



State Assessed Rezoning Proposal

Amendments to the *Sydney Local Environmental Plan 2012*
Waterloo Estate (South)

Prepared for Stockland and NSW Land and Housing Corporation

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Attachments

Attachment Title	Prepared by
A. Draft LEP Maps	<i>SJB</i>
B. Revised Design Guide	<i>SJB and Beam Planning</i>
C. Connecting with Country Report	<i>Ngurra Advisory</i>
D. Retail Demand Assessment	<i>Urbis</i>

Executive Summary

Explanatory Note

This Rezoning Report has been prepared by Beam Planning for Stockland on behalf of NSW Land and Housing Corporation (the proponent) to support a State Assessed Rezoning Proposal seeking amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) for Waterloo Estate (South) (referred to throughout this report as “Waterloo South”), in accordance with section 3.29 of the *Environmental Planning and Assessment Act 1979*.

In this report reference to “Homes NSW” or “the proponent” shall also be taken to mean “New South Wales Land and Housing Corporation (LAHC)” who is the registered owner of 93 per cent of land within the Waterloo South Precinct Area. This Rezoning Report does not propose any change to the planning controls that apply to privately owned land within the Waterloo South Precinct Area. As such any reference to “Waterloo South” in this report should be read as the redevelopment of land owned by Homes NSW and associated public land (such as roads) throughout the Precinct Area.

Purpose

The renewal of Waterloo South is the first stage of the wider Waterloo Estate renewal and is proposed to be redeveloped over approximately 10–15 years. Since the finalisation of a previous planning proposal in 2020-2022, Stockland in collaboration with Homes NSW, has undertaken detailed design development, feasibility testing and delivery planning for the project. This work identified misalignments between the Sydney LEP 2012 controls and the built form framework established through the Waterloo Estate (South) Design Guide 2022 (2022 Design Guide).

The purpose of this Rezoning Report is to seek targeted amendments to the planning controls to align the statutory plans so they operate as an integrated and deliverable framework. The amendments are intended to support the efficient and coordinated staged delivery of the project and to facilitate refinements to the built form and the public domain that improve future residential amenity, streetscape quality, and key pedestrian and open space interfaces. By enabling the current permissible gross floor area (GFA) to be delivered across the site, the amendments also support the NSW Government’s commitment to deliver up to 50 per cent of residential GFA as market housing, safeguarding the capacity to deliver a substantial quantum of social and affordable homes alongside high-quality urban outcomes.

Site Context

The site is located on the traditional land of the Gadigal people of the Eora Nation. Waterloo South is part of the broader Waterloo Estate, which comprises the northern, central, and southern precincts as shown in **Figure 1** below and accommodates a significant community residing in social housing.



 Waterloo South Precinct Area

NOT TO SCALE 

Figure 1 Aerial view of the Waterloo Estate and Waterloo South Precinct Area

Source: Six Maps, modified by Beam Planning

The Waterloo South Precinct Area comprises approximately 123,149m² across 10 street blocks in the City of Sydney Local Government Area (LGA), generally bounded by Cope, Raglan, George, Wellington, Gibson, Kellick, Pitt and McEvoy streets. The land owned and controlled by NSW Land and Housing Corporation within the Waterloo South Precinct Area comprises approximately 114,822m², or just over 93 per cent of the land within the precinct area as illustrated in **Figure 2** below.



Figure 2 Waterloo South Project Area

Source: SJB

Project History

Project planning for Waterloo South commenced in May 2020, when the NSW Land and Housing Corporation lodged a request with the City of Sydney to amend the planning controls for Waterloo South. This followed the Minister for Planning and Public Spaces' announcement that the City of Sydney would be the plan-making authority for the precinct.

The City of Sydney subsequently prepared a planning proposal (PP-2021-3265) during 2020–2022 that increased affordable housing, included dedicated housing for First Nations people, and refined the masterplan to improve the public domain and living environment through changes to streets, built form and amenity. This process introduced new land use zoning and development standards (including building height and FSR) into the Sydney LEP 2012, supported by a Design Guide referenced in the site-specific provisions for the precinct.

In February 2023, a tripartite Voluntary Planning Agreement (VPA) was executed between the NSW Department of Planning, Housing, and Infrastructure (DPHI), the City of Sydney and NSW LAHC to secure public benefits associated with the future redevelopment.

Since the finalisation of the planning proposal, Stockland in collaboration with Homes NSW has continued detailed design development, feasibility testing and delivery planning. This work identified misalignment between the existing planning controls, the 2022 Design Guide, and achievable building envelopes, particularly when accounting for the permitted design excellence bonus floor space, as well as other inconsistencies affecting deliverability and interface outcomes. Testing also identified inefficiencies in some residential floorplate assumptions, including limitations in operational suitability for Community Housing Providers (CHPs).

The amendments sought in the State Assessed Rezoning Proposal are therefore proposed to better align the statutory controls and supporting design framework, simplify and rationalise building envelopes, and provide flexibility to deliver the current permissible floor space. These amendments are further proposed to maintain high-quality amenity and public domain outcomes and support the NSW Government commitment to deliver up to 50 per cent of residential GFA as market housing within the project, enabling a minimum of 30 per cent of residential GFA to be delivered as social housing and the balance to be provided as affordable housing.

A minimum 7 per cent of residential floor space will be delivered as affordable housing owned and managed by a CHP (City West Housing) in perpetuity. Any additional affordable housing above the minimum 7 per cent will be provided for a minimum period of 25 years.

Summary of LEP Amendments

The Rezoning Proposal seeks minor, project-specific amendments to the Sydney LEP 2012 to align development standards and provisions with the intended building envelopes and land-use mix for Waterloo South. These include:

- Amend the Height of Buildings and Floor Space Ratio (FSR) maps to reflect the revised building envelopes and enable the currently permissible GFA to be accommodated within the intended massing.
- Amend clause 7.27 to permit 'educational establishments' and 'creative industries' as allowable land uses along designated active frontages and amend the Active Frontage maps to reflect the revised building envelopes.
- Amend clause 7.29(3)(a) to reduce the minimum non-residential GFA requirement for Waterloo South from 17,000m² to 15,000m².
- Amend clause 7.29(3)(b) to include 'educational establishments' as an additional land use that may contribute to the minimum 5,000m² requirement under this clause.
- Delete clause 7.29(4) as the maximum GFA for the precinct, inclusive of the design excellence bonus permitted under clause 6.21D(3)(b), has been captured in the amended Height of Buildings and FSR maps.
- Amend clause 7.29(6) to allow rooftop access to communal open space and related amenity structures to extend beyond the height of building measurement.
- Amend clause 7.29(5) to reference a revised publication date of the Design Guide.
- Amend clause 7.29(7) to state that clause 6.21D(3)(b) of the Sydney LEP 2012 which permits additional FSR for the achievement of design excellence does not apply to development on the site.
- Renumber clause 7.29(8) to 7.29(9) and replace 7.29(8) with a clause that clarifies that the City of Sydney affordable housing program doesn't apply to Waterloo Estate (South) – Area 1.

These amendments are supported by proposed updates to the 2022 Design Guide to ensure consistency between the Sydney LEP 2012 development standards and the Design Guide. It is noted that as per clause 7.29(5) of the Sydney LEP 2012, the Design Guide is required to be considered in the assessment of any development application for the site in order for development consent to be granted.

Intended Outcomes

This Rezoning Proposal is one of a suite of planning applications that will give effect to the proposed renewal of Waterloo South and is submitted concurrently with a concept State Significant Development Application (SSDA) that will establish the key planning metrics and guide future detailed development across the site.

The proposal has been progressed as a State Assessed Rezoning Proposal under the NSW Government's State Significant Rezoning Program, reflecting its alignment with DPHI's program focus on rezonings that deliver social and affordable housing.

The proposal seeks minor amendments to the Sydney LEP 2012 to support the orderly, staged redevelopment of Waterloo South as a mixed-use precinct. Under the concept SSDA lodged concurrently with the State Assessed Rezoning Proposal, Waterloo South is intended to deliver approximately 3,300 dwellings within a mixed-tenure housing model, with up to 50 per cent of residential GFA provided as market housing. The redevelopment is also intended to provide publicly accessible open space and an activated public realm, and to co-locate housing with community services and employment uses in a location with excellent access to public transport.

Strategic and Site-Specific Merit

The State Assessed Rezoning Proposal has strong strategic and site-specific merit, providing an updated statutory framework to enable the long-term renewal of a major inner-city precinct as a high-density, mixed-use neighbourhood, delivered progressively over approximately 10–15 years.

The new planning controls facilitating the delivery of social, affordable and market housing directly supports broader government objectives outlined in the draft Sydney Plan, the Greater Sydney Region Plan: A Metropolis of Three Cities, the Eastern City District Plan, the City of Sydney Local Strategic Planning Statement 2020, and National Housing Accord objectives to increase the supply of well-located housing and alleviate housing stress. The proposal is therefore aligned with the existing and proposed NSW strategy planning framework, and multiple levels of government priorities.

The proposal also demonstrates strong site-specific merit through the renewal of ageing social housing stock and the delivery of significant residential supply supported by new and enhanced public open space, community facilities, and complementary non-residential uses including education, health, community and commercial functions. As outlined in the Rezoning Report, the environmental, social, and economic impacts of the proposed amendments to the planning controls on the site and surrounds are either generally consistent with the current planning framework and 2022 Design Guide controls, or an improvement to the likely impacts resulting from the building envelopes previously approved.

The proposed amendments to the existing planning controls that apply to the site result in appropriate environmental impacts as they:

- do not increase the current maximum GFA permissible across the site, and as such facilitate the delivery of the intended scale and intensity of development as per the existing planning controls;
- maintain a variety of non-residential land uses across the site to support the existing, new, and surrounding community;
- demonstrate that suitable residential amenity can be achieved in future development across the site, consistent with the objectives and design criteria of the Apartment Design Guide;
- protect surrounding public open spaces and existing residential development from unreasonable overshadowing, wind, or visual impacts, consistent with the objectives and design criteria of the Apartment Design Guide;
- have considered impacts on heritage items and heritage conservation areas within proximity of the site;
- are informed by updated flood modelling and flood planning and management;
- is not likely to result in adverse impacts on critical habitat, threatened species, populations or ecological communities;
- are consistent with maximum building heights approved under various airspace protections and aviation approvals; and
- are underpinned by placemaking principles and opportunities to improve amenity and functionality across the precinct through upgraded streetscapes, improved walking and cycling connections and an activated public realm.

The State Assessed Rezoning Proposal also supports positive economic and social outcomes by strengthening the land-use mix, enabling community infrastructure, and providing flexibility for a wider range of activity-generating uses. The Rezoning Proposal makes a substantial contribution to housing supply and affordability in a highly accessible location within the City of Sydney LGA. It facilitates delivery of approximately 3,300 new dwellings and embeds a significant housing commitment, comprising a minimum 30 per cent social housing, approximately 20 per cent affordable housing, and up to 50 per cent market housing (as a proportion of total residential GFA).

Overall, the State Assessed Rezoning Proposal delivers clear public benefit by enabling a coordinated, deliverable and contemporary planning framework that increases housing supply, provides a substantial social and affordable housing outcome, supports a diverse mixed-use precinct, and improves liveability and amenity for existing and future residents over the life of the renewal program.

Conclusion

The amendments proposed do not increase the current permissible GFA on the site, rather they ensure future applications are not considered as 'non-compliant' or departing from the planning controls as a result of the inconsistencies in the planning documentation. The proposed amendments to the planning controls therefore support the orderly and coordinated development by aligning planning controls with a contemporary precinct framework that defines building envelopes, land use distribution, public domain outcomes and infrastructure delivery parameters to guide future detailed development applications.

Overall, the State Assessed Rezoning Proposal seeks targeted amendments to ensure the Sydney LEP 2012 controls and the Waterloo Estate (South): Design Guide operate as an integrated and deliverable framework for Waterloo South, enabling the current permissible development capacity to be realised within appropriate building envelopes. The State Assessed Rezoning Proposal further supports the timely delivery of mixed-tenure housing (including the intended social and affordable housing outcomes), non-residential uses, and public domain improvements.

1.0 Introduction

1.1 Overview

This State Assessed Rezoning Proposal (Rezoning Proposal) has been prepared by Beam Planning for Stockland on behalf of NSW Land and Housing Corporation (the proponent) to seek amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) in accordance with Section 3.29 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

This Rezoning Proposal relates to the Waterloo Estate (South) (from here out referred to as “Waterloo South”), which covers approximately 65 per cent of the wider Waterloo Estate area and is the first stage of the estate renewal.

In this report reference to “Homes NSW” or “the proponent” shall also be taken to mean “New South Wales Land and Housing Corporation (NSW LAHC)” who is the registered owner of 93 per cent of land within the Waterloo South Precinct Area. The Rezoning Proposal does not propose any change to the planning controls that apply to privately owned land within the Waterloo South Precinct Area. As such any reference to “Waterloo South” in this report should be read as the redevelopment of land owned by NSW LAHC and associated public land (such as roads) throughout the Precinct Area.

Planning for the Waterloo Estate renewal has progressed over several years, including the preparation of an earlier planning proposal for Waterloo South first prepared by the NSW LAHC in 2020 and amended following feedback from the City of Sydney and the NSW Department of Planning, Housing and Infrastructure (DPHI) in 2022. The 2020-2022 planning proposal introduced new land use zoning, amended building height and floor space ratio (FSR) development standards, site-specific LEP provisions, and a Design Guide to support delivery of the project. A tripartite Planning Agreement (VPA) securing key public benefits to be delivered within the project was executed in February 2023 between DPHI, the City of Sydney, and NSW LAHC.

Following a competitive tender process, in April 2025 the NSW Government selected Stockland and their partners Link Wentworth, City West Housing, and Birribee Housing as the Development Partner that will deliver the renewal of Waterloo South. It is anticipated that Waterloo South will be redeveloped over the next 10 to 15 years.

In reviewing the planning controls that currently apply to the site, Stockland and Homes NSW have identified inconsistencies between the planning provisions within the Sydney LEP 2012 and the Waterloo Estate (South): Design Guide 2022 (2022 Design Guide). Further, Stockland and their design team(s) have identified additional opportunities to improve the amenity of the precinct and to deliver upon the NSW Government’s commitment to deliver up to 50 per cent of residential gross floor area (GFA) as market housing within the project, enabling a minimum of 30 per cent of residential GFA to be delivered as social housing and the balance to be provided as affordable housing in part in perpetuity and in part for a minimum time period of 25 years. As such, further amendments to the Sydney LEP 2012 and the 2022 Design Guide are now sought within this Rezoning Proposal.

Without such amendments, the current controls would prevent the site from achieving the maximum gross floor area (GFA) permitted under the Sydney LEP 2012. The shortfall is estimated to be approximately 20,000m² GFA. Retention of the existing controls would therefore materially reduce the precinct’s capacity to provide much-needed social and affordable housing within Waterloo South. The proposed amendments do not seek to increase the maximum GFA permissible on the site, rather, they allow for the current permissible GFA to be delivered within compliant building envelopes that maximise amenity for all housing typologies across the precinct.

This report has been prepared following the selection of the proposal for Waterloo South as a State Assessed Rezoning Application as part of the NSW Government’s State Significant Rezoning Program. The proposal was selected under this planning pathway as it is consistent with the ‘Program Guideline – Prioritising rezoning that delivers social and affordable housing program’ prepared by DPHI.

This Rezoning Proposal is one of multiple planning applications that will give effect to the proposed renewal of the Waterloo South, and it is submitted concurrently with a concept State Significant Development Application (SSDA) that will guide future detailed development across the site.

1.2 The Site

The site is located on the traditional land of the Gadigal people of the Eora Nation, within what is now the suburb of Waterloo. The suburb of Waterloo is located within the City of Sydney Local Government Area (LGA) and is located 3km south of Sydney CBD. The site is part of the broader Waterloo Estate, which comprises the northern, central, and southern precincts and accommodates a significant community residing in social housing. Waterloo South extends across 10 street blocks within the inner-city suburb of Waterloo. Waterloo South is generally bound by Cope, Raglan, George, Wellington, Gibson, Kellick, Pitt and McEvoy streets.

The land owned and controlled by NSW LAHC within the Waterloo South Precinct Area comprises approximately 114,822m², or just over 93 per cent of the land within the Precinct Area. The NSW LAHC owned sites are currently used almost exclusively for the provision of social housing, with ancillary offices and community facilities. The privately owned lands within Waterloo South are not included as part of this Rezoning Proposal (see **Figure 6**).

Overall, Waterloo South currently contains a total of 750 social housing dwellings and 120 private dwellings. The broader area has been subject to significant change over the last 10 years with projects such as South Eveleigh, Redfern North Eveleigh Precinct Renewal, Botany Road Corridor, Waterloo Metro Quarter and Over Station Development (OSD) all contributing to the changing character of the area.

These broader renewal projects are supported by proximity to a range of public transport services, including Redfern station, Green Square station, and Waterloo metro station, all of which are within walking distance of Waterloo South.

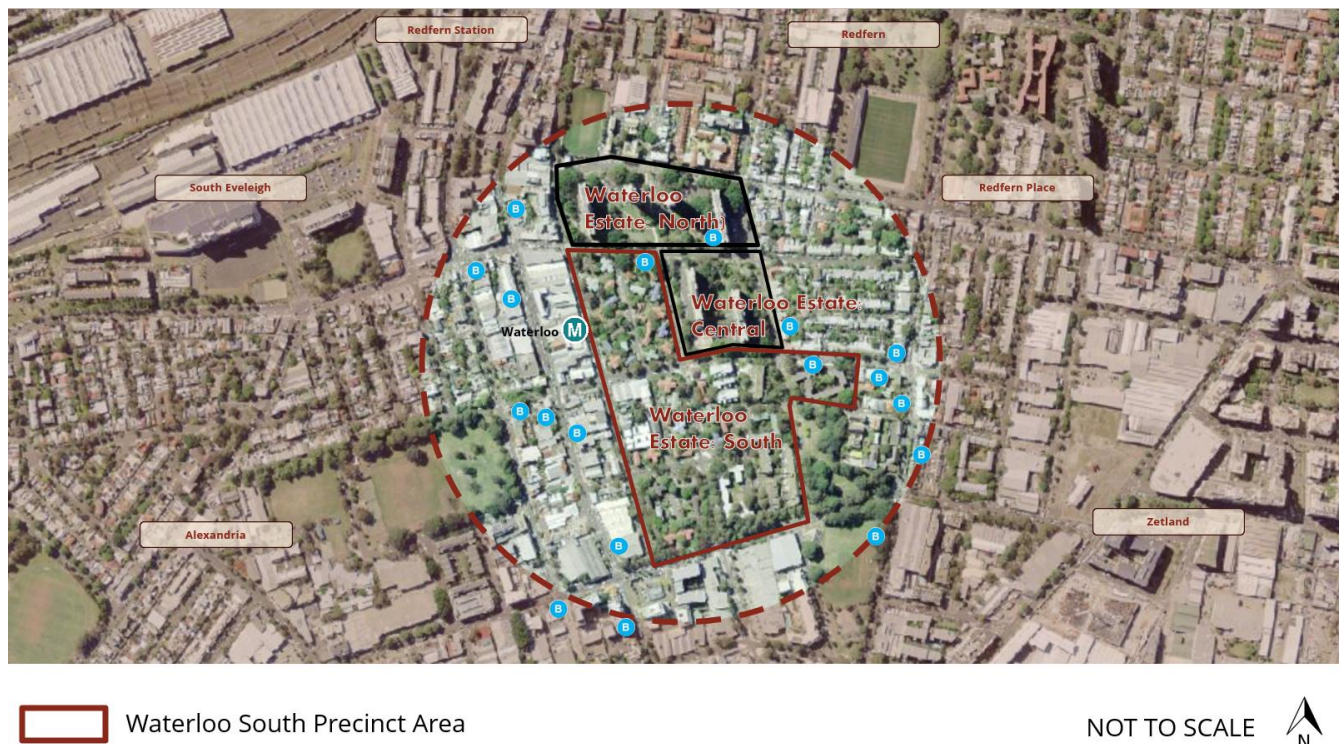


Figure 3 Aerial view of the Waterloo Estate and Waterloo South Precinct Area

Source: Six Maps, modified by Beam Planning

1.3 Project Vision

The vision for the site is to create a unique and vibrant mixed-tenure housing precinct that supports the needs of the community and delivers much needed housing in response to National and State Government priorities. The Vision is:

To create a new and unique urban village on the Project Land (Gadigal Land) which:

- delivers new homes, community places and green spaces with diverse housing choice and amenity;
- prioritises the health and wellbeing of residents;
- and offers an authentic sense of place and mixed and more sustainable local and mixed communities.

The proposed redevelopment seeks to respond to this Vision by creating a unique and vibrant neighbourhood that can deliver significant social benefits to residents, visitors, and workers in the Waterloo area and broader City of Sydney LGA. The co-location of community uses with housing and employment will ensure the redevelopment is an integrated, accessible and connected precinct that supports the social needs of community.

1.4 Proposed Amendments to Planning Provisions

This Rezoning Proposal seeks the following minor adjustments to the Sydney LEP 2012:

- Amend the Height of Buildings and FSR maps to reflect the revised building envelopes and enable the currently permissible GFA to be accommodated within the intended massing.
- Amend clause 7.27 to permit 'educational establishments' and 'creative industries' as allowable land uses along designated active frontages and amend the Active Frontage maps to reflect the revised building envelopes.
- Amend clause 7.29(3)(a) to reduce the minimum non-residential GFA requirement for Waterloo South from 17,000m² to 15,000m².
- Amend clause 7.29(3)(b) to include 'educational establishments' as an additional land use that may contribute to the minimum 5,000m² requirement under this clause.
- Delete clause 7.29(4) as the maximum GFA for the precinct, inclusive of the design excellence bonus permitted under clause 6.21D(3)(b), has been captured in the amended Height of Buildings and FSR maps.
- Amend clause 7.29(5) to reference a revised publication date of the Design Guide.
- Amend clause 7.29(6) to allow rooftop access to communal open space and related amenity structures to extend beyond the height of building measurement.
- Amend clause 7.29(7) to state that clause 6.21D(3)(b) of the Sydney LEP 2012 which permits additional FSR for the achievement of design excellence does not apply to development on the site.
- Renumber clause 7.29(8) to 7.29(9) and replace 7.29(8) with a clause that clarifies that the City of Sydney affordable housing program doesn't apply to Waterloo Estate (South) – Area 1.

These amendments are supported by proposed updates to the 2022 Design Guide to ensure consistency between the Sydney LEP 2012 development standards, the proposed concept State Significant Development Application (concept SSDA), and the Design Guide. It is noted that as per clause 7.29(5) of the Sydney LEP 2012, the Design Guide is required to be considered in the assessment of any development application for the site in order for development consent to be granted.

1.5 The State Significant Rezoning Program

In September 2024 the NSW Government introduced the State Significant Rezoning Policy to facilitate strategically important rezonings through state-led or state-assessed processes. The program prioritises rezonings that address the State's growing housing and employment needs and contribute meaningfully to the delivery targets set under the National Housing Accord.

In line with the NSW Government's 'Program Guideline – Prioritising rezonings that deliver social and affordable housing' (May 2024), the Department's State Significant Rezoning Evaluation Panel determined on 10 June 2025 that the proposal meets the eligibility criteria for the State Significant Rezoning Program as a State Assessed Rezoning Proposal. The Panel subsequently supported this application to proceed under the State-assessed pathway.

As such, this Rezoning Proposal is submitted to DPHI for assessment. This Rezoning Proposal has been informed by pre-lodgement consultation with the City of Sydney, State Government Agencies, members of the community, and other relevant stakeholders. This Rezoning Proposal is also submitted to DPHI concurrently with a concept SSDA which will guide the future staged development of Waterloo South.

1.6 Purpose of this Document

This Rezoning Proposal has been prepared in accordance with the Study Requirements issued by DPHI on 08 October 2025. This report is informed by the Urban Design Report prepared by SJB with Nguluway DesignInc and Aspect Studio, and other supporting technical information appended to this report (see **Attachments Table**). This report should be read in conjunction with this material and in the event of any inconsistency between the Rezoning Proposal and the supporting documentation, the Rezoning Proposal prevails.

This report outlines the proposed amendments to the Sydney LEP 2012 and the 2022 Design Guide, which is referenced in clause 7.29(5) of the Sydney LEP 2012, and sets out the strategic and site-specific justification for the changes to the development standards and planning provisions that will apply to the site.

This report assesses the proposed amendments to the planning provisions against the relevant strategic plans, in addition to carrying out an assessment of the environmental, social and economic benefits and impacts of the proposal, facilitated by the amendments.

It is noted that additional technical studies to support the proposed building envelopes, reference scheme, vehicular access arrangements, concept waste management methods, flood and stormwater management, preliminary public art strategies, and other technical information is submitted with the concurrent concept SSDA.

2.0 Project Background

2.1 The Proponent

NSW LAHC is responsible for delivering social and affordable housing, addressing homelessness, and managing the construction, maintenance and repair of public housing across NSW. As part of the NSW Department of Communities and Justice, NSW LAHC owns 93 per cent of land within the Waterloo South Precinct Area.

Following a competitive tender process, in April 2025 the NSW Government selected Stockland and their partners Link Wentworth, City West Housing, and Birribee Housing as the Development Partner that will deliver the renewal of Waterloo South. As such this Rezoning Proposal is submitted to DPHI on behalf of Stockland (as the consortium lead) and NSW LAHC.

2.2 Project History

2.2.1 Planning Proposal PP-2021-3265

In May 2020, the NSW LAHC (now a part of Homes NSW) lodged a request with the City of Sydney to amend the planning controls for Waterloo South. This followed the Minister for Planning and Public Spaces' announcement in November 2019 that designated the City of Sydney as the plan-making authority for the precinct.

The City of Sydney subsequently prepared a planning proposal that introduced key changes to the original proposal. These revisions aimed to increase affordable housing and provide dedicated housing for First Nations people. Additional changes were made to enhance the living environment, including:

- Wider and more navigable streets and walkways
- A new main street with shops and services
- A greater proportion of medium-rise buildings
- Fewer high-rise towers, strategically positioned at the southern edge to minimize overshadowing
- Increased sunlight access and better wind management

The planning proposal also included a large park adjacent to the Waterloo metro station, a neighbourhood park, and spaces for community facilities, retail, and commercial uses. It introduced new land use zoning, building height, and FSR development standards. Additionally, site-specific provisions were incorporated into the Sydney LEP 2012, and a Design Guide was established as a key consideration under clause 7.29 and clause 7.30 of the Sydney LEP 2012.

In February 2023, a tripartite VPA was executed between DPHI, the City of Sydney, and NSW LAHC in relation to the future development of Waterloo South. On 08 May 2025 Stockland was added as an Incoming Party to the executed VPA by way of a Deed of Accession, meaning that Stockland will carry out remaining obligations of the VPA as outlined in the Deed of Accession.

2.2.2 Amended Project Strategy

Since the finalisation of the 2020-2022 planning proposal, Stockland, in collaboration with Homes NSW, has undertaken detailed design development, feasibility testing and delivery planning for the precinct. These investigations were undertaken to ensure the project can deliver upon the NSW Government commitment for the mix of social and affordable housing across the site, accommodate the residential typologies proposed to be managed by the Community Housing Providers (CHPs), and to look for opportunities to improve amenity and the overall quality of the precinct.

This process identified that the existing design framework did not adequately account for the application of the permitted design excellence bonus floor space. Further discrepancies were identified between different built form objectives and provisions including tree retention zones, survey plan details, building setbacks, and building height standards. As a result, a substantial quantum of permissible residential floor space could not be physically accommodated within the originally contemplated building envelopes, creating a disconnect between the planning controls and achievable development outcomes.

When the building envelopes were further tested and adjusted to incorporate the permissible design excellence floor space, further refinements were required to maintain acceptable levels of residential amenity, public domain quality and interface outcomes, particularly in relation to streets, open spaces and key pedestrian routes. Without these refinements, the cumulative scale and massing of development would adversely impact the amenity and function of the public realm.

