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Annie Leung
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Planning and Assessment
Department of Planning, Environment and Industry
Level 17, 4 Parramatta Square, Parramatta NSW 2124

Via Planning Portal

Dear Annie,

Response to RtS – Waterloo OSD Northern Precinct – SSD 10440

Thank you for your correspondence dated 4 November 2020 seeking comment on the Response to Submissions (RtS) for the Waterloo OSD Northern Precinct. City staff have reviewed the information accompanying the RtS and provide our response at Attachment A.

We request that the City be provided the opportunity to review and respond to any recommended conditions of consent prior to determination.

You can contact Senior Planner **David Zabell** on **9288 5842** or by email at dzabell1@cityofsydney.nsw.gov.au if you wish to discuss any matters raised in this submission.

Yours sincerely



Graham Jahn AM LFRAIA Hon FPIA
Director
City Planning | Development | Transport

Attachment A – Response to RtS

Planning Process

1. The City has previously raised concerns with the uncoordinated approach to the redevelopment of Waterloo OSD, Waterloo social housing and Botany Road precinct. A holistic approach would have ensured a better understanding and management of traffic impacts, storm and wastewater runoff and treatment, and established a desired future character regarding bulk, scale, architecture, materiality, signage and landscaping.
2. The Waterloo Metro Quarter Design and Amenity Guidelines should have been finalised prior to the lodgement of these applications. However, the planning process for Waterloo OSD appears to endorse placing the detailed design applications potentially dictating the final form of the planning controls. This does not provide certainty to the community and erodes trust in the planning process.
3. DPIE should, therefore, treat any proposed changes to the Waterloo Metro Quarter Design and Amenity Guidelines with appropriate caution and note our response where City staff discourage this to occur.

Wind

4. The wind report notes significant improvements to pedestrian amenity and that development can generally comply with comfort and safety criteria of the Waterloo Metro Quarter Design and Amenity Guidelines. However, this relies on the success of extensive tree canopy coverage throughout the site and as such it is imperative that minimum soil volumes and depths are provided for each tree type.
5. It is recommended that any conditions for tree planting reference *Sydney Landscape Code Volume 2*, and that replacement tree planting occur within the first 10 years of the development where trees fail. The recommendations of the wind report must form part of the conditions of consent, including any coordination with architectural plans.

Awnings

6. Awnings located over the footpath and adjacent at grade spaces should by way of condition comply with the Section 3.2.3 of the Sydney Development Control Plan 2012 to provide weather protection and amenity to pedestrians.

External sun shading

7. City staff refer to the Amended Design Integrity Report at page 20, which says “The panel notes that whilst thermal comfort levels may be achieved with the reduced facade projection, it is disappointing to rely wholly on glazing specifications, which may result in darker and more reflective glass than would have been the case if a brise soleil with greater depth had been pursued”.

8. As noted in our submission to the EIS, externally mounted operable sun shading devices must be designed to mitigate summer sun affected facades accordingly. The City recommends that an appropriate condition be imposed accordingly subject to consultation with the Design Review Panel.

Building parapets

9. All building parapets should be a minimum 1.2 - 1.5 metres high above the corresponding finished roof level to conceal solar panels (whilst maintaining solar access), services, exhausts, plant, fans and the like.

Transport

Traffic modelling

10. The applicant asserts that insufficient information has been provided regarding the redevelopment of the social housing sites to the east to properly model traffic impacts from the development. This reflects the siloed approach taken to redevelopment of the site and its relationship with other significant redevelopments in the surrounding area.

Cycle parking

11. The City does not support the proposed change to Section 3N of the Waterloo Metro Design Quality Guidelines, which reduces the amount of bike parking required for Building 1 by referring to the Green Star guidelines rather than the Sydney DCP 2012. The applicant asserts that the reduction in visitor bike parking within Building 1 is reasonable given the provision of bike parking associated with the Metro station. Building 1 occupants should not have to park at the Metro, or occupy Metro station bike parking.
12. The City and State Government are investing heavily in cycle infrastructure, with new cycle ways throughout Waterloo connecting to the City, Airport and Green Square. Wherever possible, the provision of bike parking and associated end of trip facilities should be maximised. The City therefore requests that DPIE apply the City's bike parking controls contained at Section 3.11.3 of the Sydney DCP 2012 or the equivalent within the Waterloo Metro Quarter Design and Amenity Guidelines.
13. DPIE should reject this revision to the Guidelines and require a greater provision of bicycle parking to encourage more active transport alternatives for staff and visitors.

