

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
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9 June 2022

Russell Hand
Principal Planning Officer
Key Sites Assessments
Department of Planning and Environment
4 Parramatta Square, 12 Darcy St,
Parramatta, NSW 2150

Dear Russell,

SECTION 4.55(1A) - MODIFICATION TO AMEND SSD 10438 - WATERLOO METRO QUARTER OSD BASEMENT

1. INTRODUCTION

This report has been prepared by Urbis on behalf of WL Developer Pty Ltd (the applicant) with regards to a Section 4.55(1A) application to modify State Significant Development (SSD) Waterloo Metro Quarter Over the Station Development (OSD) Basement Detailed SSD-10438.

This modification relates to the reconfiguration of the basement layout to accommodate servicing and engineering requirements, and to provide a safer arrangement for pedestrian and vehicle access within the basement. Accordingly, this application seeks to update the architectural plans referenced in the Terms of Consent.

This application also seeks to clarify the calculation of gross floor area (GFA) within the basement, including the request to exclude all end of trip facilities and storage areas from the GFA calculation.

The approved number of car parking, motorbike parking, bicycle parking, and service bays remain unchanged.

The application has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and *Environmental Planning and Assessment Regulations 2000* (the Regulations).

This report provides a description of the site, surrounding context, description of the proposed modifications and an environmental assessment of the proposed modification.

This report is accompanied by the following documentation:

- Updated Architectural plans prepared by Woods Bagot (Appendix A)
- Traffic and Parking statement prepared by PTC. (Appendix B)
- Building Code of Australia statement prepared by City Plan (Appendix C)

- Access Statement prepared by Morris Goding Access Consulting (Appendix D)
- Flood statement prepared by WSP (Appendix E)
- Structural statement prepared by Robert Bird Group (Appendix F)
- Design Statement prepared by Woods Bagot (Appendix G)
- Landscape Statement prepared by ASPECT Studios (Appendix H)
- Confirmation Letter prepared by DPE (Appendix I)

2. SITE LOCATION

The site is located within the City of Sydney Local Government Area (LGA). The site is situated approximately 3.3 kilometres south of Sydney CBD and approximately 8 kilometres northeast of Sydney International Airport within the suburb of Waterloo.

The Waterloo Metro Quarter (WMQ) site comprises land to the west of Cope Street, east of Botany Road, south of Raglan Street and north of Wellington Street (refer to Figure 1). The heritage listed Waterloo Congregational Church located at 103–105 Botany Road is within this street block but does not form a part of the Waterloo Metro Quarter site boundaries.

The WMQ site is a rectangular shaped allotment and has an overall site area of approximately 1.287 hectares. The detailed SSDA applies to the Basement (the site) of the WMQ site. The boundaries of the Basement is illustrated at Figure 2.

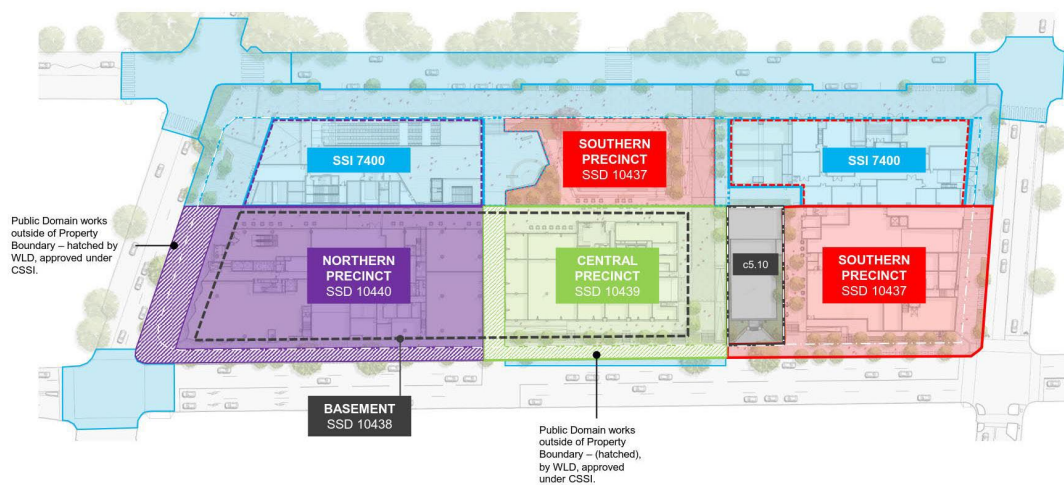
The area surrounding the site consists of a mix of commercial, residential and light industrial uses, civic uses and open space.

Figure 1 Aerial View of Site



Source: NearMap

Figure 2 Waterloo Metro Quarter Station Site Precinct Identification (SSDA Boundaries)



Source: WL Developer Pty Ltd

3. DEVELOPMENT BACKGROUND

SSD 10438 was approved by DPE on 30 September 2021. Development consent was granted for:

Excavation and construction of a two-level basement structure within Waterloo Metro Quarter, comprising:

- 155 car spaces, 13 motorcycle spaces and 315 bicycle parking spaces
- a ground floor slab to cap the basement on which future buildings of the Northern Precinct (SSD 10438) and Central Precinct (SSD 10439) will be constructed
- end-of-trip facilities and storage

This modification application proposes to amend the SSD consent as approved.

4. PROPOSED MODIFICATION

This Section 4.55(1A) application proposes to modify the layout of the basement which has been reconfigured to accommodate servicing and engineering requirements, and to provide a safer arrangement for pedestrian and vehicle access within the basement.

