

SCOPING REPORT

WATERLOO OVER STATION DEVELOPMENT

SOUTHERN PRECINCT

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FINAL
PREPARED FOR WL DEVELOPER PTY LTD

URBIS

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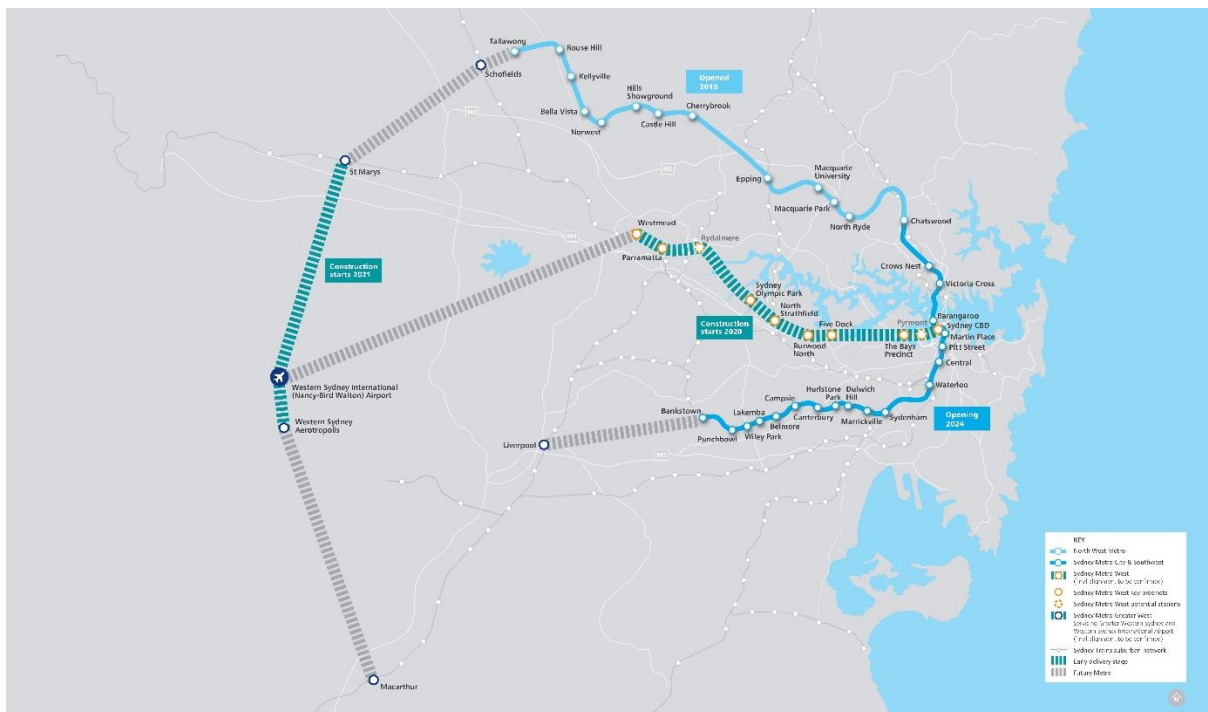
1. INTRODUCTION

Sydney Metro is Australia's biggest public transport project. In 2024, Sydney will have 31 metro railway stations and a 66km standalone metro railway system – the biggest urban rail project in Australian history. The Sydney Metro Project is illustrated in **Figure 1** below.

Services commenced in May 2019 in the city's north west with a train every four minutes in the peak. Sydney Metro will be extended into the CBD and beyond to Bankstown in 2024. There will be new metro railway stations underground at Crows Nest, Victoria Cross, Barangaroo, Martin Place, Pitt Street, Waterloo and new metro platforms under Central.

On 9 January 2017, the Minister for Planning approved the Sydney Metro City & Southwest - Chatswood to Sydenham project as a Critical State Significant Infrastructure project (reference SSI 15_7400) (**CSSI Approval**). The terms of the CSSI Approval includes all works required to construct the Sydney Metro Waterloo Station, including the demolition of existing buildings and structures. The CSSI Approval also includes construction of below and above ground structures associated with the Metro Station and structures required to facilitate the construction of Over Station Development (**OSD**).

Figure 1 – Sydney Metro Alignment Map



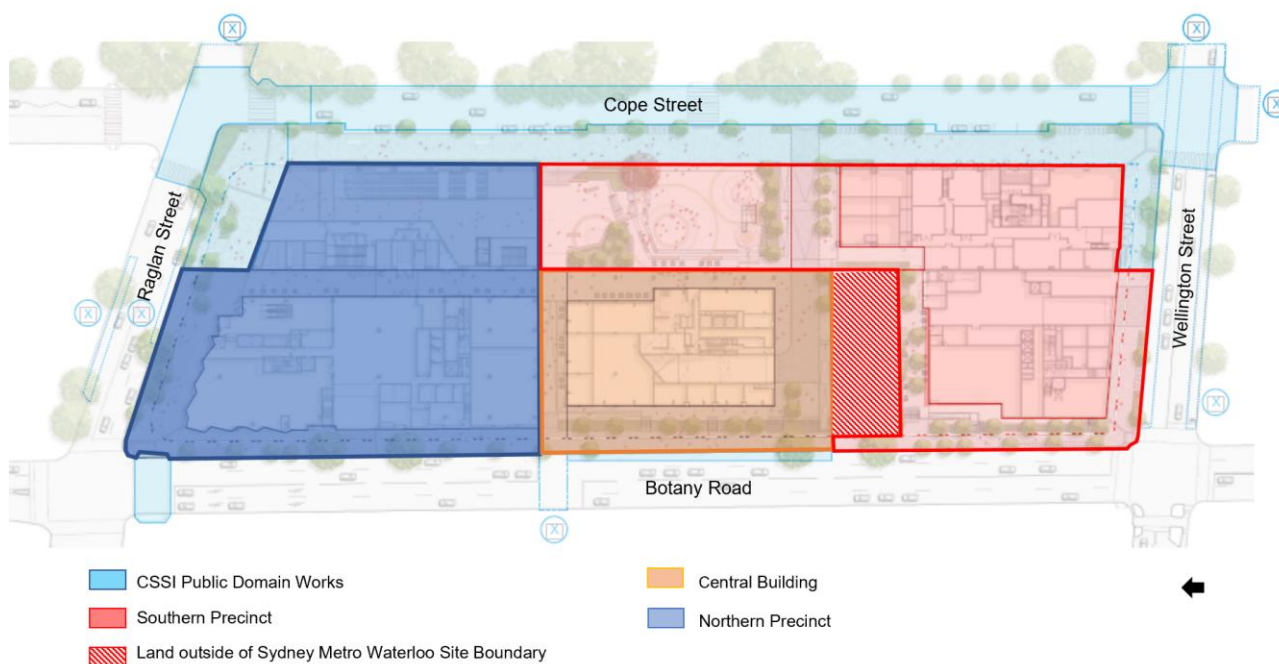
Source: Sydney Metro

1.1. WATERLOO OVER STATION DEVELOPMENT

This Scoping Report is prepared by Urbis Pty Ltd on behalf of WL Developer Pty Ltd (**the Proponent**). This Scoping Report constitutes a request for Secretary's Environmental Assessment Requirements (**SEARs**) to guide the preparation of an Environmental Impact Statement (**EIS**) that will accompany a State Significant Development (**SSD**) Development Application (**DA**).