Public art

14. Given the scale, importance and history of the site, along with the aspiration to connect with community and tell First Nations' stories on the site through the public art process, some public art opportunities should be advertised as open EOI's for all First Nations' artists to respond. While the City acknowledges the expertise in the Curatorial Team and the proposed selection criteria, an open EOI would allow

for a truly open public art process. The results could provide the opportunity for unknown artists, or artists with extensive experience who are untested in the public domain, to surprise the selection panel with ideas or stories unique to this location and feels this as a missed opportunity.

15. The City requests that any condition for public art require consultation with the City's Public Art Team regarding the long list of artists prior to final selection. A draft of the Detailed Public Art Plan must be presented to the City's Public Art Advisory Panel for feedback prior to its submission for approval.

Waste

16. The Waste Management Plan, provision of bin rooms and numbers of bins are to be amended to be consistent with the Guidelines for Waste Minimisation in New Developments as follows:

- (a) The City is the waste contractor for Building 2. The City does not support more than weekly collection, and as such sufficient bins and storage areas are to be provided.

Note: The City recommends that a minimum 50mm be provided between each bin to allow for access/manoeuvrability between bins and provisions for disability access should be considered (i.e. 1500mm aisle width between bin rows and avoid bin stacking). Doorway widths into and out of WSA should be designed with appropriate space to accommodate the movement of the largest bin proposed for development. The Waste Management Plan should identify the path of access for residents, retail staff, cleaners and collection vehicles demonstrating the functionality of the bin stores and loading dock.

- (b) 5 x weekly collections are proposed for Building 1, resulting in excessive truck movements. This is inconsistent with Sustainable Sydney 2030 and the TOD model which seek to reduce vehicle movements. Sufficient bin storage should be provided to allow for no more than 3 x weekly collection.
- (c) Food waste generation cannot be merged with general waste. Separate space must be allocated for food waste recycling. Food waste must be stored in bins 240L or smaller.
- (d) Details the ongoing management, storage and collection of waste, including responsibility for cleaning, transfer of bins between storage areas and collection points, implementation and maintenance of signage, and security of storage areas.
- (e) Waste management plans for demolition and construction including material storage areas for reusable materials and recyclables during demolition and construction; vehicle access to material storage areas; estimation of quantities and types of materials to be reused, recycled or left over for removal from the site are required. A template is available at appendix A and B of the City of Sydney *Guidelines for Waste Management in New Developments 2018*.

Landscape

17. As previously stated, the development relies heavily on the success of tree planting to mitigate wind impacts caused by the buildings. It is imperative that all the recommendations of the wind report are incorporated into the conditions of consent.
18. Section D on landscape drawing WMQ-BLD2-ASP-LS-DRG-DA-301 indicates that substantial soil mounding is relied upon to achieve the required soil depth for trees. Mounding of this extent is not supported, and it is recommended that the wall height be increased to these planters, limiting mounding to 300mm maximum.
19. Lendlease and UTS are undertaking testing of the relationship between green roofs and PV panels. Preliminary results demonstrate that, in addition to improved biodiversity, stormwater management, reduced albedo and urban heat island effects, green roofs can significantly reduce the temperature of PV equipment thereby increasing their efficiency. This should be pursued by conditions of consent.

Signs

20. The application proposes two top of building signs, which are conspicuously absent from the surrounding area and not supported under Council's signage controls within this zone. There are no signage controls within the Waterloo Metro Design Quality Guidelines and as such it is appropriate to refer to the Assessment Criteria of State Environmental Planning Policy No 64—Advertising and Signage for guidance.
21. The applicant asserts that the signs are supportable for the following reasons:
 - (a) *The proposal is consistent with the theme for top of building signage in the surrounding area. The site is located within 500m of the Australian Technology Park which comprises several top of building signs.*
 - (b) *The City Plan 2036 identifies the 'Botany Road Corridor' as an opportunity to increase non-residential capacity linked to the future Waterloo Metro Station. This business and innovation corridor will support future commercial and technology-based uses accompanied by associated building identification signage. As such, the proposed signage zones will be compatible with the future signage character of the Botany Road Corridor.*

Response The Australian Technology Park is a different context, excluded from the Sydney Local Environmental Plan 2012 and not within the visual catchment of the site. As such, there is no theme for top of building signage in the surrounding area.