The approved number of car parking, motorbike parking, bicycle parking, and service bays remains unchanged.

A detailed breakdown of the proposed design changes is summarised below:

- Reduction in footprint and excavation volume of the basement by approx. 200 m² and 1400 m³.
- Refinement and reconfigure of services elements.
- Relocation of the End of Trip Facilities to align with the Northern and Central Precinct requirements.
- Introduce one way circulation aisles in the northern section of the car park on both levels.
- Consolidate the residential parking onto Basement Level 1. Reconfigure the layout of car parking spaces to provide a more logical and efficiency basement layout.
- Slab levels on ground levels adjusted to suit the requirements of the flood analysis.
- Onsite stormwater detention tank design has been further developed by the civil engineer and coordinated with landscape to maximise deep soil in Church Square. This has resulted in the change to the footprint of the onsite stormwater detention tank. The onsite stormwater detention tank can continue to comply with stormwater requirement.

The basement layout is adequately setback to maintain landscaping and deep soil provisions within the public domain areas at ground level along the Botany Road and Raglan Street frontage.

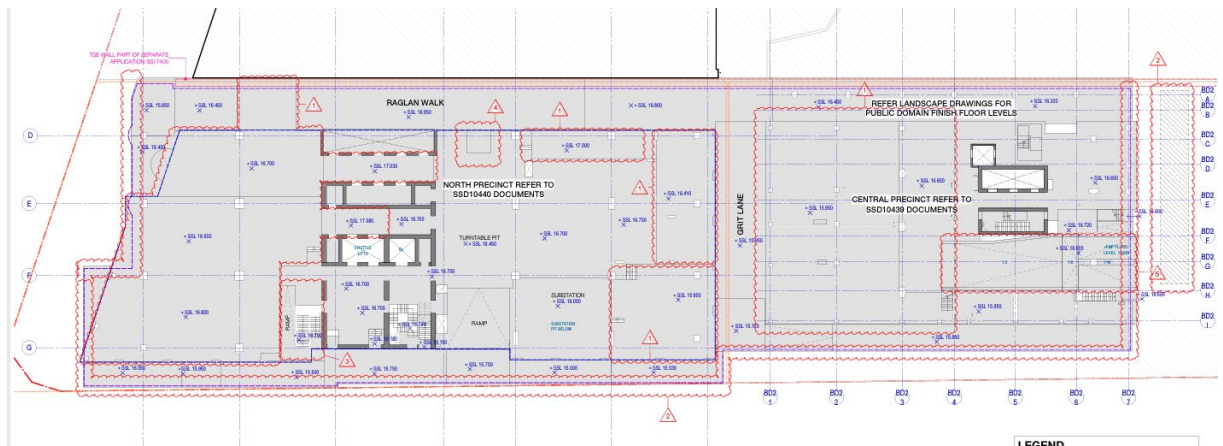
The images below show the proposed changes to the basement plan.