The SSD DA will seek development consent for the construction and operation of a mixed use OSD and public domain works located at the Southern Precinct of the overall Waterloo Metro Quarter site. The boundaries of the Southern Precinct of the Waterloo Metro Quarter site are illustrated at **Figure 2**.

Figure 2 – Waterloo Metro Quarter Station Site Precinct Identification (SSD DA Boundaries)



Source: Proponent

Pursuant to Section 4.36(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*:

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development

The proposal is State Significant Development (**SSD**) under Section 4.36 of the EP&A Act as the development has a capital investment value (**CIV**) in excess of \$30 million and is predominately for the purpose of residential accommodation or commercial premises, and associated with railway infrastructure under clause 8(1)(b) of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*.

In addition, the subject application constitutes a detailed subsequent stage application to an approved Concept DA (SSD 9393) lodged under section 4.22 of the EP&A Act.

To support the request for SEARs, this Scoping Report provides the following:

- An overview of the site and context;
- A description of the proposed works;
- An overview of the relevant statutory and strategic planning framework;
- An approach to satisfy the design excellence provisions in *Sydney Local Environmental Plan 2012 (SLEP)*; and
- An overview of the likely environmental and planning impacts.

Concept architectural drawings prepared by Woods Bagot and John McAslan & Partners are attached at **Appendix A**.

In accordance with the Department of Planning, Industry & Environment (**the Department**) new protocol of conduction of 'scoping meetings' prior to formal lodgement of SEARs, a meeting was held on 3 February 2020 with key Departmental staff to discuss the proposed development. This satisfies the requirement for a 'scoping meeting'.

2. OVERALL SITE AND SURROUNDING CONTEXT

2.1. THE SITE

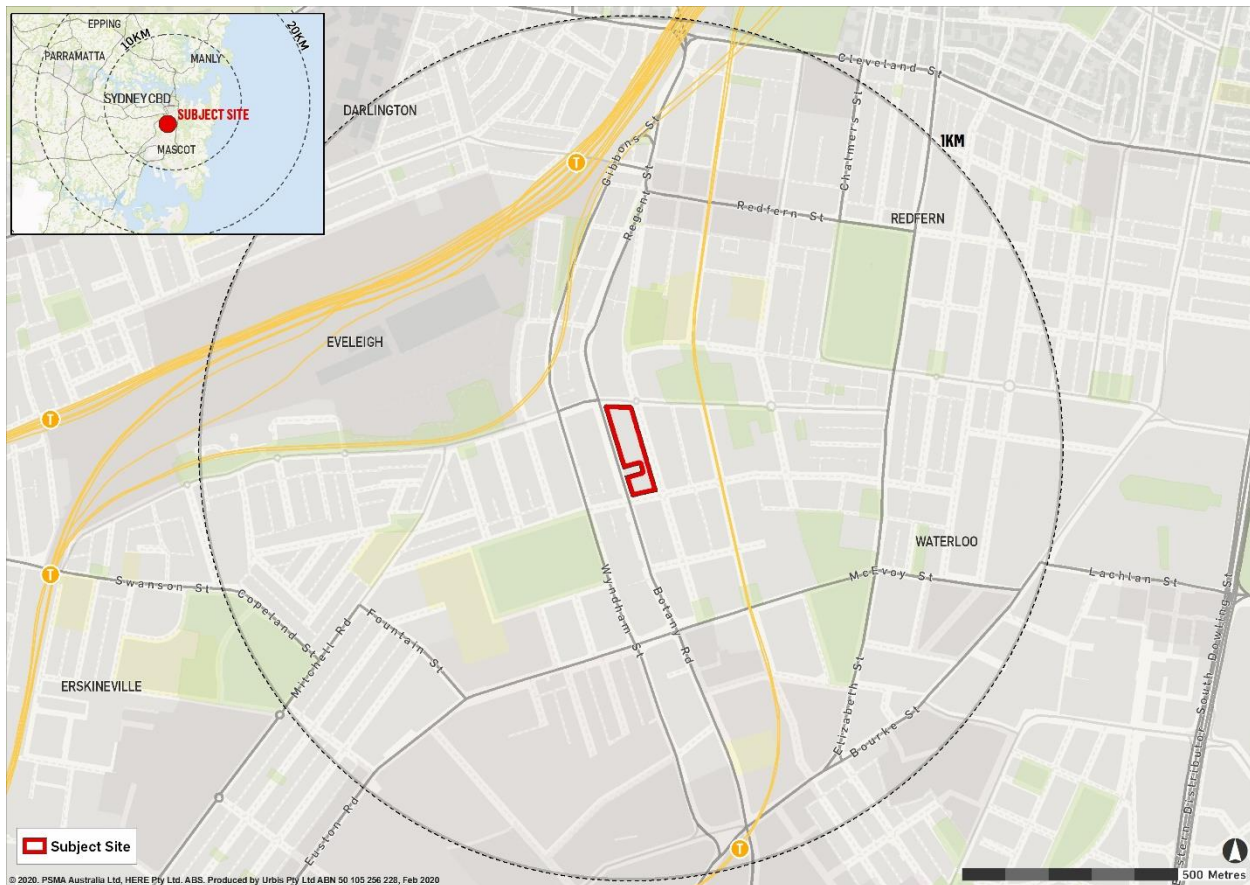
The Waterloo Metro Quarter site comprises land to the west of Cope Street, east of Botany Road, south of Raglan Street and north of Wellington Street. The heritage listed Waterloo Congregational Church located at 103–105 Botany Road is within this street block but is not part of the Sydney Metro Waterloo Quarter site boundaries.

All previous structures except for an office building at the corner of Botany Road and Wellington Street have been demolished to facilitate construction of the new Sydney Metro Waterloo Station. As such the existing site is predominately vacant and being used as a construction site.

The area surrounding the site consists of commercial premises to the north, light industrial and mixed-use development to the south, residential development to the east and predominantly commercial and light industry uses to the west.

Figure 2 and **Figure 3** show the site location. An overview of the site characteristics is contained in **Table 1**.

Figure 2 – Site Context



Source: Urbis

Figure 3 – Location Plan



Source: Urbis

Table 1 – Site Characteristics

Component	Description
Address and legal description	<p>1368 Raglan Street (Lot 4 DP 215751)</p> <p>59 Botany Road (Lot 5 DP 215751)</p> <p>65 Botany Road (Lot 1 DP 814205)</p> <p>67 Botany Road (Lot 1 DP 228641),</p> <p>124-128 Cope Street (Lot 2 DP 228641)</p> <p>69-83 Botany Road (Lot 1, DP 1084919)</p> <p>130-134 Cope Street (Lot 12 DP 399757)</p> <p>136-144 Cope Street (Lots A-E DP 108312)</p> <p>85 Botany Road (Lot 1 DP 27454)</p> <p>87 Botany Road (Lot 2 DP 27454),</p> <p>89-91 Botany Road (Lot 1 DP 996765)</p> <p>93-101 Botany Road (Lot 1 DP 433969 and Lot 1 DP 738891)</p> <p>119 Botany Road (Lot 1 DP 205942 and Lot 1 DP 436831)</p> <p>156-160 Cope Street (Lot 31 DP 805384)</p> <p>107-117A Botany Road (Lot 32 DP 805384 and Lot A DP 408116)</p> <p>170-174 Cope Street (Lot 2 DP 205942)</p>