The applicant cannot justify the proposed top of building signs on the ongoing Botany Road Corridor investigation. The City Plan states at action P2.5 that the Botany Road Corridor will maintain a B2 and B4 zoning, being the current zoning,

which does not allow for top of building signs. As there is no daft EPI for the Botany Road Corridor, these presumptions cannot be a matter for consideration.

The signs are therefore inconsistent with the first and fourth assessment criteria under Schedule 1 of the State Environmental Planning Policy No 64—Advertising and Signage.

(c) The proposed signs will be placed on a simple architectural design and will not result in additional visual clutter.

Response The signs by their nature will result in visual clutter and set an unacceptable precedent in the area inconsistent with the fourth assessment criteria under Schedule 1 of the State Environmental Planning Policy No 64—Advertising and Signage.

(d) The proposed size of the signs responds to the proportions of the building and will not result in any impacts on the architectural integrity of the building and the surrounding streetscape.

(e) The signs are located on adjacent elevations and therefore will not be visible from separate streets.

Response Notwithstanding the signs are unacceptable.

(f) The proposed signs seek to create an effective and appropriate signage system that fulfils the requirements of building/business identification whilst integrating with the built form.

(g) The proposed signage is compatible with the amenity and visual character of the area. It will allow for signage that will effectively communicate the building tenant when approaching from the north, south and west.

(h) The proposed signage is scaled appropriately for the building and broader WMQ site.

(i) The proposed signage has been confined to the podium and top of building and integrated into the architectural design. Accordingly, the proposed signage is simple and well positioned to identify the key commercial tenant(s).

Response The top of building signage is unnecessary, sets an adverse precedent for the area, is contrary to Schedule 1 of the State Environmental Planning Policy No 64—Advertising and Signage and presupposes any strategic planning investigations for Botany Road. Signage should be confined to the ground plane only to truly assist pedestrian wayfinding. The signage is not integrated into the architecture of the building, partially obscuring important vertical elements.

Furthermore, as there may be multiple tenants on the site, a signage strategy should be prepared by the architects prior to determination to ensure there is a consistent theme for signage and to avoid clutter.

- (j) *The proposed signs are well integrated with, and subservient to, the design of buildings and the public domain so as not to detract from the heritage of Waterloo Congregational Church and nearby items.*
- (k) *The proposed signs are affixed to the facade of Building 1 and therefore not visible above the roof line.*

Response Notwithstanding the signs are unacceptable.

Remediation

- 22. The remedial action plan (RAP) for the Waterloo Station development by Douglas Partners recommends excavation and removal of contaminants from the site, which will form the underground station 28 meters below ground level.
- 23. The RAP is endorsed by NSW Accredited Site Auditor, Tom Onus within a Section B Site Audit Statement dated 2 June 2020, which states that the land can be made suitable for the proposed use.
- 24. The recommended remediation strategy includes tanking of the basement to prevent ingress of groundwater and any off-site contaminants, including the slightly elevated levels of chloroform and Trichloroethane referred to within the RAP.
- 25. The Statements of Environmental Effects for all the above statements refer to the remedial strategy for the metro station as being suitable.
- 26. However, the endorsed remedial strategy is referred to as HIL (D) - Industrial/ Commercial, which will not meet the HIL (B) for the proposed residential use with minimal opportunity for access to soils or the HIL (C) for the proposed areas of open space.
- 27. The RAP and Section B Site Audit Statement appears to relate to the eastern section of the site only (Signal Box Area) and further investigations should be carried out for all other land within the site, especially with the potential plume of chlorinated hydrocarbons from the former dry cleaners at 87 Botany Road.
- 28. Any land to be dedicated to the City of Sydney, for example setbacks, roads and pavements will be subject to remediation to a minimum depth of 1.5m below ground level with no Long Term Environmental Management Plan (LT EMP) attached.