In parallel, detailed testing of residential floorplates identified inefficiencies in the originally contemplated layouts. These configurations were found to be unlikely to be operationally viable, particularly for CHPs, which have specific requirements relating to dwelling mix, servicing, circulation, building efficiency and long-term management. Addressing these issues necessitated adjustments to the built form parameters to enable more functional and deliverable residential outcomes.

These factors catalysed coordinated amendments to the planning controls and supporting design framework. The amended project strategy therefore seeks to streamline and better align the statutory planning controls and the Design Guide, simplify building envelopes, and provide greater flexibility to deliver the permissible floor space in a manner that is efficient, legible and responsive to the site context. The inconsistencies between the existing planning controls would essentially result in future development applications being non-compliant with key controls to achieve the maximum permitted GFA, resulting in delays to the delivery of the project.

Overall, the amended project strategy is intended to improve certainty for delivery, reduce reliance on site-specific variations at future application stages, and ensure the planning framework effectively supports the NSW Government's commitment to delivering up to 50 per cent of residential GFA as market housing, while maintaining high-quality amenity and public domain outcomes.

2.3 Concurrent Planning Processes

The redevelopment of Waterloo South is a long-term project that requires a staged approach. As the State's largest social housing area, Stockland and Homes NSW are proposing to stage the delivery of the precinct to reduce disruption to existing residents on the site, whilst endeavouring to expedite the delivery of new homes in accordance with the objectives of the National Housing Accord.

To ensure that the development proceeds in a timely and cost-effective manner, the redevelopment will occur via several planning pathways. Relevant to this Rezoning Proposal are two concurrent planning applications described below.

2.3.1 Concept SSDA

A concept SSDA is concurrently submitted with this Rezoning Proposal for the comprehensive redevelopment of Waterloo South, in accordance with section 4.22 of the EP&A Act. The concept SSDA will guide future applications relating to the detailed design of future buildings, public open spaces and the public realm within Waterloo South. It will seek concept development consent for key planning metrics as described below:

- Maximum building envelopes, including maximum building heights, street-wall heights and setbacks.
- Distribution of GFA across the Waterloo South precinct development blocks.
- Indicative allocation of floor space between social, affordable and market housing, as well as non-residential and community uses across the Waterloo South Precinct Area.
- Loading, vehicular, pedestrian, and active transport access arrangements.
- Public domain upgrades and new public domain and publicly accessible areas.
- Indicative subdivision plan, staging plan and delivery sequencing for development.
- Several precinct-wide management plans and strategies to inform future stages of the development.

Further details of the concurrent concept SSDA are outlined in detail in **Section 5.1.3**.

2.3.2 Stage 1 Review of Environmental Factors

A Review of Environmental Factors (REF) has been prepared by Stockland on behalf of Homes NSW, in accordance with Division 5.1 Part 5 of the EP&A Act 1979 for Blocks 8 and 9 of the Waterloo South development, also referred to as 'Stage 1' of the development. The REF was determined for approval on the 26 February 2026. The works proposed under the REF include demolition and site preparation works to facilitate future development. The boundaries of the 10 development blocks of Waterloo South and specifically Blocks 8 and 9 relevant to the REF are identified in **Figure 4**.

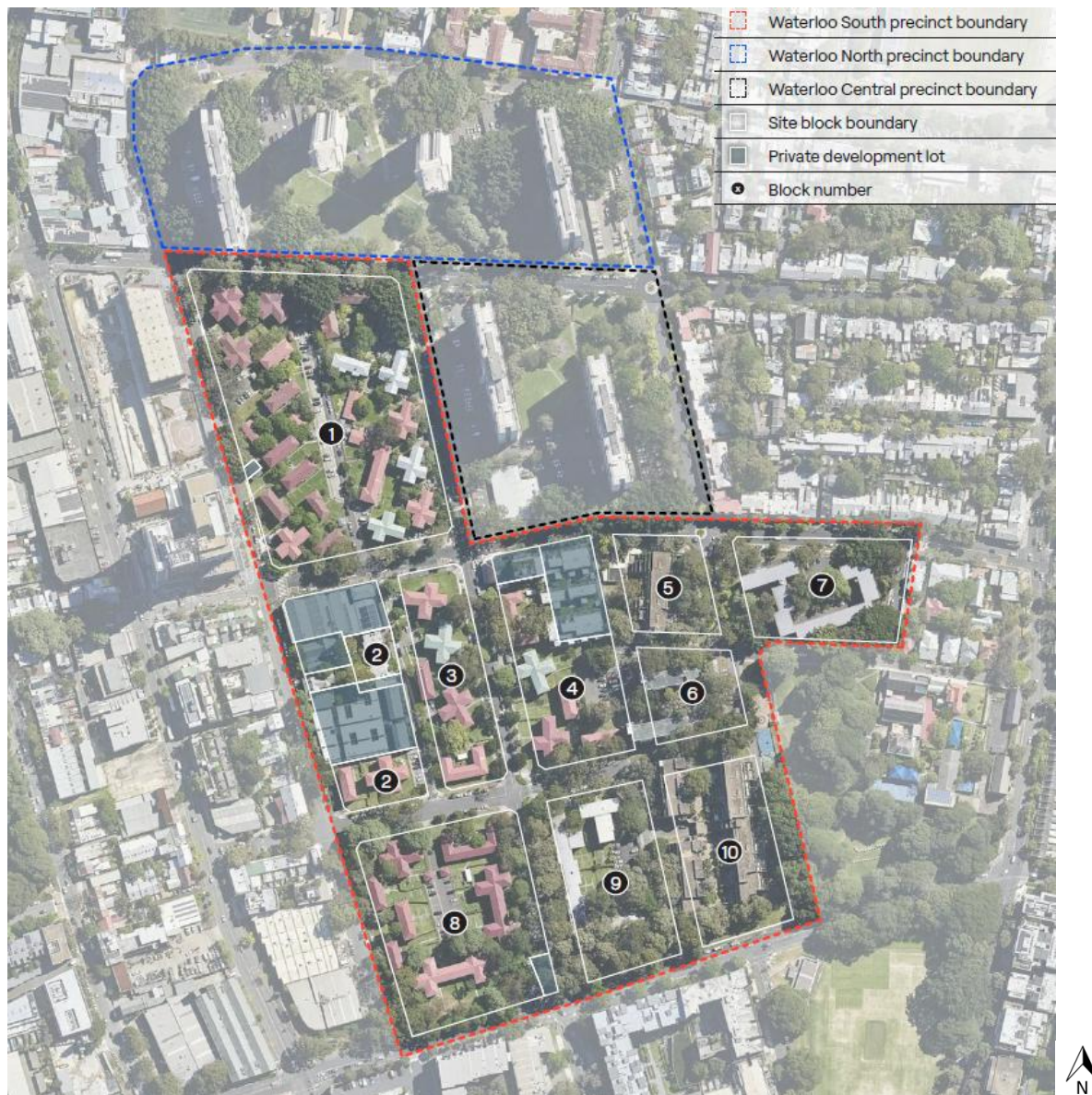


Figure 4 Project site area within the broader Waterloo estate precinct and Waterloo South block breakdown

Source: Design Report prepared by SJB

The scope of works proposed under the Stage 1 REF includes the following within the boundaries of **Block 8** of the Waterloo South precinct:

- Demolition of seven existing 2- and 3-storey buildings.
- Demolition of associated and ancillary structures such as pavilions and landscaping structures.
- Removal of trees.
- Services infrastructure works associated with decommissioning the buildings.

The scope of works proposed under the Stage 1 REF includes the following within the boundaries of **Block 9** of the Waterloo South precinct:

- Demolition of three existing 3-storey buildings.
- Demolition of associated and ancillary structures such as pavilions and structures.
- Removal of trees.
- Services infrastructure works associated with decommissioning the buildings.
- Removal of contaminated or hazardous materials.

Tree removal proposed under the Stage 1 REF is limited to trees located within the immediate proximity of existing buildings proposed to be demolished and does not include any street trees, or trees located outside of the boundaries of Blocks 8 and 9 of the Waterloo South Precinct Area.

It is proposed that the above works are completed as development permitted without consent as per Division 6, Part 2, of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The scope of works for the Stage 1 REF is a distinct and stand-alone package of works that are not related to any works proposed as SSD as per clause 4.38(4) of the EP&A Act 1979.

Subsequent REFs may be prepared for the demolition of buildings and structures in later stages if deemed appropriate.

2.3.3 Other Works

The renewal of Waterloo South is a long-term project, to be completed across multiple stages. There may be times throughout the renewal program where buildings or land may be vacated before detailed development consent is granted or works have commenced on the next stage of the project. In these circumstances, the Applicant may consider appropriate 'meanwhile uses' to ensure that Government owned land is efficiently utilised to the benefit of the community throughout the construction program.

The extent and type of potential temporary or 'meanwhile uses' are varied, and may include for e.g. crisis accommodation, pop up markets, gardens, recreation areas, creative spaces / pop up art galleries, business premises, community meeting areas, retail premises, and/or health facilities. The timeframes for these 'meanwhile uses' are also varied from single day events to minimum 6-month lease terms.

Development consent is not sought for any 'meanwhile uses' within the concurrent concept SSDA, and separate approvals (where required) will be sought should 'meanwhile uses' be pursued in the future. Such 'meanwhile uses' are entirely separate and not related to the works proposed within the concept SSDA scope and therefore will not be considered part of a single development that is categorised as SSD for the purposes of Section 4.38(4) of the EP&A Act.

3.0 Site Context

3.1 The Site

The Waterloo South Precinct Area extends across 10 street blocks within the inner-city suburb of Waterloo. Waterloo South is generally bound by Cope, Raglan, George, Wellington, Gibson, Kellick, Pitt and McEvoy streets. The site is located on the traditional land of the Gadigal people of the Eora Nation. The legal description of Waterloo South is detailed in **Table 1**. The location of the precinct is illustrated in **Figures 5** and **6** below.

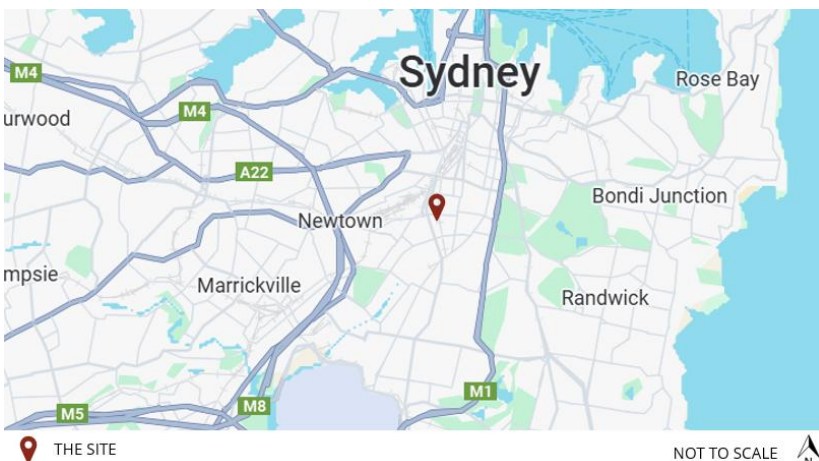
 Address	6 John Street, 97-109 Cooper Street, 209-219, 229-231 & 247-251 Cope Street, 238-246, 248-254, 331-337 & 339-341 George Street, 232 & 250 Pitt Street and 74-76 Wellington Street, Waterloo	
 Site Area	Waterloo Estate (South) Area: 114,822m ²	
 Owner	NSW Land and Housing Corporation (NSW LAHC)	

Figure 5 Location plan

Table 1 Legal Description of Waterloo South

Address	Lot/DP
Lots owned by NSW Land and Housing Corporation	
209-219 Cope Street, Waterloo	Lot 1 DP 217386
238-246 George Street, Waterloo	Lot 1 DP 225159
229-231 Cope Street Waterloo	Lot 3 DP 10721
6 John Street, Waterloo	Lot 1 DP 533762
97-109 Cooper Street, Waterloo	Lot A DP 105916, Lot B DP 105916, Lot C DP 105916, Lot 14 DP 10721,
248-254 George Street, Waterloo	Lot 2 DP 533678
232 Pitt Street, Waterloo	Lot 11 DP 635663, Lot 10 DP 635663
74-76 Wellington Street, Waterloo	Lot 1 DP 224728
331-337 George Street, Waterloo	Lot 3 DP 533680
247-251 Cope Street, Waterloo	Lot 1 DP 533679
339-341 George Street, Waterloo	Lot 1 DP 77168
250 Pitt Street, Waterloo	Lot 313 DP 606576
Cooper Street, Waterloo	Lot 3 in DP 217386
Lots owned by others (land is not subject to amended provisions in the Rezoning Proposal)	
221-223 Cope Street, Waterloo	Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721, Lot 8 DP 1147179
225-227 Cope Street, Waterloo	Lot 5 DP 10721, Lot 4 DP 10721
233 Cope Street, Waterloo	Lot 12 DP 1099410, Lots 1-41 SP 79210

Address	Lot/DP
116 Wellington Street, Waterloo	Lot 10 DP 10721, Lot 11 DP 10721
111 Cooper Street, Waterloo	Lot 15 DP 10721
291 George Street, Waterloo	Lot 10 DP 1238631, Lots 1-20 SP 96906
110 Wellington Street, Waterloo	Lot 101 DP 1044801, Lots 1-58 SP 69476
336 George Street, Waterloo	Lot 3 DP 10686
213-215 Cope Street, Waterloo	Lot 2 DP 217386

The suburb of Waterloo is located within the City of Sydney LGA and is located 3km south of Sydney CBD. The site is part of the broader Waterloo Estate, which comprises the northern, central, and southern precincts and accommodates a significant community residing in social housing.

Surrounding suburbs include Redfern to the north, Green Square to the south, Alexandria to the west and Zetland to the east. This broader area has been subject to significant change over the last 10 years with projects such as South Eveleigh, Redfern North Eveleigh Precinct Renewal, Botany Road Corridor, Waterloo Metro Quarter and OSD all contributing to the changing character of the area.

These broader renewal projects are supported by proximity to a range of public transport services, including Redfern station, Green Square station, and Waterloo metro station, all of which are within walking distance of Waterloo South.

The Waterloo South Precinct Area is predominantly owned by NSW LAHC, however as outlined in **Table 1**, the site the subject of this report excludes several privately owned lots located within the boundary of the broader Waterloo South Precinct Area outlined in **Figure 6**. The privately owned lots are currently used for residential, office, light industrial, and infrastructure uses. The NSW LAHC owned sites are currently used almost exclusively for the provision of social housing, with ancillary offices and community facilities. Overall, Waterloo South currently contains a total of 750 social housing dwellings and 120 private dwellings.



Figure 6 Waterloo South Project Area
Source: SJB

3.2 Key Information about the Site

Key features of the site are described in **Table 2**.

Table 2 Site characteristics

Matter	Details
First Nations History	Waterloo South is situated on the traditional lands of the Gadigal people of the Eora Nation. The Gadigal clan is one of the 29 clans of the Sydney basin which make up the Eora Nation. As outlined in the Designing with Country Report attached as Attachment C, the site formed part of a broader landscape of swamps, creeks and woodlands that supported a rich and interconnected system of life and culture long before European settlement. Given the richness of resources in this area, Waterloo formed part of an important seasonal movement route for the Gadigal and neighbouring clans. The abundance of water and vegetation created a fertile landscape for gathering, storytelling and cultural practices. These cultural ties persist today through ongoing connections maintained by the local Aboriginal community. Further detail on the First Nations History of the site is provided at Attachment C.
Existing Development	Waterloo South is currently characterised by a concentration of low to medium rise residential flat buildings constructed during the 1950s to 1970s as part of the former public housing estate. The existing building stock comprises a mix of 3 storey slab-block and tower-form structures. These buildings reflect their era of construction and provide a significant proportion of the precinct's social housing. The buildings are reaching the end of their functional life, with ageing construction, outdated services and layouts that no longer meet contemporary standards for accessibility, safety, environmental performance or residential amenity. The site also contains older community facilities and infrastructure that require renewal to support current and future populations. Although Waterloo South provides important access to social housing for diverse communities, the existing development pattern does not fully capitalise on the precinct's highly accessible inner-city location, its proximity to the Waterloo metro station, or its potential to deliver a more integrated, inclusive and high-performing urban neighbourhood.
Infrastructure	The site is served by arterial roads, heavy rail train stations, a Sydney metro station, bus routes and regional cycle routes. These connections mean access to Central Sydney is fast and efficient, with a full suite of transport options and low travel times. Access to most of Greater Sydney is relatively high through well connected and high-capacity railways and arterial roads. Arterial roads that connect the site to Greater Sydney, include Parramatta Road via Cleveland Street, the M8 motorway and Princes Highway via McEvoy Street, and Sydney Airport and North Sydney via the Eastern Distributor. McEvoy Street bounds the site to the south and is a classified road and arterial road. McEvoy Street is an important east-west link that connects to Botany Road and South Dowling Street. Botany Road is located to the immediate west of the site and South Dowling Street which is located further to the east of the site. Botany Road is a key corridor that connects the southern industrial lands and Sydney airport to the Sydney CBD in the north, whilst South Dowling Street provides connections to the city north and eastern suburbs. The site is surrounded by a series of local roads, with the intent of the precinct to become more pedestrianised. The site is well located and in walking distance to several heavy rail and metro stations including Waterloo metro station, Green Square station, and Redfern station. The City of Sydney has committed to improving active transport connectivity across the LGA. A new regional bike network runs directly through the site along George Street and provides connections to the broader network that spans the LGA. A new connection is also proposed along Wellington Street which will improve the east-west connectivity of the site.
Easements and Covenants	The site is affected by several easements, including: - Gas main easements located: - along the eastern side of George Street between Wellington Street and John Street; and - along the southern side of John Street between George Street and the proposed Mead Street. - Cross-easements affecting proposed Block 2B. - Easement for overhang on the western side of Cooper Street at proposed Block 2B. - Easement for right of way on the western side of Cooper Street at proposed Block 2B.

Matter	Details
	- Easement for railway transit on the south-eastern side of George Street. - The southern portion of Block 8, adjacent to McEvoy Street, is identified under the Sydney LEP 2012 as land to be reserved for acquisition for the purpose of road widening.
Services	The site is located within an existing urban area and currently contains all necessary services, including electricity, gas, water, communications, drainage and sewage. Future development will connect to these services with augmentation and upgrades as required, with any services no longer required to be decommissioned and capped. As part of the infrastructure delivery strategy, existing gas infrastructure will be capped at the block boundaries whilst existing infrastructure outside of the block boundaries will be retained.
Acid Sulphate Soils	The site contains class 5 Acid Sulphate Soils.
Contamination	The site contains potential sources of contamination, receptors and exposure pathways as identified within the assessment of PP-2021-3265. This Rezoning Proposal does not change the previous conclusion that the proposed land uses, and development standards will not preclude the site from being made suitable for the development which will be addressed at future detailed application stages.
Topography	Waterloo South sits within a shallow valley framed by two distinct high points: a ridge along Pitt Street to the east and elevated land around Raglan Street to the north. Elevation ranges between approximately 13m above sea level (ASL) in the western extent of the site and approximately 22m ASL at the eastern extent. In effect the land rises by the equivalent of over two storeys from the lowest point of the site in the west to the highest point of the site in the east. Contours fall toward the centre of the site around Cope, Wellington and George streets, creating a gentle depression that directs natural drainage south-east toward McEvoy Street and north-east toward Pitt Street.
Hydrology	Sheas Creek (brackish water body), is located approximately 800m to the southwest of the site. Sheas Creek flows to Alexandra Canal, which flows into the Cooks River (marine) approximately 1.3km to the southwest, which ultimately discharges into Botany Bay (marine) located around 6km from the site.
Stormwater and Flooding	The site is located near the centre of the Alexandra Canal Catchment, which is prone to overland flow flooding during intense rainfall events when the capacity of the piped stormwater system is exceeded (refer to the Flood Risk Assessment at Appendix AA of the EIS). A new large-scale stormwater drain has been installed in recent years to assist in alleviating flooding in the wider Green Square area. The site is serviced by a stormwater network of pits and pipes that generally drains to the west and ultimately discharges to Alexandra Canal. Key elements of the network include drainage running west along Wellington Street (pipe diameters up to 900 mm) and Raglan Street (pipe diameters up to 450 mm), multiple drainage lines along Cope Street draining to a small open channel flowing west, and drainage of the George Street low point via multiple pipes connecting to a 300 mm diameter pipe running south from McEvoy Street. In the vicinity of the site, flooding typically occurs as shallow overland flow moving generally east to west toward Cope Street. Flood depths are generally shallow across the steeper eastern portion of the site due to the local topography and relatively small contributing catchment. On the western portion of the site, runoff tends to collect within two localised topographic depressions near Wellington Street/Cope Street and along George Street near McEvoy Street. The underground pit and pipe network has limited function in larger storm events. During a 1% Annual Exceedance Probability (AEP) flood event, the majority of runoff is conveyed overland. The most recent Council drainage capacity assessment (Alexandra Canal Catchment Flood Study Model Update – ARR2019 Hydrology, 2020) indicates that virtually all pipes within the site are at capacity during a 0.5 EY event (approximately equivalent to a 50% AEP event), contributing to the prevalence of overland flow pathways and localised ponding during heavier rainfall.
Heritage	The Waterloo South precinct contains a mix of local and State heritage items that reflect the area's historical development and contribute to its cultural significance, including: SHR 01630 - Potts Hill to Waterloo Pressure Tunnel and Shafts: The State heritage listed Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630), runs beneath the precinct at a depth of approximately RL -30 metres. The investigation into the pressure tunnel begun in 1914, with plans for the tunnel to span approximately 16 kilometres from Potts Hill Reservoir to the Waterloo Pumping

Matter	Details
	Station. Works commenced in 1933 with the installation of steel tube lining along the entire tunnel length. • I2077 - Former Waterloo Pre-school: The former Waterloo pre-school is located along the western edge of the precinct at 225 Cope Street. The pre-school building dates back to 1870 where it was used as a congregational chapel before becoming a school in 1890. In 1918 the property was used as a Kindergarten school until 1999 when it was purchased by a private owner for their residence. • I2078 - 2-storey Victorian terrace houses (circa 1880): To the south of the pre-school is heritage item I2078 which comprises a group of terrace houses. This group of buildings are a representative example of a mid Victorian terrace group constructed during a period of subdivision in Waterloo. Notably, these terraces form part of the Homes NSW owned land within Waterloo South. • I2086 - Single-storey Interwar building, Electricity Substation No 174: The electricity substation occupies a prominent corner position at McEvoy and George Street. The substation was established in the interwar period. • I2085 - Duke of Wellington Hotel including interior: The Duke of Wellington Hotel anchors the south-eastern corner of Wellington Street and George Street. The original hotel was constructed on the site in 1876. The current structure which replaced the original dates to 1929 and showcases the inter-war free classic architectural style. In addition to these on-site items, Waterloo South is immediately adjacent to the Waterloo Heritage Conservation Area and is located near several other conservation areas and individually listed heritage items.). This context highlights the need for a sensitive approach to urban renewal that respects existing heritage values while supporting contemporary redevelopment.
Archaeology	An AHIMS search was undertaken on the 22 August 2025 which determined the location of Aboriginal sites in relation to Waterloo South. The investigation comprised a search of a 2km x 2km area which surrounded the study area. A total of 18 AHIMS registered sites were located within the search area however no AHIMS sites are located within the Waterloo South study area. Whilst there are no Aboriginal sites located within the Waterloo South, there are two sites located within 200m of the site. An area of Potential Archaeological Deposits is likely located within the site based on its location within the Botany Sands. Given these findings, subsequent investigations will be required in connection with future concept and future detailed applications.
Vegetation	The vegetation within the Waterloo South precinct comprises a mixture of exotic and native species. There are a significant number of large, mature trees, particularly fig trees, that define the precincts urban and environmental character. These trees provide shade, amenity, and microclimate benefits, and play a key role in mitigating the urban heat island effect. Many existing trees are located along George Street and McEvoy Street.

4.0 Current Planning Framework

4.1 Sydney Local Environmental Plan 2012

The key provisions and development standards that currently apply to the site under the Sydney LEP 2012 are outlined in **Table 3**.

Table 3 Relevant Existing Sydney LEP 2012 Provisions

Clause	Control/ Provision	Comment
Clause 2.1 Land Use Zones	The site is zoned part E1 Local Centre, MU1 Mixed Use, RE1 Public Recreation and SP2 Infrastructure.	<u>E1 Local Centre</u> A broad range of land uses including residential, commercial, community, educational and recreational uses are permitted within the zone. Prohibitive uses are largely industrial land-use types. <u>MU1 Mixed Use</u> A broad range of land uses including residential, commercial, community, educational and recreational uses are permitted within the zone. The small number of prohibited land use types include heavy industries, heavy industrial storage, extractive industries and pond-based aquaculture. <u>RE1 Public Recreation</u> A limited range of land uses are permitted within the zone. Some of these include recreational and food and drink premises are permitted uses within the zone. <u>SP2 Infrastructure</u> A limited range of land uses are permitted within the zone, including classified road in accordance with the zoning map.
Clause 4.3 Height of buildings	The height of a building on any land must not exceed the maximum height of building shown on the Height of Buildings Map.	The Sydney LEP 2012 permits a range of maximum building heights on the site, which range between 9m to 110m in height, as depicted in Figure 11. Changes are proposed to the Height of Buildings map within the Rezoning Proposal.
Clause 4.4 Floor Space Ratio	The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	The site is subject to a range of FSR development standards reflective of the variety of built forms envisioned for the site. The maximum FSR development standards across Waterloo South ranges from 0.85:1 and 8.41:1, as depicted in Figure 9 Changes are proposed to the FSR map within the Rezoning Proposal.
Clause 5.1A Development on land to be acquired for public purpose	(1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose. (2) This clause applies to land shown on the Land Reservation Acquisition Map that is specified in Column 1 of the Table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1. (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that Table.	A portion of Block 8 along the southern site boundary with McEvoy Street is zoned SP2 Infrastructure and is identified for future land acquisition by TfNSW for the purposes of road widening. No changes are proposed to the SP2 zoned land within the Rezoning Proposal.
	<i>Column 1</i> Zone SP2 Infrastructure and marked "classified road"	<i>Column 2</i> Earthworks, Roads

Clause	Control/ Provision	Comment
Clause 5.3 Development near zone boundaries	(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 6 metres from any land in Zone SP1 Special Activities or Zone SP2 Infrastructure. (3) This clause does not apply to— (a) land in Zone RE1 Public Recreation, Zone C1 National Parks and Nature Reserves, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone W1 Natural Waterways, or (b) land within the coastal zone, or (c) land proposed to be developed for the purpose of sex services or restricted premises. (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that— (a) the development is not inconsistent with the objectives for development in both zones, and (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land. (5) This clause does not prescribe a development standard that may be varied under this Plan.	This clause is not proposed to be amended by the Rezoning Proposal and notably is not relied upon in the concurrent concept SSDA.
Clause 5.10 Heritage Conservation	(2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land—	Waterloo South contains a mix of local and State heritage items that reflect the area's historical development and contribute to its cultural significance, including: • I2077 - Former Waterloo Pre-school (225 Cope Street) including interior • I2078 - 2-storey Victorian terrace houses (circa 1880) • 12086 - Single-storey Interwar building, Electricity Substation No 174 • 12085 - Duke of Wellington Hotel including interior • SHR 01630 - Potts Hill to Waterloo Pressure Tunnel and Shafts Four locally listed heritage items fall within the broader precinct, including the Former Waterloo Pre-school, a group of Victorian terrace houses, a single-storey Interwar electricity substation and the Duke of Wellington Hotel. The site itself includes one of these items, the Victorian terrace houses (I2078), as well as the State heritage listed Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630), which runs deep beneath the precinct. In addition to these items, Waterloo South is immediately adjacent to the Waterloo Heritage Conservation Area and is located near several other conservation areas and individually listed heritage items.

