sydney Water trunk drainage system in Cope Street which will need the concurrence of Sydney Water as the Asset owner. The stormwater management concept plan generally relies on introducing a number of new stormwater inlet/connection pits to match and improve the surface flow characteristics within the precinct. This will improve general overland flow for more frequent storm events however may result in earlier surcharging at the trunk drainage connection point in Cope Street. This concept is considered acceptable subject to Sydney Water approval of the storm water connections.	The City's position that the stormwater concept is acceptable subject to approval of the proposed connections is noted. The design of the connections, including the location and configuration of the proposed inlet and connection pits, has been discussed with the City through the PIWG and will be resolved through the future detailed applications for each stage.

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The lower (western) extent of the precinct is significantly affected by flooding along Cope Street with depths of water between 1m (1%AEP) and 2m (PMF). As noted above in the 'Flooding' section, there is an existing overland flow path from the trapped low point at the southern end of George Street at its intersection with McEvoy Street through private property to John Street at its intersection with Cope Street. The application must address this low point and amend the envelopes to maintain it.	
Public Domain The City has been working through the design of the public domain discussing issues with the proponents at regular Public Infrastructure Working Group (PIWG) meetings chaired by DPHI as required by the VPA. The comments provided below have been discussed at these meetings and in the most part agreed to by all parties. However, some issues remain and require further discussions with the proponent before a final position is agreed. No consent should be granted to any public domain plan or public domain design in the Design Guide without formal endorsement by the City. The City encourages further discussions through the PIWG to address comments raised in this submission prior to the lodgement of any response to submissions. The public domain design must be in accordance with the City's Streets Code, Public Domain Manual, Technical Specifications and all other relevant Council policies and guidelines. Comprehensive advice and public domain design expectations are provided in response to the submitted Public Domain and Landscape Report in Appendix 2. Where recommendations are made in response to the Public Domain and Landscape Report, appropriate amendments should also be made to the Design Guide. In regard to street design, while the general layouts of streets are supportable, the following recommendations are made and should be implemented in amended documentation: • All locations	The comments raised in the City's submission have been discussed through the PIWG process. Responses to the City's detailed public domain comments have been addressed in both the Public Domain and Landscape Report (refer to Appendix G) and the revised Design Guide (refer to Appendix D).

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- All street sections were tested with a 9.25m waste truck, not the City's 10.6m waste truck. The layouts need to be checked with the updated truck specs, paying particular attention as to whether the larger truck overhangs the footpath. - All drawings should show zebra line markings on raised crossings. As shown, it's unclear if they are speed humps or formal crossings. - All raised intersections throughout the precinct should have zebra crossings on each leg. - Raingardens require further analysis and design development (eg topographical, hydrological, water quality etc). It is assumed that a better outcome would be to disperse the raingarden WSUD elements throughout the precinct to correspond to different catchment areas of each street • John Street - The street should be narrowed from 8.3m closer to 6.2m, to address cars passing too quickly, and to bring trees closer to the centre of the road • Cooper Street north - Should be designed as a street not a shared zone as implied in the materiality diagrams in the Public Domain and Landscaping report - The kerb return on the east side north of the driveway should be chamfered, rather than at right angles. • Cooper Street south - Road design is confusing for users. There are two parallel shared zones (6m on west and 3.9m on east) separated by landscaping, however only the 6m shared zone connects to John Street. - Eastern shared zone is designed as a pedestrian-only space and delineated either with kerb and gutter, furniture or different surface treatment. • Cooper Place - The loading zones on the north-south sides should be marked so it is clear they are not traversable spaces. This would mean they would act as horizontal deflection with vehicles having to 'wiggle' a little around them, slowing them down. • Mead Street - Align pedestrian crossing with through-site links.	

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Remediation	
The submitted Overarching Remediation Action Plan (O-RAP) provides a comprehensive remedial strategy to support the Concept application and future stage-specific works. Stage-specific Remedial Works Plans (RWPs) will be prepared as design plans for each stage become available and submitted with subsequent detailed planning application, as required. The O-RAP establishes the overarching strategy, outlines additional required work, and provides a framework for remediation, validation, and contingency measures in individual RWPs. Each RWP will address site-specific remediation requirements necessary to render the land suitable for its intended use.	Council's comments in relation to the Overarching Remediation Action Plan (O-RAP) are acknowledged. The submitted O-RAP (refer to Appendix T of the EIS) sets out a site-wide remedial framework to support the Concept application. Stage-specific Remedial Works Plans (RWPs) will be prepared as design development progresses and submitted with subsequent detailed planning applications, as required. The O-RAP establishes the overarching remediation strategy, identifies additional work requirements, and provides a framework for remediation, validation, and contingency measures to be implemented through these RWPs. RWPs will address site-specific remediation and validation requirements necessary to render the land suitable for its intended use.
Based on the assessment of remedial options, the preferred approach for managing impacted fill is on-site containment. The O-RAP does not differentiate land to be dedicated to Council.	The O-RAP (refer to Appendix T of the EIS) does not currently differentiate land to be dedicated to Council, reflecting its role as a site-wide, performance-based remediation framework. The O-RAP identifies on-site containment of impacted fill as the preferred remedial approach, where it can be demonstrated to meet the relevant containment criteria, including protection of human health and the environment. This approach is consistent with the risk-based and performance-based framework underpinning the O-RAP.
Further, the O-RAP must be updated to address remediation within the Notional and Structural Root Zones of retained trees, as the current approach requiring a minimum 0.5m clean fill across landscaped areas is not appropriate where existing trees are to be retained	Council's comments regarding Notional Root Zones (NRZ) and Structural Root Zones (SRZ) are noted. Section 11.4 of the O-RAP (refer to Appendix T of the EIS) provides for modification of standard capping arrangements where site constraints are present, including areas of significant vegetation. In such cases: • Alternative solutions, including the use of geogrid systems and reduced cover depths, are adopted to avoid adverse impacts to retained trees. • These measures are developed in consultation with the project horticulturist and Site Auditor. This approach is intended to apply to areas within the NRZ and SRZ of retained trees, where standard capping depths are not appropriate. These areas will be further resolved on a site-specific basis through RWPs, integrating remediation requirements with arboriculture constraints and overall design outcomes. Accordingly, the O-RAP does not adopt a uniform minimum capping depth in areas subject to arboriculture constraints.
Land to be dedicated should be fully remediated or have a cap of minimum 1.5m of clean fill between the containment cell and the surface level. It should be noted that the existing VPA does not allow the proposed remediation method to be applied to land that will be transferred to land. The O-RAP should be updated clarifying this.	The O-RAP (refer to Appendix T of the EIS) does not currently differentiate land to be dedicated to Council, reflecting its role as a site-wide, performance-based remediation framework. Council's commentary regarding remediation of land to be dedicated has been noted. In response: • Remediation measures for land to be dedicated, including the use of clean fill capping, are recognised as a practical and appropriate approach to achieving a suitable-for-use outcome. • Capping solutions will be developed on a site-specific basis at each stage, having regard to intended land use, risk profile, design constraints and relevant stakeholder requirements.