Site area	<p>Total area of 1.287 hectares</p> <p>Southern Precinct area – approximately 5,000sqm</p>
Current use	<p>Construction of the Sydney Metro is currently underway on site (below ground level) in accordance with Critical State Significant Infrastructure Approval CSSI 7400. The site previously included three to five storey commercial, light industrial and shop top housing buildings.</p>
Site features	<p>Lots: The various allotments combine into a rectangular shape, with street frontage to Raglan Street to the north, Cope Street to the East, Wellington Street to the south, and Botany Road to the west.</p> <p>Heritage: Within the bounds of the streets listed above is the Waterloo Congregational Church. The church is a locally listed heritage item (I2069), however, does not form part of the site. Immediately to the south west of the site is the locally heritage listed Cauliflower Hotel (I2070) located at 123 Botany Road.</p> <p>Topography: The site is reasonably flat with a slight fall to the south.</p> <p>Approval history:</p> <p>9 January 2017: Sydney Metro Critical State Significant Infrastructure Approval (CSSI 7400) was issued for the construction and operation of the Sydney Metro City and Southwest project between Chatswood and Sydenham.</p> <p>10 December 2019: Concept Approval (SSD 9393) was issued for Waterloo Metro Quarter Over Station Development.</p>
Surrounding development	<p>The area surrounding the site consists of commercial premises, light industrial, mixed-use development, and residential development. Immediately to the east of the site is the Waterloo Estate Precinct, which is the subject of master planning currently being undertaken by the City of Sydney Council.</p>

2.2. SURROUNDING CONTEXT

The Waterloo Metro Quarter site is approximately 3.3km south of the Sydney CBD. The neighbourhoods adjoining the site are composed of a layered urban fabric, containing a mix of commercial, residential, civic uses and open space.

To the east of the site is a mix of one and three storey residential flat buildings and attached dwellings that form part of the Waterloo Estate. Further to the east and north east includes high density residential dwellings which also form part of the estate.

To the north of the site is predominately one and two storey commercial uses. The Redfern Town Centre is located beyond this, which includes increased height and a mix of uses which includes retail, student housing and residential accommodation.

Beyond Botany Road to the west are two and three storey commercial and light industrial premises, as well as a five storey mixed use residential flat building. Council recently granted consent for an affordable housing development located at 74-88 Botany Road. The proposal includes ground floor retail facing Botany Road. The Alexandria Park Heritage Conservation Area are located further to the west. A large area of public open space, known as Alexandria Park, is located to the south west of the site. The Australian Technology Park commercial centre is located 400m to the north west of the site.

3. RELATIONSHIP BETWEEN SSD 9393 AND CSSI 7400

3.1. CONCEPT APPROVAL – SSD 9393

Development consent was granted on 10 December 2019 for the Concept Development Application (SSD 9393) for Waterloo Over Station Development including:

- A maximum building envelope for podium, mid-rise and tower buildings.
- A maximum gross floor area of 68,750sqm, excluding station floor space.
- Conceptual land use for non-residential and residential floor space.
- Minimum 12,000sqm of non-residential gross floor area including a minimum of 2,000sqm of community facilities.
- Minimum 5% residential gross floor area as affordable housing dwellings.
- 70 social housing dwellings.
- Basement car parking, motorcycle parking, bicycle parking, and service vehicle spaces.

This subject detailed DA seeks development consent for the over station development located within the Southern Precinct of the site, consistent with the parameters of this Concept Consent. A separate Scoping Report and consequent SSD DA will be prepared for Northern Precinct of the site, Central Building, and basement supporting the Northern Precinct and Central Building. A further application for site preparation works, including archaeological works and remediation works (where required) will be submitted to the Department.

3.2. CSSI APPROVAL – CSSI 7400

CSSI Approval 7400, as it relates to the Waterloo Station, includes:

- Demolition of existing buildings within the site.
- Excavation of the rail tunnel, concourse and platforms and therefore the setting of surrounding structural zones, services and accesses.
- Establishment of an aboveground station footprint (station boxes).
- Space provisioning for future lift cores, access, minor associated parking provision, retail and building services for the future OSD.
- Station entry via a Raglan Street, and via the public plaza from Cope Street.
- Public domain works (including to parts of the Raglan Street Plaza and the Cope Street Plaza).

The CSSI Approval included Indicative Interface Drawings for the below and above ground works at Waterloo Metro Station – South. Section 2.3 of the Preferred Infrastructure Report (**PIR**) noted that the integration of the OSD elements and the metro station elements would be subject to the design resolution process, noting that the detailed design may vary from the concept design assessed within the planning approval.

Condition E101 of that approval requires that detailed Station Design & Precinct Plans be approved by the Secretary of the Department prior to the construction of above ground works.

The building design in the podium levels for the areas allocated to the OSD as approved by SSD 9393 will need to be coordinated with the Station Design & Precinct Plans prior to their approval by the Secretary.

4. DESCRIPTION OF THE PROPOSAL

4.1. OVERVIEW

The proposal seeks subsequent 'Stage 2' detailed development consent for the design, construction, and operation of two residential buildings within the Southern Precinct of the site with podium non-residential uses, and public domain improvements including the construction of the Cope Street Plaza. This Detailed SSD DA specifically seeks consent for the construction and use of:

- Cope Street Plaza, including vehicle access to the site via a shared way from Cope Street;
- 23-storey residential building comprising student accommodation, to be delivered as a mixture of studio and twin apartments with approximate capacity of 500 students;
- 8-9 storey residential building above the southern station box to accommodate 70 social housing dwellings, physically connected to the student accommodation building;
- Ground level retail tenancies and loading facilities; and
- Level 1 and Level 2 gymnasium and residential communal facilities.

The proposed development within the Southern Precinct is proposed to comply with the height of building standard for the site and the maximum building envelopes set by the Concept Approval.

The proposed materiality and detailing are proposed to be sympathetic to the two adjacent heritage buildings and the general context of the area.

The application seeks consent for the detailed redevelopment of the site as a Detailed SSD DA.

Woods Bagot and John McAslan & Partners have prepared a drawing set which is provided at **Appendix A**. It is noted that the proposal is still subject to design development (with Bates Smart Architects) prior to formal lodgement.

4.2. PROPOSED USES

The OSD building will comprise *residential accommodation* (residential flat building [social housing]; and boarding rooms [student accommodation]), a *recreation facility* (gym), ancillary uses including Metro and OSD services, amenities for occupants and ground level *retail premises*.

4.3. PROPOSED NEW BUILDINGS

The proposed development comprises a maximum height of 23 storeys (excluding plant level) OSD with two interconnected buildings over a podium for student accommodation and social housing dwellings. Where OSD elements are located within the station box under CSSI Approval, approval is being sought for fitout and use of those spaces only. The actual construction of these spaces is the subject of the CSSI Approval and will not form part of this SSD.