Clause	Control/ Provision	Comment
	(i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	The concurrent concept SSDA and future detailed applications will be required to address clause 5.10 of the LEP.
Clause 5.21 Flood Planning	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	The site is subject to overland flow flooding during heavy rain and therefore clause 5.21 is applicable to the site. A Flood Risk Assessment has been prepared to support the Rezoning Proposal, which addresses flood planning at a precinct-scale. The future detailed applications will also address clause 5.21 of the LEP.
Clause 6.21C Design excellence	(1) Development consent must not be granted to development to which this Division applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.	The redevelopment of Waterloo South triggers the requirement for a competitive design process.
Clause 6.21D Competitive design process	(1) Development consent must not be granted to the following development to which this Division applies unless a competitive design process has been held in relation to the proposed development— (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than— (i) 55 metres on land in Central Sydney, or (ii) 25 metres on any other land, (b) development having an estimated development cost of more than \$100,000,000, (c) development in respect of which a development control plan is required to be prepared under clause 7.20, (d) development for which the applicant has chosen such a process.	In November 2025, DPHI announced a time-limited design competition exemption pathway to streamline planning processes and accelerate delivery of new housing for State Significant Development housing projects. While this pathway can apply to Waterloo South, it is only available for a limited period (until late November 2027). Given Waterloo South is a long-term, multi-stage redevelopment anticipated to be delivered over approximately 10-15 years, the project will extend beyond the exemption period. Accordingly, a tailored and adaptive approach to achieving design excellence will be adopted, as detailed in the Design Excellence Strategy submitted with the concurrent concept SSDA. The scale of the redevelopment and the diversity of development types and tenures (including social, affordable and market housing, community uses, and public domain works) necessitate a flexible quality framework. The Design Excellence Strategy establishes a benchmark and governance structure to consistently deliver high-quality outcomes across the life of the project, while enabling efficient and timely delivery of mixed-tenure housing.

Clause	Control/ Provision	Comment
		To request a design competition exemption for future market housing buildings, an Alternative Design Excellence Strategy will be prepared for submission with the detailed SSDAs, which outlines how the project meets the eight criteria required for the exemption. Homes NSW and Stockland will seek to utilise this exemption pathway for applicable future detailed stages of the redevelopment of Waterloo South. Further details on how the project will deliver design excellence in accordance with these provisions is provided within the concurrent concept SSDA.

Part 7 Local Provisions – general

Division 1 Car parking ancillary to other development

Clause 7.3 Car parking spaces not to exceed maximum set out in this Division	The site is subject to maximum car parking provisions established by Division 7 of the LEP.	This clause establishes that development consent must not be granted to development that includes car parking spaces greater than the maximum established in this division.
Clause 7.5 Residential flat buildings, dual occupancies and multi dwelling housing	The site is located on land identified as Category A, as such there is a maximum car parking rate applicable for residential flat buildings, dual occupancies and multi dwelling housing. The maximum car parking rates for these purposes are as follows: • For each studio dwelling – 0.1 car parking spaces • For each 1 bedroom dwelling – 0.3 car parking spaces • For each 2 bedroom dwelling – 0.7 car parking spaces • For each dwelling with 3 or more bedrooms – 1 car parking space	Car parking will be assessed and determined as part of future detailed applications. No change is proposed to the maximum permitted car parking spaces across the site within this Rezoning Proposal.
Clause 7.6 Office premises and business premises	The site is located on land identified as Category D, as such there is a maximum car parking rate applicable for office and business premises. The maximum car parking rates for these purposes are as follows: • if the building is on land in category D and has a floor space ratio of no more than 3.5:1—1 space for each 175 square metres of gross floor area of the building used for those purposes, • if the building is on land in category D, E or F and has a floor space ratio greater than that specified in paragraph (a), (b) or (c) respectively, the following formula is to be used— $M = (G \times A) \div (50 \times T)$ where— M is the maximum number of parking spaces, and G is the gross floor area of all office premises and business premises in the building in square metres, and A is the site area in square metres, and T is the total gross floor area of all buildings on the site in square metres.	Car parking will be assessed and determined as part of future detailed applications. No change is proposed to the maximum permitted car parking spaces across the site within this Rezoning Proposal.

Clause	Control/ Provision	Comment
Clause 7.7 Retail premises	The site is located on land identified as Category D, as such there is a maximum car parking rate applicable for retail premises. The maximum car parking rates for these purposes are as follows: - if the building is on land in category D and has a floor space ratio of no more than 3.5:1—1 space for each 90 square metres of gross floor area of the building used for those purposes, - if the building is on land in category D and has a floor space ratio greater than 3.5:1, the following formula is to be used— $M = (G \times A) \div (50 \times T)$ where— M is the maximum number of parking spaces, and G is the gross floor area of all retail premises in the building in square metres, and A is the site area in square metres, and	Retail car parking is proposed to be located entirely within Block 9 to support the operation of a supermarket on the site. This distribution of permitted retail spaces on Block 9 is outlined in the concurrent concept SSDA. No change is proposed to the maximum permitted car parking spaces across the site within this Rezoning Proposal.
Clause 7.9 Other land uses	This clause of the LEP establishes maximum car parking rates for land-use types outside of those established by Clauses 7.4-7.8 as follows Centre-based child care facilities - The maximum number of car parking spaces for a building used for the purposes of a centre-based child care facility is 1 space plus 1 space for every 100 square metres of the gross floor area of the building used for those purposes. Information and education facilities - The maximum number of car parking spaces for a building used for the purposes of information and education facilities is 1 space for every 200 square metres of the gross floor area of the building used for those purposes. Health consulting rooms and medical centres - The maximum number of car parking spaces for a building used for the purposes of health consulting rooms or medical centres on any land is 2 spaces for every consulting room.	Car parking will be assessed and determined as part of future detailed applications. No change is proposed to the maximum permitted car parking spaces across the site within this Rezoning Proposal.
Division 4 Miscellaneous		
Clause 7.14 Acid Sulfate Soils	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The site is mapped as containing Class 5 acid sulfate soils. Development consent is therefore required for works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.
Clause 7.16 Airspace Operations	(1) The objectives of this clause are as follows— (a) to provide for the effective and on-going operation of the Sydney (Kingsford-Smith) Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport, (b) to protect the community from undue risk from such operation. (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent	The PANS-OPS CIRCLING Surface for Category B Aircraft is 126.4m above AHD. The building envelopes established by the proposed amendments to the Sydney LEP 2012 and Design Guide will require referral to the Civil Aviation Safety Authority. An Aviation Impact Assessment has been provided with the EIS at Appendix GG to demonstrate a future concept and future detailed applications made under the proposed amended Sydney LEP 2012 and Design Guide would be able to comply with the regulatory requirements.

Clause	Control/ Provision	Comment
	unless it has consulted with the relevant Commonwealth body about the application. (3) The consent authority may grant development consent for the development, if the relevant Commonwealth body advises that— (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or (b) the development will not penetrate the Limitation or Operations Surface. (4) The consent authority must not grant development consent for the development, if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. (5) In this clause— Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the <i>Obstacle Limitation Surface Map</i> or the <i>Procedures for Air Navigation Services Operations Surface Map</i> for the Sydney (Kingsford-Smith) Airport. relevant Commonwealth body means the body that is responsible for development decisions relating to the Sydney (Kingsford-Smith) Airport under Commonwealth legislation.	
Clause 7.27 Active street frontages	(2) This clause applies to land identified as “Active street frontage” on the Active Street Frontages Map. (3) Development consent must not be granted to the erection or change of use of a building on land to which this clause applies unless the consent authority is satisfied all premises facing the street on the ground floor will— (a) have active street frontages, and (b) be used for the purposes of— (i) for a building in Waterloo Estate (South)—Area 1—one or more of the following— (A) business premises, (B) centre-based child care facilities, (C) community facilities, (D) health services facilities, (E) retail premises, or (ii) otherwise—either or both of the following— (A) business premises, (B) retail premises.	Certain streets within the Waterloo South Precinct Area are identified on the active street frontages map as depicted in Figure 13. Changes are proposed to the Active Street Frontages map and this clause within the Rezoning Proposal.
Clause 7.29 Waterloo Estate (South) – Area 1	(2) This clause applies to Waterloo Estate (South)—Area 1.	This clause applies to the site as it is mapped at Waterloo South Area 1.
	3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied of the following— (a) at least 17,000m² of the gross floor area of all buildings on the land will be used for purposes other than residential accommodation,	The intent of this clause is to ensure that Waterloo South develops into a genuine mixed use precinct, with housing supported by retail and community services. The Rezoning Proposal will amend this clause to reduce the total amount of non-residential GFA from 17,000m² to 15,000m² and to add educational establishments as a use that contributes to the 5,000m² required under clause 7.29(3)(b).

Clause	Control/ Provision	Comment
	(b) at least 5,000m² of the gross floor area of all buildings on the land will be used for the purposes of one or more of the following— (i) centre-based child care facilities, (ii) community facilities, (iii) health services facilities, (c) at least 26.5% of residential floor space will be used for the purposes of social housing premises, (d) at least 7% of residential floor space will be used for the purposes of affordable housing that is owned and managed by a registered community housing provider.	No change is proposed to the current LEP requirement for social and affordable housing, noting that the concurrent concept SSDA demonstrates that the proposal will exceed these minimum requirements as committed by the Proponent.
	(4) In calculating gross floor area under subclause (3)(c) and (d), an amount of additional floor space permitted under clause 6.21D(3)(b) must be included.	A building demonstrating design excellence may exceed the maximum mapped FSR by 10% under clause 6.21D(3)(b). Clause 7.29(4) is proposed to be deleted as the design excellence floorspace is proposed to be incorporated within the maximum FSR development standards pertaining to the site within this Rezoning Proposal.
	(5) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the Design Guide—Waterloo Estate (South) published by the Department in November 2022.	The Rezoning Proposal will amend this clause to reference the updated Design Guide – that will be submitted with this Rezoning Proposal. The proposed Design Guide updates are attached as Attachment B.
	(6) In determining the height of a building on land to which this clause applies, solar panels and associated structures must be excluded if the consent authority is satisfied the solar panels and associated structures will not— (a) have a significant adverse visual impact, or (b) adversely impact the amenity of neighbouring properties.	The Rezoning Proposal will amend this clause to allow rooftop access to communal open space and related amenity structures to extend beyond the height of building measurement.
	(7) Clause 6.21D(3)(a) does not apply to a building on land to which this clause applies.	The Rezoning Proposal will amend this clause so that clause 6.21D(3)(b) of the Sydney LEP 2012 which permits additional FSR for the achievement of design excellence does not apply to development on the site. It is noted that the currently permissible GFA under clause 6.21D(3)(b) will be accommodated within the revised FSR maps, and design excellence is still required to be demonstrated in the detailed development across the site.
	(8) In this clause— residential floor space means the combined gross floor area of the parts of the buildings on land to which this clause applies that are used for the purposes of residential accommodation. social housing premises has the same meaning as in the Residential Tenancies Act 2010.	These are noted.

4.2 Draft Sydney LEP 2012 – Housekeeping Amendments

In December 2023, the City of Sydney resolved to endorse 'Housekeeping Amendments' to the Sydney LEP 2012 and Sydney DCP 2012, with a Gateway Determination being issued by DPHI for the amendments in October 2024. Subsequently, the draft provisions were publicly exhibited from 17 December 2024 until 15 March 2025.

On 19 June 2025 the amendments were reported to Council and the Central Sydney Planning Commission (CSPC) who endorsed the finalisation of the LEP and DCP amendments. Other changes to various supporting Council policies were also finalised. At the time of writing this report, the proposed LEP amendments are in the finalisation stage, and the changes to the Sydney LEP 2012 are expected to be gazetted in early 2026. The changes to the DCP will also come into effect when the Sydney LEP 2012 amendments are gazetted.

The proposed Sydney LEP 2012 amendments relate to the introduction of new provisions, and amendment of existing development standards and provisions relating to the following key matters:

- Deep soil;
- Structures associated with green roofs;
- Parking in new developments;
- Design excellence processes and site-specific development control plans;
- Additional uses for accommodation floor space; and
- Heritage floor space scheme.

Key amendments to the Sydney LEP 2012 have been summarised below. Particularly relevant to the Waterloo South development, changes are proposed to the current triggers for design competitions, including but not limited to allowing for optional design review processes for social and affordable housing projects. These changes have influenced the preparation of an alternative Design Excellence Strategy for Waterloo South outlined within the proposed Design Guide updates.

Clause 6.21D of the Sydney LEP 2012 is proposed to be amended to:

- Raise the threshold for requiring a competitive design process (design competition) on land outside of Central Sydney from 25m to 35m.
- Remove the opportunity for a proponent to choose to undertake a competitive design process where it is not required by the LEP [remove clause 6.21D(d)].
- Permit Council to certify in writing that a competitive design process for a development is unreasonable or unnecessary in the circumstances. This will apply only to applications to be determined by Council, the Local Planning Panel, or CSPC. It is not intended to apply to SSD or where the Minister is the consent authority.
- Permit the consent authority to award a bonus of up to 10 per cent additional building height and up to 10 per cent additional floor space to a building demonstrating design excellence when considering a development application (DA) resulting from a competitive process, or in the case of social and affordable housing by a CHP, resulting from the optional design review process.

Similarly, clause 7.20 of the Sydney LEP 2012 is proposed to be amended to:

- Clarify the instances where a site-specific Development Control Plan (DCP) is not required to be prepared. The change will permit the Council to certify in writing that such a plan would be unreasonable or unnecessary in the circumstances of the development. This change will only apply to applications to be determined by Council, the Local Planning Panel, or CSPC. It is not intended to apply to SSD or where the Minister is the consent authority.
- Allow the Council to certify in writing if a DCP should be required for some types of housing in non-residential zones where there may be impacts on employment uses.

During the public exhibition stage, a submission was made by Homes NSW to the City of Sydney Council in response to the proposed LEP and DCP amendments. The submission highlights how design choices had already been made for the Waterloo South project, and contracts already been entered into on the basis of the existing LEP and DCP framework. The submission outlined areas of concern within the proposed 'Housekeeping Amendments' as follows:

- Proposed reduction to maximum car parking rates (LEP)
- Increased minimum floor-to floor heights (DCP)
- Revised dwelling mix requirements (DCP)
- Changes to loading dock and waste management collection point requirements (DCP)

As reported to the Council in June 2025, the City of Sydney supported the inclusion of a savings provision within the Sydney LEP 2012 which will preserve the current car parking rates for Waterloo South, as well as an exemption from the draft DCP changes. The exemption from the draft DCP changes will be affected by site-specific guidance within Section 5 of the DCP that outlines where the Design Guide references Sydney DCP 2012, it is to the version that is current before these draft DCP amendments are made.

Table 4 includes an assessment of the proposed changes to the Sydney LEP 2012 and its implications for the project.

Table 4 Implications of Draft Sydney LEP 2012 on Proposal

Amendment	Summary of changes	Comment
1 – Deep soil	Expands on matters to be addressed for design excellence and development that required the preparation of a site-specific development control plan (i.e. to include deep soil and tree planting)	The deep soil provisions proposed will be applicable to future detailed applications relating to the site.
2 – Structures associated with green roofs	Introduces a new clause to allow structures associated with green roofs to exceed building height limits when certain requirements are met	A site-specific provision also allows for some structures to exceed building height limits. The Rezoning Proposal will amend clause 7.29(6) to allow rooftop access to communal open space and related amenity structures to extend beyond the height of building measurement to apply to the site to align with this change proposed in the housekeeping amendments.
3 – Parking in new developments	- Amends the Land Use and Transport Integration (LUTI) and Public Transport Accessibility Level Map (PTAL) maps to show changes in public transport accessibility across the LGA - Amends the maximum parking rates for a range of multi-unit residential and non-residential uses - Exempts Community Electric Vehicle (EV) charging spaces from maximum parking rates - Introduces a new clause to make bicycle parking devices on ground floor or in basements exempt development	As outlined in this section, the housekeeping amendments have been modified to include a savings provision for the site in relation to car parking. As such, the current car parking standards under the existing Sydney LEP 2012 will remain applicable to the site.
4 – Protection of sun access to Gunyama Park and Cook and Phillip Park	- Introduces a new sun access plane to protect sun access to Gunyama Park - Adds Cook and Phillip Park, Sydney as a place where overshadowing from new development is restricted	Not applicable to the subject site.
5 – Exempt Development – Solar energy systems	Introduces new exempt development provisions for solar energy systems	Noted.
6 – Basement intensive plant agriculture	Adds a new provision to permit intensive plant agriculture in the basement of existing buildings that will not attract gross floor area	This proposed amendment would apply to applicable to future detailed applications relating to the site.
7 – Superseded sustainability targets for some residential development	Removes BASIX Energy stretch targets as a response to recent <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> changes	Noted.
8 – Design excellence processes and site-specific development control plans	- Updates design excellence provisions to apply to significant alterations of existing buildings and removes the design alternatives process - Additional flexibility in the operation of a design competition for applications determined by Council, the Local Planning Panel or the Central Sydney Planning Committee by enabling a design excellence strategy to be approved where a concept DA (site-specific development control plan) is not required - Minor LEP amendments adding ESD benchmarks, target competitor and juror requirements and	The redevelopment of Waterloo South triggers the requirement for a competitive design process. In November 2025 DPHI announced that to streamline planning processes and accelerate the delivery of new housing, a design competition exemption pathway had been introduced for SSD housing projects. To request a design competition exemption, an Alternative Design Excellence Strategy will be prepared which outlines how the project meets the eight criteria required for the exemption.

Amendment	Summary of changes	Comment
	new alternative process for affordable housing and social housing projects to align with updates to the Competitive Design Policy Update reference to new version of the Competitive Design Policy	Homes NSW and Stockland will seek to utilise this exemption pathway for applicable future detailed stages of the redevelopment of Waterloo South.
9 – Change to Metropolitan Centre zone and Central Sydney boundary	Makes a minor change to the mapped boundaries of Central Sydney and SP5 Metropolitan Centre zone to incorporate the Powerhouse Museum site	Not applicable to the subject site.
10 – Additional uses for accommodation floor space	Adds five non-residential uses that may be eligible for accommodation floor space	Not applicable to the subject site.
11 – Superseded ‘opportunity sites’ in Central Sydney	Removes superseded ‘opportunity site’ Floor Space provisions	Not applicable to the subject site.
12 – Heritage Floor Space scheme	Permits minor increases in gross floor area of buildings with registered (awarded) heritage floor space	Not applicable to the subject site.
13 – Rezoning of the land in Alexandria	Facilitates the delivery of essential road infrastructure to support the development of the Green Square Town Centre and improve east-west connectivity	Not applicable to the subject site.
14 – Development near zone boundaries	Clarifies the intent of provisions which provide development flexibility on land on either side of the SP1 Special Activities or SP2 Infrastructure zone boundaries	A portion of the site adjoining McEvoy Street is zoned SP2 Infrastructure and is reserved for future road widening. As such, the amended provisions of this clause will be applicable to the site. Clause 5.3 as proposed to be amended will be considered as part of future detailed applications relating to the site if required, noting that the concept SSDA does not rely upon this clause.
15 – 257 Sussex Street	Corrects an omission in Sydney LEP 2012 by allocating height of buildings and floor space ratio controls to 257 Sussex Street, Sydney	Not applicable to the subject site.
16 – Affordable housing contributions	Ensures affordable housing contributions in Central Sydney and on residual land applies to both a development application and any associated modification	The rezoning seeks a formal exemption from this clause consistent with the intention of PP-2021-3265. This approach is appropriate given that future redevelopment of the site will be required to deliver social and affordable housing well beyond the contribution otherwise generated under this scheme.
17 – Cross City Tunnel ventilation stack	Removes the outdated Development near Cross City Tunnel ventilation stack provisions that apply in Sydney, Haymarket, Ultimo and Pyrmont	Not applicable to the subject site.
18 – Integration of planning controls	Integrates ‘legacy’ planning controls for major project development precincts into Sydney LEP 2012. Areas include former Carlton United Brewery site on Broadway (Central Park), Harold Park, Glebe Affordable Housing Project, certain Redfern Waterloo Authority Area sites, and 216-412 Gardeners Road, Rosebery.	The project is not located within these sites and the existing LEP is applicable to the site.

4.3 Affordable Housing Contribution Amendments

The City of Sydney is currently undertaking a review of their Affordable Housing Contributions framework. The proposed amendments have received Gateway Determination and are currently in the final stage of assessment to implement the proposed changes. The City of Sydney is targeting for these amendments to be in-force by early 2026. Key amendments to the Sydney LEP 2012 include:

- update provisions so that affordable housing contributions are to be calculated on Gross Floor Area (GFA), rather than Total Floor Area (TFA).
- update provisions so that the floor area required to be dedicated as dwellings is calculated as GFA, rather than TFA.

As outlined in **Section 5.0**, the rezoning seeks to amend clause 7.29(8) to clarify that the City of Sydney affordable housing program doesn't apply to Waterloo Estate (South) – Area 1.

The Finalisation Report for Planning Proposal PP-2021-3265 identified this as a necessary amendment to the Sydney LEP 2012 however it was not implemented in the Sydney LEP 2012. Including this amendment as part of the current Rezoning Proposal will ensure that the Sydney LEP 2012 provisions are internally consistent and will avoid duplication of affordable housing contributions in circumstances where affordable and social housing delivery exceeds the rates otherwise required under the Sydney LEP 2012.

Therefore, the affordable housing contribution amendments proposed will not apply to future detailed applications.

4.4 Waterloo Estate (South) Design Guide 2022

The 2022 Design Guide was published by the Department on 11 November 2022 and came into force in conjunction with the amendments to the Sydney LEP 2012. The 2022 Design Guide includes provisions relating to the site's desired future character, staging and implementation, land uses, community facilities, public spaces, building layout, built form, transport, parking, flooding and public art.

The 2022 Design Guide is to be considered in the preparation and assessment of development applications for the site in accordance with clause 7.29(5) of the Sydney LEP 2012 which relates the following:

7.29 Waterloo Estate (South)—Area 1

(5) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the Design Guide—Waterloo Estate (South) published by the Department in November 2022.

The intent of the 2022 Design Guide is to provide guide, inform and govern future development of the site. While the controls within the 2022 Design Guide do not constitute statutory development standards, they are intended to be applied with an appropriate degree of flexibility, where it can be demonstrated that an alternative solution achieves the relevant objectives in instances of non-compliance.

Following the award of the redevelopment bid, Stockland, in collaboration with Homes NSW, commenced detailed design development and feasibility testing of the outcomes envisaged under the 2022 Design Guide. These investigations confirmed that substantial work had been undertaken in the preparation of the 2022 Design Guide and that a number of its key elements remain highly relevant to the future vision for the precinct. These include, but are not limited to, the delineation of character areas, the overarching block structure, the distribution and sizing of public open spaces, and the location, quantum, and activation of amenities.

Notwithstanding, the investigations also identified that amendments to the 2022 Design Guide are required to accommodate the available design excellence floor space and improve residential and public domain amenity outcomes, and more clearly embed a design vision informed by Country. Accordingly, the Rezoning Proposal is accompanied by proposed amendments to the 2022 Design Guide, which are discussed in detail in **Section 5.2.2** of this report.

5.0 The Rezoning Proposal

5.1 Part 1: Objectives and Intended Outcomes

5.1.1 Objective

This Rezoning Proposal seeks to amend the Sydney LEP 2012 and the 2022 Design Guide to align building height, floor space and related development standards with the intended building envelopes for Waterloo South.

A detailed review of the 2022 Design Guide and current Sydney LEP 2012 controls has identified inconsistencies between the height of buildings map and the envelopes established through the 2022 Design Guide. These inconsistencies prevent the full GFA permissible under the Sydney LEP 2012, including the design excellence floor space, from being accommodated within the intended massing.

Under the current controls, a development outcome that complies with both the 2022 Design Guide and the Sydney LEP 2012 height standards would result in an estimated shortfall of approximately 20,000m² GFA. Retention of the existing controls would therefore reduce the capacity of Waterloo South to achieve its intended contribution to housing supply and specifically the supply of social and affordable housing. Additionally, during design testing of the scheme incorporating the GFA, it was identified that further amendments to the building envelopes could be made that would result in superior design and amenity outcomes.

This Rezoning Proposal seeks to resolve these matters by amending the Sydney LEP 2012 to ensure the development standards and the Design Guide operate cohesively. Aligning the controls will enable delivery of the intended built form outcome without ongoing reliance on clause 4.6 variations through future stages. This approach is intended to streamline the assessment of future detailed applications and reduce the risk of delays to the delivery of the project.

Summary of Key Amendments

The Rezoning Proposal seeks to amend the Sydney LEP 2012 to:

- align building height and FSR controls with the proposed Design Guide updated building envelopes,
- enable delivery of the permissible GFA, including design excellence floor space, across the site,
- support the intended social and affordable housing outcomes,
- streamline delivery by reducing the need for clause 4.6 variations, and
- update non-residential and active frontage provisions to support a genuine mixed-use precinct.

Specific Amendments to the Sydney LEP 2012

The following changes are proposed to the Sydney LEP 2012 to achieve alignment with the proposed Design Guide updates and support the built form proposed in the concurrent concept SSDA:

- Amend the Height of Buildings and FSR maps to reflect the revised building envelopes and enable the currently permissible GFA to be accommodated within the intended massing.
- Amend clause 7.27 to permit 'educational establishments' and 'creative industries' as allowable land uses along designated active frontages and amend the Active Frontage maps to reflect the revised building envelopes.
- Amend clause 7.29(3)(a) to reduce the minimum non-residential GFA requirement for Waterloo South from 17,000m² to 15,000m².
- Amend clause 7.29(3)(b) to include 'educational establishment' as an additional land use that may contribute to the minimum 5,000m² requirement under this clause.
- Delete clause 7.29(4) as the maximum GFA for the precinct, inclusive of the design excellence bonus has been captured in the amended Height of Buildings and FSR maps.
- Amend clause 7.29(5) to reference a revised publication date of the Design Guide.
- Amend clause 7.29(6) to allow rooftop access to communal open space and related amenity structures to extend beyond the height of building measurement.
- Amend clause 7.29(7) to state that clause 6.21D(3)(b) of the Sydney LEP 2012 which permits additional FSR for the achievement of design excellence does not apply to development on the site.
- Renumber clause 7.29(8) to 7.29(9) and replace 7.29(8) with a clause that clarifies that the City of Sydney affordable housing program doesn't apply to Waterloo Estate (South) – Area 1.

Collectively these amendments will rationalise the Sydney LEP 2012 provisions with the provisions of the proposed Design Guide updates, facilitate delivery of the concept SSDA, and ensure the maximum development capacity is achievable within the statutory framework to support delivery of the intended social, affordable, and market housing proportions.

5.1.2 Intended Outcomes

The vision for Waterloo South is to establish a vibrant and inclusive mixed-use neighbourhood that responds to community needs and aligns with national and state priorities for housing supply and affordability. Developed in consultation with Homes NSW, the proposal aims to deliver this vision through high-quality urban design, integration with community and social infrastructure, and a diversity of housing options.

The redevelopment will create a distinctive urban destination that generates lasting social benefits for residents, visitors and workers in Waterloo and the broader City of Sydney LGA. The co-location of community services, education and health uses with housing and employment will support an integrated, accessible and connected precinct that responds to current and future community needs.

This Rezoning Proposal is one of multiple planning applications that will give effect to the proposed renewal of Waterloo South and is submitted concurrently with a concept SSDA that will guide future detailed development across the site.

This Rezoning Report has been prepared following the selection of the proposal for the Waterloo South site as a 'State Assessed Rezoning Proposal' as part of the NSW Governments State Significant Rezoning Program. The proposal was selected under this planning pathway as it is consistent with the 'Program Guideline – Prioritising rezoning that delivers social and affordable housing program' prepared by DPHI.

The proposal seeks minor amendments to the Sydney LEP 2012 to enable the orderly redevelopment of Waterloo South as a genuine mixed-use precinct. Under the concurrent concept SSDA, the precinct is intended to:

- Provide high quality mixed tenure housing in the context of a rapidly transforming area.
- Contribute approximately 3,300 new dwellings, with no less than 30 per cent of the total residential GFA as social housing and approximately 20 per cent of the residential GFA as affordable housing. The social housing will be owned by Homes NSW and managed by Link Wentworth and Birribee Housing, whilst the minimum 7 per cent affordable housing will be provided in perpetuity and owned and managed by City West Housing. Any additional affordable housing will be provided for a minimum period of 25 years.
- A maximum of 50 per cent of the residential GFA is to be delivered as market housing.
- Provides for publicly accessible open space and public realm activation.
- Creates an authentic mixed-use precinct, with housing co-located with community uses, essential services and access to public transport.