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	• Capping depths and configurations will be determined to achieve a suitable-for-use outcome and will be limited to what is reasonably required to mitigate identified risks, consistent with industry practice and comparable applications.
Public Art	
In general, the City supports the masterplan approach outlined in the submitted Preliminary Public Art Masterplan to satisfy the Design Guide requirement for a public art strategy, noting that \$9.2 million has been proposed as the indicative budget for the plan. There are, however, several amendments recommended to the masterplan to ensure the plan fulfils the objectives of the Design Guide.	An updated Public Art Strategy has been prepared by UAP as part of this response (refer to Appendix N of the Rts Report).
The plan should note that successful public art requires collaboration between architects, landscape architects, artists and community members, and should indicate that adequate provision for collaborative design team meetings, detailed design documentation for public art integration and coordination of design teams will be included in all stages across the development.	
As per Design Guide provision 1b), existing public art in the Waterloo South precinct and surrounding area should be identified and mapped for this plan to guide future plans and commissions.	
Additional information on Project Delivery is required. The City notes that the proposed locations for public art will be within private land site boundaries. The Plan should outline how public art planning will be delivered over the 30-year lifespan of the project including review and approval by the City of Sydney Public Art team. It is recommended that in line with the Design Guide provisions, that the Plan note that a Preliminary Public Art Plan is required to be prepared for each of the 6 stages of development to align with the Waterloo South Design with Country Framework and the development approval of the buildings and public domain in each stage, and that Detailed Public Art Plans will be submitted for approval prior to the relevant Construction Certificate in each stage, and that inspections will be undertaken and a Final Public Art Report submitted for approval prior to Occupation Certificates being issued for each stage.	

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The project governance page (p.61) illustrates stakeholders, but it is not shown how projects will be developed, how artworks will be integrated into the public domain, and who will be responsible for the coordination of team inputs into the final detailed documentation, whether architectural, public domain and landscape plans, and who will own and maintain works at the completion of each stage. Additional information is required to guide the commissioning, delivery and future ownership and maintenance of artworks. The Precinct Public Art Budget (p.42) should be expressed as a % cost of construction and include a note that each Preliminary Public Art Plan submitted with each stage will be updated with a budget dollar figure targeting around 1% cost of construction at the time of the submission being lodged.	
Waste management	
The Concept application was accompanied by a Concept Waste Management Plan which is deemed generally acceptable however, some aspects of the Plan require amendments to ensure consistency with relevant Council Guidelines and practice. All future developments must be designed to provide adequate waste storage areas and waste collection vehicle clearance spaces and should be reflected in the Design Guide. The application assesses vehicle movements based on a 9.25m heavy rigid vehicle. This is a significant issue as the City's standard waste collection vehicle is sized 10.6m. All future detailed applications and swept path analyses must be amended to accommodate the 10.6m waste vehicle to ensure functional access and egress across the precinct.	The street layouts have been retested with the 10.6m waste truck, Refer to Attachment 2 of the Transport Response Letter prepared by Ptc at Appendix K.
Other	
<u>Subdivision</u> A draft plan of land subdivision should be included in the Design Guide.	The Draft Plan of Subdivision was not included in the previous Design Guide; accordingly, it has not been included in the amended Design Guide. A draft plan of subdivision was submitted with the Concept SSDA.
Reference Scheme	

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<u>Reference Scheme Design</u> In consideration of comments above, it is likely that the reference scheme design will change considerably when recommended envelope amendments are incorporated. Notwithstanding, the following comments are provided in response to the submitted reference scheme and matters to consider in the design of any amended reference scheme.	No material changes are proposed to the reference scheme. The reference scheme is a proof of concept and demonstrates just one design outcome that could be accommodated within the planning envelope.
<u>Natural Cross Ventilation</u> It is unclear how the figures on page 61 of the Urban Design Report are achieved as a review of the reference scheme indicates these levels cannot be met. It appears some apartments rely on small gaps between the building to achieve natural ventilation just as open breezeways indented within buildings. If relying on this design feature to achieve cross ventilation, this also presents a privacy issue between apartments. The built form should be modified to ensure that all future reference scheme buildings achieve 60% of apartments achieving natural cross ventilation without ventilating across common circulation and where there is a building gap as part of the ventilation path that it is at least 6m wide.	Cross ventilation has been considered as part of the preparation of the reference scheme to demonstrate that the proposed building envelopes can accommodate residential floor plans that achieve a high degree of residential amenity. The Urban Design Report demonstrates that the indicative design can achieve the relevant ADG cross ventilation design criteria, with detailed apartment layouts and acoustic considerations to be addressed through future detailed SSDAs. Further detail is provided in Section 4.3.3.3 of the RtS Report.
<u>Number of Apartments per Floor</u> Careful consideration should be given to the number of apartments off a circulation core as some buildings within the reference scheme exceed the design criteria in Objective 4F-1 of the ADG.	The number of apartments served by individual circulation cores will be addressed as part of future detailed SSDAs. The reference scheme is indicative only and future applications will demonstrate consistency with the relevant ADG objectives and design guidance. Further detail is provided in Section 4.3.3.2 of the RtS Report.