The proposed building is generally as follows:

Ground level

- Pedestrian entry points from Botany Road, Wellington Street, and Cope Street
- Gym entrance located on the corner of Botany Road and Wellington Street
- Retail opportunities on Cope Street, Botany Road and Wellington Street
- Servicing vehicle entry from Wellington Street
- Building services and waste storage

Level 1

- Gym

- Bike storage

Level 2 - 5

- Communal space and facilities for student accommodation dwellings
- Student accommodation (boarding rooms)

Level 6-13

- Student accommodation (boarding rooms)
- 70 social housing dwellings

Level 15-22

- Student accommodation (boarding rooms)

Level 23

- Amenities and rooftop communal open space
- Building servicing plant

5. STATUTORY AND STRATEGIC CONTEXT

The site is located within the City of Sydney LGA. As such, the relevant Acts, environmental planning instruments and development controls relating to the site and relevant to considerations for the SSD application are as follows:

- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy No 55—Remediation of Land and Draft Remediation of Land SEPP*;
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) and Apartment Design Guide (ADG)*
- *State Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour) and Draft Environment SEPP*;
- *Sydney Local Environmental Plan 2012 (SLEP)*; and
- *Sydney Development Control Plan 2012 (SDCP)*.

It is noted that as per clause 1.9(2A) of the SLEP, the *State Environmental Planning Policy (Affordable Rental Housing) 2009* does not apply to land at the Waterloo Metro Quarter.

Each of the above are described further below in terms of their relevance to the subject site and the proposed development.

5.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Pursuant to Section 4.36(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*:

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development

The proposal is classified as SSD as detailed in Section 5.2, below.

In accordance with Section 4.5 of the EP&A Act, the Independent Planning Commission is designated as the consent authority if there is a Council objection to the DA or there are more than 25 submissions, unless otherwise declared by the Minister as a State Significant Infrastructure related development. Unless otherwise declared, the Minister will be the consent authority for the detailed SSD DA (refer Clause 8A of the SRD SEPP and Instrument of Delegation dated 11 October 2018).

5.2. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

The Concept DA was classified as SSD under Section 4.36 of the EP&A Act as the development has a CIV in excess of \$30 million, and is for the purpose of residential accommodation associated with railway infrastructure under clause 8(1)(b) of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*.

In accordance with clause 12 of the SRD SEPP, subsequent detailed DAs under the Concept DA are considered SSD regardless of CIV, as follows:

12 Concept development applications

If—

- a) development is specified in Schedule 1 or 2 to this Policy by reference to a minimum capital investment value, other minimum size or other aspect of the development, and*

- b) *development the subject of a concept development application under Part 4 of the Act is development so specified,*

any part of the development that is the subject of a separate development application is development specified in the relevant Schedule (whether or not that part of the development exceeds the minimum value or size or other aspect specified in the Schedule for such development).

Accordingly, all subsequent detailed DAs to be sought for the Sydney Metro Waterloo Quarter site are considered SSD. For clarity this includes applications for the following:

1. Early Site Works
2. Southern Precinct – Cope Street Plaza; Social Housing; Student Accommodation; Gym; Retail Premises
3. Central Building – Community Facilities; Affordable Housing; Market Housing; Retail Premises
4. Basement – to support the Northern Precinct and Central Building
5. Northern Precinct – Commercial Office; Retail Premises

5.3. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (AND DRAFT REMEDIATION OF LAND SEPP)

State Environmental Planning Policy No 55—Remediation of Land (SEPP 55) provides a state-wide planning approach to the remediation of contaminated land. SEPP 55 requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.

Any site remediation for the eastern portion of the site affected by the construction of the Sydney Metro Waterloo Station is assessed and approved in accordance with the CSSI Approval. Further consideration of SEPP 55 is therefore only required on the western portion of the site. For relevant to this detailed SSD DA this affects the land immediately below the proposed student accommodation building only.

5.4. STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 was gazetted on 25 June 2004. The policy applies to proposed BASIX affected, or BASIX optional development across the State. The aim of the policy is to provide consistent implementation of the BASIX Scheme across the State.

BASIX affected development is defined in the *Environmental Planning and Assessment Regulation 2000* (EPA Regulation) as follows:

BASIX affected development means any of the following development that is not BASIX excluded development—

- (a) *development that involves the erection (but not the relocation) of a BASIX affected building,*
- (b) *development that involves a change of building use by which a building becomes a BASIX affected building,*
- (c) *development that involves the alteration, enlargement or extension of a BASIX affected building, where the estimated construction cost of the development is—*
 - (i) *\$100,000 or more—in the case of development for which a development application or an application for a complying development certificate is made on or after 1 October 2006 and before 1 July 2007, or*
 - (ii) *\$50,000 or more—in the case of development for which a development application or an application for a complying development certificate is made on or after 1 July 2007,*

(d) development for the purpose of a swimming pool or spa, or combination of swimming pools and spas, that services or service only one dwelling and that has a capacity, or combined capacity, of 40,000 litres or more.

The term “BASIX affected building”, referred to in the above definition, is defined as:

Any building that contains one or more dwellings, but does not include a hotel or motel.

A “dwelling” is defined to mean:

In relation to a BASIX affected building, means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as separate domicile”.

In the case of *SHMH Properties Australia Pty Ltd v City of Sydney Council [2018] NSWLEC 66*, a development which included the land use definition of boarding house, constituted a BASIX affected building.

The EIS will be required to be accompanied by a BASIX certificate for all buildings forming part of the Southern Precinct.

5.5. STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT (SEPP 65) AND APARTMENT DESIGN GUIDE (ADG)

The *State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development (SEPP 65)* aims to improve the design quality of residential apartment development in NSW. SEPP 65 establishes a consistent approach to the design and assessment of apartments and the way they are assessed by government. The Apartment Design Guide (ADG) explains how to apply SEPP 65 design principles for the development of new apartments.

The EIS will assess the proposed social housing dwellings against the requirements of SEPP 65 and the ADG. As per clause 4(4) of SEPP 65, the SEPP and the ADG do not apply to a boarding house (student accommodation) development, unless otherwise prescribed by a local environmental plan. SLEP makes no such prescription and as such SEPP 65 and the ADG do not apply to the student

5.6. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 (SLEP)

SLEP is the principal environmental planning instrument applying to the site. The zoning, permissibility and key built form controls are addressed in **Table 2** below.

5.6.1. Permissibility

The site is zoned as B4 Mixed Use in SLEP. The objectives of this zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To ensure uses support the viability of centres.*

The prominent land use proposed in this SSD DA is best defined as ‘**residential accommodation**’, which is defined in SLEP as:

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) *attached dwellings,*
- (b) **boarding houses,**
- (c) *dual occupancies,*
- (d) *dwelling houses,*
- (e) *group homes,*

- (f) *hostels,*
- (g) *multi dwelling housing,*
- (h) *residential flat buildings,*
- (i) *rural workers' dwellings,*
- (j) *secondary dwellings,*
- (k) *semi-detached dwellings,*
- (l) *seniors housing,*
- (m) *shop top housing,***

but does not include tourist and visitor accommodation or caravan parks.

Additional land uses proposed within the podium of the Southern Precinct buildings, excluding station related floor space, include *retail premises* and *recreation facility (indoor)*. The land use table for B4 Mixed Use identifies each of the proposed land uses as development that is permitted with consent on the site.

5.6.2. Other LEP Provisions

An initial assessment of preliminary plans against the principal development standards within the SLEP is provided below.