Figure 3 Approved Basement Plan Level 00



Source: Woods Bagot

Figure 4 Proposed Basement Plan Level 00



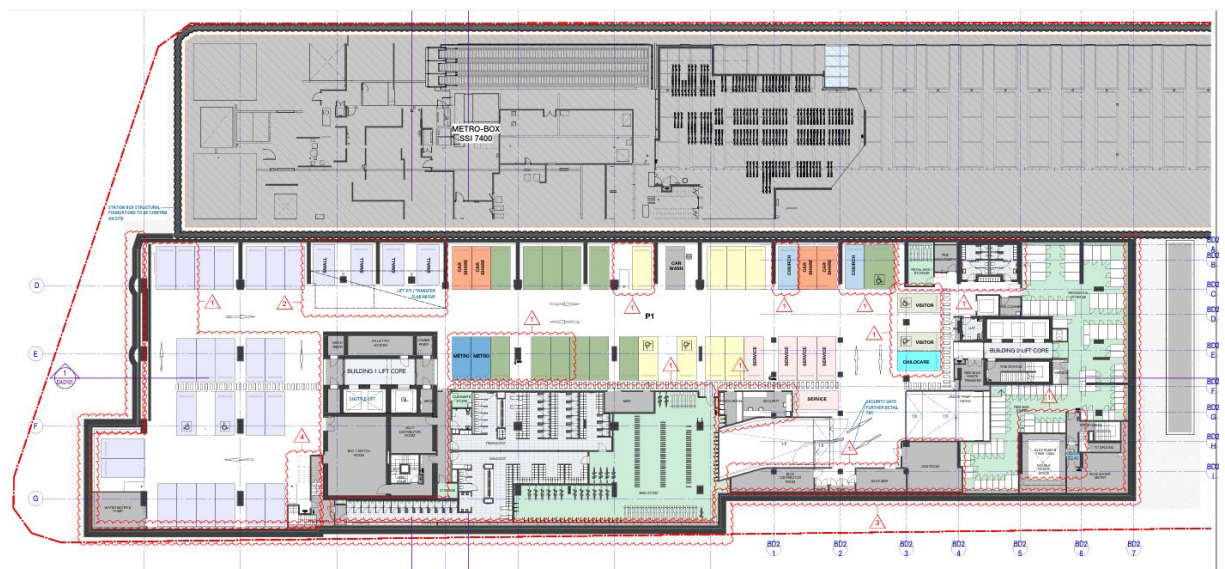
Source: Woods Bagot

Figure 5 Approved Basement Plan Level 01



Source: Woods Bagot

Figure 6 Proposed Basement Plan Level 01



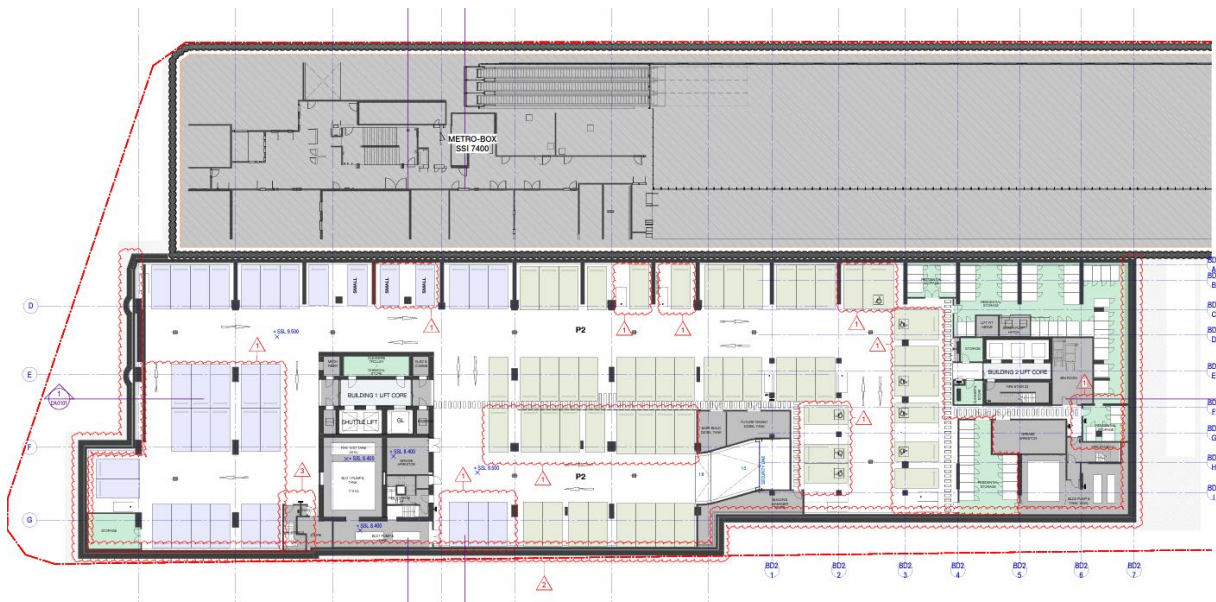
Source: Woods Bagot

Figure 7 Approved Basement Plan Level 02



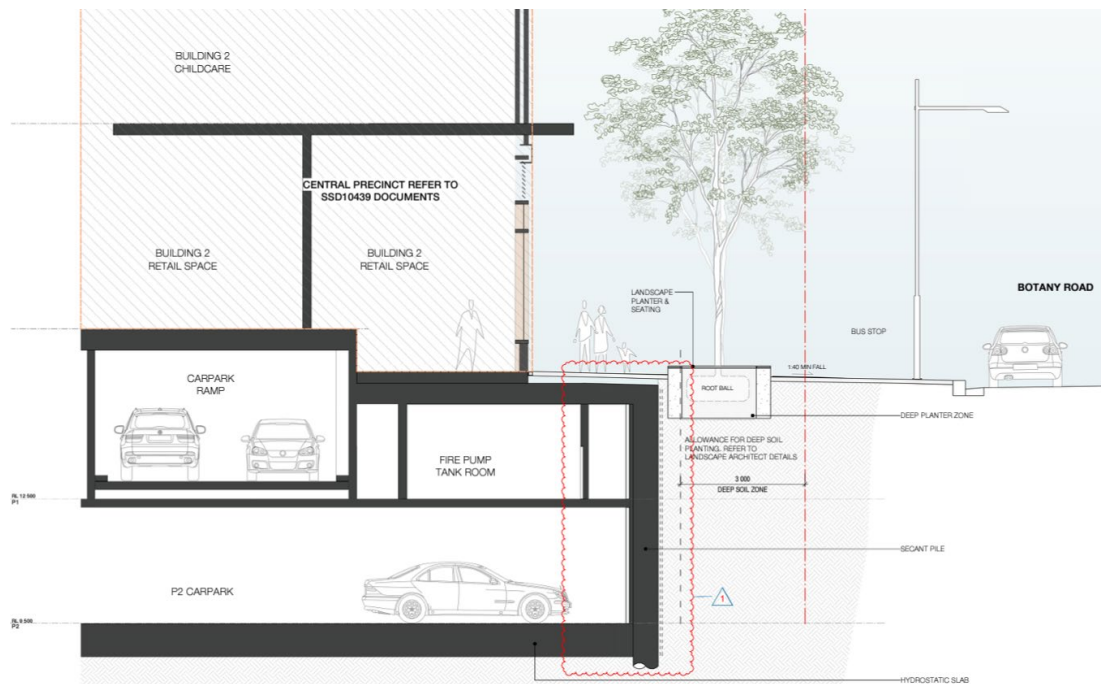
Source: Woods Bagot

Figure 8 Proposed Basement Plan Level 02



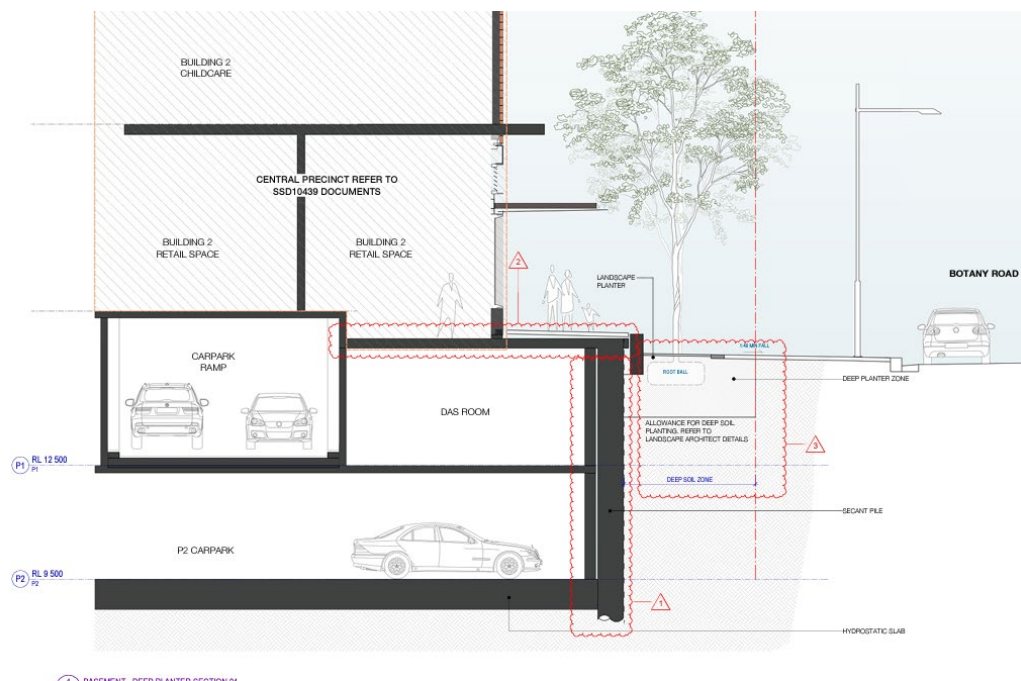
Source: Woods Bagot

Figure 9 Approved Section



Source: Woods Bagot

Figure 10 Proposed Section



Source: Woods Bagot

Clarification of Gross Floor Area (GFA) Calculation

The approved area plans included commercial and retail end of trip facilities (EOTF) and security office within the basement area as part of the GFA calculation (refer to Figure 11).

The GFA definition under the *Sydney Local Environmental Plan 2012* (SLEP) states that:

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and*
- (b) habitable rooms in a basement or an attic, and*
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,*
but excludes—
 - (d) any area for common vertical circulation, such as lifts and stairs, and*
 - (e) any basement—*
 - (i) storage, and*
 - (ii) vehicular access, loading areas, garbage and services, and*
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and*
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and*
 - (h) any space used for the loading or unloading of goods (including access to it), and*