A response to the key matters raised by Government Agencies during the public exhibition period is provided in the following table.

Table 4 Response to Government Agency Submissions

Matter Raised	Applicant Response
Heritage NSW	
<i>Associated development approvals</i> Section 2.3.2 of the EIS identifies that demolition and site preparation works have been assessed and approved for Blocks 8 and 9 of the Waterloo South development under Division 5.1, Part 5 of the Environmental Planning and Assessment Act 1979. Heritage NSW notes that works approved as a part of this process are subject to the provisions of the Heritage Act 1977. If these works will result in impacts to historical archaeology additional assessment and approval may be required as the HAA identifies potential for relics to be present in Blocks 8 and 9.	Demolition and site preparation works for Stage 1 of the development is to proceed under Part 5 of the EP&A Act (Project Number-BH46L).
<i>Built heritage</i> Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to built heritage: • The SoHI assesses that there would be no visual impacts on the Pressure Tunnels and Shafts (SHR no. 01630) as the item is underground. We agree with this assessment. • The SoHI identifies one SHR listed item within a 250m radius of the SSD site, the Yiu Ming Temple (SHR no. 01297), which is located approximately 150 metres south-west of the SSD site at 16-22 Retreat St Alexandria. The SoHI assess that the SSD would have a minor adverse visual impact on the item. We agree with this assessment. • We support the SoHI recommendation that detailed design should avoid physical impacts to the SHR listed Pressure Tunnel and Shafts. As the pressure tunnel is an active Sydney Water asset, we further recommend that developed design of any structures in the vicinity of the pressure tunnel be undertaken in consultation with Sydney Water. • We support the SoHI recommendation that any future design stages be accompanied by a Statement of Heritage Impact.	Heritage NSW comments are noted. The detailed SoHI for each stage of the development would further assess any potential physical impacts of the proposal on SHR listed Pressure Tunnel and Shafts. It is also confirmed that a detailed SoHI will be prepared for each stage of the development proposal as recommended in Section 8.3 of the SoHI. Refer to the Heritage Response Letter at Appendix J.
<i>Further information</i>	Additional shadow analysis has been undertaken to assess potential overshadowing impacts to the Yiu Ming Temple. The assessment and response to Heritage NSW's comments are provided in Section 4.3.9.1 of the RtS Report and the Addendum Urban Design Report (refer to Appendix F). The Addendum Statement of

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Heritage NSW recommends that the Department request additional information from the proponent prior to determination on the following matter: 1. It appears that the SSD may result in overshadowing of the Yiu Ming Temple between approximately 9am and 10.30am mid-winter. The SoHI does not assess the heritage impacts of this overshadowing. We recommend that the Department seek further advice from the proponent in this regard.	Heritage Impact (refer to Appendix ##) confirms that the minor increase in overshadowing would not impact the heritage significance of the item.
<i>Historical Archaeology</i> Following review of the documents referenced previously, Heritage NSW provides the following advice in relation to historical archaeology: • The HAA recommends that detailed design limit excavation within areas of archaeological potential. Heritage NSW supports this recommendation. • If this concept SSD is approved, any applications for future stages of the project should include an assessment which: - identifies and includes a summary of any further relevant archaeological investigations undertaken within or surrounding the study area since completion of the assessment supporting the concept SSD. - includes an updated assessment of archaeological potential where relevant based on any additional information. - identifies and assesses the impact (including cumulative impact) of the detailed design to areas of archaeological potential within the study area in accordance with the relevant guidelines. - describes any options considered or implemented to avoid or minimise impacts to the potential archaeological resource. - recommends mitigation measures to manage impacts to the potential archaeological resource. • Any applications for future stages of the project which involve impacts to areas of archaeological potential should include an Archaeological Research Design and Excavation Methodology prepared in accordance with the relevant guidelines. This document may be combined with the assessment referenced above. • Heritage NSW advocates for early identification and consideration of archaeology to minimise impacts through design. Archaeological test excavation is not considered to be a mitigation measure, and	In response to the advice received by Heritage NSW regarding Historical Archaeology Artefact provide the following response as is documented in Appendix J: • Detailed design should limit excavation within areas of archaeological potential. • Each staged application will include an addendum / updated HAA which clarifies the areas of impact and provides and update assessment of archaeological potential, as recommended by Heritage NSW. • The concept HAA identified a large area of high potential for significant archaeological resources. As such it was recommended that an Archaeological Research Design and Excavation Methodology (ARDEM) be prepared for each stage of the development. • As part of the staged works, Artefact Heritage will prepare an ARDEM to manage the potential archaeological resource through a recommended testing and salvage excavation program. The ARDEM would form a separate document to the updated / addendum HAA for each stage of the development proposal. The ARDEMs will assess archaeological potential in detail and to provide archaeological management mitigation measures and recommendations. The ARDEM for each stage of the application would consider the cumulative impact to the archaeological resource across the project study area. • A test excavation program for each stage prior to the submission of the of EIS applications or during the RtS phase for future stages may not be feasible due to ongoing site constraints. For stages of the project where a test excavation program prior to the lodgement of the EIS or during the RtS phase is not possible due to site constraints, programs of archaeological test and salvage excavation would be undertaken once an SSD approval has been granted. • Where State significant remains are identified during testing, options will be explored to conserve them in situ, where possible. In instances where conservation and preservation is not feasible, Artefact Heritage would recommend that the final project design for each stage incorporate appropriate heritage interpretation, as recommended in Section 8.3 of the Addendum Historical Archaeology Assessment (refer to Appendix R).