5.1.3 The Concept Proposal

The Rezoning Proposal will provide the framework which will underpin the development of Waterloo South. It is anticipated that the redevelopment of Waterloo South will be staged over the next 10 to 15 years in accordance with a concept proposal. The concept proposal is therefore essential to guide the long-term detailed design of future buildings, public open spaces, and the public realm within the site.

The concept proposal will be provided statutory weight by being submitted as a concept SSDA. The building envelopes and massing proposed in the concept SSDA will align with an indicative reference scheme also to be submitted with the concept SSDA, which is prepared to demonstrate how the concept proposal may be practically delivered.

As outlined in **Section 2.3.1**, the concept SSDA seeks consent for the key planning metrics that will guide future development across the precinct. This includes the proposed land uses and indicative allocation of floor space, maximum building envelopes, and the supporting loading, vehicular access, and pedestrian access arrangements. The concept SSDA will also provide indicative subdivision and staging plans, and will establish a suite of management plans and strategies to inform and coordinate subsequent development applications. A summary of the key development metrics is provided in **Table 5**.

Table 5 Key concept SSDA development metrics

Descriptor	Project Details
Project description	• Maximum building envelopes, including maximum building heights, street-wall heights and setbacks. • Distribution of GFA across the Waterloo South precinct development blocks. • Indicative allocation of floor space between social, affordable and market housing, as well as non-residential and community uses across the Waterloo South Precinct Area. • Loading, vehicular, pedestrian, and active transport access arrangements. • Public domain upgrades and new public domain and publicly accessible areas. • Indicative subdivision plan, staging plan and delivery sequencing for development. • Approval of the following management plans and strategies to inform future stages of the development: - Updated Design Excellence Strategy - Design with Country Strategy - Preliminary Public Art Strategy - Contamination Strategy - Flood Management Strategy - Stormwater Management and Drainage Strategy - ESD Strategy - Strategies for utilities and service provision including service infrastructure lead-in enabling works - Tree Retention Strategy
Land uses and residential tenure	• Market housing: no more than 50% of proposed residential GFA • Social housing: no less than 30% of proposed residential GFA, to be owned by Homes NSW and managed by Link Wentworth and Birribee Housing • Affordable housing: Approximately 20% of residential GFA (balance between the delivery of minimum 30% social housing, and the maximum 50% market housing). A minimum 7% of residential GFA is proposed as affordable housing that will be owned and managed by a City West Housing in perpetuity. Any additional affordable housing delivered in the precinct must be used as affordable housing for a minimum period of 25 years. • Non-residential uses: A total of 15,000m², of which at least 5,000m² of GFA is to be delivered as 'community uses' (which can include: health services facilities, centre-based childcare facilities, community facilities and educational establishments).
Gross Floor Area	Up to 282,485m ²
Building heights	Between 2 and 33 storeys
Car parking	Approximately 1,500 spaces (across all land uses), excluding on-street car parking spaces. The exact total number of residential car parking rates will be determined in subsequent detailed applications in accordance with the following Sydney LEP 2012 car parking rates: • For each studio dwelling – 0.1 car parking spaces • For each 1 bedroom dwelling – 0.3 car parking spaces • For each 2 bedroom dwelling – 0.7 car parking spaces • For each dwelling with 3 or more bedrooms – 1 car parking space
Staging/ phasing	It is expected that the redevelopment will occur in seven (7) stages (inclusive of the delivery of the large park on Block 1), however this staging remains indicative.

The concept SSDA is underpinned by a mixed-tenure approach that is embedded at the block scale (refer to **Figure 7**). Each block is planned to include at least two housing tenures to support social integration and equitable access to amenity, apart from Block 3, which comprises affordable housing only and the small Block 6 which comprises social housing only. This is balanced by Block 8 (Stage 1), which includes all three housing tenures and incorporates a community building and publicly accessible open space.

The distribution, scale and configuration of tenures across the precinct have been informed through ongoing collaboration with CHPs and Homes NSW, and has shaped block planning and building design to accommodate operational and management requirements.

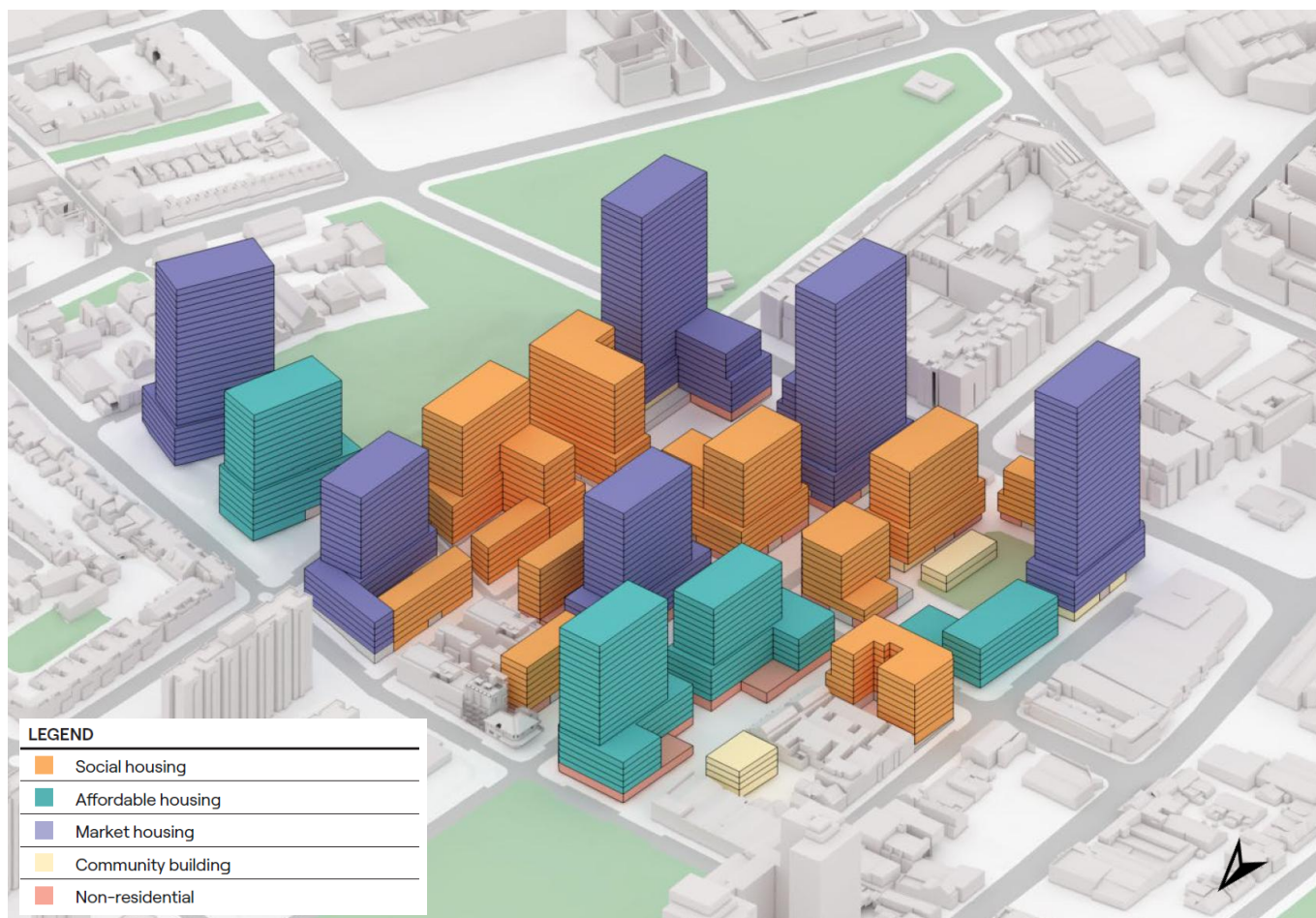


Figure 7 Concept proposal building massing and tenure split

Source: Design Report prepared by SJB

Built form is generally arranged as a perimeter block typology with internally located, publicly accessible courtyards, reinforcing a defined street edge and an activated public realm. The proposal establishes a varied skyline with building heights ranging from 2 to 33 storeys. The tallest elements are concentrated toward the southern part of the precinct, within Blocks 8, 9 and 10, with an additional taller building in Block 7 (refer to **Figure 8**). Mid-rise buildings of approximately 7–14 storeys provide transition to surrounding areas and support a human-scaled street environment.

Street wall heights and setbacks are used to define a consistent public realm while accommodating higher residential density. Street walls are generally up to around six storeys along primary streets, with taller elements set back above podium levels to reduce perceived bulk and assist in protecting solar access and amenity within streets and public spaces.

To maximise flexibility across the staged delivery program, the proposed building envelopes adopt four standardised building typologies. This provides a clear and adaptable framework for consistent podium and tower forms while accommodating different residential tenures and land uses. The typologies also support coordinated design outcomes across the precinct and allow adjustments at later stages to respond to detailed design considerations such as solar access, cross-ventilation and residential amenity. Architectural diversity will still be achieved across the precinct via not only the variation of building heights, but also through the implementation of an alternative Design Excellence Strategy.

Public open space is anchored by two proposed key parks: a larger civic park across Block 1 and a smaller local park within Block 8. Together, these spaces provide recreation opportunities and contribute to landscape character and amenity in Waterloo South.

The proposed concept plan generally maintains the overall street layout of the previous 2022 Design Guide, however makes minor changes to improve pedestrian amenity through the precinct, align streets and building envelopes with tree retention requirements, and reflect updated site survey information which more accurately details existing building locations and street dimensions. This results in slightly amended developable 'block areas' between the 2022 scheme and the proposed FSR maps and concept SSDA indicative area schedules.

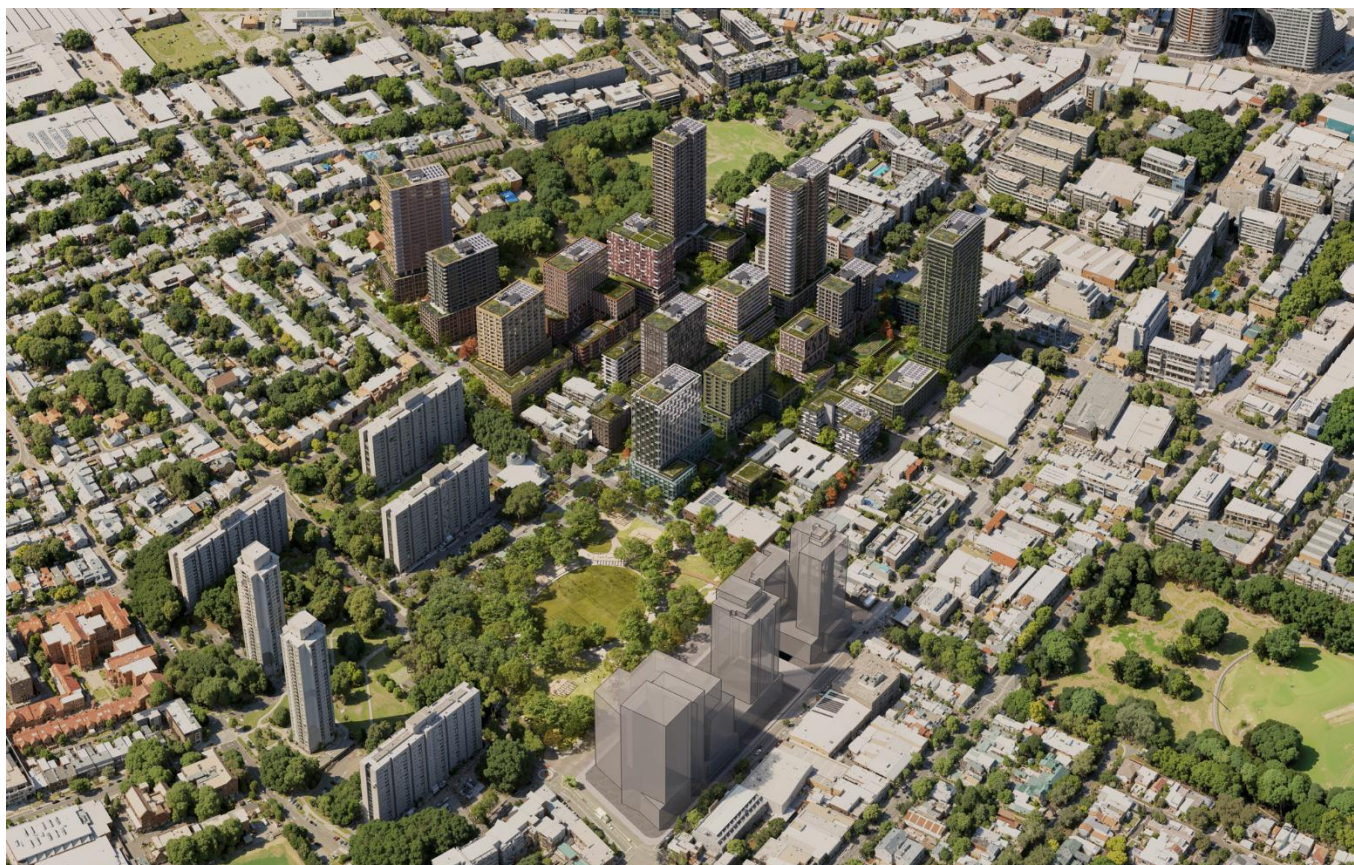


Figure 8 Artist's impression of the proposed Waterloo South precinct

Source: Design Report prepared by SJB

5.2 Part 2: Explanation of Provisions

5.2.1 Amendments to Sydney LEP 2012

The Sydney LEP 2012 sets out the local planning controls for the majority of land within the City of Sydney LGA. This Rezoning Proposal seeks to amend the Sydney LEP 2012 to align the development controls with the building envelopes achievable on the site, as defined by the Design Guide and concept SSDA.

The existing and proposed Sydney LEP 2012 controls, as well as the proposed amendments are outlined in **Table 6**, with detailed explanations of the proposed changes outlined below.

Table 6 Proposed Amendments to Sydney LEP 2012

Control	Existing Clause	Proposed Changes
Part 4 Principal Development Standards		
Height Map	See Figure 11 and Figure 12 for existing mapping and proposed mapping.	
FSR Map	See Figure 9 and Figure 10 for existing mapping and proposed mapping.	
Part 7 Local provisions – general		
7.27 Active Street Frontages (3)(b)	<i>(3) Development consent must not be granted to the erection or change of use of a building on land to which this clause applies unless the consent authority is satisfied all premises facing the street on the ground floor will—</i> <i>(a) have active street frontages, and</i> <i>(b) be used for the purposes of—</i> <i>(i) for a building in Waterloo Estate (South)—Area 1—one or more of the following—</i> <i>(A) business premises,</i> <i>(B) centre-based child care facilities,</i>	Clause 7.27(3)(b) is to be amended to include educational establishments and creative industries as active uses. The active frontages map is also to be updated in accordance with Figure 14.

Control	Existing Clause	Proposed Changes
	(C) community facilities, (D) health services facilities, (E) retail premises, or	
7.29 Waterloo Estate (South)—Area 1 (3)(a)	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied of the following— (a) at least 17,000m² of the gross floor area of all buildings on the land will be used for purposes other than residential accommodation,	Amend clause 7.29(3)(a) to reduce the non-residential GFA requirement by 2,000m ² to 15,000m ² in response to the removal of the Health One Facility by Health NSW.
7.29 Waterloo Estate (South) – Area 1 (3)(b) and 7.29(3)(b)(i)	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied of the following— (b) at least 5,000m² of the gross floor area of all buildings on the land will be used for the purposes of one or more of the following— (i) centre-based child care facilities, (ii) community facilities, (iii) health services facilities,	Add 'Educational Establishment' as a use which can contribute towards the minimum 5,000m ² required under 7.29(3)(b).
7.29 Waterloo Estate (South) – Area 1 (5)	(5) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the Design Guide—Waterloo Estate (South) published by the Department in November 2022.	Update the publish date of the Design Guide in clause 7.29(5) to implement the proposed Design Guide updates. The proposed amendments to the Design Guide are provided in Section 5.2.2 .
7.29 Waterloo Estate (South) – Area 1 (6)	(6) In determining the height of a building on land to which this clause applies, solar panels and associated structures must be excluded if the consent authority is satisfied the solar panels and associated structures will not— (a) have a significant adverse visual impact, or (b) adversely impact the amenity of neighbouring properties.	Amend clause 7.29(6) to include rooftop structures which provide access to rooftop gardens or communal open space and related structures within the clause.
7.29 Waterloo Estate (South) – Area 1 (7)	(7) Clause 6.21D(3)(a) does not apply to a building on land to which this clause applies.	Amend clause 7.29(7) to state that clause 6.21D(3)(b) (FSR design excellence bonus) does not apply to development on the site, noting clause 6.21D(3)(a) already does not apply. The permitted design excellence GFA has been integrated into the FSR and height maps to enable certainty across the precinct both in terms of the built form that can be achieved and the GFA of each tenure type. This is particularly important for the Waterloo South project where the balance of GFA across the site directly affects the number of social, affordable and market dwellings that can be delivered. For example, if the total social housing GFA is not achieved on one block, a lesser amount of other housing will be able to be delivered as the ratio of residential tenure will need to be maintained across the precinct. As such, the proposed concept SSDA and Design Guide building envelopes carefully ensure the required tenure mix can be achieved across the precinct, inclusive of any future FSR incentives, with acceptable residential amenity. Notwithstanding the above approach, the proposal will still be required to achieve design excellence as a mandatory consideration when assessing future development applications for the site. In this regard, a Design Excellence Strategy is maintained in the Design Guide, and a separate design excellence strategy is included with the concept SSDA.

Control	Existing Clause	Proposed Changes
		These documents have been prepared to be generally consistent with the City of Sydney's Competitive Design Policy (as proposed to be amended with the Housekeeping LEP amendment) and the GANSW Alternative Design Excellence Pathway for residential SSDAs. Further, embedding the height and FSR controls inclusive of design excellence incentives within site-specific controls has occurred on many sites/precincts that have been the subject of site specific rezonings. In these instances, it has been recognised that there are more detailed planning controls in place that give a greater level of certainty and less flexibility as to the design outcomes that can be achieved on the site. Most recently this approach has been implemented in the Blackwattle Bay Precinct. It has also been implemented on the following sites: • APDG Block, • 296–298 Botany Road and 284 Wyndham Street, Alexandria, • 12–22 Rothschild Avenue, Rosebery, • 4–22 Wentworth Avenue, Surry Hills, • North Alexandria, • Botany Road Precinct Opportunity Land, • 2 Chifley Square, Sydney, • Mulgu Precinct, • 232–236A and 238 Elizabeth Street, Surry Hills
7.29 Waterloo Estate (South) – Area 1 (8)	<i>(8) In this clause— residential floor space means the combined gross floor area of the parts of the buildings on land to which this clause applies that are used for the purposes of residential accommodation. social housing premises has the same meaning as in the Residential Tenancies Act 2010.</i>	Renumber clause 7.29(8) to fall under 7.29(9) and replace the 7.29(8) with a new subclause that confirms clause 7.13 (Affordable Housing Contributions) does not apply to the Waterloo South Precinct.
7.29 Waterloo Estate (South) – Area 1 (9)	<i>Nil</i>	As discussed above, existing clause 7.29(8) is to become clause 7.29(9). <i>(9) In this clause— residential floor space means the combined gross floor area of the parts of the buildings on land to which this clause applies that are used for the purposes of residential accommodation. social housing premises has the same meaning as in the Residential Tenancies Act 2010.</i>

Height and Floor Space Ratio

The building envelopes envisaged in the 2022 Design Guide are not aligned with the height and FSR controls under the Sydney LEP 2012. In their current form, the LEP controls are incompatible with the intended built form and do not adequately accommodate the additional GFA achievable through the design excellence bonus applicable to the site. As a result, the existing height and FSR provisions do not provide a clear or effective statutory framework to support the development outcomes envisaged for the precinct.

Amendments to the LEP building height and FSR development standards are therefore required to ensure consistency with the building envelopes established in the Design Guide and to enable the full realisation of permissible GFA within an appropriate built form. These changes will allow design excellence outcomes to be accommodated without compromising the urban design intent for the area.

Minor refinements to building massing and envelope parameters are also required as a result of the proposed height adjustments. These refinements are site-responsive and are necessary to maintain appropriate transitions to surrounding development, protect solar access and view corridors, and safeguard overall environmental amenity. Importantly, the revised envelopes will provide improved streetscapes and public domain outcomes consistent with the objectives of the 2022 Design Guide.

To address the current misalignment, amendments to the LEP Height of Building and FSR maps are proposed. The revised controls will reflect the updated concept building envelopes shown in the proposed Design Guide updates and ensure that the permissible GFA can be delivered within the anticipated built form for the precinct. This approach will establish a more coherent and functional planning framework, reduce reliance on clause 4.6 variations, and support the delivery of the quantum of social and affordable housing envisaged for Waterloo South.

A reference scheme prepared by SJB demonstrates that the revised envelopes can accommodate development across the precinct in a manner consistent with the intended urban design principles, while delivering positive built form, amenity, and housing outcomes.

Table 7 Comparison breakdown of existing and proposed FSR controls per block

	Sub-Block	Existing block area	Existing mapped FSR control	Total GFA permitted in block	Proposed block area	Proposed FSR control	Proposed permitted GFA
Block 2	2B	765m ²	1.45:1	1,109m ²	899m ²	1.80:1	1,618.20m ²
	2C	366m ²	1.5:1	549m ²	366m ²	1.05:1	384.30m ²
	2D	1,603m ²	3.59:1	5,755m ²	1,741m ²	3.70:1	6,441.70m ²
Block 3	3A	2,946m ²	5.91:1	17,411m ²	2,788m ²	6.98:1	19,460.24m ²
	3B	2,940m ²	5.31:1	15,611m ²	2,908m ²	4.83:1	14,045.64m ²
Block 4	4B	1,320m ²	3.12:1	4,118m ²	1,317m ²	2.33:1	3,068.61m ²
	4C	4,759m ²	4.16:1	19,797m ²	4,877m ²	4.74:1	23,116.98m ²
Block 5	5A	3,245m ²	4.68:1	15,187m ²	3,443m ²	5.11:1	17,593.73m ²
Block 6	6A	3,140m ²	4.57:1	14,350m ²	3,302m ²	5.60:1	18,491.20m ²
Block 7	7A	3,309m ²	6.30:1	20,847m ²	3,119m ²	6.91:1	21,552.29m ²
	7B	3,378m ²	3.41:1	11,519m ²	3,559m ²	4.72:1	16,798.48m ²
Block 8	8A(1)	3,733m ²	8.41:1	31,395m ²	3,773m ²	10.46:1	39,465.58m ²
	8A(2)	65m ²	3.73:1	242m ²	-	-	-
	8A(3)	38m ²	4.74:1	180m ²	-	-	-
	8B	1,924m ²	3.73:1	7,177m ²	2,296m ²	2.54:1	5,831.84m ²
	8C	1,795m ²	4.74:1	8,508m ²	1,446m ²	4:1	5,784m ²
	8D	1,117m ²	0.95:1	1,061m ²	1,027m ²	0.82:1	842.14m ²
Block 9	9A(1)	3,535m ²	7.83:1	27,679m ²	4,109m ²	7.62:1	31,310.58m ²
	9A(2)	514m ²	4.13:1	2,123m ²	-	-	-
	9B	3,296m ²	4.13:1	13,612m ²	3,139m ²	4.49:1	14,094.11m ²
Block 10	10A(1)	3,497m ²	7.78:1	27,207m ²	3,905m ²	7.08:1	27,647.4m ²
	10A(2)	652m ²	3.61:1	2,354m ²	-	-	-
	10B	2,497m ²	3.61:1	9,014m ²	2,677m ²	5.58:1	14,937.66m ²
Sub Total	-	50,434m ²	-	256,805m ² , or 282,485m ² with 10% design excellence applied	50,691m ²		282,484.64m ²

A comparison of the existing mapped FSR controls and proposed FSR controls are provided in the following figures.



Figure 9 Existing maximum FSR map

Source: Sydney LEP and Urban Design Report prepared by SJB



Figure 10 Proposed maximum FSR map

Source: Sydney LEP and Urban Design Report prepared by SJB

Table 8 Breakdown of existing and proposed building height controls per block

Block	Existing maximum building height control	Existing indicative building heights in storeys control*	Proposed maximum building height control	Proposed indicative building heights in storeys*
Block 2	9m, 24m, 30m	2 storeys, 4 storeys, 8 storeys	9.5m, 19m, 37m	2 storeys, 4 storeys, 8 storeys
Block 3	34m	13 storeys	54m, 76m	15 storeys, 22 storeys
Block 4	34m	13 storeys	32m, 74m	8 storeys, 21 storeys
Block 5	38m	13 storeys	65m	18 storeys
Block 6	38m	13 storeys	62m	16 storeys
Block 7	34m, RL126.40	12 storeys, 27 storeys	23m, 68m, RL126.40	19 storeys, 28 storeys
Block 8	3m, 9m, 23m, 42m, RL126.40	2 storeys, 7 storeys, 8 storeys, 13 storeys, 33 storeys	3m, 9.5m, 24m, 39m, 54m, RL126.40	2 storeys, 6 storeys, 8 storeys, 10 storeys, 15 storeys, 33 storeys
Block 9	42m, RL126.40	13 storeys, 33 storeys	38m, 56m, RL 126.40	9 storeys, 16 storeys, 33 storeys
Block 10	38m, RL126.40	13 storeys, 30 storeys	39m, 62m, RL126.40	10 storeys, 17 storeys, 31 storeys

*The indicative number of storeys in **Table 8** reflects the maximum number of storeys within any given building as expressed within the 2022 Design Guide and the proposed Design Guide updates. In addition to these maximum storey heights, it is acknowledged that both schemes include additional podiums heights and lower parts of buildings (for e.g. 6 storeys) to provide a street wall at various locations.

A comparison of the existing mapped FSR controls and proposed FSR controls are provided in the following figures.

**Figure 11** Existing maximum height of buildings map

Source: Sydney LEP and Urban Design Report prepared by SJB



Figure 12 Proposed maximum height of building map

Source: Sydney LEP and Urban Design Report prepared by SJB

Active Frontages

The objective of clause 7.27 of the Sydney LEP 2012 is to promote uses that attract pedestrian traffic along certain ground floor street frontages. Clause 7.27(3)(b) specifies what uses constitutes an “active” use within Waterloo South and includes a business premises, centre-based childcare facilities, community facilities, health services facilities, and retail premises.

The current list of permissible active uses is narrower than the mix of uses anticipated under the concept SSDA, which identifies additional non-residential functions capable of generating pedestrian movement, supporting community life and contributing to the overall activation strategy for Waterloo South. In particular, ‘educational establishments’ and ‘creative industries’, both of which attract regular visitation and support street-level engagement, are not presently included in clause 7.27(3)(b).

A new educational establishment is proposed within the concept SSDA which will front George Street, and it is proposed that spaces may be made available in the detailed design stage for start-up creative industries along Cooper Street. These uses can be designed to have active street frontages and contribute to the ground plane amenity of the precinct consistent with the intention of the planning control.

To provide appropriate flexibility and enable a broader range of activity-generating uses at ground level, it is proposed to amend clause 7.27(3)(b) to include ‘educational establishments’ and ‘creative industries’ as active uses. These amendments will ensure that the Sydney LEP 2012 supports the intended land-use mix and activation patterns established through the concept SSDA, allowing the precinct to accommodate a diverse set of community-oriented, cultural and employment-generating uses.

The change will ensure that these additional uses are permissible along designated active street frontages, strengthening the integration between land-use controls, urban design objectives and the envisioned public domain character of Waterloo South.