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and*
 - (j) voids above a floor at the level of a storey or storey above.*

While the definition exclusions do not specifically call out EOTF as being 'excluded' from GFA, these areas are inherently excluded as they are not 'habitable rooms in a basement'.

While there is no definition of 'habitable rooms' in the SLEP 2012 or Standard Instrument, both the Apartment Design Guide and the BCA offer reasonable comparable definitions:

The Apartment Design Guide (ADG) outlines that:

"A habitable room is: a room used for normal domestic activities, and includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room and sunroom; but excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods, as defined by the BCA."

The BCA provides the following definition of a ‘habitable room’:

“a room used for normal domestic activities, and –

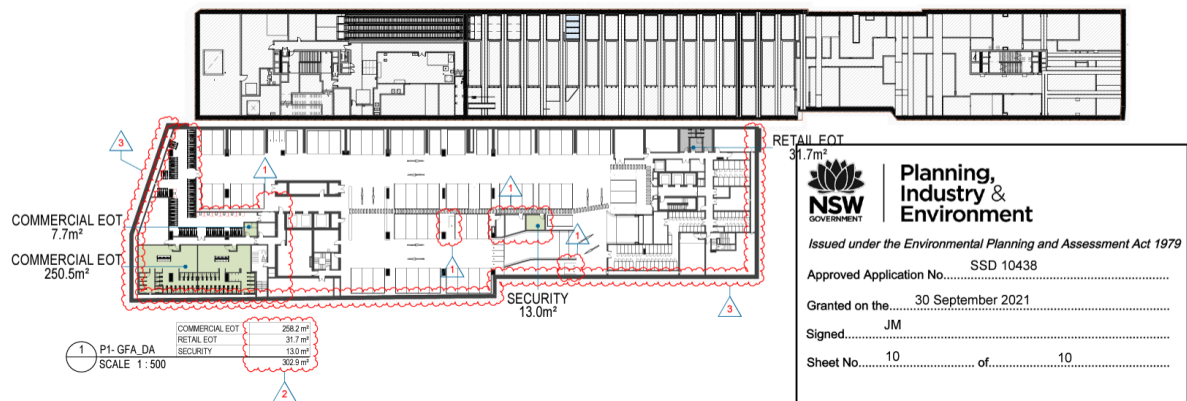
(a) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic, darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.”

The EOTF as detailed in updated Area Plan (see Figure 12), comprise bathrooms, showers, lockers and other bicycle storage, which constitute non-habitable rooms and storage that do not meet the applicable definition of GFA. Therefore, they are excluded from the calculation of GFA.

The modification to the Stage 1B Basement Car Park at Barangaroo South (SSD 6960) also approved the exclusion of EOTF from the GFA calculation.