Matter Raised	Applicant Response
information gained from testing should be used to inform the impact assessment and management recommendations for each stage of the project. Where possible, testing should be undertaken prior to the submission of applications for future stages of the project. We advise that the current approach for the management of State significant archaeology is preservation and conservation in situ as the preferred heritage outcome.	
<i>Further Information</i> Prior to determination, Heritage NSW recommends that the Department request additional information from the proponent in relation to the matters outlined below. This information is requested to ensure that there is a comprehensive understanding of the historical context of the site, that a consistent approach is taken to future assessment and archaeological investigation in the study area, and to facilitate comparative analysis. Further historical context at this stage will assist in providing context to the historical occupation and uses of the site, such as commercial uses not identified in other sources. It may also provide clarification on whether the site was occupied by any significant persons or groups, assist in identifying areas which may be more likely to retain potential for State significant archaeology, and support the development of strategies to investigate and manage the potential archaeological resource to improve heritage outcomes.	Noted. Please see responses to the request for additional information below.
2. The historical context for the study area should be updated to include information from additional resources, such as a review of relevant Rate Books and Sands Directories for all properties within the study area.	Artefact Heritage acknowledges that the historical context provided at the concept level is high level. This reflects the scale of the project and the complexity of the nineteenth century neighbourhoods and their development, including hotels, schools, and individual properties. A detailed historical context and assessment will be provided in the stage-specific HAA and ARDEM prepared for the Stage 1 Block 8 and Block 9 applications. This staged approach enables the block-by-block analysis recommended by Heritage NSW, which cannot practicably be undertaken at a project-wide concept level.
3. Section 3.2.6 of the HAA provides specific discussion of the development of the Duke of Wellington Hotel and the Waterloo Ragged School, however Figure 38 identifies additional hotels and a set of stables which are not considered in further detail. Please update the assessment to provide further information on the history and development areas.	
4. Section 6 of the assessment identifies that substantially intact archaeological resources associated with Phase 2 would be of Local significance, with the potential to be of State significance depending on the degree of intactness and the nature of the item. Please provide further discussion to clarify what nature of item and level of intactness	Artefact Heritage has updated Section 6 (Assessment of Archaeological Significance) of the Addendum Historical Archaeological Assessment (refer to Appendix R) to provide high-level thresholds that the archaeology would need to meet to satisfy significance at a State level. Further discussion to clarify what archaeology would be considered to meet the threshold for State significance will be outlined in site specific

Matter Raised	Applicant Response
would be considered to meet the threshold for State significance, given that the assessment identifies that resources must be 'substantially intact and in situ' to be considered Locally significant.	detail for each stage of the development proposal. The updated HAA will be provided separately by 31 August 2026.
5. Given that the concept SSD is likely to be followed by further applications covering portions of the current study area, Heritage NSW recommends that the HAA is updated to clearly articulate the key research themes relating to the study area to form a framework for specific research questions and guide future investigations.	Artefact Heritage agrees with Heritage NSW. An Addendum Historical Archaeological Assessment (refer to Appendix R) has been provided that outlines the general historical research themes across the Waterloo Estate South study area, providing a framework for specific research questions and guiding future investigations as part of the staged development applications (refer to Section 6 – Assessment of Archaeological Significance). Themes relevant to each stage will be researched and set out in detail in the staged ARDEMs. The updated HAA will be provided separately by 31 August 2026.
Heritage NSW recommends that, if approved, the concept SSD includes the recommended conditions relating to Aboriginal cultural heritage.	Noted. To ensure an appropriate framework is established by the Concept SSDA for future detailed SSDAs, Section 9.3 Archaeological Excavations of the Aboriginal Cultural Heritage Assessment Report (refer to Appendix Q) has been updated to clearly outline the future timing of test excavations.
NSW Department of Climate Change, Energy, the Environment and Water	
<i>Water supply, take and licensing</i> 1.1 Recommendation – pre-determination DPHI should require the proponent to undertake a groundwater impact assessment to quantify the maximum annual groundwater take associated with aquifer interference activities from future development. The assessment should also evaluate potential cumulative impacts in accordance with the NSW Aquifer Interference Policy. DCCEE Water Group notes that the proposal includes multiple buildings with multi-level basements; however, basement depths and groundwater levels have not been provided at this concept stage. As a result, it is unclear whether groundwater will be intercepted and what the extent of any associated take may be. DCCEE Water Group acknowledges that no physical works are proposed under this SSDA, as it is a concept plan. However, without quantifying groundwater take and assessing impacts, the risks associated with proposed basement development cannot be determined. This includes whether a Water Access Licence (WAL) under the Water Management Act 2000 may be required.	This is a concept-stage SSDA and no physical works, including basement excavation or dewatering, are proposed as part of this application. Accordingly, detailed basement depths, groundwater conditions and potential groundwater take volumes cannot be fully quantified at this stage. The need for groundwater assessment and potential licensing requirements will be addressed as part of future detailed SSDAs when basement design and construction methodologies have been established. These assessments will: - quantify the anticipated groundwater take associated with basement construction; - assess potential cumulative impacts and aquifer interference in accordance with the NSW Aquifer Interference Policy; and - determine whether a Water Access Licence is required under the Water Management Act 2000. Groundwater monitoring undertaken to date is documented in Appendix S – JBS&G and DSI reports supporting the Concept SSDA. This monitoring has informed the understanding of existing groundwater conditions; however, the extent of groundwater interception and any associated take volumes will be confirmed through detailed design and future stage assessments.
<i>Groundwater impacts and dewatering requirements</i> 2.1 Recommendation – pre determination	