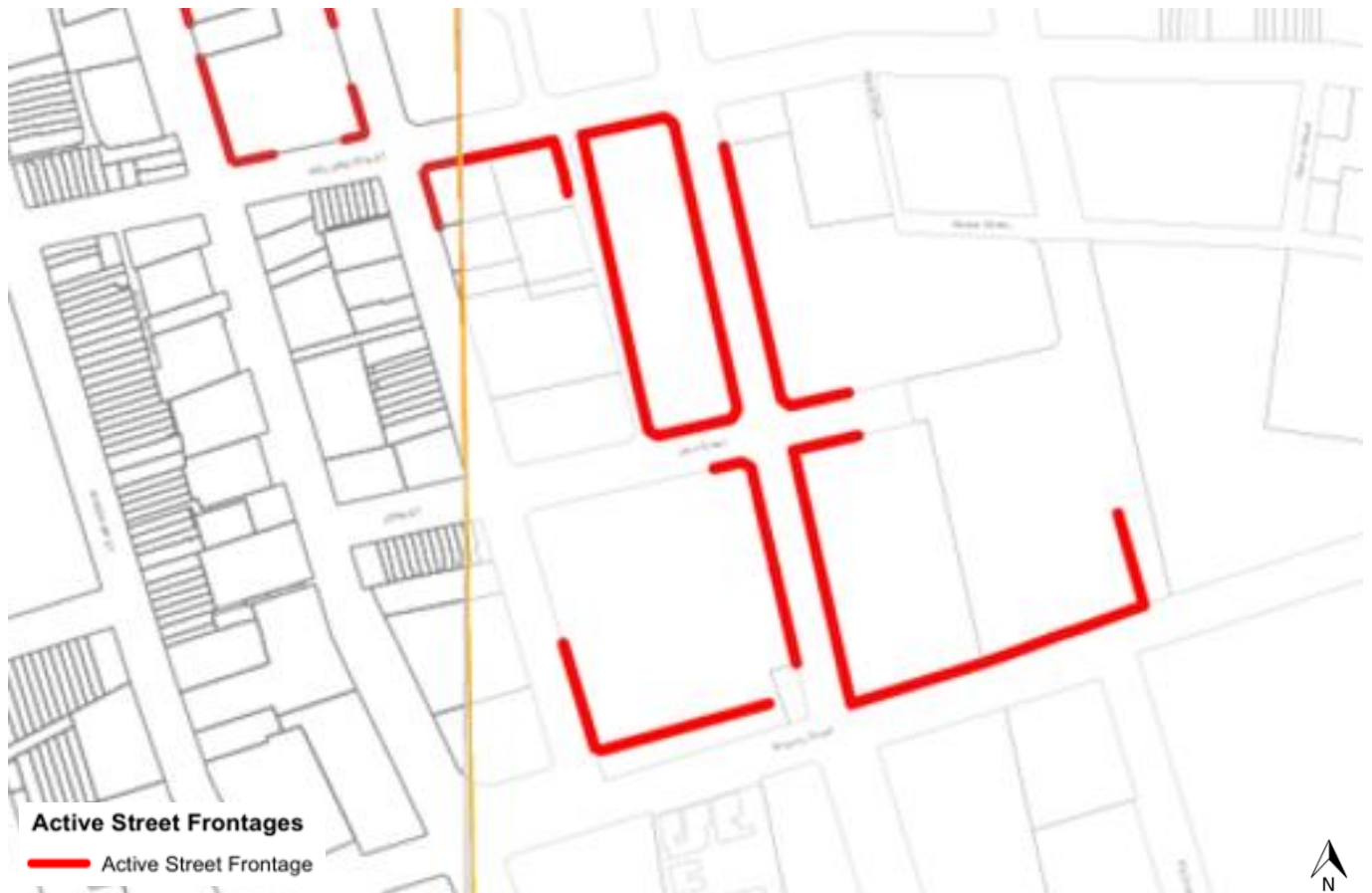


Figure 13 Existing active street frontage map
Source: Sydney LEP and Urban Design Report prepared by SJB

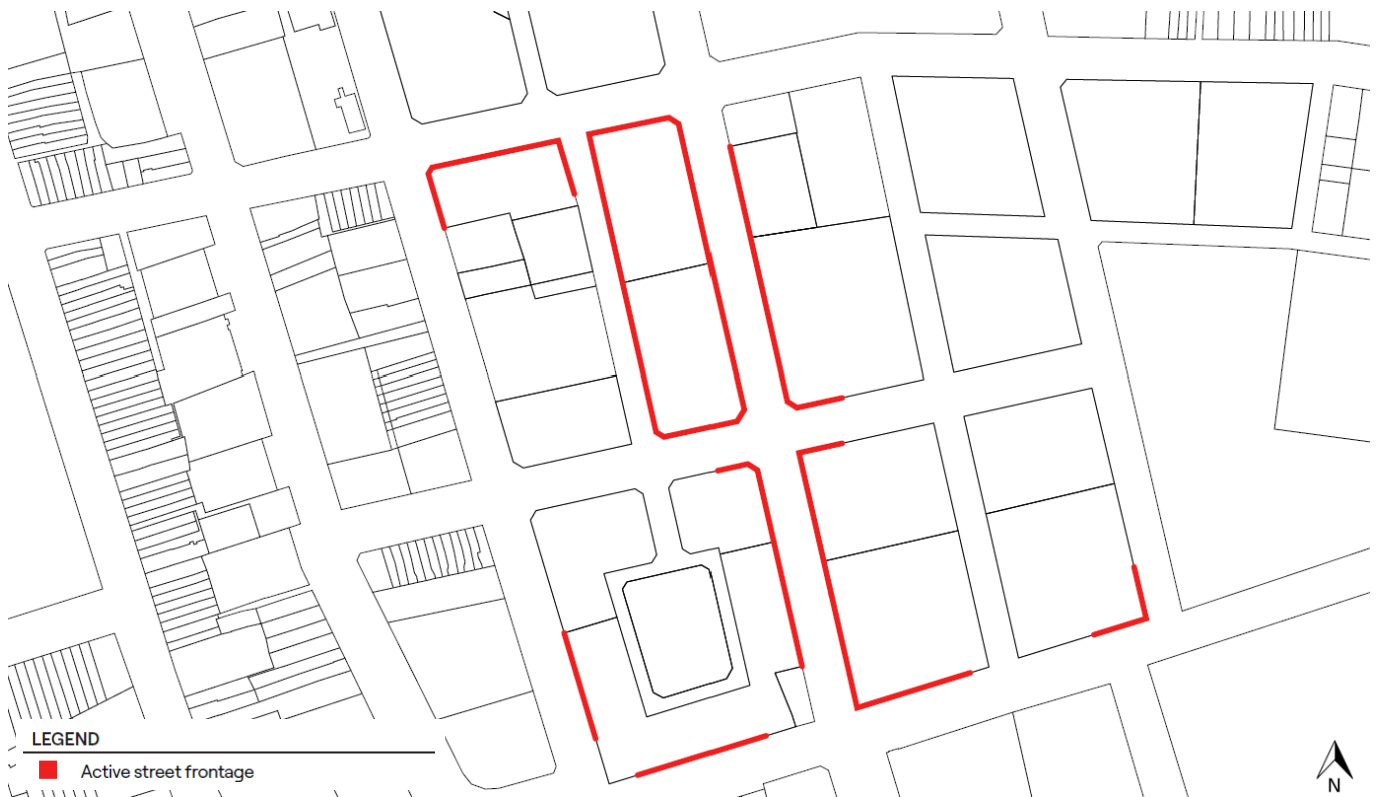


Figure 14 Proposed active street frontage map
Source: Sydney LEP and Urban Design Report prepared by SJB

Clause 7.29(3)(a) – Non-residential Gross Floor Area Requirement

Clause 7.29(3)(a) of the Sydney LEP 2012 currently requires that a minimum of 17,000m² of GFA within Waterloo South be used for purposes other than residential accommodation. This non-residential GFA requirement was originally formulated on the basis of the broader land-use mix identified in the 2021 Planning Proposal (PP-2021-3625), which included the delivery of a Health One facility as a key community service within the precinct.

As the Health One facility is no longer proposed by NSW Health, the quantum of non-residential floor space required under clause 7.29(3)(a) no longer reflects the intended development outcome for Waterloo South. Retaining the current requirement would impose an unnecessarily high non-residential GFA target that is inconsistent with the revised land-use mix and the needs analysis undertaken for the precinct. While the Health One facility is no longer proposed within the precinct, it is noted that other smaller health facilities may still be delivered within the precinct.

To ensure the Sydney LEP 2012 aligns with the updated development program and supports a realistic and viable distribution of land uses, it is proposed to amend clause 7.29(3)(a) to reduce the non-residential GFA requirement from 17,000m² to 15,000m², structured as a minimum 5,000m² community related GFA plus the balance in residential GFA (market-facing uses such as retail, services and other employment-generating uses). This split ensures community infrastructure is explicitly secured while aligning the market-facing component with evidence of demand.

Urbis' Retail Market Demand Assessment (**Attachment D**) identifies demand for approximately 8,600–9,340m² of combined retail and commercial non-retail GLA floorspace within Waterloo South. The proposed 9,916m² of non-residential minimum is broadly consistent with the demand-supported quantum, supporting a local-serving centre role and activation without compelling delivery of excessive market-facing floorspace.

Reducing the total minimum from 17,000m² to 15,000m² is therefore considered justified as it reflects the current revised land-use mix and demand evidence, reduces oversupply/vacancy risk, and maintains a substantial commitment to both employment-generating uses and community related uses to support the precinct's ongoing vitality. This adjustment maintains a substantial commitment to employment-generating and community related uses while ensuring the control is proportionate to the revised service and facility mix. The amendment will also allow the precinct to optimise its residential yield, particularly for social and affordable housing, while still delivering a diverse and active non-residential offer that supports local needs and contributes to the overall vibrancy of Waterloo South.

Clause 7.29(3)(b) – Specified Community and Social Infrastructure Uses

Clause 7.29(3)(b) of the Sydney LEP 2012 requires that a minimum of 5,000m² of GFA within Waterloo South be dedicated to one or more of the following nominated community related uses:

- centre-based childcare facilities
- community facilities
- health services facilities

This provision was originally structured around the delivery of a Health One facility, which formed a major component of the non-residential floor space in the 2021 scheme. As the Health One facility is no longer proposed by NSW Health, the existing requirement no longer aligns with the updated mix of services intended for the precinct. To ensure clause 7.29 remains functional, it is proposed to include 'education establishments' as an additional use that may contribute towards the minimum 5,000m² requirement.

These changes respond to the removal of the Health One facility from the future development and recognise that the revised brief has identified more suitable/ market relevant community related uses for the site. Allowing 'education establishments' to count towards the minimum requirement provides an appropriate substitute that supports positive social, educational and community outcomes for local residents.

The addition of 'education establishments' is proposed to ensure the clause accommodates the emerging mix of uses identified through the concept SSDA, while retaining the intent of the original control, to secure a substantial level of community-serving floor space within Waterloo South.

Clause 7.29(6) – Exclusions from Height of Building Measurement

Clause 7.29(6) of the Sydney LEP 2012 allows the consent authority to exclude certain structures, specifically solar panels and associated equipment, from the building height control. This exclusion applies where the consent authority is satisfied that such structures will not result in significant adverse visual impacts or detriment to the amenity of neighbouring properties.

To support the delivery of high-quality communal open space and improved residential amenity within Waterloo South, it is proposed to amend clause 7.29(6) to also exclude rooftop access structures and associated communal open space amenities from the height of building measurement. These elements typically include stair or lift overruns, shade structures, small-scale amenities and other ancillary features necessary to enable safe, functional and accessible rooftop communal spaces.

This amendment aligns with the approach currently being advanced by the City of Sydney through its Housekeeping Amendment to the Sydney LEP 2012, which seeks to provide a consistent and contemporary framework for assessing rooftop structures across the LGA. Including this provision within clause 7.29(6) will reduce the need for recurring clause 4.6 variation requests and ensure that rooftop communal open space can be delivered without inadvertently triggering height non-compliances.

Clause 7.29(8) – Affordable Housing Contributions

As is outlined in **Section 0**, the City of Sydney is currently undertaking a review of the City of Sydney Affordable Housing Contributions Framework which will ultimately result in amendments to the Sydney LEP 2012.

Under this Rezoning Proposal it is proposed to include a new site-specific clause, to exclude the Waterloo Estate (South) – Area 1 from this program. Excluding Waterloo South from this program will minimise duplication of affordable housing contributions as the future development of Waterloo South will provide affordable and social housing in excess of the rates required under the Sydney LEP 2012. This proposed change is consistent with the intention of the original Waterloo South planning proposal.

Under clause 7.29(3)(d) of the Sydney LEP 2012, at least 7 per cent of residential floor space in Waterloo South is to be used for the purpose of affordable housing that is owned and managed by a CHP. The concept proposal commits to delivery of a minimum of 7 per cent of the residential GFA as affordable housing to be owned and managed in perpetuity by a CHP, and specifically City West Housing. In addition to this minimum requirement, any additional affordable housing will be provided for a minimum 25 years.

5.2.2 Amendments to the Waterloo Estate (South) Design Guide 2022

Amendments are proposed to the 2022 Design Guide to ensure alignment with the planning framework under the Sydney LEP 2012 and to reflect the proposed concept SSDA. The proposed amendments to the Design Guide are summarised in this section to clearly demonstrate their relationship to, and reliance on, the rezoning outcomes. The proposed Design Guide update is attached to this Rezoning Proposal at **Attachment B**.

A comparison between the 2022 Design Guide Urban Strategy or ‘structure plan’ for the renewal of Waterloo South and the proposed amendment to the Design Guide structure plan is provided in the following figure.



Figure 15 Comparison between 2022 Structure Plan (left) and proposed 2026 Structure Plan (right)

Source: Design Report prepared by SJB

The proposed amendments arise from urban design analysis (refer to **Appendix F** of the EIS), stakeholder engagement and detailed feasibility testing undertaken since the Design Guide was finalised in 2022. This work has identified a number of limitations within the 2022 Design Guide that compromise amenity outcomes, limit the delivery of social and affordable housing, and constrain development feasibility. In addition, there is a demonstrated misalignment between the 2022 Design Guide building envelopes and the statutory height and floor space controls under the Sydney LEP 2012, creating uncertainty in interpretation and future application.

Collectively, the proposed amendments to the Design Guide:

- respond to the need to align the Design Guide building envelopes with amended LEP height and floor space controls;
- enhance the public domain, ground-level amenity, and environmental performance;
- accommodate an updated tenure mix and maximise the delivery of social and affordable housing within the permissible floor space;
- embed a strengthened approach to Connecting with Country informed by engagement with the local Aboriginal community; and
- improve development efficiency and feasibility through supporting more standardised residential typologies.

The proposed Design Guide updates include amendments to building envelopes, residential typologies, street wall heights, building layouts, and communal open space configuration to improve solar access, ventilation, pedestrian comfort, and opportunities for tree retention. The amendments also support a more equitable distribution of amenity across housing tenures and reduce unnecessary complexity in future delivery of the precinct created by the inconsistencies within the existing planning framework.

The revised approach to tenure mix and floor space allocation ensures that the maximum permissible floor space under the LEP (282,484.68m² GFA) can be accommodated within the proposed Design Guide updated envelopes in a manner that supports feasible delivery and maximises social and affordable housing outcomes for the community.

In addition, the reference scheme incorporates the outcomes of the Connecting with Country Framework (**Attachment C**) prepared by Ngurra Advisory in collaboration with Aboriginal consultants and the local Aboriginal community. This framework informs urban design, landscape, and public domain outcomes and is reflected in proposed Design Guide updates to ensure Country is meaningfully embedded across Waterloo South.

Finally, the amendments respond to stakeholder engagement undertaken to gain further clarity on operational and servicing requirements, particularly for the CHPs. These considerations are proposed to be embedded within the Design Guide updates to ensure coordinated, efficient, and deliverable outcomes at the concept level.

The proposed Design Guide updates are appended to this Rezoning Report at **Attachment B**, with a summary of the key changes provided in **Table 9**.

Table 9 Proposed key amendments to the Design Guide

Section	Objectives/ Provisions	Proposed amendment and justification
1. Introduction		
1.1 Citation and commencement	<i>This guide is the Waterloo Estate (South) Design Guide (abbreviated from this point forward as 'Design Guide'). This Design Guide was published by the Department on 11 November 2022 and came into force when the new local environmental plan for Waterloo Estate (South) came into effect.</i>	Administrative update to reflect the revised date and version of the document.
1.3 Relationship to the Sydney LEP 2012, Sydney DCP 2012 and other policies	<i>This Design Guide adopts the provisions of Sydney Development Control Plan 2012 (Sydney DCP 2012) in accordance with 3.43(3) of the Act. If there is an inconsistency between this Design Guide and the provisions of Sydney DCP 2012, this Design Guide prevails to the extent of the inconsistency. This Design Guide is to be read in conjunction with the provisions and requirements of:</i> • the Sydney Local Environmental Plan 2012 (Sydney LEP 2012).	It is proposed to amend this clause to include additional wording to clarify that the DCP provisions referenced are those made prior to the introduction of the Housekeeping Amendments.

Section	Objectives/ Provisions	Proposed amendment and justification
	- any Waterloo Estate (South) Public Domain Plan prepared for the site; and - any relevant policy adopted by the City of Sydney Council. References in this Design Guide to Sydney LEP 2012 or Sydney DCP 2012 are also references to any replacement of those plans	
1.4 Relationship of the Waterloo Estate (South) to Waterloo Estate (Central) and Waterloo Estate (North)	<i>Waterloo Estate (South) is the first of three precincts in the Waterloo Estate planned for redevelopment. It is envisaged the redevelopment of Waterloo Estate (South) will take place over a period of 10 years (up to 2032). It is expected additional proposals to change the planning controls that apply to Waterloo Estate (Central) and Waterloo Estate (North) will be prepared at a later time.</i>	It is proposed to remove the reference to project timeframes (i.e. remove the reference that the redevelopment of Waterloo South will take place over a period of 10 years (up to 2032)) as these dates are no longer accurate.
2. Locality Statement		
Principle 10	<i>(10) Retail opportunities are to be provided on George Street, Wellington Street and Cooper Street near the large park; and along McEvoy Street.</i>	Principle 10 is to be amended to state "Active frontages are to be provided" instead of "Retail opportunities are to be provided" to diversify the range of uses that can be provided along the park interface and McEvoy Street.
Principle 11	<i>(11) The heights of buildings are to respond to the streets and parks on which they are located. Tower forms are to be limited to the southern part of the area near McEvoy Street, and to the corner of Kellick and Gibson Streets.</i>	Principle 11 is to be amended to reference 'tall tower forms' instead of 'tower forms,' providing greater flexibility and ensuring that building typologies are not limited in areas with lower maximum building heights.
Principle 21	<i>(21) Private spaces, including communal open space, will be designed to supplement the public domain with each apartment building having its principal usable communal open space on the roof. Each group of buildings will share communal courtyard space.</i>	Principle 21 will be amended to remove the requirement for each group of buildings to share a communal courtyard space. This is a reflection of updates to the block layout and ensures that ground level courtyard space can be provided and made available for public use where appropriate, enhancing the amenity of the public domain.
3. Urban Strategy		
3.1.1. Principle 1 – Diverse land uses to support a diverse community	<i>(6) Ensure alignment with the NSW Government's Communities Plus policy.</i>	This clause will be deleted as it references the NSW Government's Communities Plus policy which is now outdated.
3.1.1. Principle 1 – Diverse land uses to support a diverse community	<i>(9) Provide additional retail opportunities in a continuous retail frontage along McEvoy Street with retail ground floor to tower buildings.</i>	The wording of principle 1(9) is to be revised to not require a continuous retail frontage along McEvoy Street. It is proposed to delete/ replace this provision to enable a greater diversity of active land uses beyond retail uses to activate the street.
3.1.1. Principle 2 - The right type, height and scale of buildings for Waterloo	<i>(3) Tower forms are limited to the southern part of the precinct near McEvoy Street, and the corner of Kellick and Gibson streets, to minimise overshadowing impacts to open space and surrounding residential properties.</i>	This provision is to be amended to reference 'tall tower forms' instead of 'tower forms,' providing greater flexibility and ensuring that building typologies are not limited in areas with lower maximum building heights.
3.1.1. Principle 2 - The right type, height and scale of buildings for Waterloo	<i>(4) To ensure an appropriate setting for heritage items on Cope Street, heights are limited to two storeys between Cope and Cooper streets closer to these items.</i>	The wording is to be revised to remove 'heights are limited to two storeys' and replace it with 'towers are not permitted'. By amending this provision, the building typology will be limited to ensure the heritage significance of the item is retained in an appropriate manner.

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3.1.3. Principle 3 - Streets prioritise pedestrians and cyclists.	<i>(3) George Street is the main street of the community, with continuous ground floor retail frontage and awnings and is to provide opportunity for a large supermarket.</i>	The wording is to be updated to remove 'large' to allow for flexibility for the future supermarket tenant. Throughout community consultation, there has been a clear preference for a low cost supermarket to be located within Waterloo South so amending this wording ensures a supermarket can be provided within the locality that meets community needs.
3.1.4. Principle 4 - Public parks and community facilities will provide for the community's diverse needs	<i>(3) A smaller park is to be provided in the south of the precinct on flat land, will form a square and be a place for smaller scale but similarly diverse activity.</i>	This provision is to be amended to remove 'will form a square' in order to provide flexibility in the delivery of this space and to ensure it can be located proximate public open space. This is also a rectification as the Block 8 park was not originally rectangular in shape.
Figure 2	Update Figure 2: Waterloo Estate (South) Urban Strategy	Figure 2 is to be updated to show the revised building envelopes and slight refinement to the proposed street closures.
4. Staging and Implementation		
Introduction	<i>Waterloo Estate (South) is the first of three precincts in the Waterloo Estate planned for redevelopment. It is envisaged the redevelopment of Waterloo Estate (South) will take place over a period of around 10 years or longer (up to about 2032).</i> <i>Clause 4.4 and associated maps in Sydney LEP 2012 facilitate up to approximately 265,000 square meters of floor area across sites owned by the Land and Housing Corporation (including both residential and non-residential land uses). This is inclusive of any design excellence process, where a 10% for floor space bonus may be granted for design excellence, with the design excellence process paying particular attention to:</i>	It is proposed to remove the reference to project timeframes (i.e. remove the reference that the redevelopment of Waterloo South will take place over a period of 10 years (up to 2032)) as these dates are no longer accurate. The GFA table is to be updated to account for the maximum permissible GFA of 282,484.68m² at the site. This maximum GFA is inclusive of design excellence bonuses which is why is also proposed to delete 'where a 10% floor space bonus may be granted for design excellence'.
Objective (c)	<i>Ensure stormwater and flood management works are planned and implemented prior to works for the construction of new buildings so that land is made suitable for its intended use and adjacent areas are not adversely affected.</i>	Revise this objective to enable the stormwater works to be progressed with each stage of development, improving orderly delivery of development.
Objective (f)	<i>(f) Ensure a generally even distribution of floor area across the site, and with towers located along McEvoy Street and at the corner of Kellick and Gibson Streets.</i>	This provision is to be amended to reference 'tall towers' instead of 'towers,' providing greater flexibility and ensuring that building typologies are not limited in areas with lower maximum building heights.
4.1. General	<i>(2) New building lots are to be established generally in accordance with Figure 3: Street blocks and building lots, with each street block to be generally no less than:</i>	This provision is deleted to maintain flexibility of future development within the scope of the concept SSDA and to align with Figure 3 of the Design Guide as amended.
4.1. General	<i>(3) 8 building lots on street block 2;</i> <i>(a) 6 building lots on street block 3;</i> <i>(b) 7 building lots on street block 4;</i> <i>(c) 2 building lots on street block 5;</i> <i>(d) 2 building lots on street block 6;</i> <i>(e) 4 building lots on street block 7;</i> <i>(f) 9 building lots on street block 8;</i> <i>(g) 5 building lots on street block 9;</i> <i>(h) 5 building lots on street block 10.</i>	This provision is deleted to maintain flexibility of future development within the scope of the concept SSDA and to align with Figure 3 of the Design Guide as amended.

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	<i>(e) a regular and continuous building rhythm (with each half block being divided into 2 or 3 lots); and</i>	The wording is amended to remove the requirement for half blocks to be divided into 2 or 3 lots to provide flexibility as to how building rhythm is achieved across Waterloo South.
Figure 3	Figure 3: Street blocks and building lots	Figure 3 is to be amended to reflect the block and building layouts proposed in the Urban Design Report.
Figure 4	Figure 4: Land dedications and easements	Figure 4 is to be amended to reflect the land dedications and easements proposed in the Urban Design Report.
Table 1	Refer to Attachment B .	Table 1 is to be deleted as they are now outstanding.
4.2. Stage 1 development application	(c) identify how the floor area is to be distributed across street blocks and building lots, including any floor space allocated for social housing, affordable housing, community facilities, childcare facilities, health care facilities and other non-residential uses. This allocation is to be generally in accordance with Table 1: Indicative floor area distribution on LAHC owned land, by street block, which provides an indicative allocation of floor space available under Sydney LEP 2012 across Waterloo Estate (South);	This allocation is to be generally in accordance with Table 1: Indicative floor area distribution on LAHC owned land, by street block, which provides an indicative allocation of floor space available under Sydney LEP 2012 across Waterloo Estate (South); is to be deleted for consistency with the amendments to Table 1.
5. Land Use		
5.2.2 Social and affordable housing	<i>(1) Social and affordable housing is to be provided in accordance with the following principles: (c) affordable housing is to be used for affordable rental housing in perpetuity;</i>	The clause will be updated to state that 'at least 7% of the residential floor space' is to be used for affordable housing in perpetuity, consistent with the requirements of the Sydney LEP 2012.
Figure 5: Land Use	Refer to Attachment B .	Figure 5 is to be updated to include an option for the supermarket to be located on Block 9 (fronting George Street). This will provide expanded opportunities for the potential locations of future supermarkets across the site.
5.2.3. Housing for Aboriginal and Torres Strait Islander peoples	(1) The design of Aboriginal and Torres Strait Islander housing is to be informed by an Aboriginal or Torres Strait Islander architect with experience in designing culturally appropriate housing.	This clause is to be amended to be consistent with the alternative Design Excellence Strategy.
5.3.3 George Street	<i>(3) A minimum of one supermarket, of no less than 2,000 sqm, is required to front George Street in one of the locations identified on Figure 5: Land use.</i>	Clause 5.3.3(3) is proposed to be amended to reflect the market feedback for a typical supermarket size required to service the anticipated future population in the area. The minimum supermarket size is proposed to be reduced to 1,600sqm.
Figure 6: Active frontages	Refer to Attachment B .	Figure 6 is to be deleted as this is a duplication with the Sydney LEP 2012 and is not required within the Design Guide.
5.3.4 Active frontages	<i>(2) Provisions relating to 'Active frontages' in Sydney DCP 2012 apply in Waterloo Estate (South).</i>	Clause 5.3.4(2) is to be deleted as the Sydney DCP limits the proposed uses that are counted as "active". It is therefore proposed to delete this provision to enable further uses to be provided on the site, beyond what is identified within the DCP.