Table 2 – SLEP Principal Development Standards Compliance Table

Development Standard	Control	Proposed	Complies
4.3 Height of buildings	The finalised Waterloo SSP increased the height controls on the site to take advantage of the new Metro Station. The height control for the site is RL 96.9 (82m) for the southern precinct.	The maximum height of the proposed development, including roof plant is approximately RL95.350 (80.45m).	Yes
4.4 Floor space ratio	6:1 across the site	The proposed development includes only a portion of the sit. and will therefore comply with the maximum FSR.	Yes
5.10 Heritage Conservation	A heritage management document may be required to be prepared for land that is within the vicinity of a heritage item. The document is to assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item.	A detailed Heritage Impact Assessment and a Heritage Interpretation Strategy will be prepared for the proposed works.	Yes
6.45 Waterloo Metro Quarter - general	The consent authority must not consent to development on land at the Waterloo Metro Quarter unless it is satisfied that the development is consistent with the following objectives: <ul style="list-style-type: none"> - 12,000 sqm of GFA below podium for land uses other than residential accommodation or passenger transport facilities. - 2,000 sqm of GFA for the purpose of community facilities. 	The proposed development delivers two of the key public benefits required to be delivered across the Waterloo Metro Quarter site. This includes 2,200sqm land for publicly accessible open space, and the delivery of 70 social housing units. The EIS will outline how other components of clause 6.45 will be delivered across the site, in	Yes

	<ul style="list-style-type: none"> - 2,200 sqm of land for publicly accessible open space. <p>Further, the consent authority must not consent to the construction of one or more dwellings on land at the Waterloo Metro Quarter unless:</p> <ul style="list-style-type: none"> - It is satisfied that at least 5% of the GFA used affordable housing - It is satisfied that no dwelling used for the purposes of affordable housing will have a GFA less than 50 square metres - It is satisfied that land uses other than residential accommodation or passenger transport facilities will be evenly distributed throughout the Waterloo Metro Quarter 	accordance with the conditions of the Concept DA. This includes the delivery of additional public open space, affordable housing units, community floor space, and a significant component of non-residential floor space across the site.	
6.46 Waterloo Metro Quarter - State public infrastructure	Development consent must not be granted for development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) on land at the Waterloo Metro Quarter that results in an increase in the number of dwellings on that land, unless the Planning Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land.	As outlined within the Concept SSD DA, the proposed infrastructure delivered by this development and the CSSI Approval satisfies clause 6.46. This will be outlined within the EIS.	Yes
7.6 Car parking	The LEP sets a maximum provision of car parking based on site area.	<p>SSD 9393 approves the following car parking provision:</p> <ul style="list-style-type: none"> - The proposed development will not exceed the maximum 170 residential car parking spaces required by condition B8. <p>The proposal complies with this requirement. No car parking spaces are proposed as part of the Southern Precinct.</p>	Yes

Excerpts of the key built form control plans from the SLEP are provided at **Appendix B**.

5.6.3. Site Specific DCP

Clause 7.20 of SLEP requires the preparation of a DCP for sites outside of Central Sydney if the site area is more than 5,000 sqm or if the development will result in a building with a height greater than 25m above existing ground level. However, this obligation can be satisfied by the approval of a staged development application for the site. A staged development application has been approved for the site (SSD 9393), therefore clause 7.20 has been satisfied.

5.6.4. Satisfying Design Excellence

The relevant design excellence provisions in SLEP are:

- Clause 6.21(3) which requires the Consent Authority to not grant consent unless the proposed development exhibits design excellence.
- Clause 6.21(4) which defines matters the Consent Authority must have regard to in determining whether a development exhibits design excellence.
- Clause 6.21(5) which requires the Consent Authority to not grant consent unless a competitive design process has been held in relation to the proposed development. However, clause 6.21(5) is not applicable if a waiver is granted pursuant to clause 6.21(6).

The Concept Approval exercises the discretion available under clause 6.21(6) of SLEP to waive the requirement for a competitive design process under clause 6.21(5) as the concept design has been subject to the Sydney Metro Waterloo Design Excellence Strategy.

The Sydney Metro Waterloo Design Excellence Strategy includes processes for competitive selection and project benchmarks capable of delivering a high quality architectural and urban design outcome in lieu of a SLEP competitive design process. The engineering and design complexity of over station development requires specialised technical expertise and coordination with infrastructure delivery that are difficult to be accommodated in a competitive design process.

Prior to lodgement of the development application, a final Sydney Metro Design Excellence Strategy will be submitted for approval by the Planning Secretary. In addition, a Design Integrity Report will be submitted to the Sydney Design Review Panel for review.

5.7. SYDNEY DEVELOPMENT CONTROL PLAN 2012

In accordance with clause 11 of the State and Regional Development SEPP, the provisions of Sydney Development Control Plan 2012 do not apply to this development.

5.8. OTHER RELEVANT POLICIES

In addition to the above statutory provisions, the following relevant planning, goals and strategic planning objectives will be addressed:

- NSW State Priorities
- State Infrastructure Strategy 2018-2038
- A Metropolis of Three Cities – The Greater Sydney Region Plan 2018
- Eastern City District Plan 2018 (including Planning Priority E11, growing investment, business opportunities and jobs in strategic centres)
- Future Transport 2056 Strategy
- Better Placed – An integrated design policy for the built environment of New South Wales
- City of Sydney Local Strategic Planning Statement

6. CONDITIONS OF CONCEPT APPROVAL

Condition A5 of the Concept Approval requires that, in accordance with Section 4.22 of the EP&A Act, all development under the Concept and subsequent stages are to be subject to future DAs. In addition, condition A6 requires that the determination of future DAs is to be generally consistent with terms of the Concept Approval SSD 9393. In this regard the following comments are made:

- Building height and form for the Southern Precinct will be contained wholly within the approved building envelopes detailed in conditions A2.
- The proposal is consistent with the approved land use (condition B6) requiring future development on the site to comprise a minimum non-residential floor space, and the delivery of community infrastructure including social housing dwellings.
- The proposed development will not exceed the maximum 170 residential car parking spaces required by condition B8.
- In respect to design, the proposal will address the endorsed Sydney Metro Waterloo Over Station Development Design Guidelines and Design Excellence Strategy.

All required matters for consideration or impact assessment detailed in the SSD 9393 consent conditions will be assessed and are included as key issues for consideration in Section 7.

7. KEY ISSUES FOR CONSIDERATION

The key environmental planning issues that are proposed to be addressed in the EIS are outlined below to assist the Department and the Secretary in identifying the Environmental Assessment Requirements for the proposal.

7.1. LEGISLATIVE FRAMEWORK

The EIS will detail the applicable legislative approvals framework for the application.

It will also provide an assessment of the proposal against the relevant matters required by Section 4.15 of the EP&A Act and Section 4.22 of the EP&A Act relating to Concept and future stage development applications.

7.2. RELATIONSHIP WITH AND REQUIREMENTS OF SSD 9393 AND CSSI 7400

The EIS will detail the relationship of the subject application with the existing approvals on the site.

The EIS will address and provide an assessment against the relevant conditions contained within SSD 9393. It will also include a description of works subject to approval by the Secretary of the Department in accordance with CSSI condition E101, and how coordination between these two approvals will be managed to ensure a coherent building appearance and management of construction timeframes.

7.3. BUILT FORM AND URBAN DESIGN

The EIS will detail how the built form of the new development complements existing development surrounding the site and sits within the context of the adjacent heritage buildings and surrounding landscape.