Matter Raised	Applicant Response
If the take of groundwater is found to be greater than 3ML per year, DPHI should request the proponent to assess impacts due to aquifer interference in accordance with the NSW Aquifer Interference Policy. As per Recommendation 1.1 above, the EIS has not provided a volumetric quantification of groundwater take or assessed groundwater impacts. The proposal includes multiple buildings with multi-level basements; however, basement depths and groundwater conditions are not provided. While this is a concept-stage application, further information will be required as the project progresses to understand groundwater levels, potential interception, and associated take volumes. Without this information, the level of risk and potential impacts to groundwater sources cannot be determined.	
Conservation Programs, Heritage Regulation Group	
<i>Biodiversity</i> CPHR issued its BDAR waiver determination on 9 February 2026. As detailed in the determination letter, If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.	The BDAR waiver determination issued by CPHR on 9 February 2026 is noted and acknowledged. The development will be progressed consistently with the description provided in the waiver determination. Should any changes arise through detailed design that are inconsistent with that description, a further waiver request will be submitted as required.
<i>Flooding</i> Impacts on local roadways are up to 100mm which would be considered unacceptable. The FIRA indicates that flood impacts can be managed however it relies on existing landscape and roadway levels being maintained at the existing levels or potentially lowered to facilitate overland flow through the site. It is likely in detailed design that access issues will result in changes to these levels. The FIRA currently shows flood impacts up to 100mm in local roads serving the precinct due to restriction of flows to roadways around the enlarged building footprint. This is considered to be in excess of the generally accepted impact and will need further management throughout the progress of the development. <i>Recommended action</i> Update the FIRA as the development progresses. Mitigation measures will be required to reduce offsite impacts. During consideration of development applications or SSD applications for sites 8, 9, 2 and 3.	The potential flood impacts on surrounding roads and properties have been considered. The FIRA will be reviewed and updated as part of future detailed applications to confirm flood behaviour, detailed ground levels and any required mitigation measures. Further detail is provided in Section 4.3.9.1 of the RtS Report.

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The proposal is not yet developed to an extent where it is feasible to nominate finished floor levels to ensure protection of future buildings. The FIRA nominates minimum finished floor levels to achieve Flood Planning Level Compliance including probable maximum flood (PMF) protection of the proposed basements. The levels nominated are likely to change through the detailed design and it has not been shown that the levels will be achievable and that this can be done with passive measures rather than mechanical protection. <i>Recommended action</i> Update the FIRA to ensure that finished floor levels and basement protection levels are achieved in the final design of each project. Passive protection of entry points to building and basement is required.	The nominated finished floor levels and basement protection levels in the FIRA are indicative at this concept stage and will be refined through detailed design. It is agreed that passive protection of entry points to buildings and basements is the required approach, and the FIRA will be updated at each detailed application stage to confirm that flood planning level compliance, including PMF protection of basements, is achievable through passive measures.
Climate change impacts have been carried out as a sensitivity test only and have not been used to determine flood planning requirements. The FIRA has carried out climate change sensitivity plans for the proposed development area and shows that the area is sensitive to climate change and that increase in flood levels occurs under the various climate change scenarios. Present day climate change levels in accordance with ARR4.2 would be the minimum design criteria. The developments are likely to be built over an extended period and have a long lifespan post construction. Floor levels and other mitigation measures should therefore achieve adequate protection to at least 2050 in accordance with the draft Climate Change and Natural Hazards State Environmental Planning Policy (SEPP) advice. <i>Recommended action</i> Use the climate change modelling results to enable design floor levels and other mitigation measures to achieve protection to at least 2050 in accordance with the draft Climate Change and Natural Hazards SEPP recommendations.	Climate change impacts have been considered through sensitivity testing within the FIRA. The assessment confirms that the adopted flood planning levels provide appropriate protection, with future detailed applications to review flood requirements in accordance with the applicable standards at the time. Further detail is provided in Section 4.3.9.5 of the RtS Report.
Ingress of water into buildings may result in inundation of basements. The FIRA notes that shelter in place will be required for future development on site and that over floor flooding will occur for floods in excess of the modelled 1% Annual Exceedance Probability flood which requires access to floor levels above the PMF for each building. Over floor	Detailed basement entry points are to be confirmed during the future detailed SSDAs however the design will comply with the requirements.

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flooding will compromise the ability to prevent water entry into basements. <i>Recommended action</i> Protect all potential entry points to the basement including lift shafts, fire stairs, ramps and ventilation openings to the PMF, particularly if shelter in place is the preferred evacuation strategy.	
State Emergency Services	
Recommend pursuing design solutions which allow for passive flood protection and rising road access away from flooded areas rather than requiring the successful implementation of private Flood Emergency Response Plans (FERPs) to ensure public safety. Private FERPs are insufficient to address underlying flood risks within the constrained areas of the Precinct and complicate flood response due to fragmented and often conflicting strategies being adopted in individual buildings.	Detailed design will be progressed to prioritise passive flood protection measures where feasible. It is acknowledged that a precinct-wide approach to flood emergency response is preferable to fragmented building-by-building strategies, and the flood management framework for future detailed SSDAs will be developed with this in mind.
Highlight the opportunity to address flooding constraints through a Precinct-wide strategic approach, by considering the most appropriate land uses in areas exposed to the “shallow but high velocity runoff that is classified as hazardous in a flood” within the precinct. This will mitigate risk to life and property, that will result in a more resilient community, better able to adapt to climate change impacts into the future.	Agreed. Land uses sensitive to flood risk will not be located within the areas identified in the FIRA as exposed to hazardous flood conditions.
Support the inclusion of the proposed park in block 1, bound by Wellington Street, Cope Street, Raglan Street and George Street. As this is the most flood affected part of the precinct this will reduce risk to the community.	Noted.
Recommend further consideration of the role of the proposed ‘Village Green’ park in future flood mitigation for the precinct, this proposed park is located adjacent to the Cope Street sag point but does not appear to have been considered in the Flood Impact and Risk Assessment (FIRA).	The role of the Village Green in flood mitigation has been investigated and constraints identified. GRC Hydro has advised that detention would achieve only a limited reduction in flood levels in the 1% AEP and PMF events. The relevant updated FIRA will address the park's potential contribution. Refer to Section 4.3.9.3 of the RtS Report.
CASA	
CASA has no objections to the proposal. CASA is standing by to assess the buildings; and cranes; in detail under the <i>Airports (Protection of Airspace) Regulations 2026</i> on receipt of Invitations to Comment from Sydney Airport.	Noted.