Section	Objectives/ Provisions	Proposed amendment and justification
6. Community Facilities & Services		
Clause 6.1.1 Community facilities and services – identified need	<i>(1) Floor space identified in Sydney LEP 2012 for ‘community facilities’, ‘health facilities’ or ‘centre- based child-care facilities’ is to be provided in the following way, or in accordance with any other community facilities and services need analysis that is provided by the landowner, to the satisfaction of the Consent Authority:</i> <i>(c) Approximately 2,000 sqm healthcare facility for the purposes of a Health One or similar service and to be owned and operated by an organisation other than Council.</i>	Clause 6.1.1(1) is proposed to be amended to include reference to ‘educational establishments’ consistent with the proposed amendments to the Sydney LEP 2012 to an appropriate substitute (to the health one facility) that supports positive social, educational and community outcomes for local residents. It is also proposed to delete clause 6.1.1(c) as the Health One facility is no longer proposed by NSW Health.
7. Public Space		
Clause 7.1(1)	<i>Public space, including public open space and the street, pedestrian and cycle network, is to be designed in accordance with the City of Sydney Waterloo Estate (South) Public Domain Concept Plans.</i>	Amendment to clause 7.1(1) to remove reference to the public domain concept plans prepared by the City of Sydney and reference the revised public domain concept plans prepared by Aspect Studios and dated February 2026.
Clause 7.1(3)	<i>Clause 7.1(3) Public space is to be designed in accordance with Crime Prevention Through Environmental Design (CPTED) requirements.</i>	Revise clause 7.1(3) to ensure public space is designed in accordance CPTED principles, as they are not requirements.
Clause 7.1(6)	<i>Clause 7.1(6) Public space is to:</i> <i>(d) retain existing significant trees and incorporate opportunities for new planting and tree canopy;</i> <i>(e) locate utilities services underground, away from street trees and associated deep soil;</i> <i>(f) locate any above ground utility service requirements in the furniture zone to not obstruct the safe and easy movement of people on footpaths;</i>	Revisions are required to clause 7.16(d), (e) and (f) to include “where possible” after “retain existing significant trees”. The reference scheme has been designed to retain existing significant trees where possible, while also facilitating new tree planting within the public domain to enhance long-term canopy cover. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
Clause 7.1(7)	<i>Clause 7.1(7) Overhead power lines, communication cables and utility services are to be undergrounded within all streets servicing the precinct. All services are to be designed and installed in a manner that does not restrict future tree planting.</i>	Revise clause 7.1(7) which requires the undergrounding of services “within all streets servicing the precinct” to “all streets within the precinct”. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
Table 3: Indicative street specifications	Refer to Attachment B.	Minor updates are required to the dimensions and requirements in “Table 3 - Indicative street specifications” for Cooper Street north, and Cooper Place to respond to the Urban Design Report and Public Domain Plans.
Figure 7: Street network	Refer to Attachment B.	Updates are proposed to the Figure 9 to reflect the street network as proposed in the Urban Design report and Public Domain Plans.
Figure 8: Street Cross Section	Refer to Attachment B.	Updates are proposed to the Figure 8 Street cross sections to reflect the updated street wall heights around Cooper Street north and Cooper Place in accordance with the Urban Design Report and Public Domain Plans.

Section	Objectives/ Provisions	Proposed amendment and justification
Figure 9: Access and circulation	Refer to Attachment B .	Updates are proposed to the Figure 9 to reflect the access and circulation as proposed in the Urban Design Report and Public Domain Plans.
7.3.2. Street network		Add a new clause to ensure future flexibility is provided for the City of Sydney and TfNSW: (3) Options for the George Street and McEvoy intersection (including options for a left turn into George Street) are being investigated by the City of Sydney and Transport for NSW.. Nothing in this Design Guide shall prevent the City of Sydney and TfNSW from opening this intersection to vehicular traffic in the future, should they resolve to do so.
Clause 7.3.4(g)	7.3.4(g) provide a minimum 1.5m wide deep-soil-zone along the length of the through site link".	Delete clause 7.3.4(g) as this may no longer be feasible while achieving active uses and other functional requirements of the through site links (such as stairs and ramps to overcome gradient changes).
Clause 7.3.4(k)	7.3.4(k) be designed to be accessible for people of all abilities;	Clause 7.3.4(2)(k) is to be revised to exclude the application of this clause to the through-site link between Mead and Pitt streets (where there is up to a 7m level change) as this is not feasible at the site.
Table 4: Through-site links	Refer to Attachment B	The table is proposed to be amended to reflect the updates to the block layout and public domain.
Figure 10: Significant trees	Refer to Attachment B .	It is proposed to delete Figure 10, and any reference to it. The significance of the trees across the precinct has changed since publication of the Design Guide and will be updated to reflect the revised building envelopes under future detailed applications.
8. Building Layout, form & design		
Objective (e)	(e) Provide certainty the amenity standards of the Apartment Design Guide will be met.	It is proposed to delete objective (e), as this is not the role of the ADG and it doesn't provide 'standards' but manners in which objectives may be met.
Objective (g)	(g) Arrange building height so that it provides for urban amenity in the form of solar access to adjacent buildings so that the Apartment Design Guide requirements can be met, and that there is variation in the street wall height to promote diversity of building character.	Change 'requirements' to 'objectives'. This is an update to wording to reflect the correct terminology of the Apartment Design Guide.
Objective (h)	(h) Ensure that tower buildings are located, designed, and separated from each other, and generally located along McEvoy Street in the southern part of Waterloo Estate (South) and near the corner of Kellick and Gibson Streets to limit impacts on the amenity of public space.	This provision is to be amended to reference 'tall tower' instead of 'tower,' providing greater flexibility and ensuring that building typologies are not limited in areas with lower maximum building heights.
8.1. Street blocks and building lots	(3) Buildings are to address the street and align with streets to form continuous perimeters to the blocks, broken by walkways.	Deletion of 'and align with streets to form continuous perimeters to the blocks, broken by walkways' is proposed. This ensures flexible building design which appropriately responds to site conditions and ensures amenity within Waterloo South and its neighbours, consistent with the Design Guide.

Section	Objectives/ Provisions	Proposed amendment and justification
8.1. Street blocks and building lots (5)(b)	(b) are simple, straight with no bends and perpendicular to the street frontage	Change 'are' to 'be'.
8.2 Typical Building Sections	<i>Building arrangement throughout the site is to be predominantly perimeter block with internal courtyards. Figure 11: Perimeter block building typology –section below supports the controls contained in this Section and are intended to show how setbacks, passive and active sustainability measures, the courtyard and private open space interrelate for a perimeter block building and for a noise barrier type of building.</i> Refer to Attachment B.	It is proposed to delete Section 8.2 and the associated Figure 11. This is due to these figures being too detailed for the purpose of the Design Guide and will no longer apply to certain buildings across the precinct.
8.3. Building heights Definitions	Low rise buildings are buildings of two to five storeys. Medium rise includes: Lower medium rise buildings, being buildings of six to 10 storeys; and Higher medium rise buildings, being buildings of 11 to 13 storeys	The definition of various building heights are proposed to be amended to be consistent with the building heights in storeys contained within the Design Guide.
8.3. Building heights Objectives	(a) Ensure buildings are predominantly low to medium rise across the precinct, with tall towers located in the south along McEvoy Street and to the corner of Kellick and Gibson Streets. (b) Ensure medium rise buildings and tall buildings are placed along George Street and overlooking the parks on Pitt, Kellick and Wellington streets (between Cope and George) to add emphasis to it as the main street and the larger parks as the primary public places of Waterloo south. (c) Ensure low rise buildings are placed alongside the narrow Cooper Place and at the north end of courtyards to improve solar access into courtyards and at the south ends of courtyards to provide more light into John Street	Amend wording to be consistent with amended definitions of building typologies. Objective (c) is proposed to be deleted as this no longer reflects the proposed block / building layout. The reference scheme demonstrates solar amenity is able to be achieved for both the public domain and future dwellings.
Clause 8.3(4)	Clause 8.3(4) Maximum buildings heights in Sydney LEP 2012 includes communal open space, including shade structures and lift access.	It is proposed to delete clause 8.3(4) as this is a duplication with the proposed Sydney LEP 2012 provisions.
Figure 12: Height in Storeys	Refer to Attachment B .	Updates are proposed to Figure 12 to reflect the building height in storeys proposed in the Urban Design Report and by the concept envelope plans.
Figure 13: Ground level setbacks	Refer to Attachment B .	Updates are proposed to Figure 13 to reflect the ground level setbacks proposed in the Urban Design Report and by the concept envelope plans.
Figure 14: Upper level setbacks	Refer to Attachment B .	Updates are proposed to Figure 14 to reflect the Street wall requirements proposed in the Urban Design Report and by the concept envelope plans.
Clause 8.4 Building alignment and setbacks Definitions	Upper level setback means the distance by which the upper levels of a building are to be set back from the alignment of the building below. It is expressed as a setback in metres required above a nominated street frontage height. It is measured from the predominant building alignment of the outer face of the floor level below and includes all built elements except balustrades and balcony separation screens.	The definition of 'upper level setback' is proposed to be deleted to be consistent with the updates to the Design Guide that reference Street wall requirements instead.
8.4. Building alignment and setbacks Objectives	(d) Ensure that primary ground level setbacks create a space between the public domain and buildings that:	Add 'opportunities for' to Objective 8.4(d)(ii) to ensure compliance is able to be achieved, given in some circumstances deep soil is not able to be provided as a result of basement locations.

Section	Objectives/ Provisions	Proposed amendment and justification
	<i>i. provides for the retention of existing trees and new planting;</i> <i>ii. provides deep soil;</i> <i>iii. softens the visual environment that would otherwise be created by the combination of paved surfaces and building frontage;</i> <i>iv. enables private gardens and individual entries to ground floor apartments;</i> <i>v. provides for common entries to apartment buildings; and</i> <i>vi. enables an active retail frontage and outdoor dining on the eastern side of George Street.</i>	
Clause 8.4 Building alignment and setbacks	<i>(2) Upper level setbacks are to be in provided generally in accordance with Figure 14: Upper level setbacks.</i>	Clause 8.4(2) is to be amended to remove reference to upper level setbacks and to replace with street wall requirements.
	<i>(4) Substations and other service structures are not to be provided in the setbacks fronting the street.</i>	Updates are proposed to clause 8.4(4) to add “wherever possible”. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
	<i>(5) The side ground level setbacks that are required as a continuous connection between Cope and Cooper Streets are to provide access for car parking and an overland flow path as required.</i>	Clause 8.4(5) is removed to reflect the updated Ground Level Setbacks figure.
	<i>(9) The positioning of awnings is to be carefully considered with regard to the health and longevity of street trees,</i>	The amendment to this clause ensures that specific emphasis is placed on the western side of George Street to ensure alternative awning solutions are explored to enable retention of existing street trees.
Figure 15: Awnings and colonnades	Refer to Attachment B	Updates are proposed to Figure 15 to reflect the Urban Design Report.
8.5. Development types		
Clause 8.5.2 Tall Buildings	<i>8.5.2 Tall Buildings</i>	Amend this heading to refer to ‘Tall towers’ for consistency with the amended provisions of the Design Guide.
Clause 8.5.2 Tall Buildings	<i>Clause 8.5.2 (1) Tall buildings are to be located in accordance with Figure 112: Height in storeys to minimise overshadowing to existing and future planned public open space, communal open space and residential dwellings.</i>	Amend this clause to refer to ‘Tall towers’ for consistency with the amended provisions of the Design Guide.
	<i>Clause 8.5.2 (2) Tall buildings are to be separated by a minimum distance of 60 metres in all directions.</i>	Amend this clause to refer to ‘Tall towers’ for consistency with the amended provisions of the Design Guide.
	<i>Clause 8.5.2 (5) Building corners are to be curved and the profile shaped, including additional setbacks, to minimise wind downdraft.</i>	Clause 8.5.2(5) is proposed to be deleted as this provision is over prescriptive and does not reflect the revised scheme.
	<i>Clause 8.5.2(7) Above the height of 15 storeys, the floorplate of tall buildings is to be a maximum of 720 sqm.</i>	Clause 8.5.2(7) is proposed to be deleted as this provision is over prescriptive and does not reflect the revised scheme.
Figure 16	N/A	Delete reference to Figure 16 as this has already been removed from the Design Guide.

Section	Objectives/ Provisions	Proposed amendment and justification
8.5.3. Development fronting McEvoy Street	<i>(1) Three continuous, unbroken buildings are to be provided along the McEvoy Street frontage, between Cope and George, George and Mead and Mead and Pitt. These buildings are to carefully lay out apartments so that windows to habitable rooms face away from the noise source where possible and be acoustically treated in order to mitigate the impact of noise from vehicles on McEvoy Street Figure 17: Buildings fronting McEvoy Street - typical section shows a typical section for buildings fronting McEvoy Street. These buildings do not include tall buildings.</i>	Clause 8.5.3(1) is to be amended to remove reference to Figure 17 as it is proposed to be deleted due to being too detailed for the Design Guide. Acoustic amenity along McEvoy Street will be addressed within the concept SSDA.
	<i>(2) The depth of buildings fronting McEvoy Street are to be no more than 15 metres inclusive of all built elements.</i>	Clause 8.5.3(2) is deleted to reflect the built form proposed by the Urban Design Report.
	<i>(6) Windows to habitable rooms on the east and west ends of the building are to be minimised. Windows to habitable rooms in these locations are to have external projecting noise shields with a projection of 0.6-1 m that may extend into the primary ground level setback and the street reservation.</i>	Clause 8.5.3(6) is to be deleted as it is too detailed for the Design Guide. Acoustic amenity along McEvoy Street will be addressed within the concept SSDA.
	<i>(7) Communal open space is to be provided on the northern side of rooftops where they overlook streets, primary setbacks or courtyards with a minimum width of 6 metres.</i>	Updates are proposed to clause 8.5.3(7) to add “where possible”. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
	<i>(8) Plant, equipment and landscaping is to be located on the southern 3 metres of the rooftop.</i>	Updates are proposed to clause 8.5.3(8) to add “where possible”. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
Figure 17: Buildings fronting McEvoy Street – typical section	Refer to Attachment B .	Figure 17 is proposed to be deleted as it is too detailed for the Design Guide. Acoustic amenity along McEvoy Street will be addressed within the concept SSDA.
Figure 18: Roof level communal open space and green roofs	Refer to Attachment B .	Figure 18 is proposed to be deleted, as the locations of roof level communal open space is outlined in principle within the concept SSDA and are to be determined at detailed design stage. This approach ensures the intent of the clause is achieved while allowing necessary flexibility in response to site-specific conditions.
8.6 Private and communal open space and landscaping		
8.6.1. Trees and landscaping	(2) Landscape areas are to be generally located within the areas shown in Figure 18: Roof level communal open space and green roofs and Figure 19: Ground level deep soil and planting locations, and to be consistent with the Apartment Design Guide requirements.	Change “requirements” to “objectives”. This is an update to wording to reflect the correct terminology of the Apartment Design Guide.
Figure 18: Roof level communal open space and green roofs	Refer to Attachment B	Figure 18 is to be updated to reflect the communal open space and green roofs proposed by the Urban Design Report.
Figure 19: Ground level deep soil and planting locations	Refer to Attachment B .	Figure 19 is to be updated to reflect the deep soil and planting locations proposed by the Urban Design Report.

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Table 6	Refer to Attachment B .	Table 6 is to be updated to reflect the deep soil and planting on structure provisions proposed in the Urban Design Report and Public Domain and Landscape Plan.
8.6.4. Courtyards	(2) Courtyards are to be provided as deep soil, generally as per Figure 19: Ground level deep soil and planting locations and Figure 11: Perimeter block building – typical section.	It is proposed to delete reference to Figure 11 for consistency with the deletion of this Figure from earlier in the Design Guide.
	(6) Courtyard communal open space is to be fully open to the sky and a minimum of 18 m wide except:	Delete minimum width requirement in response to the amendments to the block layouts.
	(7) in the blocks bounded by Wellington, George, John and Cooper streets where it is to be a minimum of 13.5 m wide; and	It is proposed to delete clause 8.6.4(7) in response to the amendments to the block layouts.
	(8) in the blocks bounded by Cope, John, George and McEvoy streets where it is to be a minimum of 12 m wide.	It is proposed to delete clause 8.6.4(7) in response to the amendments to the block layouts.
8.9 Adaptable Design		
Clause 8.9.2	(1) Residential and mixed-use buildings are to meet the following accessibility and adaptability standards of the Liveable Housing Design Guidelines: (a) 100 per cent of new Class 1a dwellings (houses) to silver standard; (b) 85 per cent of dwellings in each new Class 2 (apartment) building to silver standard; and (c) 15 per cent of dwellings in each new Class 2 (apartment) building to gold standard.	Clause 8.9(2)(b) is to be updated to reflect the following: • 100 per cent of new Class 1a dwellings (houses) to achieve silver standards of the Liveable Housing Design Guidelines • 85 per cent of social housing Class 2 dwellings (apartments) will achieve silver standards of the Liveable Housing Design Guidelines • 15 per cent of social housing Class 2 dwellings (apartments) will achieve gold standards of the Liveable Housing Design Guidelines • 20 per cent of affordable housing and market housing Class 2 dwellings (apartments) will achieve silver standards of the Liveable Housing Design Guidelines The proposed amendment to Clause 8.9 is intended to update the accessibility provisions of the Waterloo Design Guide so they more appropriately respond to the mixed-tenure housing outcome proposed for Waterloo South. Under the existing Design Guide, the Liveable Housing Design Guidelines (LHDG) Silver and Gold requirements apply uniformly across all Class 2 dwellings. The proposed amendment replaces this with a more targeted framework that differentiates between social, affordable and market housing, while retaining the requirement for 100 per cent of new Class 1a dwellings to achieve LHDG Silver standards. This change is supportable because it directs the highest accessibility requirements to the part of the housing stock where need is expected to be greatest, namely social housing, while still maintaining accessible housing outcomes across the broader precinct. The requirements for market housing align with contemporary apartment requirements and the requirements of the Apartment Design Guide.

Section	Objectives/ Provisions	Proposed amendment and justification
8.11 Noise and Ventilation		
Clause 8.11 (1)	(1) Residential apartment buildings are to respond to both noise criteria in this Design Guide, the Sydney DCP 2012 and natural ventilation criteria in the ADG. Maximum noise levels, in a naturally ventilated state, must not exceed the following levels	It is proposed to delete 'in a naturally ventilated state' to respond to the potential acoustic impacts on McEvoy Street, which may require mechanical ventilation solutions to meet the requirements of ventilation and noise criteria.
Clause 8.11 (4)	(4) Buildings are to be designed generally in accordance with the City of Sydney's 'Alternative natural ventilation of apartments in noisy environments: performance pathway guideline'.	Acoustic amenity along McEvoy Street will be addressed within the concept SSDA. This Guideline from the City of Sydney is overly onerous for inclusion within the Design Guide and the relevant provisions of the T&I SEPP should prevail.
8.12. Design Excellence		
8.12.1 Competitive design processes		
Clause 8.12.1(1)	<i>(1) Provisions relating to 'Design excellence and competitive design processes' in Sydney DCP 2012 (or any replacement version of that Plan) apply to Waterloo Estate (South).</i>	Clause 8.12.1(1) is proposed to be deleted as it is duplicative with the City of Sydney LEP provisions.
Clause 8.12.1(2)	<i>(2) A competitive design process is to be undertaken for each competitive design process site shown in Figure 20: Competitive design process sites</i>	Clause 8.12.1(2) is proposed to be deleted as the Figure does not accurately reflect the sites required for design competitions. The relevant design excellence process will also be determined by the building tenure, so a figure is not required.
Clause 8.12.1(3)	<i>(3) Only additional floor area (not building height) may be awarded as a result of a competitive design process and must be accommodated within building heights shown in the Sydney LEP 2012 and generally in Figure 12: Height in storeys.</i>	Clause 8.12.1(3) is proposed to be amended as follows: <i>"No additional floor area or building height available under clause 6.21D(3) of the Sydney LEP 2012 may be awarded as a result of a competitive design process and the development resulting from a competitive design process must be accommodated within building heights shown in the Sydney LEP 2012 and generally in Figure 11: Height in storeys."</i> This is due to the concept SSDA Building Envelopes and the FSR development standards incorporating GFA inclusive of the design excellence bonus.
Clause 8.12.1(4) and 8.12.1(5)	<i>(4) Additional floor area awarded as a result of a competitive design process is not to be transferred across competitive design process sites, except for where it can be demonstrated that it improves solar access to apartments and parks across the precinct.</i> <i>(5) Additional floor area will only be award where it can be demonstrated that there are no adverse impacts arising from the additional floor area.</i>	It is proposed to delete clause 8.12.1(4) and clause 8.12.1(5) as they are no longer relevant given that the design excellence bonuses have been included within the concept SSDA Building Envelopes.
Clause 8.12.1(6)	<i>(6) To achieve architectural diversity within a street block, an architectural practice which is selected the winner of a competitive design process may not be invited to participate in any other competitive design process on that same street block.</i>	Clause 8.12.1(6) is to be deleted and replaced with <i>"To ensure architectural diversity across sites that include multiple buildings, no more than two buildings in the same street block are to be designed by each nominated architectural firm, notwithstanding whether that firm is selected following a Competitive Design Process or via direct appointment"</i>. This amendment reflects the revised approach to Design Excellence as endorsed by GANSW.

Section	Objectives/ Provisions	Proposed amendment and justification
8.12.2 Design excellence strategy		
Clause 8.12.2	<i>In addition to the above provisions, the following Design Excellence Strategy applies to all competitive design process sites. The Design Excellence Strategy may only be varied for any competitive design process site via a Stage 1 development application process. If the proposed subdivision, staging or built form does not correspond with that envisaged in this Design Guide, an updated Design Excellence Strategy is required to accompany an associated Stage 1 development application.</i> (1) <i>Separate invited Competitive Design 'Alternatives' Processes are to be undertaken for each competitive design process site, except for competitive design process sites 'G', 'L', 'O' and 'P', shown in Figure 20: Competitive design process sites, which are required to undertake an 'invited' Architectural Design Competition owing to the impact of tower buildings.</i> (2) <i>Each 'invited' Architectural Design Competition is to be undertaken in accordance with the relevant provisions of the City of Sydney Competitive Design Policy. A minimum of five competing design consortiums are required to participate.</i> (3) <i>Each Competitive Design Alternatives Process is to be undertaken in accordance with the relevant provisions of the City of Sydney Competitive Design Policy. A minimum of three competing design consortiums are required to participate.</i> (4) <i>Where buildings are to be used partly or wholly for Aboriginal, social or affordable housing, the competition brief is to address the design of those housing types and be prepared with the advice of an expert who has demonstrated knowledge and expertise in those types of housing.</i> (5) <i>Ecologically sustainable development benchmarks and outcomes are to be targeted by each competitive design process as prescribed in Sydney LEP 2012 and in this Design Guide.</i>	Section 8.12.2 is to be updated to read as follows: (1) <i>In addition to the above provisions, the following Design Excellence Strategy applies.</i> (2) <i>Separate invited Competitive Design Processes are to be undertaken for each building containing market housing. A minimum of three architectural firms are required to participate in each Competitive Design Process.</i> (3) <i>Direct appointment of architectural firms is permitted for all buildings containing social and affordable housing and no market housing.</i> (4) <i>A State Design Review Panel (SDRP) panel process is to be undertaken utilising the Homes NSW State Design Review Panel (SDRP) as per the Memorandum of Understanding between Homes NSW and the Department of Planning, Housing and Infrastructure (DPHI). The Homes NSW SDRP will comprise of five members and is to be established with the following composition in accordance with the NSW SDRP Terms of Reference:</i> - A nominee of GANSW (Chair) - A nominee of the City of Sydney (excluding staff members) - Three independent nominees <i>If a competitive design process has taken place for a building, wherever possible the Selection Panel of the competitive design process will also form a part of the DRP for the relevant stage of the development. This DRP will replace any other design review requirement or panel requirement.</i> (5) <i>The following criteria will be considered in the direct appointment of architectural firms and the selection of competitors for a Competitive Design Process:</i> a. <i>Demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) award or commendation, except for 'emerging' practices.</i> b. <i>Demonstrated experience in works of similar nature and complexity, particularly mixed use and urban regeneration and ability to act as an executive architect, except for 'emerging' practices.</i> c. <i>Demonstrated experience in designing for Country processes, and where possible inclusion of First Nations Architects as part of the team.</i> d. <i>Demonstrated experience in residential design, mixed use and urban regeneration.</i>

Section	Objectives/ Provisions	Proposed amendment and justification
		e. <i>A mix of emerging and established architectural practices.</i> f. <i>A person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003.</i> g. <i>Gender representation target ratio of 40% male, 40% female and 20% any gender.</i> h. <i>Experience with the Design and Building Practitioners Act 2020 and delivery of Class 2 NCC buildings in NSW.</i> (6) <i>Where buildings are to be used partly or wholly for Aboriginal housing, the design is to be informed by the advice of an expert who has demonstrated knowledge and expertise in those types of housing.</i> (7) <i>Ecologically sustainable development benchmarks and outcomes are to be targeted by each competitive design process as prescribed in Sydney LEP 2012 and in this Design Guide.</i> These updates will align with the alternative Design Excellence Strategy proposed for the site.
Figure 20: Competitive design process sites	Refer to Attachment B.	Delete Figure 20 as a design competition is not necessary to facilitate the objectives of the proposal.
Figure 20a Required considerations for the competitive design process	Refer to Attachment B.	Figure 20a is to be updated to reflect the required considerations for the competitive design process established in the Urban Design Report.
9. Transport, movement & Parking		
Figure 21: Carpark locations and entries	Refer to Attachment B.	Updates are required to Figure 21 to reflect the car parking locations and entries proposed in the Urban Design Report.
9.2 Carparking	(2) No vehicle access or egress points to carpark are permitted from: (a) George Street; (b) Wellington Streets (c) Cope Street; (d) Cooper Street; (e) Mead Street; (f) Kellick Street; and (g) McEvoy Street.; and (h) the shared zone around the small park.	Update clause 9.2(2) to remove Cooper Street, Mead Street and the shared zone around the small park for consistency with the updated Figure 21: Carpark locations and entries.
	(6) Consolidated access car parks are not to be built under public space.	Delete clause 9.2(6) to reflect the updated basement layout within the Urban Design Report.
	Refer to Attachment B.	Add a new subclause "All car parking spaces within the development are to be consistent with AS2890.1 2004".

5.2.3 VPA

The VPA requires the following public benefits to be provided within the Waterloo South Precinct Area.

Delivery of Open Space

- The embellishment of approximately 23,600m² of land is required for the delivery of public open space (includes road closure area owned by the City of Sydney within the location of the proposed new large park).
- Two parks are required to be delivered on the site. One large park of no less than 20,000m² in area and one neighbourhood park of no less than 1,000m² in area is to be provided.
- Approximately 21,000m² of land is to be dedicated to the City of Sydney for the purposes of public open space.

Delivery of Roads/Essential Infrastructure

- Existing roads and road reserves on the site are to be embellished, and new roads are to be provided at Cooper Street, West Street and Pitt Street, as identified in the Land Dedication Plan contained within the Design Guide.

Delivery of Community Facilities

- Approximately 2,400m² for the purpose of multi-purpose community facilities across no more than two (2) locations on the land is to be provided, which may include a multipurpose space, meeting rooms, library link, recreational space and creative spaces subject to agreement by the City of Sydney.

The concept SSDA facilitates the delivery of these public benefits through the establishment of the land use distribution, building envelopes, and distribution of development, public domain outcomes, and infrastructure delivery parameters which will inform the future detailed applications. The VPA will ensure that the public benefits are delivered in a timely manner with the proposed development of the land.

5.3 Part 3: Justification of Strategic and Site-Specific Merit

This section of the report assesses and responds to the environmental impacts of the rezoning by providing justification of the strategic and site-specific merit of the proposal. This section addresses the matters for consideration set out in the Guidance for Concurrent Rezoning Report issued for the project (SSD-82225458) and the *Local Environmental Plan Making Guideline*.

5.3.1 Section A – Need for the Planning Proposal

Is the Proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?

No, the Proposal is not the result of a Local Strategic Planning Statement, strategic study or report. The proposal responds to the selection of the Waterloo South into the State Significant Rezoning Program (SSRP) in July 2025. The site's selection into this program indicates the State Government's identification of the potential for Waterloo South to address the states growing housing and employment needs and meaningfully contribute to the delivery targets set under the National Housing Accord.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A Rezoning Proposal is the most effective and appropriate mechanism to achieve the intended outcomes within the statutory planning framework. Under the current Sydney LEP 2012 controls, a scheme that complies with both the 2022 Design Guide and existing development standards would result in an estimated shortfall of approximately 20,000m² of permissible GFA. Approximately 50 per cent of this capacity would otherwise be delivered as social and affordable housing. Retaining the current controls would therefore constrain the delivery of the project's intended housing contribution and reduce its alignment with State-led delivery targets.