As detailed in Section 5.6.4, the concept design for the development has been subject to the Sydney Metro Design Excellence Evaluation Panel review. The Concept Approval exercises the discretion available under clause 6.21(6) of SLEP to waive the requirement for a competitive design process.

The proposed detailed design will undergo a rigorous and structured design development and review process aligning with the scale and complexity of the project including finalisation of the project specific design guidelines and Design Excellence Strategy as required by conditions A14 and A15 of Concept Approval SSD 9393.

Built form considerations set out in condition B7 of the Concept Approval will be addressed in the SSD DA.

7.4. HERITAGE IMPACT

The site is adjacent to a locally listed heritage item, being the Waterloo Congregational Church at 103 Botany Road. Consultation is required to be undertaken with the Waterloo Congregational Church as part of the conditions of the Concept Approval.

The proposed development will also consider the following details, as required by conditions B12 of the Concept Approval:

Future development applications for aboveground works shall include a detailed Heritage Impact Statement and a Heritage Interpretation Strategy for the proposed works prepared in consultation with the City of Sydney Council.

Further, condition B23 of the Concept Approval requires:

vibration testing is conducted before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent damage. In the event the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Applicant must review the construction methodology and, if necessary, propose additional mitigation measures.

advice of a heritage specialist has been incorporated on methods and locations for installed equipment used for vibration movement and noise monitoring of heritage-listed structures.

A detailed Heritage Impact Assessment and a Heritage Interpretation Strategy are to be prepared for the proposed works, in consultation with the Heritage Council of NSW and City of Sydney Council. Advice from the heritage specialist and associated reporting will need to be incorporated into the Noise and Vibration Assessment.

7.5. ENVIRONMENTAL PERFORMANCE / ESD

The proposed development will demonstrate how the principles of ecologically sustainable development (**ESD**) have been incorporated into the proposal, in accordance with condition B18 of the Concept Approval. The minimum performance targets set out in condition B19 will be met.

7.6. WIND IMPACTS

The SSD DA will be accompanied by a Wind Impact Assessment including computer modelling of the detailed building form as required by condition B13 and B14. Compliance shall also be demonstrated with against the criteria established in the Pedestrian Wind Environment Study prepared by Windtech dated 26 September 2019 through the incorporation of mitigation measures within the detailed design for the Southern Precinct.

7.7. SECURITY AND CRIME ASSESSMENT

As required by condition B20, the SSD DA will be accompanied by a Security and Crime Risk Assessment prepared in consultation with NSW Police having regard to NSW Police publication *“Safe Places Vehicle Management: A comprehensive guide for owners, operators and designers”* and Crime Prevention Through Environmental Design (**CPTED**) principles.

7.8. FIRE AND RESCUE ASSESSMENT

The SSD DA will be accompanied by a draft Fire and Rescue Assessment / Engineering Brief for the OSD prepared in consultation with Fire and Rescue NSW.

7.9. CONSTRUCTION IMPACT ASSESSMENT

Impacts of construction will be assessed in the EIS. The SSD DA will include the following which are required by condition B21:

- Construction Traffic Management Plan
- Cumulative Construction Impact Assessment (i.e. arising from concurrent construction activity)
- Noise and Vibration Impact Assessment
- Community Consultation and Engagement Plans
- Construction Waste Management Plan
- Air Quality Management Plan

7.10. NOISE AND VIBRATION

As required by condition B23 of the Concept Approval, the SSD DA will demonstrate that the following noise and vibration requirements consistent with the construction works at the site approved under CSSI 7400 can be met:

- Vibration from construction activities does not exceed the vibration limits set out in the British Standard BS 7385-2:1993 Evaluation and measurement for vibration in buildings.
- Vibration testing will be conducted before and during vibration generating activities that have the potential to impact on heritage items.

- Advice of a heritage specialist on methods and locations for installing equipment used for vibration, movement and noise monitoring of heritage-listed structures.

A Noise and Vibration Impact Assessment will be provided with the SSD DA that identifies and provides a quantitative assessment of the main noise generating sources and activities during operation including consideration of noise and vibration impacts associated with residential development above a train station.

7.11. TRAFFIC, ACCESS AND CAR PARKING

A Traffic and Transport Impact Assessment will be prepared for the SSD DA as required by condition B15 of the Concept Approval.

As required by condition B16, the Construction Traffic and Pedestrian Management Plan will include:

- Construction car parking strategy
- Haulage movement numbers/ routes including contingency routes
- Detailed travel management strategy for construction vehicles including staff movements
- Maintaining property accesses
- Maintaining bus operations including routes and bus stops
- Maintaining pedestrian and cyclist links/ routes
- Independent road safety audits on construction related traffic measures
- Measures to account for any cumulative activities/ work zones operating simultaneously.

Independent road safety audits will be undertaken for all stages of detailed design development involving road operations and traffic issues relevant to the OSD, as required by condition B17.

7.12. UTILITIES

The existing capacity and any augmentation requirements of the proposed development for the provision of utilities, including staging of infrastructure through the preparation of an infrastructure / utility management plan will be provided with the SSD DA.

7.13. FLOODING AND STORMWATER

The SSD DA will be accompanied by a Flood Impact Assessment which will address the conclusions and recommendations of the Concept Water Quality, Flooding and Stormwater Report dated 31 October 2018 prepared by AECOM, as required by condition B26 of the Concept Approval.

7.14. REFLECTIVITY

Condition B27 of the Concept Approval requires a Reflectivity Analysis demonstrating that the external treatments, materials and finishes of the development do not cause adverse or excessive glare. This will be provided with the SSD DA.

7.15. AMENITY

The approved building envelope from the approved Concept DA has established the key built form parameters, which have considered the amenity implications for adjacent and nearby development. Given the proximity to neighbouring development, the following impacts will be assessed as part of the detailed SSD DA:

- Overshadowing, particularly with regard to Alexandria Park and surrounding low scale residential development and neighbouring Waterloo Congregational Church.
- Solar access and natural ventilation to the proposed apartments.
- Useability and connectiveness of communal open space and the public domain.

7.16. OPERATIONAL MANAGEMENT

The EIS will include an evaluation and assessment of the proposed impacts associated with the operational management of the proposed two separate residential land uses. This will include consideration of matters such as:

- Access to residential accommodation
- Building management
- Safety and security
- Waste management, loading and deliveries
- Operational details such as mail box areas, maintenance of communal areas etc
- Interface with other adjoining uses

7.17. ACCESSIBILITY AND BCA

An Access Report will accompany and support the EIS which will document the design of the proposal and how it meets the relevant criteria, and where required, what performance solutions have been proposed.

A BCA Report will be submitted as part of the EIS to confirm that the proposed development and its respective components will comply with the relevant provisions of the BCA. Some elements may require performance solutions to meet the intent of the standards.

7.18. SOCIAL AND ECONOMIC IMPACTS

The social and economic impacts of the proposal will be detailed in the EIS. The anticipated social impacts will relate to:

- The provision of additional employment during construction and operation.
- The provision of additional social housing and student accommodation floorspace.
- Greater opportunities for the general public to appreciate the heritage values of the adjacent heritage buildings.