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Ausgrid	
The proponent must consider the advice provided below prior to the commencement of any construction activities within proximity to existing Ausgrid electrical network assets.	The technical advice from Ausgrid is noted and it is understood these can be enforced through conditions of development consent.
Ausgrid has provided technical advice regarding existing electrical network assets in the vicinity of the development, including underground cables, overhead powerlines, kiosk and chamber substations, driveway clearances, and requirements for new or modified connections.	
Ausgrid has provided technical advice regarding an existing chamber substation in the vicinity of the development, driveway clearances from existing poles, and requirements for new or modified electrical connections.	
FRNSW	
FRNSW have reviewed the EIS. FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.	Noted.
Crown Lands	
No Crown land roads or waterways are contained within the project footprint. Accordingly, Crown Lands has no further comments.	Noted.
Sydney Airport	
This site lies within Sydney Airport's Obstacle Limitation Surface (OLS) - Conical Surface, at this location the OLS height starts from 51mAHD. Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the <i>Airports (Protection of Airspace) Regulations 2026</i>. Sydney Airport advises that approval to operate construction equipment (i.e. cranes) should be obtained prior to any commitment to construct. It is unlikely that that Sydney Airport will support construction equipment or cranes that penetrate the TIFPOP surface.	Noted. This will be addressed at the detailed SSDA stage.

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Sydney Metro	
Concurrence of Sydney Metro is not required As this is an SSD development application, the provisions of section 2.98 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> do not apply.	Noted.
Insufficient information has been provided to enable assessment of potential solar impacts on nearby Sydney Metro assets, including buildings that are approved, under construction, or operational. Updated solar access analysis is to be undertaken to include these assets and demonstrate compliance with applicable requirements.	Refer to Precinct Site Analysis - Shadow Study within the Urban Design Report Appendices (Appendix F of the EIS) which confirms the Sydney Metro Assets, located to the north west of the precinct will not be overshadowed as a result of the proposed development.
Given the proximity of the proposed development to the M1 North West & Bankstown Line rail corridor and Waterloo Station, the Applicant is requested to engage with Sydney Metro prior to lodgement of any future detailed development application(s).	Noted. Further engagement will occur prior to the lodgement of future detailed SSDAs.
For any future detailed development application(s), the Applicant is to prepare and submit documentation in accordance with the Sydney Metro Underground Corridor Protection Technical Guidelines and/or the Sydney Metro At-grade and Elevated Sections Corridor Protection Technical Guidelines, as relevant.	Noted. Further documentation will be provided with future detailed SSDAs.
For any future detailed development application(s), the Applicant must address the following matters: • Provide an updated Traffic Impact Assessment using recent background data and assumptions. • Revise mode share assumptions to reflect observed travel behaviour since the opening of Sydney Metro. • Assess pedestrian and cyclist movements, including volumes and safety, at: - the intersection of Raglan Street and Cope Street - the intersection of Wellington Street and Cope Street - the pedestrian zebra crossing along Cope Street	Noted. Further documentation will be provided as part of the Transport Impact Assessment to address these matters with future detailed SSDAs.

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• Assess construction impacts, including cumulative impacts with other Sydney Metro-related developments (subject to staging and timing). • Assess operational impacts, including intersection performance, level of service, and delay times in the vicinity of Waterloo Metro Station. • Demonstrate that adequate stormwater infrastructure and capacity are provided, particularly in light of known localised flooding issues within the surrounding road network.	
TfNSW <i>Road Widening</i> TfNSW advises that the subject site is affected by a road reservation along the McEvoy Street frontage of the site, as shown by pink colour on the attached aerial at TAB B, and in DP 252609 (i.e. Lots 2, 3, 4, 5 and 6), which shows the future road widening requirements. TfNSW seeks to retain the existing road reservation along the northern side of McEvoy Street between Botany Road and Elizabeth Street (i.e. along the McEvoy Street frontage of the site). TfNSW notes: A) That the 'Concept Envelope Plans' (Appendix JJ) do not appear to show the required road reservation along the northern side of McEvoy Street between George Street and Pitt Street, nor do they indicate the setback distance as detailed in the above documents. Additionally, the cross-sections provided for building envelopes fronting McEvoy Street do not illustrate the required setback for future road widening and currently show the building setbacks required as per Section 8.3 and Figure 12 in the Waterloo Estate (South): Design Guide 2022 starting from the existing McEvoy Street property boundary and not the future McEvoy Street boundary, including the required lots for road widening as detailed in DP 252609. B) Section 6.4 of the EIS does not include any reference to the dedication of land along McEvoy Street to Council as road reserve (i.e. Lots 2, 3, 4, 5 and 6 in DP 252609). C) Noting that there is a concurrent Planning Proposal, and that the current Land Zoning and Land Reservation Acquisition Map in the SLEP 2012 does not accurately reflect land required for future road widening as shown in DP 252609, TfNSW recommends that SLEP 2012 be amended as part of the	The potential future road widening along McEvoy Street has been further considered following the exhibition period, including through direct engagement with TfNSW. TfNSW has confirmed that it requires the full extent of the road widening provided for in DP 252609 to be retained. This impacts Blocks 8, 9 and 10 along McEvoy Street. The proposed Concept SSDA Envelopes for Block 8 already incorporate a setback consistent with DP 252609 as the road widening area is currently zoned SP2 Infrastructure and is identified on the LEP Land Reservation Acquisition Map. The road widening affecting Blocks 9 and 10 equates to a setback of 12.8m at the splay edges and approximately 10.34m along the majority of the McEvoy Street frontage (as measured by RPS). This exceeds the 9m setback to McEvoy Street established for Blocks 9 and 10 by the Waterloo Estate (South) Design Guide 2022, which informed the exhibited Concept SSDA Envelopes. In response, the following amendments are proposed: • The FSR Map has been amended for Blocks 9 and 10 so that the mapped development area excludes the land subject to the road widening in DP 252609 (refer to Appendix B). • The HOB Map has been amended for Blocks 9 and 10 so that the mapped development area excludes the land subject to the road widening in DP 252609 (refer to Appendix B). • The Block 9 and Block 10 Concept Envelopes have been amended to reallocate the GFA previously located within the widening area, which encroached 1.34m into that land in the exhibited scheme (refer to Appendix C). • Figure 12 of the Revised Design Guide has been updated to account for the necessary 10.34m setback to McEvoy Streets on Blocks 9 and 10 (refer to Appendix D). Further detail is provided in Section 4.1.1.4 of the RtS Report.

