

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-10438 Waterloo Metro Quarter OSD - Basement Car Park Detailed Design SSDA
Applicant	WL DEVELOPER PTY LTD
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director Key Sites Assessments under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

30 September 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

The key reasons for granting consent to the development application are as follows:

- the project is permissible with development consent and is consistent with NSW Government policies including the Eastern City District Plan and Future Transport Strategy 2056.
- The overall project will strengthen the competitiveness of Sydney as an economic hub and takes advantage of the Government's investment in public transport by locating employment uses above and around the Waterloo Metro Station
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through justification for the project and the recommended conditions of consent
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project 5 November 2020 and 2 December 2020 (28 days) and received 19 submissions, including 7 objections and 1 in support of the project.

The Department also inspected the site and surroundings on two occasions during the assessment process to gain a better understanding of the issues raised in public submissions.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include car parking, bicycle parking and traffic and parking impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Built form and density</i></p> <ul style="list-style-type: none"> Scale of Waterloo Metro Quarter development to be reduced Development will ruin the character of Waterloo 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department's assessment found the proposal acceptable as the proposed basement complies with the approved Concept envelopes and Design Guidelines. The scale and density of the above ground developments is not included in the scope of the basement application. The Department has considered this under the Concept Approval (SSD 9393), Amending DA (SSD 10441) and the respective Northern Precinct (SSD 10440), Southern Precinct (SSD 10437) and Central Precinct (SSD 10439) applications. <p><i>Conditions</i></p> <p>No conditions are necessary in relation to these issues.</p>
<p><i>Car parking</i></p> <ul style="list-style-type: none"> Overall car parking numbers are too high Insufficient car parking is provided for the development Provide more car spaces for key workers (care providers and health care workers) Provide more car share spaces 	<p><i>Assessment</i></p> <p>The Department's assessment found that:</p> <ul style="list-style-type: none"> the proposal provides adequate amount of on-site car parking. The amount of car parking proposed is not excessive as it is well below the maximum permitted under the Sydney LEP and the Concept Approval (SSD 9393). Further, the car parking provided is sufficient in the circumstances of the case, noting the highly accessible and connected nature of the site, above the new Waterloo Metro Station. Approximately 24 affordable housing dwellings are proposed under the Central Precinct (SSD 10439) with the intent of providing affordable homes to key workers within inner city areas. A total of 12 car parking spaces are allocated to these dwellings. Car share spaces are provided in accordance with the Concept Approval and the Sydney DCP. <p><i>Conditions</i></p> <p>The recommended conditions limit car parking, and therefore traffic generation, to below the maximum parking rates in the Sydney LEP 2012</p>
<p><i>Land use</i></p> <p>Reconsider student housing to reduce car parking</p>	<p><i>Assessment</i></p> <p>The Department notes that student housing use is approved under the Southern Precinct (SSD 10437) as the land use is a permissible under the Sydney LEP and consistent with the Concept Approval.</p> <p>The Department also notes that no car parking spaces are allocated to the student housing use under this application and as such does not contribute to the car parking numbers sought under this application.</p> <p><i>Conditions</i></p> <p>No conditions are necessary in relation to these issues</p>
<p><i>Traffic and parking impacts</i></p> <ul style="list-style-type: none"> Less on-site car parking will impact local street car parking Proposal will increase pedestrians. Pedestrian movement on Botany Road can impact traffic flow. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department engaged an independent traffic consultant to review the proposed traffic generation, traffic impacts and car parking numbers. The Department's consultant considered the proposal has satisfactorily addressed traffic and parking issues and there are minor impacts on the road network and pedestrian facilities. In relation to pedestrian capacity along footpaths and at crossings, the Critical State Significant Infrastructure application and SSDs have been guided by detailed pedestrian forecast modelling for the operational phase of the Metro Station demonstrating the adequacy of surrounding and upgraded infrastructure. The Waterloo Metro Quarter, including the Northern Precinct, is noted to have minimal contribution to pedestrian demands compared to the Station infrastructure. The Department is satisfied the proposal will have acceptable parking and

traffic impacts.

Conditions

The recommended conditions limit car parking, and therefore traffic generation, to below the maximum parking rates in the Sydney LEP 2012