7.19. CONSULTATION

Consultation will take place with key stakeholders and agencies during the preparation of the EIS and during the assessment of the EIS, including:

- Department of Planning, Industry and Environment
- City of Sydney Council
- Office of Environment and Heritage
- Transport for NSW
- Infrastructure NSW
- Sydney Water
- Ausgrid
- Waterloo Congregational Church
- Relevant community organisations
- Occupants of neighbouring buildings
- General public

The EIS will be placed on public exhibition once the Department has reviewed the EIS to confirm that it has satisfactorily responded to each of the issues identified in the SEARs. The key stakeholders will be provided with an additional opportunity to review the proposal, including the final development plans and the detailed specialist studies and assessment reports accompanying the final EIS.

8. CONCLUSION

The purpose of this report is to request SEARs for the preparation of an EIS for an over station development at the Southern Precinct of the Waterloo Metro Quarter site. The proposal seeks the development of a maximum 23 level (excluding plant levels) development for the purposes of residential accommodation and supporting retail and recreational uses. The residential accommodation proposed will support a diversity of occupants, including tenants of 70 social housing dwellings and student accommodation.

This SEARs request outlines the approval pathway for the application, the legislative framework and the key matters for consideration in the assessment of the application. The EIS and subsequent applications will demonstrate how the proposed development on the Southern Precinct will complement the proposed development at the Northern Precinct and in the Central Building on the Waterloo Metro Quarter site.

We trust that the information detailed in this letter is sufficient to enable the Department to issue the SEARs to guide the preparation of the EIS.

DISCLAIMER

This report is dated 10 March 2020 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of WL Developer Pty Ltd (**Instructing Party**) for the purpose of SEARs request (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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

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

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

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

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

APPENDIX A ARCHITECTURAL DRAWINGS

OSD Southern Precinct – Indicative drawings subject to change

Plans

South Precinct – Ground Floor
South Precinct – Level 01
South Precinct – Level 02
South Precinct – Level 06
South Precinct – Level 15

Elevations

Botany Road Elevation
Wellington Street Elevation
Cope Street Elevation

Section

Section E-W
Section N-S

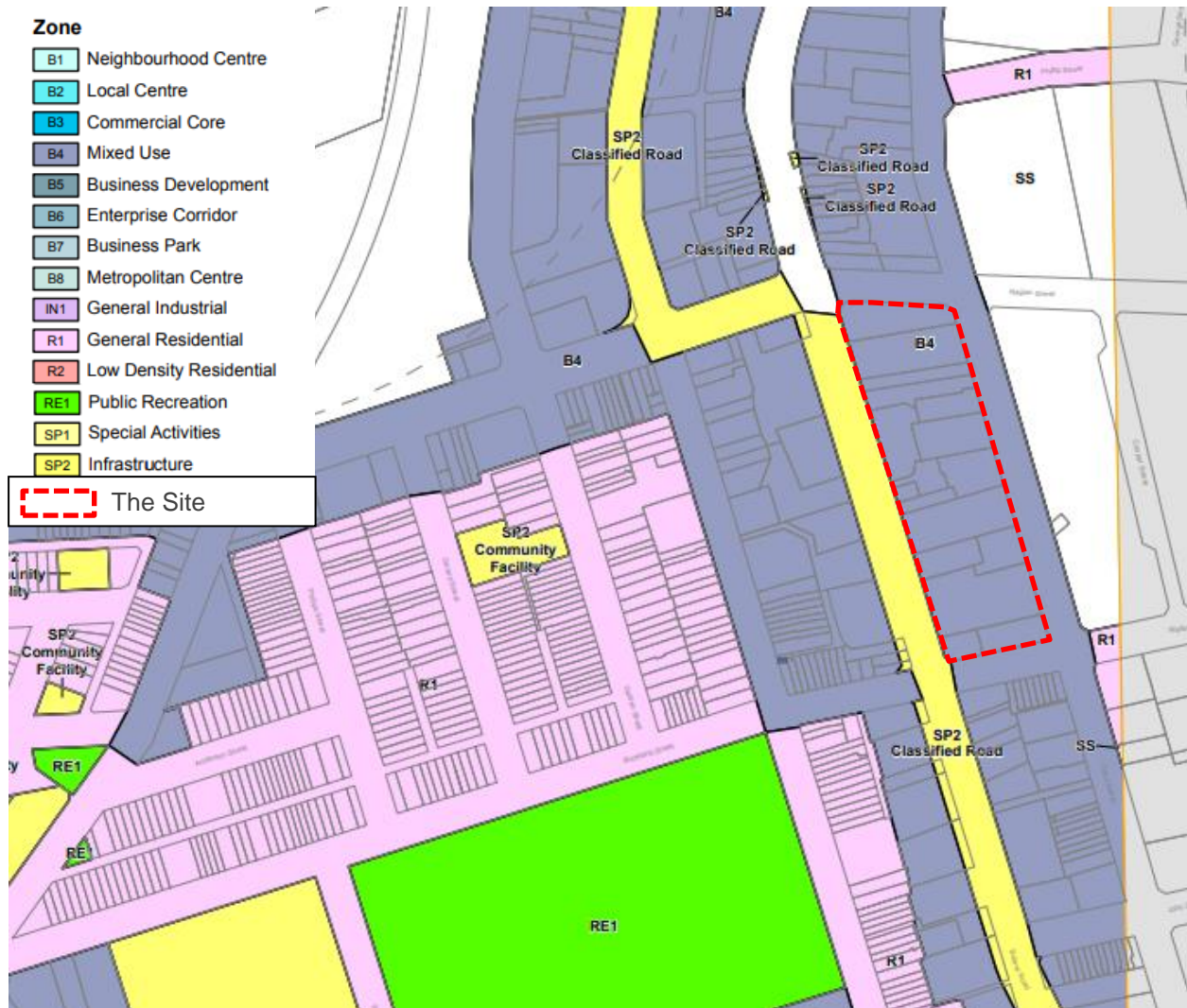
APPENDIX B SYDNEY LEP MAP EXTRACTS

SYDNEY LEP 2012 CONTROLS

Clause 2.2 Zoning

The site is zoned as 'B4 Mixed Use' (see Figure 4 below). The proposed development is permissible with consent in the zone as detailed in **Section 5.6.1**.

Figure 4 – Extract of SLEP 2012 Zoning Map



Source: SLEP 2012

Clause 4.3 Height

The development site has multiple height restrictions shown. The southern precinct has a maximum height RL of 96.9m. Refer **Figure 5** below.