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concurrent Planning Proposal, for the subject site, to reflect the future road widening requirements as shown in DP 252609 (i.e. Lots 2, 3, 4, 5 and 6). The plans submitted as part of this concept SSDA, and any future SSDAs, must clearly demonstrate that all building works, including any required building setbacks, are located outside Lots 2, 3, 4, 5 and 6 in DP 252609, with the dimensions of these lots clearly identified on the plans/supporting documentation provided.	
<i>Emergency Vehicle Access</i> Section 9.5 in the TIA states that emergency vehicles will be permitted to access the precinct from McEvoy Street as per existing arrangements. Additional details are required on where this will occur and how access will be restricted to enable emergency vehicles only when required. TfNSW is not supportive of any general vehicle access associated with the proposed development being gained from McEvoy Street.	No changes are proposed to the existing access arrangements at the southern end of George Street. Emergency vehicle access only will be retained, with existing traffic restrictions and signage remaining unchanged. Further detail is provided in the Transport Response Letter at Appendix K.
<i>Wellington Street and Botany Road Intersection</i> The TIA in Section 8.3 states that “any changes (turning restrictions) at the intersections of Wellington Street and Botany Road would result in redistribution of vehicular traffic into the local network, which would generally not be expected to have a profound impact. In such a way, there is found to be no requirement for further traffic modelling or assessment”. TfNSW notes that these restrictions on turning movements were not assessed as part of the current SSDA. While overall trip generation may remain consistent, due to proposed changes to road access, such as altered distributions or restricted movements, it is necessary to undertake modelling to determine whether these changes will have broader impacts on the surrounding road network, particularly at signalised intersections. TfNSW considers that detailed modelling (i.e. SIDRA) of this intersection is required. Botany Road, in the vicinity of the Wellington Street intersection, comprises only two lanes in each direction and is a key public transport corridor where additional bus priority measures are likely to be implemented in the future. In the future, northbound right turning vehicles may queue and block a through lane while waiting for a gap to access Wellington Street (noting it is a primary entry point to the precinct), which would adversely affect both the efficiency and safety of Botany Road operations and would not	The Transport Response Letter (refer to Appendix K) confirms that both the Planning Proposal (PP-2021-3265) and the Concept SSDA assessment allowed for the existing right-turn movement from Botany Road northbound into Wellington Street. The Concept SSDA forecasts only minor variations in traffic generation compared with the Planning Proposal (PP-2021-3265) and these changes are not expected to materially alter the previous modelling outcomes. As per the modelling assessment undertaken as part of PP-2021-3265, the forecasted traffic generated by the development is not expected to have significant impact on the road network, including at the Botany Road and Wellington Street (Buckland Street) intersection. As the staged redevelopment of the precinct progresses, individual block yields are to be maintained in line with the yields proposed at the former Planning Proposal stage and therefore are not expected to vary the approved traffic generation or distribution. Accordingly, the approved traffic generation and distribution are not expected to materially change and further traffic modelling is not anticipated to be required.

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be acceptable. Additional comments are provided in Section 3 relating to SIDRA modelling requirements. Mitigation measures and applicable timing for its provision should be identified to address any adverse impacts on the function, safety and efficiency of the state road network as a consequence of this development.	
<i>Servicing and Delivery</i> TfNSW requests a clear statement that all servicing and associated deliveries associated with the proposed development, both during construction and ongoing operation, will not be undertaken from the McEvoy Street frontage of the development and will be undertaken within the site/from the local road network.	It is confirmed that no services or delivery will be from McEvoy Street, consistent with the information provided within the Urban Design Report and Transport Impact Assessment submitted with the EIS.
<i>Shared Zone</i> In NSW, TfNSW is responsible for the setting and signposting of safe and appropriate speed limits in accordance with the NSW Speed Zoning Standards. The design and construction of the proposed shared zone (including but not limited to surface treatments, signage and pedestrian priority measures) shall be in accordance with the NSW Speed Zoning Standard TS 03631:2.0. Please note that TfNSW requires criteria to be met for a 10 km/h shared zone and all other proposed speed limits in accordance with the NSW Speed Zoning Standards. The proposed shared zone for Cooper Street south circulation road, shown in the cross section (Figure 48) and plan view (Figure 50), indicates that the area between John Street and the circulation road has a separated footpath to the vehicle path. Therefore, a shared zone on this section of the vehicle path is not required. Alternatively, this section of road could be redesigned in line with the NSW Speed Zoning Standards to meet the criteria for a shared zone.	TfNSW comments are noted regarding the shared zone, as outlined within the Addendum Landscape Report and Landscape Response Pack prepared by Aspect Studios (refer to Appendix G) this matter is being resolved as design of the Stage 1 detailed applications continues.
<i>Advice:</i> Impact of road noise: The provisions of Section 2.120 (Impact of road noise or vibration on non-road development) of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> will apply to the future detailed SSDAs, as the annual average daily traffic volume along this section of both McEvoy Street is more than 20,000 vehicles. As such, the developer will need to demonstrate to the satisfaction of the determining authority that the future detailed SSDAs can comply with provisions contained in Section 2.120 of <i>State Environmental Planning</i>	The submitted NVIA included an assessment of external traffic noise impacts and identified appropriate mitigation measures. It concluded that the majority of façades across the precinct are capable of achieving the relevant internal noise requirements using standard single glazing. For the more noise-exposed habitable rooms facing McEvoy Street, higher-performing single glazing may be required however double glazing is not expected to be necessary as part of the detailed design of buildings within the precinct. The Addendum NVIA (refer to Appendix O) also includes a preliminary façade glazing matrix to guide glazing specifications based on external noise levels and the proportion of glazed area, having regard to typical room dimensions and finishes. The matrix identifies three glazing performance categories, with minimum

