

**ANGEL PLACE
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SYDNEY NSW 2000**

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31 March 2021

Ms Amy Watson
Acting Director
Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Dear Amy,

REQUEST FOR ADDITIONAL INFORMATION - SSD 10437

This letter provides a response to the Request for Information (RFI) prepared by the Department of Planning, Industry and Environment (DPIE) dated 17 February 2021. This letter provides supplementary information for the assessment of SSD 10437 relating to the Waterloo Metro Quarter, Southern Precinct Over Station Development (OSD).

A response to each of the matters raised is provided below. This letter is also accompanied by the following supporting documentation:

- Design Integrity Report – **Attachment A**;
- Amended Architectural Plans – **Attachment B**.

1. SECTION 4.55 MODIFICATION APPLICATION

A Section 4.55(1A) modification application has been prepared by Urbis and lodged separately on the NSW Major Projects Portal. The modification seeks to modify the Concept Approval (SSD 9393).

The modification application seeks to amend Condition B4 of SSD 9393 to permit communal facilities **associated** with residential uses within the podium. The modification application also seeks to permit the installation of a skylight and a roof plant enclosure at the uppermost level of Building 4 (known as Building G in SSD 9393) that may penetrate the current approved building envelope, and increase the skylight, roof plant enclosure and roof parapet height to RL 65.020 in response to feedback received from the Design Review Panel (DRP).

2. UPDATED DESIGN INTEGRITY REPORT

An updated Design Integrity Report has been prepared and submitted at **Attachment A**. The report details the project teams' response to advice and recommendations of the Sydney Metro DRP, particularly former "Open" items identified by the DRP as requiring further resolution and advice.

The proposed development for the Southern Precinct was re-presented to the DRP on 18 February 2021 and 19 March 2021 in accordance with the Design Excellence Strategy endorsed under the concept approval. The DRP provided the following feedback:

DRP Meeting – 18 February 2021

- Built Form
 - Item 11.06 – The Panel notes that the proposed thermal comfort strategies for apartments facing east and west exceed minimum Section J requirements for thermal comfort.
 - Item 11.07 – The Panel commends the additional depth to sunshades to reduce solar thermal impact to levels 16 – 23.
 - Item 11.09 – The Panel accepts the design amendments proposed to screens to improve privacy and shading to Building 3 east facade and Building 4 west facade.
 - Item 11.10 – The Panel accepts the proposed alternative cross ventilation solution for apartments where this cannot be achieved via operable windows.
 - **The Panel recommends improving the performance and visual amenity of the building 4 roof by adding a setback parapet to allow the addition of gravel and/or low planting.**

In response to the above comments, the Applicant has further developed the design of the proposed development. A summary of the proposed changes in response to the comments above is provided below.

DRP Comment: *The Panel recommends improving the performance and visual amenity of the building 4 roof by adding a setback parapet to allow the addition of gravel and/or low planting*

Design Response: The roof parapet of Building 4 has been set back from the roof edge. As illustrated in Figure 1, a gravel finish is proposed to improve the visual amenity of the roof. To further reduce visual impacts, a louvred enclosure over the fire stair is proposed to house the stair pressurisation plant equipment. All other plant equipment is housed in the Level 9 plant room. This plant space has been partially 'sunken' below the roof slab to minimise visual impact.

DRP Meeting – 19 March 2021

- Built Form
 - Tracker item 12.12: The Panel accepts the proposed changes to the roof design and recommends that it should contribute to the ESD principles of the precinct, by including soft planting and/or solar panels to reduce the heat island impact and/or contribute to the energy used by the common area facilities of the building.

All items in the DRP Integrity Tracker are 'closed out'. Building 4 roof is not proposed to include a green roof or solar panels, as sustainable initiatives are achieved at a precinct level and within the overall Waterloo Metro Quarter site.

Figure 1 Aerial view of proposed roof (Building 4)



Source: Bates Smart

3. SUBMISSIONS

No submissions were received from an elected representative and/or a Local Council representative. We understand that this was recorded in error. All submissions received on the application and uploaded to the NSW Major Projects portal have been reviewed and responded to within the Response to Submissions Report dated 15 February 2021.