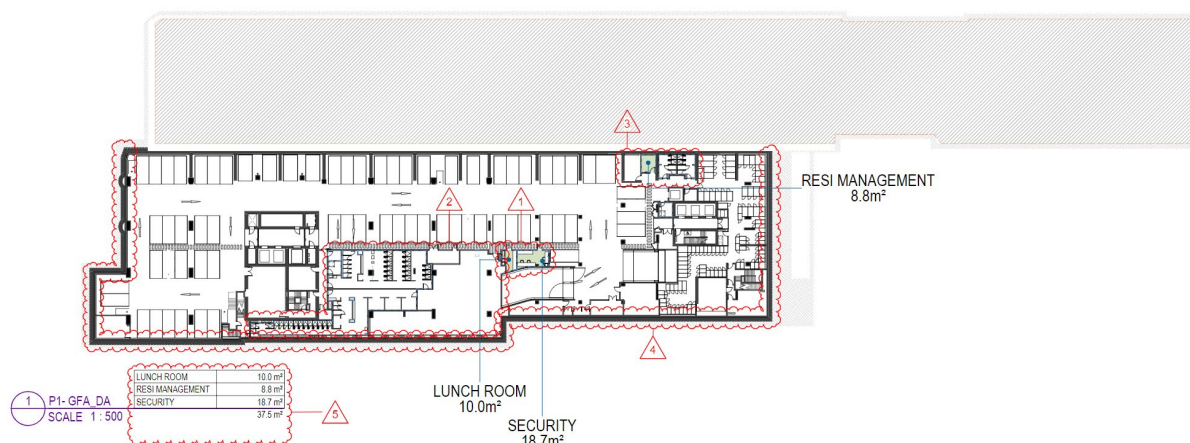
Accordingly, this application seeks to remove the designation of the EOTF as GFA from the ‘Area Plan’ (as there is no condition that limits GFA in the basement). The other habitable rooms such as the lunchroom, management office and Security Room will remain designated as GFA. This means that the total approved GFA across the site will not exceed the FSR control, notwithstanding the minor increase in the area of the EOTF proposed in this modification.

Figure 11 Approved Area Plan



Source: Woods Bagot

Figure 12 Proposed Area Plan



Source: Woods Bagot

4.1. AMENDMENT TO CONDITION

The following conditions are proposed to be amended. Proposed amendments are outlined in red.

Table 1 Proposed Changes to Conditions

Approved	Proposed	Comment
TERMS OF CONSENT Architectural drawings prepared by Woods Bagot	Approved Plan references to be amended to reflect the proposed architectural.	

5. SECTION 4.55 ASSESSMENT

The application has been assessed in accordance with the relevant requirements of Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as set out below. DPE may modify a development consent under the provision of Section 4.55(1A) of the Act is satisfied that the amendment is of 'minimal environmental impact' and the development remains 'substantially the same as originally approved.

5.1. MINIMAL ENVIRONMENTAL IMPACT

The full impact of the basement changes has already been assessed and considered as acceptable under the original concept SSDA (SSD 10438). Notwithstanding this, the potential environmental impacts are minimal and can be considered in accordance with the provisions under Section 4.55(1A) as:

- **Flood:** Floor level have been reviewed and all the ingresses to the basement car park are located above the PMF and the 1% AEP+500mm flood level (whichever is higher).

- **Stormwater:** The revised onsite stormwater detention tank footprint can continue to satisfy stormwater requirements of the site. Furthermore, the reduced onsite stormwater detention tank footprint also provides new opportunity to increase deep soil landscaping within Church Square.
- **Landscaping and public domain:** The modifications do not impact the landscaping design of the public domain. The basement footprint has been setback appropriately from the respective street frontages to Botany Road and Raglan Street, as well as towards Cope Street Plaza, to enable deep soil planting and groundwater replenishment.
- **Vehicle access:** The modification retains the approved vehicle access points to the basement. Therefore will not result in additional vehicle movement impact.
- **Car parking:** The approved number of car parking, motorbike parking, bicycle parking, and service bays remain unchanged.
- **Basement design:** The modification ensures that all internal circulation remains compliant with relevant Australian Standards. The modification will improve the overall amenity outcome of the development, by providing a safer arrangement for pedestrian and vehicle access within the basement.
- **Structural integrity of the Metro Station Box:** The basement abuts the western wall of the metro station box via a buttress wall system, however, it is structurally separated and does not compromise the structural design of the metro station box.

5.2. SUBSTANTIALLY THE SAME DEVELOPMENT

The development as modified will remain substantially the same as the approved development for the reasons outlined below:

- The proposal does not seek to increase excavation volume or the footprint of the basement. Therefore the proposal will not result in additional built form impact.
- The proposed changes will have no impact on the overall architectural quality and aesthetics of the development.
- The modified development does not propose any changes to the approved land uses on site. The proposed development will still facilitate a basement car park to support the mixed-use development over and adjacent to the Waterloo Metro Station.
- The reconfiguration of the basement retains the approved number car spaces and provides a more logical and efficient basement layout, which is an improved outcome.
- When considered in the context of the entire site, the proposal will result in substantially the same development as that approved, with no new impacts resulting from the proposal that have not already been assessed.

As detailed above, the consent authority can be satisfied that the modified proposal is substantially the same development for which consent was originally granted. The modification of development consent SSD 10438 can therefore lawfully be approved pursuant to Section 4.55(1A) of the EP&A.

6. SECTION 4.15 ASSESSMENT

The matters referred to in Section 4.15 of the EP&A Act also need to be considered in the assessment of the proposed modification. Each of the matters relevant to the proposal is addressed below.