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<i>Policy (Transport and Infrastructure) 2021</i> , specifically in relation to measures to ensure the required noise levels as detailed in Subclause 3 are not exceeded when the buildings are ready to be occupied.	acoustic ratings of Rw32, Rw35 and Rw37. It is intended that this matrix will be used as a guide and be reviewed as necessary as part of the detailed SSDA stages.
Active Transport: Future planning and design stages should reinforce walkability, permeability, direct connections to transit nodes and integration with cycling networks.	Noted. Future planning and design stages will reinforce walkability, permeability, direct connections to transit nodes and cycling network integration.
Infrastructure Delivery: The future staging of the development should be coordinated with infrastructure upgrades/ delivery.	Noted. Future development staging will be coordinated with infrastructure upgrades and delivery in accordance with the Infrastructure Delivery and Staging Plan.
Non-Residential Land Uses: TfNSW notes that the proposal seeks to reduce the minimum non-residential gross floor area requirement from 17,000m ² to 15,000m ² . From a strategic planning perspective, it is important to maintain a balanced land use outcome by ensuring that development includes sufficient non-residential uses (shops, offices, cafes) so people can work, shop, and socialise near home, thus minimising the need for car trips.	Noted. The reduction in minimum non-residential GFA from 17,000m ² to 15,000m ² is addressed in Section 4.1.1.3 of the RtS Report.
Car Parking: The development site will benefit from the proximity to public transport. Consideration therefore should be given to adopting the lowest applicable car parking rate within the Sydney Development Control Plan 2012 to encourage and support mode shift to public and active transport modes.	The Transport Impact Assessment submitted with the EIS confirms that the proposed quantum of car parking is less than the maximum permitted under the Sydney LEP 2012. The maximum parking rates and proposed parking provisions are outlined in Section 6.3.5 of the Transport Impact Assessment submitted with the EIS.
Roads Act 1993: Concurrence under Section 138 of the Roads Act 1993 will be required from TfNSW for any works within the state classified road reserve (e.g. McEvoy Street).	Noted. Section 138 concurrence from TfNSW will be obtained for any works within the state classified road reserve at the relevant future stage.
SIDRA: The provision of intersection modelling needs to consider/address the following: • Current and representative traffic counts need to be used. • The existing base models need to be calibrated with on-site observations (e.g. queue lengths, delays). • Assumptions for traffic generation should be in accordance with the Guide to Transport Impact Assessment. • Distributions to and from the development need to be justified. • Existing traffic volumes with and without the proposed development need to be modelled.	The Concept SSDA forecasts only minor variations in traffic generation compared with the Planning Proposal (PP-2021-3265) and these changes are not expected to materially alter the previous modelling outcomes. As per the modelling assessment undertaken as part of PP-2021-3265, the forecasted traffic generated by the development is not expected to have significant impact on the road network, including at the Botany Road and Wellington Street (Buckland Street) intersection. As the staged redevelopment of the precinct progresses, individual block yields are to be maintained in line with the yields proposed at the former Planning Proposal stage and therefore are not expected to vary the approved traffic generation or distribution. Accordingly, the approved traffic generation and distribution are not expected to materially change and further traffic modelling is not anticipated to be required.

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• A 10 year future growth scenario needs to be modelled. • Electronic copies of all SIDRA files need to be provided to TfNSW for review. Strategic/Concept Design: If, as part of the above assessment of the SSDA, it is identified that mitigation measures are required that would impact a state classified road (i.e. Wellington Street/Botany Road intersection), a concept design for the proposed works must be prepared and submitted to TfNSW for review and acceptance. The purpose of the concept design is to clearly define the scope of the proposed works, demonstrate that the works can be accommodated within the existing road reserve, and enable the consent authority to assess any associated environmental impacts as part of the SSD assessment process. Any strategic design provided should address the requirements outlined in the TfNSW Strategic Design Requirements for Development Applications factsheet (refer to the following link - Strategic Design Requirements Factsheet).	
Sydney Trains	
Due to the proximity of the development proposed in the Concept Plans to the rail tunnel, rail assets, and TAM land/easements, the Applicant is requested to consult with Sydney Trains prior to lodgement of any future development applications.	Noted. Consultation will occur prior to lodgement of future detailed SSDAs.
As part of the lodgement of any future Development Application(s), the Developer shall prepare and submit to Sydney Trains, the following rail specific items in compliance with the relevant standards: • Rail impact assessment • Geotechnical Report • Structural report/drawings • Cross Sectional Drawings (including tunnel, reserve zones and easements) • Detailed Survey (including tunnel, reserve zones and easements) • Excavation and construction methodologies • If required by Sydney Trains, Finite Element (FE) analysis and/or tunnel monitoring plans.	Noted. Additional documentation will accompany the future detailed SSDAs.
The proposed development must take the following into consideration:	Noted. Additional documentation will accompany the future detailed SSDAs.

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- Any future DAs must consider the rail tunnel below ground running under George Street including relevant setbacks to ensure no impact to rail tunnels and associated infrastructure, specifically for Blocks 1, 3, 4, 8 and 9. - The proposed development must comply with all relevant Sydney Trains requirements and TfNSW Standards including but not limited to: - TfNSW AMB Standard titled “Airspace and External Developments” reference T HR CI 12090 ST. - TfNSW AMB Standard titled “Development near Rail Tunnels” reference T HR CI 12051 ST. - No works will be permitted within the Rail Corridor, or TAM (Transport Asset Manager of NSW) land, easements or airspace, including craneage or other aerial operations or rock anchors.	