Alternative mechanisms, such as reliance on recurring clause 4.6 variations or negotiated outcomes during subsequent development stages, would not provide planning certainty or enable the full development capacity to be realised. This approach would also create inefficiency in the assessment process, increase the risk of inconsistent outcomes between stages, and delay the delivery of social and affordable housing.

The proposed amendments to the Sydney LEP 2012 provide a transparent, coordinated and durable means of aligning the LEP controls with the proposed Design Guide updated envelopes, enabling the permissible GFA (including design excellence floor space) to be accommodated within the intended built form. This ensures that the planning framework is capable of delivering the concept SSDA outcomes at each stage without ongoing reliance on variations.

On this basis, a Rezoning Proposal is the most suitable path to implement the strategic intent for Waterloo South and to support timely delivery of a mixed-tenure housing precinct within the SSRP program.

5.3.2 Section B – Relationship to the Strategic Planning Framework

Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Rezoning Proposal gives effect to the objectives and actions of the Greater Sydney Region Plan and the Eastern City District Plan by facilitating the urban renewal of Waterloo South into a mixed-tenure, mixed-use precinct that delivers significant new housing, supports social inclusion and economic opportunities, and optimises access to existing and planned public transport and social infrastructure. The Proposal aligns with the strategic intent for a more liveable, productive and sustainable metropolitan Sydney, and directly contributes to the Region Plan's and District Plan's directions for housing supply, affordability, equitable access to infrastructure, and place-based renewal.

The Proposal leverages substantial recent and planned State investment in the Eastern City, including the Waterloo metro station, upgrades to Redfern station, and ongoing investment in active networks. It also reflects the collaborative planning approach advocated by both plans, involving the NSW Government, the City of Sydney, Homes NSW, Stockland, CHPs, and local stakeholders.

The Greater Sydney Region Plan

The Greater Sydney Region Plan establishes a 40-year vision and a 20-year plan for sustainable growth, supported by housing targets for the Eastern City. Waterloo South directly supports these goals through transit-oriented renewal that delivers high-density housing, community facilities and a vibrant mixed-use environment in an already well-served urban area.

The Rezoning Proposal gives effect to the following Region Plan objectives:

- **Objective 1 – Infrastructure supports the three cities:** The proposal will facilitate the redevelopment of Waterloo South which leverages existing infrastructure investments, ensuring efficient land use and urban renewal. The precinct benefits from the recently completed Waterloo metro station, upgraded Redfern station, and active transport networks. By delivering higher-density development in a well-serviced urban area, the proposal maximises infrastructure efficiency by increasing the utilisation of recently delivered infrastructure.
- **Objective 5 – Benefits of growth realised by collaboration of governments, community and business:** The renewal of Waterloo South is being delivered through a collaborative approach between the NSW Government, the City of Sydney, Stockland, community housing providers, and community stakeholders. This coordinated effort ensures that urban growth aligns with local needs and strategic priorities. Extensive community consultation is integrated into the planning and delivery process, ensuring that local voices have input into the precinct's future. The partnership approach also facilitates the provision of diverse housing typologies, improved open spaces, and essential social infrastructure, ensuring the benefits of growth are equitably distributed.
- **Objective 6 – Services and infrastructure meet communities' changing needs:** The Waterloo South precinct is designed to support a growing and evolving population by integrating essential services and infrastructure. The proposal will facilitate a development that will deliver new and enhanced public spaces, community facilities, and improved pedestrian and cycling connections. The provision of new social and affordable housing ensures that vulnerable populations have access to secure accommodation, while the precinct's design allows for future adaptability in response to community needs. The integration of education, and community facilities will further support a vibrant and sustainable community.
- **Objective 7 – Communities are healthy, resilient and socially connected:** The proposal will facilitate changes to the Sydney LEP 2012 and 2022 Design Guide which will improve amenity to residents and visitors of the precinct. The amendments prioritise health and well-being through enabling the development of high-quality urban design and green spaces, supported by active transport infrastructure and community facilities. Public open spaces have been enhanced to encourage social interaction, physical activity, and access to nature. The proposal also promotes a diverse mix of housing, encouraging an inclusive and socially connected community. Additionally, the development will incorporate climate-responsive design, improving resilience to extreme weather events and ensuring sustainable living environments.
- **Objective 8 – Greater Sydney's communities are culturally rich with diverse neighbourhoods:** Waterloo South is known for its rich cultural diversity, and the proposal will reinforce this character by providing housing options that cater to people from various socio-economic and cultural backgrounds. The inclusion of social and affordable housing ensures that long-term residents can remain in the area, preserving community ties. The proposal will also facilitate the delivery of cultural and educational facilities, and spaces for community events contributing to the creation of a culturally rich and connected neighbourhood.
- **Objective 10 – Greater housing supply:** The Rezoning Proposal will facilitate the delivery of a significant number of new homes, contributing to Greater Sydney's housing supply targets. By enabling higher-density development in a well-connected location, the proposal aligns with state and regional housing strategies aimed at meeting Sydney's growing population demands. The precinct will accommodate a mix of housing typologies, ensuring that supply increases across multiple market segments.
- **Objective 11 – Housing is more diverse and affordable:** The Rezoning Proposal will deliver a mix of housing tenures, including market, affordable, and social housing, ensuring diversity and affordability. The project facilitates the replacement of housing stock at its end of life and provide housing with significantly enhanced amenity for existing residents who return to the precinct and new residents moving in. The increased delivery of housing across the precinct will address in part the significant demand for social and affordable housing in the City of Sydney. The inclusion of affordable rental housing will support key workers and low- to moderate-income households, promoting socio-economic diversity within the precinct.
- **Objective – 12: Great places that bring people together:** Waterloo South will foster a strong sense of community through high-quality public spaces, improved streetscapes, and active ground-level uses facilitated by the Rezoning Proposal. New parks, community centres, and pedestrian-friendly streets will enhance social interactions and improve the overall liveability of the area. The Urban Design Report which accompanies the Rezoning Report incorporates placemaking principles, ensuring that public spaces are vibrant, safe, and welcoming for residents and visitors alike.
- **Objective – 13: Environmental heritage is identified, conserved and enhanced:** As the proposed amendments to the planning controls will not impact any heritage listed items directly, no impacts are anticipated to environmental heritage. Built form and visual impacts to neighbouring heritage items and heritage items within the vicinity of the site have been assessed within the concurrent concept SSDA, however no changes are proposed to the existing planning framework which would undermine Aboriginal and European heritage values being respected.

- **Objective – 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities:** The Waterloo South Precinct Area is located in an area with access to jobs, services, and amenities within a 30-minute travel radius. The proposal will facilitate the delivery of higher-density residential development with high-frequency public transport connections, such as the Waterloo metro station, supporting the creation of a walkable, transit-oriented community.
- **Objective – 30: Urban tree canopy cover is increased:** The proposal will enhance the project's ability to deliver the required tree canopy coverage across the site by aligning the building envelopes with the required setbacks from street trees as informed by the latest Arboricultural assessment.

Eastern City District Plan

The Eastern City District Plan implements the Region Plan through a set of planning priorities for the district. Waterloo South is located within a Strategic Centre catchment, and the Rezoning Proposal directly supports the following priorities:

- **Planning Priority E3 – Providing services and social infrastructure to meet changing needs:** The proposal seeks to add new and enhanced community infrastructure, including flexible community spaces, access to childcare and education, and improved health and wellbeing facilities into the precinct.
- **Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities:** The proposal will facilitate the delivery of high-quality open spaces, improved street interfaces and community facilities to support social connection.
- **Planning Priority E5 – Housing supply, choice and affordability with access to jobs and services:** The proposal will enable the precinct to provide up to the maximum amount of permissible floorspace, unlocking an additional 20,000m² of GFA that was not captured in the 2022 Design Guide. This enables the improved supply of diverse housing forms adjacent to high-capacity public transport and within proximity to major employment areas, ensuring residents have direct access to jobs and services.
- **Planning Priority E6 – Creating and renewing great places and local centres and respecting heritage:** The proposal will provide improved residential amenity, public domain quality and interface outcomes, particularly in relation to streets, open spaces and key pedestrian routes. Without these refinements, the cumulative scale and massing of development would adversely impact the performance of the public realm.
- **Planning Priority E18 – Delivering high-quality open space:** The proposal significantly increases open space provision, enhances existing green links, and delivers new parks, plazas and canopy cover to support liveability and wellbeing.
- **Planning Priority E19 – Reducing emissions and managing energy, water and waste efficiently:** The Rezoning Proposal will provide a framework to support sustainable design practices, including low-carbon buildings, renewable energy opportunities, and water-sensitive urban design, supporting transition to a net-zero future.

Through its focus on integrated land use and transport, mixed-tenure housing delivery, improved social infrastructure, and high-quality public domain outcomes, the Rezoning Proposal gives clear effect to the strategic directions of both the Greater Sydney Region Plan and the Eastern City District Plan. Waterloo South is a model urban renewal project that directly supports regional and district objectives for a more equitable, sustainable and liveable Sydney.

Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Yes. The Rezoning Proposal is consistent with the City of Sydney Local Strategic Planning Statement (City Plan 2036), which has been endorsed by the Planning Secretary, and with the City of Sydney Local Housing Strategy. The proposal implements key directions of these strategies by supporting well-located housing growth, delivering mixed-tenure housing, enhancing community infrastructure and public open space, and promoting equitable and collaborative urban renewal.

City of Sydney LSPS

The proposal gives effect to the LSPS strategic directions for a liveable, inclusive and connected city by enabling the urban renewal of Waterloo South in a highly serviced location adjacent to new and planned transport infrastructure. It supports the LSPS in the following ways:

- **Supporting community wellbeing with social infrastructure:** The proposal leverages recent State investment, including the Waterloo metro station and upgrades to Redfern station, ensuring that new housing is supported by efficient transport, utility and social infrastructure. The proposal will amend the Sydney LEP 2012 to expand the types of active uses that can be provided at the ground floor to improve precinct vibrancy and the provision of necessary services.

- **A creative and socially connected city:** The proposal will facilitate the renewal of Waterloo South which prioritises social infrastructure delivery, ensuring access to health, education, childcare, and community services. The project includes new public spaces, cultural facilities, and recreational amenities that foster social interaction and community engagement.
- **Creating great places:** The renewal of Waterloo South is driven by placemaking principles that enhance the character, identity, and functionality of the precinct. High-quality public domain upgrades, new parks, improved streetscapes, and active transport connections will contribute to a more vibrant and liveable urban environment. The amendments to the design excellence provisions ensures that there is a framework to ensure that new buildings and public spaces contribute to a cohesive and visually appealing precinct, enhancing the long-dated local identity and sense of place.
- **New homes for a diverse community:** The Rezoning Proposal will facilitate the delivery of a mix of housing types and tenures, ensuring a socially inclusive and diverse community. The development will provide a combination of social, affordable, and market housing, catering to a broad spectrum of income levels and household compositions. The precinct's housing strategy aligns with NSW Housing Strategy and City of Sydney housing policies, supporting key workers, families, and vulnerable populations.
- **Open, accountable and collaborative planning:** The renewal of Waterloo South is being delivered through a transparent and community-focused planning process. Extensive community consultation and stakeholder engagement have been embedded in the project's planning and design stages to ensure that local voices shape the precinct's future. The project aligns with State and local strategic plans, ensuring that development outcomes are balanced, equitable, and aligned with broader metropolitan growth objectives.

City of Sydney Local Housing Strategy

The proposal also gives effect to the City of Sydney Local Housing Strategy's core priorities for well-located, diverse and affordable housing supported by infrastructure.

- **Priority H1 - Facilitating more homes in the right locations:** The proposal for Waterloo South will enable the delivery of a significant number of new homes in a highly accessible, well-serviced urban location. By concentrating higher-density development around the Waterloo metro station and existing transport links, the precinct aligns with state and regional housing strategies aimed at accommodating Sydney's growing population in strategic, well-connected areas. This approach optimises land use, ensuring that housing supply is increased in a way that supports sustainable urban growth.
- **Priority H2 - Coordinating housing growth with the delivery of infrastructure:** The proposal will facilitate the renewal of Waterloo South which leverages existing transport, water, energy, and social infrastructure, reducing the need for costly, large-scale infrastructure expansions. The recently completed Waterloo metro station, upgraded Redfern station, and enhanced active transport networks ensure that future residents will benefit from efficient, multi-modal connectivity. Additionally, future development will include new and improved public spaces, community facilities, and essential services, ensuring that infrastructure keeps pace with housing growth to support a well-functioning, liveable community.
- **Priority H3 - Increasing diversity and choice in housing:** The proposal will facilitate the delivery of a precinct which will accommodate a mix of housing typologies, ensuring supply across multiple market segments. This includes market housing, affordable rental housing, and social housing, providing a range of dwelling types to suit different household needs. The mix of housing will ensure a balanced and inclusive residential community.
- **Priority H4 - Increasing the diversity and number of homes available for lower-income households:** The redevelopment of Waterloo South prioritises the inclusion of affordable rental housing for low- to moderate-income households. By ensuring that approximately 50 per cent of residential GFA are designated as social or affordable housing, the precinct supports Sydney's broader housing affordability objectives. The provision of lower-cost rental options will help key workers, students, and vulnerable populations remain in a well-serviced urban area with access to jobs, transport, and amenities.
- **Priority H5 - Increasing the amount of social and supported housing:** The proposal will increase the amount of social and affordable housing that exists on the site, and will enable development of up to 20,000m² of permissible floorspace which was not achievable under the building envelopes established by the 2022 Design Guide. The proposal will address the growing demand for secure, long-term accommodation for vulnerable populations. The proposal also ensures that existing social housing residents are not displaced in the long term, while also increasing the overall supply of social and supported housing within a mixed-tenure environment. This approach integrates social housing with private and affordable homes, promoting social inclusion and reducing housing segregation.

- **Priority H6 - Improving NSW Government controlled site outcomes:** The Waterloo South renewal is a collaborative initiative between the NSW Government, City of Sydney, Stockland, CHPs, and community stakeholders ensuring a coordinated approach to urban renewal. The planning and delivery process incorporates extensive community consultation, ensuring that local voices shape the precinct's future. The proposal also promotes best-practice urban design, sustainability measures, and place-based planning principles, setting a benchmark for NSW Government-controlled site outcomes.
- **Priority H7 - Increasing liveability, sustainability and accessibility through high-quality residential design:** The precinct will be designed to enhance liveability through high-quality public spaces, improved streetscapes, and vibrant ground-level uses. New parks, pedestrian-friendly streets, and community hubs will foster a strong sense of place and belonging. Sustainability is a core focus, with climate-responsive design, green infrastructure, and energy-efficient buildings incorporated throughout the development.

The renewal will also prioritise accessibility, ensuring that homes and public spaces cater to people of all ages and abilities, creating a resilient, inclusive, and sustainable urban community which will all be facilitated by the Rezoning Proposal.

Is the planning proposal consistent with any other applicable State and regional studies or strategies?

National Housing Accord

Australia is facing a significant and persistent housing supply challenge, with the cost of renting or purchasing a home now representing the largest living expense for most households in New South Wales. Despite being the most populous state, with the fastest population growth, the highest median rents and the highest median house prices, NSW continues to under-deliver on new housing relative to demand. Recent comparative analysis by the NSW Productivity Commission confirms that NSW lags behind other states, including Victoria, in the number of completed homes, underscoring the urgency for well-located large-scale housing delivery.

In response, the Australian Government's National Housing Accord (2023) commits to facilitating 1.2 million well-located homes between 2024 and 2029. The Accord places strong emphasis on delivering new dwellings in accessible, infrastructure-rich areas close to transport, services, employment and education. To support this national target, the NSW Government has introduced a suite of reforms designed to accelerate housing delivery, improve affordability and remove barriers to development in strategically important locations.

The creation of the State Significant Rezoning Policy (2024) and its dedicated pathway for social and affordable housing recognises the need for coordinated, precinct-scale delivery. Under this framework, Homes NSW and Landcom may progress rezonings capable of delivering substantial, well-located social and affordable housing. In June 2025, the Waterloo South proposal was found by the Department's State Significant Rezoning Evaluation Panel to meet the eligibility criteria for this pathway and was endorsed to proceed as a State Assessed Rezoning Proposal. This confirms its strategic importance and its alignment with statewide housing objectives.

The Rezoning Proposal, which will facilitate the Waterloo South redevelopment, directly supports the intent of the National Housing Accord by delivering high-density urban renewal in a central, transport-rich location, immediately adjacent to Waterloo metro station and within one of Sydney's most connected inner-city precincts. The proposal provides:

- Approximately 3,300 new dwellings, significantly contributing to the supply of well-located homes within the Accord's timeframe.
- A commitment that up to 50 per cent of the residential GFA will be delivered as market housing, with a minimum of 30 per cent of residential GFA delivered as social housing supporting both housing diversity and equitable access to opportunity.
- High-quality mixed-tenure development, integrating social, affordable and private housing within a cohesive and inclusive neighbourhood.
- Publicly accessible open space and an enhanced public realm, reinforcing liveability and community benefit as core components of precinct renewal.
- An authentic mixed-use environment, co-locating housing with essential services, community infrastructure and high-frequency public transport.

In combination, these outcomes demonstrate strong alignment with the National and State imperative to deliver more homes where people want and need to live. The Waterloo South proposal offers a contemporary model of precinct-scale renewal that responds to immediate housing challenges while supporting long-term urban, social and economic outcomes consistent with the objectives of the National Housing Accord.

Housing 2041: Housing Strategy

Housing 2041 is a whole-of-government housing strategy with a 20-year vision for the people of NSW. The guiding goal and ambition of the strategy is to deliver better housing outcomes by 2041, including housing in the right locations, housing that suits diverse needs and housing that feels like home. The proposal aligns with three aspirations established by the strategy as follows:

- **To deliver housing supply in the right locations at the right time:** The proposal will unlock significant housing supply in an inner-city location that is well-connected to jobs, services, and transport infrastructure. The precinct is adjacent to the newly completed Waterloo metro station, providing high-frequency access to the Sydney CBD, Parramatta, and key employment centres. By facilitating increased density in a well-served area, the project aligns with NSW Housing Strategy goals to optimise housing supply in strategic locations while avoiding urban sprawl.
- **To provide housing that is affordable and secure:** The proposal facilitates the delivery of approximately 3,300 new dwellings including a maximum 50 per cent (GFA) market housing. The delivery of a minimum 30 per cent of residential GFA as social housing ensures that lower-income households and vulnerable residents have access to secure accommodation. More than 1,500 new social and affordable homes will be delivered on the site through the State Assessed Rezoning Process. The project incorporates mixed tenure housing, including affordable rental housing for key workers and dedicated housing for First Nations people, providing long-term housing security and addressing affordability challenges in the City of Sydney.
- **To provide housing that is diverse and meets varied and changing needs:** The Rezoning Proposal will facilitate the delivery a range of housing typologies, including social, affordable, and market housing, ensuring a balanced and inclusive community. The precinct's design considers the needs of different household types, including families, single-person households, and older residents. Accessible and adaptable housing will also be incorporated, ensuring that housing supply meets changing demographic and social needs over time.

Future Transport 2056

The NSW Government's *Future Transport Strategy 2056* promotes an integrated approach to transport and land-use planning to create well-connected communities and support place outcomes. It notes that future transport and land use planning decisions should be progressed collaboratively and in an integrated way, recognising that transport networks work best where they "connect and improve the places they serve".

The Strategy's place-based "Movement and Place" framework is intended to ensure that movement and place are planned together, supporting street environments that safely accommodate movement while enhancing local place qualities. In Greater Sydney, the Strategy also advances the 30-minute city ambition (including 30-minute access to strategic and metropolitan centres by public transport, walking or cycling) and identifies the need for strong walking and cycling connections to extend public transport catchments and increase mode share.

Consistent with these directions, the Rezoning Proposal will refine the Sydney LEP 2012 controls and supporting Design Guide to better align the precinct's built form and land use framework with the capacity and accessibility benefits of the surrounding mass transit network and local walking/cycling connections. The Strategy specifically identifies urban renewal opportunities such as Waterloo as locations where added rail capacity can support growth.

The proposed amendments will facilitate an orderly and deliverable development outcome, accommodating the currently permissible floor space within an achievable massing, improving the interface and public domain outcomes along key routes, and enabling additional active frontage uses (including 'educational establishments' and 'creative industries') that support local access to jobs, services and amenity in a highly connected precinct.

NSW Net Zero Plan – Stage 1: 2020-2030

The Rezoning Proposal will facilitate a development that consists of high performance buildings designs that will meet BASIX and NABERS benchmarks and promote energy efficiency through embedded infrastructure and sustainability initiatives, contributing to reduced operational emissions.

State Infrastructure Strategy 2022-2042

The NSW Government's response to the State Infrastructure Strategy 2022–2042: Staying Ahead emphasises delivering "the right projects in the right place at the right time" and integrating infrastructure investment with land-use planning to support liveability, productivity and long-term growth.

The Strategy recognises that access to “affordable and quality housing” is a key enabler of prosperous and thriving communities, and supports the delivery of secure, affordable and diverse housing. It also explicitly promotes planning outcomes that deliver more “housing, jobs, amenities and services” in locations where there is spare capacity in existing and planned infrastructure and calls for strategic land use plans to consider social and affordable housing in locations well-connected to key infrastructure, services and amenities.

Consistent with these directions, the proposed amendments to Sydney LEP 2012 (together with the proposed Design Guide updates) are intended to better integrate the planning framework with infrastructure and service planning by ensuring the precinct’s permissible floor space can be delivered within an achievable and high-quality built form, and by facilitating a broader mix of activity and service uses (including ‘educational establishments’ and ‘creative industries’) along active frontages. This approach supports a coordinated, precinct-based delivery model, leverages major investment in mass transit and supporting infrastructure, and improves certainty that growth, housing delivery (including social and affordable housing outcomes), amenity and public domain performance can be realised in an orderly and efficient manner.

Draft Sydney Plan

It is noted that the newly released draft Sydney Plan is on exhibition from 10 December 2025 to 27 February 2026. The draft Sydney Plan is the New South Wales Government’s strategic land-use plan for the Sydney region, designed to guide growth over the next 20 years. It sets the framework for how the region will manage population growth, housing supply, infrastructure investment, jobs, sustainability and liveability across 33 local government areas. The draft Sydney Plan is intended to replace the existing Greater Sydney Region Plan – A Metropolis of Three Cities (2018) and associated district plans once finalised.

The draft Sydney Plan has developed the following priorities which will inform local strategic planning and assessment processes, infrastructure planning and prioritisation of public and private investment decisions. The Rezoning Proposal and its alignment with these priorities are outlined below:

- **Aboriginal outcomes:** The draft Sydney Plan rightly recognises that Country is central to Aboriginal people’s identity and sense of belonging. Waterloo South is home to a large population of First Nations people who hold an enduring connection to the land. The proposal has been informed by engagement with Aboriginal communities, and the design of the future precinct will ensure Country is embedded in the urban design, landscape and precinct from day one. Additionally, 15 per cent of the affordable housing and 20 per cent of the social housing proposed (by GFA) will be provided to Aboriginal tenants, with all existing residents of Waterloo South provided with the opportunity to move back to the precinct once the site is developed.
- **Housed:** The Rezoning Proposal directly responds to the need to provide increased housing in response to demand, facilitating the delivery of approximately 3,300 new dwellings in a highly accessible location. The draft Sydney Plan recognises the need to provide greater housing diversity and choice. The Rezoning Proposal will enable the provision of a diverse range of housing tenures, including up to 50 per cent of residential GFA to be delivered as market housing. Community facilities and retail services will be co-located to support the densification of the area.
- **Prosperous:** The Rezoning Proposal will facilitate the delivery of a residential-led, mixed use precinct, co-locating employment generating uses with housing in alignment with the draft Sydney Plan. Furthermore, a Skills Exchange and Redeployment Hub co-located with an Aboriginal Social Enterprises Incubator in Stage 1 will build capacity of local businesses and residents to secure and maintain employment and business opportunities within the locality.
- **Connected:** The draft Sydney Plan emphasises that land use planning should create compact and transport oriented cities, where housing and jobs are delivered alongside public transport and supported by cycling connections. The proposal is strategically aligned with this priority, seeking to deliver a mixed use precinct where there is great connectivity to public transport. The amendments proposed to the Sydney LEP 2012 and 2022 Design Guide will further improve the connectivity and pedestrian amenity of the precinct by increasing the permeability of street blocks, increasing solar access to public domain and improving activation along street frontages.
- **Resilient:** The amendments proposed to the building envelopes under the proposal will facilitate improved environment outcomes including tree canopy coverage, and high quality public open spaces which will reduce urban heat island impacts and improve biodiversity outcomes.
- **Liveable:** The broader redevelopment of Waterloo South is underpinned by the core values of promoting inclusivity and a sense of belonging. This will be enabled through the Rezoning Proposal which will facilitate the delivery of diverse housing tenures, co-located with activated street frontages and new, high quality public open spaces. The amendments also support a more equitable distribution of amenity across housing tenures. The Rezoning Proposal will improve the development outcomes achievable on the site and provide a foundation to support future detailed design.

- **Coordinated:** The draft Sydney Plan outlines that growth is to be coordinated with infrastructure upgrades to promote the orderly delivery of developments. Waterloo South is located in an existing urban area which will benefit from the development of the Waterloo metro station, ensuring that the future development is supported by strong public transport connectivity and will not adversely impact existing infrastructure.

In accordance with the above, the Rezoning Proposal aligns with the key priorities of the draft Sydney Plan. The implications of the draft Sydney Plan will be further investigated at future detailed application stages.

Is the planning proposal consistent with applicable SEPPs

An assessment of the consistency of the Rezoning Proposal against the relevant State Environmental Planning Policies (SEPPs) is set out in **Table 10** below.

Table 10 State Environmental Planning Policies

State Environmental Planning Policies	Consistency	Comment
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendments. An assessment against the Biodiversity and Conservation SEPP has been undertaken in the concept SSDA, submitted concurrently with this Rezoning Proposal.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Housing) 2021</i>	Yes	Whilst the Rezoning Proposal and concurrent concept SSDA will not result in physical works occurring, the proposal has considered the principles of this SEPP as it proposes amendments to the existing development controls that enable the future development of purpose-built housing in a location that will make efficient use of existing public transport and social infrastructure. The design principles and development standards within the SEPP will be further assessed as part of the detailed applications that will follow the Rezoning Proposal and concept SSDA. The proposed buildings envelopes facilitated by this Rezoning Proposal are however considered against the key objectives and design criteria of the Apartment Design Guide at Section 6.2.4 of this report.
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Yes	The future redevelopment of the site will include a mixture of residential, commercial and community uses that will incorporate signage. Whilst not applicable to the Rezoning Proposal, this signage will be assessed against this SEPP as part of the future detailed applications.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment. It is noted that future applications may be categorised as SSD as per clause 26(1), Schedule 1 of the Planning Systems SEPP.
<i>State Environmental Planning Policy (Precincts – Central River City) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Precincts – Regional) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.

<i>State Environmental Planning Policy (Primary Production) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Yes	The future detailed development applications lodged as a result of the Sydney LEP 2012 amendment will be subject to the development standards of this SEPP. Nothing proposed under this Rezoning Proposal would prevent an application from complying with these standards. This is confirmed in the precinct Remediation Action Plan which is submitted with the concurrent concept SSDA, which outlines the strategy to ensuring site suitability across the Waterloo South precinct.
<i>State Environmental Planning Policy (Resources and Energy) 2021</i>	N/A	Not relevant to the proposed Sydney LEP 2012 amendment.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Yes	The concurrent concept SSDA has considered the development standards of this SEPP, with further resolution to occur at the detailed application stage. Through the implementation of multiple ESD initiatives, the development will meet and exceed industry benchmarks and schemes, as well as reduce emissions and consumption of energy. This is confirmed in the ESD Report submitted with the concept SSDA.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Yes	The proposed amendment to Sydney LEP 2012 will not prevent the detailed applications from complying with this SEPP. A precinct-wide Transport Impact Assessment has been prepared to support the Rezoning Proposal, the findings of which are outlined in Section 0 below. Future detailed applications will also have to consider the relevant provisions of the SEPP.

Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key Government priority?