6.1. ANY ENVIRONMENTAL PLANNING INSTRUMENT

The proposed modification has been assessed in accordance with the relevant planning controls. The application has been submitted in accordance with the requirements of Section 4.55(1A) of the EP&A Act.

6.1.1. State Environmental Planning Policy (Transport and Infrastructure) (TISEPP) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP) came into force on 02 December 2021 and aims to facilitate the effective delivery of infrastructure across the State.

The TISEPP identifies matters for consideration in the assessment of types of infrastructure development, including all new development that generates large amounts of traffic in a local area. The following clauses are relevant to this application:

- Development on land in or adjacent to a rail corridor (clause 2.97 of Division 15 Railways).
- Excavation in, above, below or adjacent to rail corridors (clause 2.98 of Division 15 Railways)
- Major development within the Interim Metro Corridor (clause 2.101 of Division 15 Railways).
- Development with a frontage to a classified road (clause 2.118 of Division 17 Roads and Traffic).
- Impact of road noise or vibration on non-road development (clause 2.119 of Divisions 17 Roads and Traffic).
- Traffic generating development (Schedule 3).

As per clause 2.97, the consent authority must provide notice to the relevant rail authority within seven days after the application is made for their consideration prior to the determination of the modification application.

The proposal relates to development located within the Sydney Metro City & South-West corridor and will be referred to Sydney Metro and TfNSW for comment.

Pursuant to clause 2.121 (Traffic Generating development) and schedule 3 of the TISEPP, the modification application also triggers consultation with the TfNSW (Roads Division), as the proposed development has more than 2,500sqm commercial floor space, a basement with more than 50 car parking spaces, and more than 75 dwellings with access to a road that is less than 90m from a classified road.

The proposed developments traffic generation has been assessed as part of the approved Basement Detailed SSD. Traffic generation was projected with reference to the RMS '*Guide to Traffic Generating Developments*' and the rates utilised in the concept approval (SSD 9393), whilst also taking into account the proposed parking provisions for the proposal. The assessment concluded that the external road network should operation at acceptable levels of service or at a level of service less than the concept approval (SSD 9393), and therefore, the development is not considered to have a detrimental impact on the operation of the road network.

Given the proposed modification retains the number of approved car parking spaces and service vehicle bays, and that no additional GFA is proposed notwithstanding the amendments to the EOTF, the proposal will generate the same amount of traffic generation as the approved.

6.1.2. State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Planning Systems) 2021 (Planning System SEPP) has the purpose of identifying development that is SSD, State Significant Infrastructure (SSI) (including critical) and regionally significant development.

The concept SSDA (SSD 9393) 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 was for the purpose of residential accommodation associated with railway infrastructure under clause 19 of schedule 1 of the Planning System SEPP.

In accordance with clause 2.11 of the SRD SEPP, subsequent detailed DAs under the concept DA are considered SSD regardless of CIV. Accordingly, all subsequent detailed DAs, including the Basement Detailed SSD for the WMQ site are considered SSD.

The proposed modifications (as demonstrated at Section 5) are substantially the same as the approved development. Accordingly, the development remains consistent with the Planning System SEPP and the concept approval.

6.1.3. State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) provides a State-wide approach to the remediation of contaminated land, and primarily promotes the remediation of contaminated land for the purpose of reducing risk of harm to human health.

The Contaminated Sites Strategy Report prepared by Douglas Partners dated 30 September 2020 was approved as part of the Basement Detailed SSD. The Contaminated Sites Strategy also critically notes that upon completion of the remediation works the site (or nominated portion of the site) will be suitable for the proposed development.

The proposed modification will not impact the findings of the approved Contaminated Sites Strategy.

6.1.4. Sydney Local Environmental Plan 2012

Sydney Local Environmental Plan 2012 (SLEP) is the principal environmental planning instrument governing development at the site. An assessment against the relevant controls of the SLEP has been undertaken in Table 2 below.

Table 2 - SLEP 2012 Compliance Table

Clause	Comment	Compliance
Clause 2.1 Land Use Zoning B4 – Mixed Use	The site is zoned B4 Mixed Use. The modification does not seek to amend the land uses approved under SSD-10438.	Yes

Clause	Comment	Compliance
	<p>The modification remains consistent with the zone objectives as it:</p> <ul style="list-style-type: none"> ▪ Supports a range of compatible land uses across the WMQ site which integrates with and maximises public transport use; and ▪ Encourages high public transport patronage, walking and cycling through the provision of bicycle (commercial and visitor) and end of trip facilities in proximity to planned infrastructure. 	
Clause 4.3 Height of Buildings	N/A	
Clause 4.4 Floor Space Ratio (across the site)	The overall approved FSR for the Waterloo Metro Quarter OSD remain unchanged, which is 5.34:1. This include the proposed 37.5sqm GFA within the basement (staff room and security office).	Complies
Clause 5.10 Heritage Conservation	<p>The site is located within close proximity to a number of locally listed heritage items, including the Waterloo Congregational Church located to the south of the basement footprint.</p> <p>The proposal does not involve any changes to the southern extent of the basement. The proposed changes to basement layout would not impact upon the Waterloo Congregational Church and the approved heritage recommendations should be implemented to mitigate any potential impact.</p>	Yes
Clause 6.21 Design Excellence	<p>The Concept SSD 9393 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.</p> <p>The Design Integrity Report submitted for the Basement Detailed SSD confirms that the detailed SSDA meets the design excellence requirements</p>	Yes