4. ADDITIONAL DESIGN CHANGES

Since lodgement and public exhibition of the detailed SSD DA (SSD-10437), the Applicant has further developed the design of the proposed development. As a result, minor modifications are proposed to the Southern Precinct development. A summary of the proposed changes is provided below.

Building 3

Ground Floor

- Reconfiguration of the bulky waste area
- Removal of a door from community space
- Reconfiguration of the gas meter room
- Addition of a swing door in student accommodation lobby
- Amending the social housing lobby facade and awning design



- Amending the podium southern facade and awning to reflect fire pump location and Ausgrid requirements

Level 1

- Relocation of comms room from Level 2 to Level 1

Level 3-5

- Change to vertical blade on eastern façade in response to additional screening on western façade of Building 4

Level 6-15

- Change to vertical blade on eastern façade

Level 16-22

- Change to vertical blade on eastern façade
- Change to sun shades on northern facade

Level 23

- Relocation of comms room from roof to level 23
- Change to sun shades on northern façade
- Addition of a guard rail

Level 24 and roof

- Relocation of comms room from roof to Level 23
- Addition of a guard rail

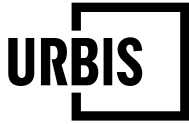
Building 4

Level 1

- Reconfiguration of services
- Addition of screened louvres to western façade of the Social Building in response to the DRP comments.
- Modification of glazing units to the southern façade through design development.
- Reconfiguration of Apartment Type 2B
- Addition of a safety rail on station roof

Level 2, 3-7, 8

- Reconfiguration of services
- Addition of screened louvres to western façade of the Social Building in response to the DRP comments.
- Modification of glazing units to the southern façade through design development.



- Reconfiguration of Apartment Type 2B

Level 9

- Reconfiguration of services
- Addition of screened louvres to western façade of the Social Building in response to the DRP comments.
- Reconfiguration of caretaker/store room

Roof Plan

- Setback of roof parapet
- Increase the roof parapet to RL 64.26 (a minor 100mm increase from the proposed) as the result of structural connection refinement between Building 3 and 4.
- Increase in size of terrace pergola to provide improved wind and weather protection
- Addition of a roof plant enclosure

Amended architectural drawings with changes clouded red are submitted at **Attachment B**.

Gross Floor Area

The above modifications will result in a minor reduction in gross floor area. A summary of the proposed total GFA as originally lodged compared to the amended design is provided below.

Table 1 Proposed GFA breakdown

| | Original (as lodged) | Proposed (as amended) |
|------------|----------------------|-----------------------|
| Building 3 | 13,402sqm | 13,358sqm |
| Building 4 | 5,437sqm | 5,431sqm |
| Total | 18,839sqm | 18,789sqm |
| | | -50sqm |

4.1. SECTION 4.15 ASSESSMENT

The matters referred to in Section 4.15 of the *Environmental Planning and Assessment Act 1979* need to be considered in the assessment of the proposed modifications. Each of the matters relevant to the proposal is assessed below.

4.1.1. Any Environmental Planning Instrument

The EIS submitted with the SSDA and Response to Submissions Report dated 15 February 2021 assessed compliance against the relevant environmental planning instruments as follows:

- *Environmental Planning and Assessment Act 1979*;

- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential;*
- *Apartment Development and accompanying Apartment Design Guide (SEPP 65);*
- *State Environmental Planning Policy (Affordable Rental Housing);*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;*
- *Draft State Environmental Planning Policy (Environment);*
- *Draft State Environmental Planning Policy (Remediation of Land);*
- *Sydney Local Environmental Plan 2012 (SLEP 2012); and,*
- *Any exhibited Planning Proposal or draft State Environmental Planning Policy related to the land.*

The majority of the proposed modifications are the result of ongoing detailed design development and do not alter the conclusions of the assessment against Section 4.15 of the EP&A Act provided within the response to submissions Report dated 15 February 2021.

Notwithstanding this, the proposal's compliance with the statutory provisions **specifically of relevance** to the above modifications is outlined in the following sections.