Figure 5 – Extract of SLEP 2012 Height of Buildings Map

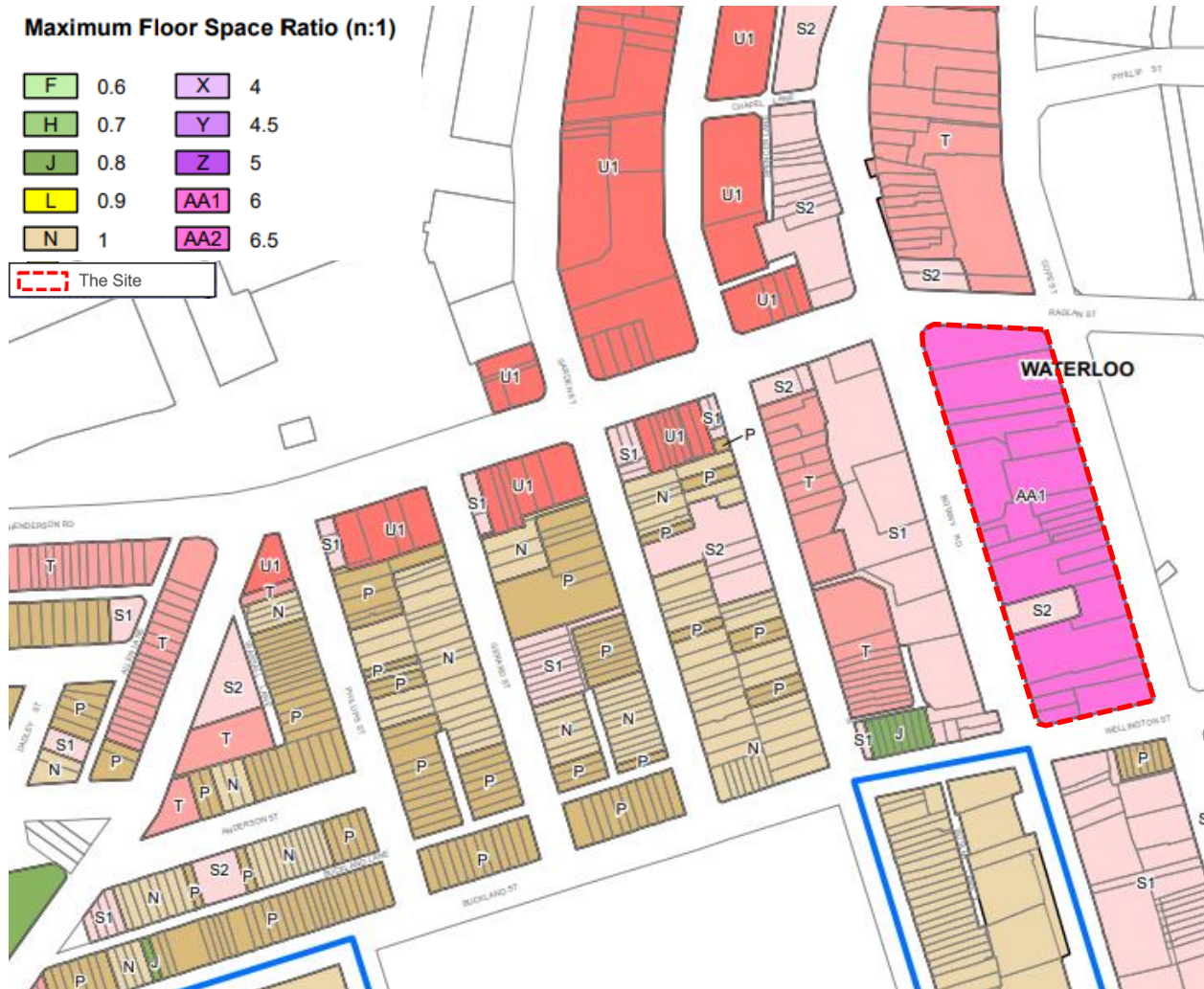


Source: SLEP 2012

Clause 4.4 Floor Space Ratio

The base FSR control of 6:1 that applies to the site, see **Figure 7 below** and commentary at **Section 5.6.2**.

Figure 6 – Extract of SLEP 2012 Floor Space Ratio Map

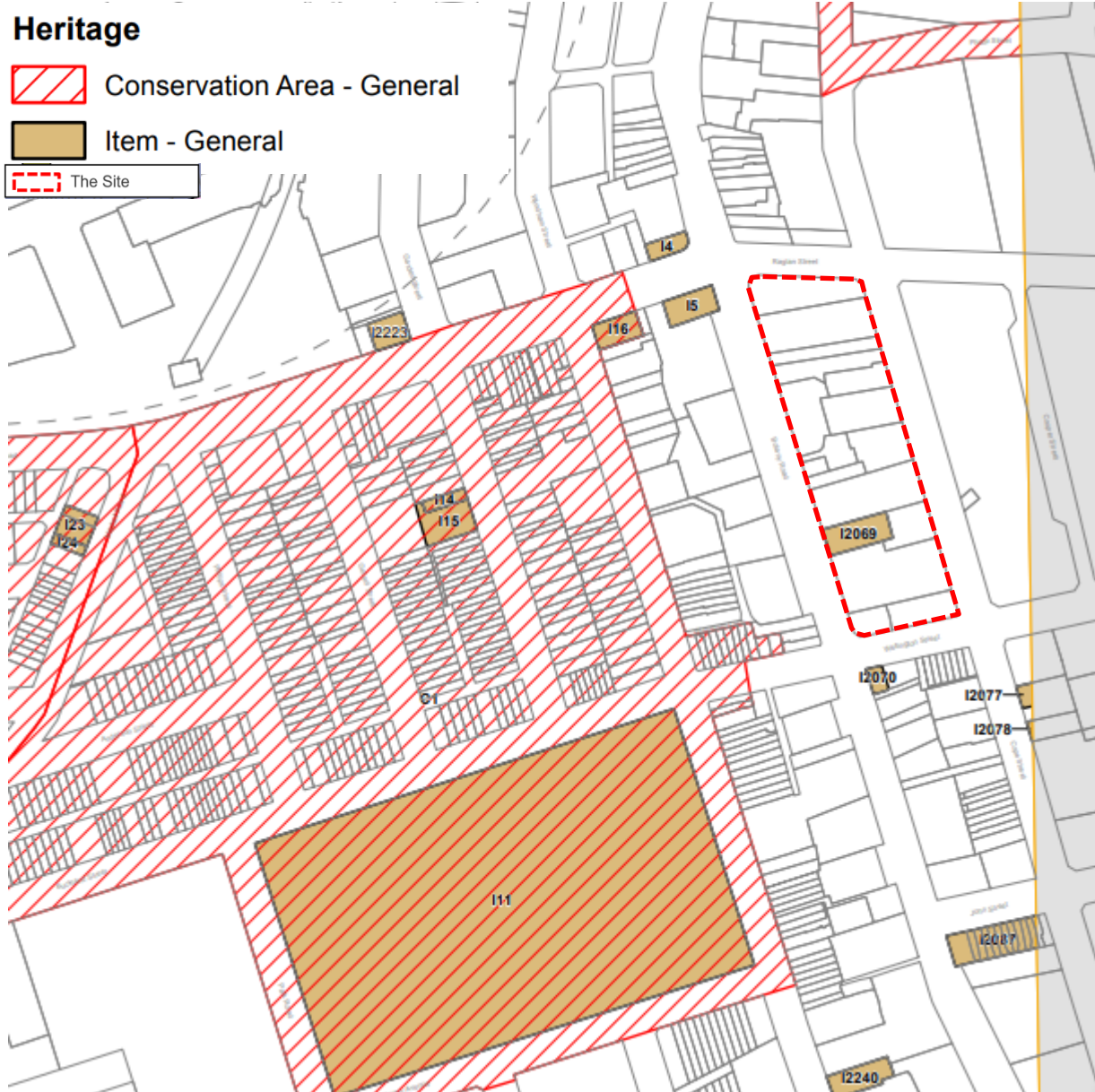


Source: SLEP 2012

Clause 5.10 Heritage Conservation

There are two locally listed heritage items adjacent to the site (refer Figure 8 below) and commentary at Section 5.6.2.

Figure 7 – Extract of SLEP 2012 Heritage Map



Source: SLEP 2012