Clause	Comment	Compliance
	<p>established for the site in accordance with the Endorsed Design Excellence Strategy.</p> <p>The proposed changes are minor and do not affect the quality of the architectural design. Notably the proposed changes do not amend the key components of the scheme that were considered fundamental to the success of the Architectural Design as outlined in the Design Integrity Report submitted with the SSDA.</p> <p>As such, the modification application remains consistent with the Endorsed Design Excellence Strategy.</p>	
Clause 6.45 Waterloo Metro Quarter	<p>Clause 6.45 states that the consent authority must not consent to development on land at the WMQ unless it is satisfied that the development is consistent with the following objectives:</p> <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. ▪ 2,200 sqm of land for publicly accessible open space. <p>The proposed modification does not seek to amend the approved building envelopes under Concept SSD 9393, land use mix or gross floor area relating to community facilities, public open space non-residential uses.</p> <p>As stated above and in accordance with Clause 6.45 (2)d, the proposed modifications remain consistent with the Design Guidelines made by the Planning Secretary relating to the design and amenity of the WMQ.</p> <p>A letter from DPE dated 06 June 2022 also confirms that the modification application does not need to be</p>	Yes

Clause	Comment	Compliance
	reviewed by the Sydney Metro Design Review Panel (DRP).	
Clause 6.45 Waterloo Metro Quarter – State Public Infrastructure	The proposal does not seek consent for the purposes of residential accommodation.	
Clause 7.20 Development requiring or authorising preparation of a Development Control Plan (DCP)	A staged development application has been approved for the site (SSD 9393); therefore Clause 7.20 has been satisfied.	
Clause 7.3 Car parking not to exceed maximum set out in this Division	The proposed modification retains the approved number of car parking spaces, which sought to minimise on-site car parking provision to reduce reliance on private vehicle ownership. Therefore, the modification does not exceed the maximum car parking provisions contained within the SLEP 2012 or Concept SSD 9393.	Yes
Clause 7.15 Flood Planning	<p>The proposed modifications to the basement have been assessed against flood planning levels by WSP (refer to Appendix E).</p> <p>The assessment concluded that all point of ingresses to the basement car park are located above the PMF and the 1% AEP+500mm flood level (whichever is higher).</p>	Yes

6.1.5. Any Draft Environmental Planning Instrument

There are no relevant draft planning instruments applicable to the proposal.

6.1.6. Any Development Control Plan

In accordance with clause 2.10 of the Planning System SEPP, the provisions of Sydney Development Control Plan 2012 (SDCP 2012) do not apply to this development.

6.2. PLANNING AGREEMENT

The site is not the subject of a Voluntary Planning Agreement.

6.3. REGULATIONS

The application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulation 2000*.

6.4. LIKELY IMPACTS OF THE PROPOSAL

6.4.1. Landscaping

The basement footprint parallel with Botany Road remains consistent with the approved SSD, therefore, will not impact on public domain design or deep soil provision above the ground floor level.

ASPECT Studio prepared a Landscape Statement (attached at Appendix H) to clarify deep soil landscaping provision for tree planting. The statement confirmed that the deep soil zone can continue to accommodate the approved seven large trees along Botany Road.

Given the above ground works and landscaping design is outside the scope of this Basement SSD, any changes to the width of the deep soil area along Botany Road will be addressed as part of the scope for the future modification application for Central Precinct Detailed Design SSDA (SSD-10439).

6.4.2. Traffic and Parking

PTC. were engaged to provide assessment of the proposed modification (refer to Appendix B). Specially, the assessment includes:

- Review of the basement layout and circulation against relevant Australian Standard.
- Assessment of car parking and bicycle parking provision

The modified basement layout was concluded to provide a safer arrangement for all users by:

- Reducing conflict points,
- Removing dead end aisles and therefore removing the potential three point turns and reversing movements,
- Improving access and egress to the EOTF, and
- Providing a more segregated layout and improving wayfinding for users.

The modified car parking layout provides for the same amount of car, service vehicle, motorbike and bicycle parking as the approved, and the revised basement layout meet the requirements of AS2890.1, AS2890.2, AS2890.3 and AS2890.6 or have been assessed on a performance basis and have been deemed fit for purpose.

Accordingly, the proposal will not result in additional parking and traffic impact.

6.4.3. Building Code of Australia (National Construction Code)

City Plan were engaged to assess the proposed modification for compliance capability with the Building Code of Australia (BCA) 2019 Amendment 1 (refer to Appendix C).

City Plan concluded that the proposed amendments are capable with complying with the Building Code of Australia. Although the assessment identifies minor areas of non-compliance, the areas of

non-compliance intended to be addressed by performance justification or via design modifications at the construction certificate stage.

6.4.4. Accessibility

Morris Goding Access Consulting (MGAC) were engaged to undertake accessibility assessment regarding the proposed Basement Carpark changes (refer to Appendix D).

MGAC concluded from their assessment that the proposed amendments do not differ majorly from the previously approved DA drawings, therefore do not require additional design amendment to comply with AS1428.1, AS2890.6 and AS4299 and the DDA Premises Standards.

6.5. FLOOD

WSP were engaged to provide a flood assessment of the proposed basement modifications against the flood protection requirements (refer to Appendix E).

Flood protection at the basement car park is achieved by adopting finished floor levels (FFLs) at the basement access points above flood planning levels (FPLs). There are eight access points to the basement car park. Four are located at the Northern building ground floor and four are located at Central Precinct ground floor.

As demonstrated in Table 1 above, FFLs are proposed above FPLs.