4.1.2. State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) has the purpose of identifying development that is SSD, State significant Infrastructure (SSI) (including critical) and regionally significant development. 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 the SRD SEPP. The proposal, as modified, has a CIV in excess of \$30 million and therefore remains State Significant Development.

4.1.3. State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65) applies to development for the purposes of a building that comprises three or more storeys and four or more self-contained dwellings.

A minor amendment is proposed to the configuration of Apartment 2B including the re-orientation of the kitchen and relocation of the bathroom. The proposed amendment does not alter the proposal's compliance with the requirements of SEPP 65 and the Apartment Design Guide, specifically with regards to solar access, natural ventilation, private open space and minimum apartment size.

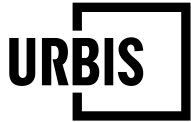
With regards to building separation and visual privacy impacts, the design amendments to the eastern façade of Building 3 and western facade of Building 4 include replacing the previously proposed sunshades with vertical sunshades to improve privacy and shading between residents of the student and social housing dwellings. These amendments have been reviewed by the DRP and are supported.

In response to the DRP comments, operable louvres were added to the western side of the Social Building. The louvers provide protection from the western sun and additional privacy screening for the Social Building, while rationalising the eastern side of the Student Building.

4.1.4. Sydney Local Environmental Plan 2012 (SLEP 2012)

The site is subject to *Sydney Local Environmental Plan 2012 (SLEP)*. The proposal has considered the following relevant SLEP considerations:

- **Clause 2.2 Zoning** – The site is zoned as B4 Mixed Use. There is no change to the approved land uses, all of which are permissible with consent in the B4 zone.
- **Clause 4.3 Building height** – The development, as modified, will comply with the maximum building height for the site which is mapped as RL 96.9 (82m) for the Southern Precinct.
- **Clause 4.4 Floor Space Ratio** – A maximum FSR of 6:1 applies to the entire WMQ site. The development, as originally lodged, proposed a total FSR of 5.34:1, compliant with Clause 4.4. The proposed modifications will result in a minor GFA reduction of 50sqm. It is intended to ‘relocate’ this GFA to the Northern Precinct. Notwithstanding this, the development will continue to comply with the maximum FSR of 6:1.
- **Clause 6.12 – Additional floor space outside Central Sydney** – The proposal does not seek to exceed the permitted FSR on the site (6:1).
- **Clause 6.21 Design excellence** – an amended Design Integrity Report at Attachment A confirms that the SSDA, as modified, meets the design excellence requirements established for the site in accordance with the Design Excellence Strategy and has received feedback from the Design Review Panel.
- **Clause 6.45 Waterloo Metro Quarter – General** - In accordance with clause 6.45, a ‘whole of precinct’ approach has been adopted whereby consideration has been given to the provision of community facilities, public open space and non-residential podium uses, across the whole WMQ site. The proposed modifications result in a minor reduction in GFA which is intended to be relocated to the Northern Precinct. The proposal will continue to provide 70 social housing dwellings in addition to the 24 affordable housing apartments proposed within the Central Precinct which exceeds the 5% affordable housing target.
- **Clause 6.46 Waterloo Metro Quarter - State public infrastructure** - As per the Assessment Report for the concept DA (SSD 9393), it has been confirmed that the Secretary is satisfied that an arrangement has been made for the contribution to the provision of designated State public infrastructure through the Waterloo Metro Quarter ISD project.
- **Clause 7.3 Car parking not to exceed maximum set out in this division** – no change is proposed to the proposed car parking.
- **Clause 7.27 Active Street frontages** – Botany Road, Wellington Street and Cope Street are identified as active street frontages. The proposed design of the OSD will promote active street frontages to Botany Road, Wellington Street and Cope Street and will provide lobby and entrance spaces to the residential accommodation within the OSD.



Overall, the proposal remains consistent and complies with the relevant provisions of the SLEP 2012.

5. SUMMARY

We trust that this additional information satisfies the DPIE on other details associated with SSD 10437. Should you require any further detail or confirmation, please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink, appearing to read "A. Ryan".

Ashleigh Ryan
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Attachment A – Updated Design Integrity Report

Attachment B – Amended Architectural Plans