Area	Flood Planning Levels	Finished Floor Levels	Compliance
1	PMF = 16.92 m AHD 100 ARI+0.5m= 17.17 m AHD	17.18 m AHD	Yes
2	From Raglan Street PMF = 16.92 m AHD 100 ARI+0.5m= 17.17 m AHD From Botany Road PMF = 16.52 m AHD 100 ARI+0.5m= 16.70 m AHD	From Raglan Street 17.18 m AHD From Botany Road 16.70 m AHD	Yes
3	PMF = 16.52 m AHD 100 ARI+0.5m= 16.70 m AHD	16.70 m AHD	Yes
4	PMF= 16.47 m AHD 100 ARI+0.5m= 16.55m AHD	16.73 m AHD	Yes

Area	Flood Planning Levels	Finished Floor Levels	Compliance
5	PMF= 16.67 m AHD 100 ARI+0.5m= 16.38 m AHD	16.72 m AHD	Yes
6a	PMF= 16.67 m AHD 100 ARI+0.5m= 16.38 m AHD	16.73 m AHD	Yes
6b	PMF= 16.67 m AHD 100 ARI+0.5m= 16.38 m AHD	16.72 m AHD	Yes
7	PMF= 16.59 m AHD 100 ARI+0.5m= 16.23 m AHD	16.60 m AHD	Yes

Source: WSP

All point of ingresses to the basement car park are located above the PMF and the 1% AEP+500 mm flood level (whichever is higher). Therefore the proposed modification satisfies the flood protection requirements.

6.5.1. Structural

Robert Bird Group confirmed that the proposed modification to basement will not impact on the structural stability and structural coordination to the Waterloo Metro Station (refer to Appendix F).

6.6. SUITABILITY OF THE SITE

The modification does not propose significant amendments or a change of use to the approved development that would make it unsuitable for the site. The development as modified will remain suitable for the site for the reasons stated in the original approval of SSD 10438.

6.7. PUBLIC INTEREST

The modified proposal is considered in the public interest for the following reasons:

- The proposed amendments will not result in any negative amenity impacts to surrounding properties.
- The proposed development does not detrimentally impact the achievement of design excellence on the site. No adverse environmental, social, or economic impacts will result from the proposal.
- The proposed use is permissible with consent and consistent with the objectives of the zone.
- The proposal will not have any unacceptable impacts on adjoining or surrounding properties or the public domain in terms of traffic, noise, and environmental impacts.

7. CONCLUSION

This Section 4.55(1A) modification application has been prepared by Urbis Pty Ltd on behalf of WL Developer Pty Ltd for the construction of a basement located within the Waterloo Metro Quarter Over Station Development (SSD 10438).

The proposed modifications have been assessed in accordance with Section 4.55(1A) and Section 4.15 of the EP&A Act and are considered appropriate as summarised below:

- The proposed modifications do not impact the permissibility of the development within the SLEP 2012.
- The proposed modifications are consistent with the objectives of the development standards and complies with minimum car parking provision.
- The proposed modification is compatible in the site context and character of the locality.
- The proposed modifications are minor and do not detract from the architectural quality of the approved development as originally assessment in the Design Integrity Report.
- The modification will improve the overall amenity outcome of the development, by providing a safer arrangement for pedestrian and vehicle access within the basement.

- The proposed modification will not result in any unreasonable additional amenity impacts or adjoining properties, heritage item and the streetscapes.
- The proposed modifications are considered appropriate and to result in a minimal environmental impact:
 - All the ingresses to the basement car park are located above the PMF and the 1% AEP+500mm flood level (whichever is higher).
 - The modifications do not impact the landscaping design of the public domain. The basement footprint has been setback appropriately from the respective street frontages to Botany Road and Raglan Street, as well as towards Cope Street Plaza, to enable deep soil planting and groundwater replenishment.
 - The modification ensures that all internal circulation remains compliant with relevant Australian Standards.
 - The basement abuts the western wall of the metro station box via a buttress wall system, however, it is structurally separated and does not compromise the structural design of the metro station box.
- The development remains substantially the same as that to which consent was originally granted.

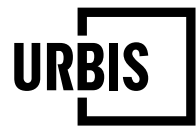
Based on the context contained throughout this report and the accompanying attachments, it is considered that the proposed modifications to the conditions of SSD-10438 will result in substantially the same development as was originally approved and therefore should be approved, subject to the implementation of appropriate conditions.

Please do not hesitate to contact me should you wish to discuss our application in greater detail.

Yours sincerely,

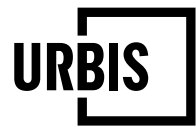


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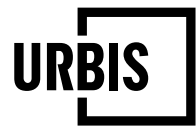
APPENDIX A

UPDATED ARCHITECTURAL PLANS



APPENDIX B

TRAFFIC AND PARKING STATEMENT



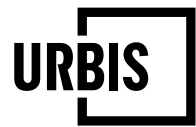
APPENDIX C

BUILDING CODE OF AUSTRALIA STATEMENT



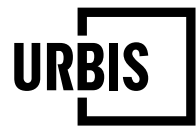
APPENDIX D

ACCESS STATEMENT



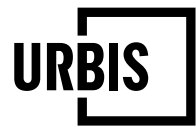
APPENDIX E

FLOOD STATEMENT



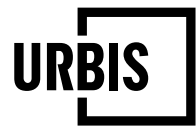
APPENDIX F

STRUCTURAL STATEMENT



APPENDIX G

DESIGN STATEMENT



APPENDIX H

LANDSCAPE STATEMENT