An assessment of the Rezoning Proposal against applicable Section 9.1 Ministerial Directions is set out in **Table 11** below.

Table 11 Section 9.1 Ministerial Directions

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
Focus area 1: Planning Systems				
1.1 Implementation of Regional Plans	✓			As discussed in Section 5.3.2 of the Rezoning Report, the proposal is consistent with the Greater Sydney Region Plan.
1.2 Development of Aboriginal Land Council Land			✓	The Rezoning Proposal does not seek to develop on any Aboriginal Land Council land.
1.3 Approval and Referral Requirements	✓			This direction aims to ensure that Sydney LEP 2012 provisions encourage the efficient and appropriate assessment of development. The relevant requirements of this direction have been considered in the preparation of this concurrent state-led rezoning.
1.4 Site Specific Provisions	✓			The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. The proposed rezoning is consistent with this direction as it seeks to amend existing site-specific provisions contained within the Sydney LEP 2012.

Ministerial Direction	Consistency			Comment
1.4A Exclusion of Development Standards from Variation			✓	The proposed Sydney LEP 2012 amendments do not involve the exclusion of development standards from clause 4.6.
Focus area 1: Planning Systems – Place-based				
1.5 Parramatta Road Corridor Urban Transformation Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.10 Implementation of the Western Sydney Aerotropolis Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.11 Implementation of Bayside West Precincts 2036 Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.14 Implementation of Greater Macarthur 2040			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.15 Implementation of the Pyrmont Peninsula Place Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.16 North West Rail Link Corridor Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.17 Implementation of the Bays West Place Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.18 Implementation of the Macquarie Park Innovation Precinct			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.19 Implementation of the Westmead Place Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.20 Implementation of the Camellia-Rosehill Place Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.21 Implementation of the South West Growth Area Structure Plan			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
1.22 Implementation of the Cherrybrook Station Place Strategy			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
Focus Area 2: Design and Place				
Focus Area 3: Biodiversity and Conservation				
3.1 Conservation Zones			✓	The site is not subject to any environmental conservation zones.

Ministerial Direction	Consistency			Comment
3.2 Heritage Conservation	✓			The Rezoning Proposal respects the heritage items in proximity to the site, including four locally listed heritage items fall within the Waterloo South precinct, including the Former Waterloo Pre-school, a group of Victorian terrace houses, a single-storey Interwar electricity substation and the Duke of Wellington Hotel, as well as the State heritage listed Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630), which runs deep beneath the precinct. Heritage impacts will be assessed in detail within the concept SSDA and future detailed applications.
3.3 Sydney Drinking Water Catchments	✓			The proposal will not impede on the Sydney Drinking Water Catchment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs			✓	The site of the Rezoning Proposal is not located in the Far North Coast Area.
3.5 Recreation Vehicle Areas			✓	The site of the Rezoning Proposal is not located in a Recreation Vehicle Area.
3.6 Strategic Conservation Planning			✓	The site of the Rezoning Proposal is not located in an area that requires Strategic Conservation Planning.
3.7 Public Bushland			✓	The site of the Rezoning Proposal is not located in an area of Public Bushland.
3.8 Willandra Lakes Region			✓	The site of the Rezoning Proposal is not located in the Willandra Lakes Region.
3.9 Sydney Harbour Foreshores and Waterways Area			✓	The site of the Rezoning Proposal is not located in the Sydney Harbour Foreshores and Waterways Area.
3.10 Water Catchment Protection			✓	The site of the Rezoning Proposal is not located in a Water Catchment Protection zone.
Focus Area 4: Resilience and Hazards				
4.1 Flooding	✓			As confirmed in the Flood Risk Assessment appended to the EIS at Appendix AA , the site is prone to overland flow flooding. This is detailed further in Section 0 .
4.2 Coastal Management			✓	The site of the Rezoning Proposal is not located in a Coastal Management Area.
4.3 Planning for Bushfire Protection			✓	The site of the Rezoning Proposal is not identified as being bushfire prone and therefore does not require planning for bushfire protection.
4.4 Remediation of Contaminated Land	✓			The site can be made suitable for the proposed development.
4.5 Acid Sulfate Soils	✓			The site is identified as containing class 5 acid sulfate soils. This Rezoning Proposal does not contain provisions that contradict or would hinder application of this direction. The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Specific responses to the presence of acid sulfate soils can be addressed site by site through the future detailed applications.
4.6 Mine Subsidence and Unstable Land			✓	The site of the Rezoning Proposal is not located in land identified as mine subsidence or unstable land.

Ministerial Direction	Consistency			Comment
Focus Area 5: Transport and Infrastructure				
5.1 Integrating Land Use and Transport	✓			The Rezoning Proposal will improve access to housing, jobs, and services by being located in close proximity to several frequent bus services and the Waterloo metro station.
5.2 Reserving Land for Public Purposes			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
5.3 Development Near Regulated Airports and Defence Airfields	✓			The land subject to this Rezoning Proposal is also affected by the Obstacle Limitation Surface (OLS). An Aviation Assessment has been prepared to support the Rezoning Proposal and includes an assessment of the proposed envelope heights and their impacts to the OLS. This is discussed further in Section 0 .
5.4 Shooting Ranges			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
5.5 High Pressure Dangerous Goods Pipelines			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
Focus Area 6: Housing				
6.1 Residential Zones	✓			The proposal does not seek to amend the land use zones at the site which currently permit a broad range of residential land uses. The Rezoning Proposal is consistent with the objectives of the direction as it will give effect to the delivery of a diverse range of housing typologies, including 50% of the proposed housing floor space as social and affordable housing, in an area that is co-located with existing infrastructure and services.
6.2 Caravan Parks and Manufactured Home Estates			✓	Not relevant to the proposed Sydney LEP 2012 amendment
Focus Area 7: Industry and Employment				
7.1 Employment Zones			✓	The Waterloo South site comprises both the MU1 Mixed Use zone and the E1 Local Centre zone. These land use zones were implemented on the publication of the PP-2021-3265 which rezoned the site from R1 General Residential zone under the Sydney LEP 2012 and Zone No 2 (b) – Residential (Medium Density) under the South Sydney LEP 1998. The Rezoning Proposal does not seek to amend the land use zones at the site. The land uses permit a broad range of industry and employment uses, to ensure that the precinct develops into a genuine mixed use precinct which encourages employment opportunities in a suitable location. Changes are proposed to the site-specific provisions related to the minimum non-residential floor space to be delivered on the site as outlined in Section 6.0.
7.2 Reduction in Non-Hosted Short-Term Rental Accommodation Period			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
7.3 Commercial and Retail Development Along the Pacific Highway, North Coast			✓	The site of the Rezoning Proposal is not located along the Pacific Highway or North Coast.
Focus Area 8: Resources and Energy				
8.1 Mining, Petroleum Production and Extractive Industries			✓	Not relevant to the proposed Sydney LEP 2012 amendment.

Ministerial Direction	Consistency			Comment
Focus Area 9: Primary Production				
9.1 Rural Zones			✓	The site of the Rezoning Proposal is not located in a rural zone.
9.2 Rural Lands			✓	The site of the Rezoning Proposal is not identified as rural lands.
9.3 Oyster aquaculture			✓	Not relevant to the proposed Sydney LEP 2012 amendment.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast			✓	The site of the Rezoning Proposal is not identified as farmland, nor is it located in a regional area.

5.3.3 Section C – Environment, Social and Economic Impacts

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Rezoning Proposal is not likely to result in adverse impacts on critical habitat, threatened species, populations or ecological communities. The proposed amendments to the Sydney LEP 2012 are minor in nature and relate to refinements to permissible land uses and the adjustment of building envelopes to align with the proposed Design Guide updates.

These refinements respond to the site context and are intended to support high-quality built form, streetscapes and public domain outcomes, including the achievement of ecological and urban green infrastructure objectives.

The amendments do not alter the 2022 Design Guide requirements relating to urban biodiversity, habitat creation and delivery of green infrastructure. Section 10 of the 2022 Design Guide sets out performance outcomes to enhance ecological health across the precinct, including tree canopy provision, habitat planting and sustainable landscape design.

In accordance with the 2022 Design Guide, ecological assessment reports will be submitted with each development application. These assessments will determine the presence or potential occurrence of critical habitat, threatened species, populations or ecological communities, and assess any potential impacts in a future detailed development application.

To support the concurrent concept SSDA, an ecological assessment has been prepared by Narla Environmental. The assessment found that the majority of Waterloo South is of low ecological constraint, reflecting the dominance of exotic species and limited presence of native habitat values. Notwithstanding this outcome, future development applications will be required to undertake site-specific ecological assessment to confirm potential impacts and identify mitigation measures, where required.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental effects resulting from the amended planning controls is identified in **Section 0**. Relevant management measures are identified where appropriate and, on this basis, the assessment has not identified any unacceptable impacts that are likely to result from this rezoning request or future development at the site.

SJB Architects have carefully modelled changes to the overall building envelopes facilitated by the amendments to the Height of Buildings and FSR maps to ensure that there is an overall improvement to residential and environmental amenity resulting from the amendments compared to a scheme developable under the existing planning framework.

Has the planning proposal adequately addressed any social and economic effects?

Yes. The social and economic effects of the Rezoning Proposal have been identified and addressed through the concept SSDA, supporting technical studies and the targeted amendments to the Sydney LEP 2012. The proposal will deliver substantial positive social outcomes by enabling the redevelopment of Waterloo South as a mixed-tenure, mixed-use precinct that increases the supply and diversity of housing, including the delivery of up to 50 per cent of all residential GFA as market housing and a minimum 30 per cent of all residential GFA as social housing, in a location with strong access to public transport, existing services and employment opportunities.

The Rezoning Proposal also supports positive economic outcomes by strengthening the land-use mix, enabling new community infrastructure, and providing flexibility for a wider range of activity-generating uses. The amendments will facilitate a vibrant local economy with improved access to education, services and employment, supported by activated street frontages and high-quality public domain outcomes.

To enhance the precinct's social function and economic performance, the Rezoning Proposal includes targeted amendments to clauses 7.27 and 7.29 to better reflect the revised development program and the land-use mix established through the concurrent concept SSDA. The current list of permissible active uses is narrower than the intended mix of uses and excludes functions that strongly support community life, cultural expression and employment generation. Amendments to clause 7.27(3)(b) will enable 'educational establishments' and 'creative industries' to operate along designated active frontages, contributing to activation, pedestrian movement and place vitality.

Similarly, adjustments to clause 7.29 align the non-residential GFA requirements with the updated service model for the precinct. The existing requirement for 17,000m² of non-residential floor space was based on delivery of the Health One facility in the 2021 scheme, which is no longer proposed by NSW Health. Reducing the minimum non-residential GFA to 15,000m² ensures the control remains viable, while still securing a substantial level of community-serving and employment-generating uses that support local needs.

Further refinement to clause 7.29(3)(b) allows the minimum 5,000m² of nominated community uses to be met either through a reduced floorspace requirement or through inclusion of 'education establishments' as a qualifying use. This ensures the control accommodates the updated services mix and continues to secure community-focused outcomes that deliver positive social benefits for residents. Together, these amendments will:

- deliver the ability to realise the extent of GFA already permissible upon the site, maximising social and affordable housing supply,
- support housing diversity and access to well-located accommodation,
- support a range of community-serving uses,
- encourage activation and place vibrancy,
- enable new educational and creative industry opportunities, and
- maintain a strong commitment to non-residential floor space and employment generation.

On this basis, the Rezoning Proposal provides an appropriate and balanced response to the social and economic effects of the redevelopment and ensures the Sydney LEP 2012 supports the delivery of a thriving, inclusive and economically resilient precinct at Waterloo South.

5.3.4 Section D – Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

Yes. Adequate public infrastructure is available to support the Rezoning Proposal, and further infrastructure will be delivered progressively through the redevelopment of Waterloo South. The site is located in a highly serviced urban area with established access to public transport, community facilities, education, open space and essential utilities. The precinct benefits from proximity to Waterloo metro station and Redfern rail station, high-frequency bus services, existing community services within Waterloo and Redfern, and the wider strategic infrastructure network of inner Sydney.

Infrastructure needs and staging have been assessed comprehensively through the design and technical studies supporting the Rezoning Proposal. These assessments confirm that utilities, transport networks and community infrastructure can support the redevelopment, with augmentation works to be delivered where required through future development applications in consultation with relevant service providers, community and government agencies.

In addition, the proposed Design Guide updates establish clear requirements for public domain upgrades, open space provision, pedestrian and cycling infrastructure, and delivery of green infrastructure to support increased residential density and community needs.

Overall, the Rezoning Proposal is supported by existing infrastructure and a coordinated framework for delivery of new infrastructure, ensuring the precinct can function as an integrated, connected and includes a coordinated well-served urban neighbourhood.

5.3.5 Section E – State and Commonwealth Interests

What are the views of the state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Extensive consultation has been undertaken with DPHI, City of Sydney Council, as well as other government agencies including TfNSW, DEECCW, and Heritage NSW in the preparation of the Rezoning Report, as is outlined in **Section 0**. Given the State significance of this precinct, a collaborative approach to the design and implementation of the precinct is necessary to ensure that the site can meet the expectations of housing delivery.

Further consultation with relevant authorities will be undertaken as the Rezoning Proposal is publicly exhibited and then assessed by DPHI.

6.0 Assessment of Site-Specific Matters

6.1 Connecting with Country

The Rezoning Proposal is informed by the Waterloo South Connecting with Country Framework (**Attachment C**) prepared by Ngurra Advisory, which establishes a culturally-led approach for Waterloo South on Gadigal Country. The Framework makes clear that Connecting with Country is not a one-off consultation milestone; it is an ongoing, relationship-based process that must guide decision-making across planning, design, delivery, activation and long-term stewardship for the duration of the project.

A central purpose of the Framework is to inform and strengthen Designing with Country. It distinguishes Connecting with Country as the process of building and sustaining relationships with Country and with Aboriginal communities (including cultural authority, accountability and appropriate knowledge sharing), while Designing with Country is the translation of that relationship into design intent and place outcomes. The Connecting with Country Framework supports the Rezoning Proposal by providing the statutory planning setting within which Designing with Country can be progressed and embedded, so cultural considerations shape precinct outcomes early and are carried through to implementation rather than being applied after key planning and design decisions are made.

The Framework is intended to retain an active role throughout the project lifecycle by:

- embedding cultural governance and ongoing Aboriginal involvement in decision-making as the project evolves and stages are delivered;
- requiring cultural commitments to be carried into implementation instruments (e.g. project briefs, consultant scopes, design packages, procurement and delivery requirements) to maintain continuity across changing teams and timeframes;
- supporting iterative engagement and feedback loops so Designing with Country outcomes can be tested, refined and validated at each stage (master planning, detailed design, approvals and delivery); and
- protecting Indigenous Cultural and Intellectual Property (ICIP) through consent-based use and agreed attribution, which informs how cultural narratives, naming, interpretation, public art and communications are developed and implemented.

On balance, the Rezoning Proposal is considered to respond appropriately to the Connecting with Country Framework, noting that the Framework's governance, ICIP and monitoring requirements provide the mechanism to ensure Designing with Country outcomes are translated into deliverable design directions and sustained stewardship over the full duration of the redevelopment. The Designing with Country approach is outlined within the concurrent concept SSDA.

6.2 Urban Design

6.2.1 Development blocks and urban structure

The site contains 10 development blocks (including Block 1 which is to become a public park) within a refined street block layout, to support the staged delivery of the project and to provide a clear framework for the distribution of built form, land uses, open space and public domain connections.

The proposed urban structure establishes a permeable and legible neighbourhood layout, with development blocks arranged to support a high-quality public domain and strong pedestrian connectivity. The distribution of built form and open space is designed to:

- define and activate key street edges, particularly along George Street and Cooper Street;
- create a coherent network of streets, links and through-site connections that improves permeability across the precinct; and
- integrate a range of public and semi-public spaces, including landscaped courtyards and green interfaces, that contribute to an inclusive community-oriented public domain.

The proposed concept plan generally maintains the overall street layout of the previous 2022 Design Guide, however makes minor changes to improve pedestrian amenity through the precinct, align streets and building envelopes with tree retention requirements, and reflect updated site survey information which more accurately details existing building locations and street dimensions. This results in slightly amended developable 'block areas' between the 2022 scheme and the proposed FSR maps and concept SSDA indicative area schedules.

6.2.2 Character areas

The built form strategy establishes a cohesive precinct identity while enabling differentiation across key character areas. The ground plane integrates community facilities, creative workspaces and landscaped courtyards, supporting an active and inclusive public realm.

Active frontages along George Street and Cooper Street form cultural and activity spines that supports retail, hospitality, community-focused uses and spaces for 'Blak businesses', with through-site links improving permeability and reflecting historic water movement patterns. Character areas include:

- **George Street:** A finer-grain street character reflecting the Redfern interface, with robust podiums supporting active uses and recessed towers above six-storey street walls to maintain human scale and solar access.
- **Communities and Creative Neighbourhood:** Narrower scale built form and adaptable ground floors supporting makers, start-ups and community services, reinforcing civic function and a lively streetscape.
- **Village Neighbourhood:** Human-scaled residential streets with front doors, stoops and thresholds that provide semi-private spaces and support everyday social connection.

6.2.3 Massing and envelopes

The proposed building envelopes have been developed through extensive design testing including solar access modelling, sky view assessment, and iterative envelope refinement. A detailed Urban Design Report prepared by SJB with inputs from Nguluway DesignInc and Aspect Studio (refer to **Appendix F** of the EIS) documents this testing and provides supporting analysis of the proposed Design Guide updates. Key environmental impacts from the proposed building massing are considered further in **Section 6.3** of this report.

The proposed building envelopes are also supported by a reference scheme which demonstrates how buildings that comply with the proposed maximum FSR and height of building development standards may be delivered within the parameters of the building envelopes. The reference scheme demonstrates that an acceptable building form can be delivered within each of the proposed building envelopes.

Building Heights

The proposed Sydney LEP 2012 amendments to Height of Building development standards are informed by the proposed Design Guide updated maximum building height in storeys plan. Revised maximum building heights are proposed across the precinct, with exception of Block 1 (future park). The proposed maximum building heights across the site are illustrated in **Figure 16**.

The proposed building height strategy has been developed through detailed design testing to improve public domain amenity, residential amenity and overall urban design outcomes when compared with the envelopes established in the 2022 Design Guide.



Figure 16 Maximum Height in Storeys Plan

Source: Design Guide prepared by SJB

Proposed building heights vary across the site in response to context, street hierarchy and adjacency to public open space. Taller envelopes are generally located toward the southern portion of the precinct, with mid-rise envelopes forming the predominant built form across much of the site and lower-scale envelopes reinforcing a human-scaled street environment along key interfaces.

Key components of the height and massing strategy include:

- concentration of the tallest buildings along McEvoy Street and north of Waterloo Park, where broader street widths and open space can better accommodate increased scale;
- the proposed heights of the tallest buildings respond to the height limits set by the PAN OPS (126.4m);
- a graduated stepping down of heights toward surrounding lower-scale residential areas to provide appropriate transitions and reduce visual and overshadowing impacts; and
- redistribution of built form from continuous mid-rise massing into lower street walls with recessed and more slender tower elements to reduce perceived bulk and improve sky view and daylight penetration.

Mid-rise buildings (generally approximately 7–14 storeys) provide the predominant built form across much of the precinct and assist in transitioning between lower-scale forms and taller buildings. Taller elements are generally concentrated toward the southern portion of the precinct, with an additional taller element within Block 7, contributing to skyline variation while managing impacts to surrounding areas.

Street wall heights are generally proposed to be up to six storeys (refer to **Figure 17**) to reinforce a human-scaled streetscape and maintain compatibility with the surrounding built context. This approach moderates the perceived bulk of development at street level, enhances pedestrian amenity and supports a consistent and legible built form character across the precinct.

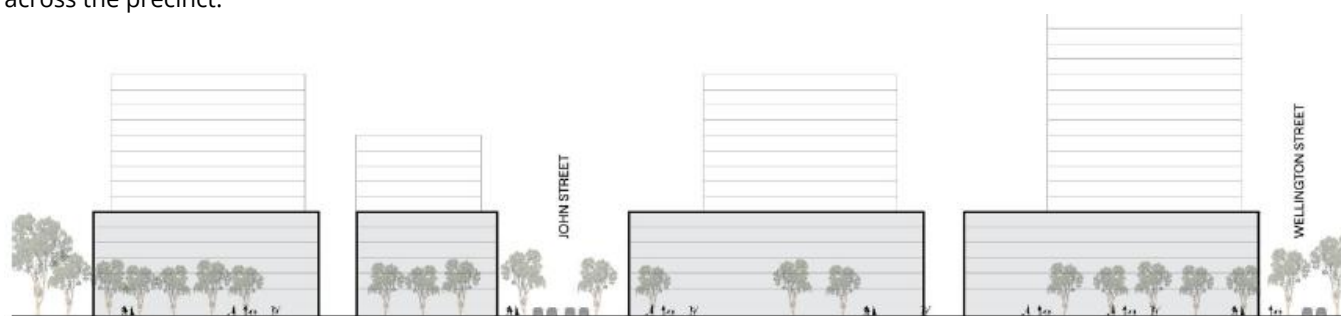


Figure 17 Proposed consistent street wall

Source: Design Report prepared by SJB

The 2022 Design Guide envisaged street wall heights of approximately 9–11 storeys. Design testing demonstrated that increased massing at the street edge would result in excessive street wall heights, reduced sunlight penetration and diminished pedestrian comfort. In response, the concept proposal adopts a consistent six-storey street wall across the precinct.

This approach:

- establishes a more human-scaled streetscape and improves pedestrian comfort;
- improves solar access to streets and public spaces and enhances sky visibility;
- enhances visual continuity and legibility across the precinct; and
- supports active ground-floor uses and high-quality public domain outcomes.

Above podium levels, tower envelopes define the maximum permissible horizontal extent of tower forms. These tower envelopes, operate as an upper limit to control bulk and massing, maintain appropriate separation distances and support acceptable wind, solar access and skyline outcomes. Tower envelopes are typically orientated north-south to reduce shadow impacts on the public domain.

Tower floorplates are to be contained within the concept SSDA building envelopes; however towers are not required to occupy the full extent of the envelope, and smaller or alternative configurations may be accommodated provided they remain within the approved limits. The reference scheme prepared by SJB, outlines one way the towers could sit within the maximum building envelopes.

Building Typologies

To support adaptability across the staged delivery program, the proposed Design Guide updates adopt a limited number of standardised, envelope-responsive building typologies as depicted in **Figure 18**, including:

- Single loaded rectangular podium
- Double loaded L-shaped podium
- Double loaded rectangular podium
- Double loaded tower

Development is generally arranged in a perimeter block configuration, with defined street edges and publicly accessible internal courtyards. This arrangement reinforces an active public realm, supports passive surveillance and enables consistent building interfaces with streets, parks and public open spaces.

These consistent built form typologies are proposed across the precinct to enable flexibility in the future delivery of detailed designs within robust building envelopes that are not prohibitively restrictive. These built form typologies however have been designed to facilitate high quality residential amenity outcomes including in the achievement of solar access in mid-winter, natural cross ventilation, and building separation, in a manner that is 'tenure blind'.

While these typologies are consistent, architectural diversity will still be achieved across the precinct through the varied maximum building heights and the Alternative Design Excellence Strategy.



Figure 18 Indicative building typologies

Source: Design Report prepared by SJB

Floor Space Ratio

The concept proposal has been designed to accommodate the maximum permissible GFA under the Sydney LEP 2012 of 282,485m² across Waterloo South. This maximum GFA is inclusive of the previously available design excellence bonus floor space permitted across the site.

Significant work has been undertaken as part of various design iterations of the concept scheme to ensure that the permissible GFA, which has significant material public benefit, does not have any adverse impacts and will result in an appropriate built form outcome.

Setbacks and Public Domain Interface

Ground-floor setbacks are proposed to balance street activation, residential amenity and landscape integration across the precinct. Setback parameters establish minimum primary and secondary setbacks, generally ranging between approximately 1 metre and 12 metres, in response to varying interface conditions (**Figure 19**).

Along key activity corridors, including George Street and other streets identified for active frontages, reduced primary ground-level setbacks (generally 1–3 metres) reinforce a continuous street edge, support pedestrian-oriented uses and facilitate active frontage outcomes.

Increased primary ground-level setbacks (generally 4.5–10 metres) are provided along residential interfaces, green corridors and park edges. These setbacks accommodate deep soil zones, tree retention and planting, landscaped buffers and semi-private thresholds that mediate transitions between public and private space.

Side setbacks are incorporated where required to support building separation, landscape outcomes and servicing, with minimum side setbacks generally ranging between approximately 3–6 metres depending on interface conditions and consistent with ADG objectives.



Figure 19 Proposed Design Guide Setback Plan

Source: Design Report prepared by SJB

6.2.4 Residential amenity

The proposed Design Guide updates and proposed building envelopes have been designed to improve overall residential amenity and the equity of amenity across residential tenures from what was achievable under the 2022 Design Guide. The key observations made under the 2022 Design Guide were:

- there were several building typologies proposed across the precinct which would add complexity in terms of detailed design and delivery;
- residential typologies would require multiple cores per building, reduce efficiencies constrain design flexibility and increase costs; and
- those unique typologies were more likely to be utilised for social and affordable housing tenures whilst market housing would feature more typical built form and amenity outcomes.

The concept plan proposes alternate and regular building typologies that enable the design, delivery of equal amenity outcomes across tenures. The reference scheme prepared by SJB outlines how a high level of residential amenity can achieve at the site as part of future detailed applications as it outlined in detail below.

Building Separation and Visual Privacy

Design Criteria 3F of the ADG recommends minimum building separation distances to support visual privacy, however building separation distances also contribute to improved view access, daylight access, ventilation and amenity of open spaces. Building separation is measured between the site boundary and either a habitable room or window, non-habitable room or window, or blank wall. For buildings within the same site, minimum separation distance should be shared equitably between buildings.

The proposed building envelopes have been designed to achieve the minimum building separation requirements under the ADG, as depicted in **Figure 20** below. Where building separation may be shown below the design criteria for habitable rooms facing habitable rooms, the reference scheme demonstrates that blank wall conditions or the orientation of apartments and windows can achieve the ADG objectives and design criteria. As such, the proposed building separation across the site is consistent with the objectives of the ADG.



Figure 20 Key ADG Design Criteria

Source: Design Report prepared by SJB

Solar Access

Design Criteria 4A01 of the ADG requires that living rooms and private open spaces of at least 70 per cent of apartments receive a minimum 2 hours direct sunlight between 9am and 3pm on the 21 June. Further, the ADG recommends that no more than 15 per cent of apartments should receive no direct sunlight between 9am and 3pm at mid-winter.

Solar access to residential apartments within the Waterloo South precinct has been assessed within the concurrent concept SSDA in accordance with the ADG. As the Design Guide and the concept SSDA establishes maximum building envelopes and indicative massing rather than detailed building design, the reference scheme has been used to demonstrate that acceptable solar access outcomes can be achieved across the site, noting that further resolution will occur at detailed application stages.

The assessment indicates that, across the precinct, 2,647 out of 3,329 **indicative** apartments achieve at least two hours of direct sunlight between 9.00 am and 3.00 pm at mid-winter, which equates to 79.51 per cent and exceeds the minimum 70 per cent target under the ADG performance criteria. 9.5 per cent of apartments across the precinct receive no direct solar access which is less than the maximum 15 per cent required by the ADG.

Solar access outcomes vary across individual blocks as illustrated in **Figure 20**, reflecting differences in block and building orientation, envelope constraints, proposed building heights, and proximity to surrounding development. Notwithstanding differences in the achievement of solar access across different buildings, solar access can be achieved across different residential tenure types, to ensure that each tenure type (social housing, affordable housing, and market housing) can achieve a similar or equitable level of solar amenity.

Solar access is generally maximised at buildings located along the western, eastern and northern edges of the precinct, where greater access to unobstructed sky is available. More constrained outcomes occur within the central area of the site and the southern portion of the precinct, where cumulative overshadowing from surrounding development reduces solar penetration, particularly at lower levels.

Where the ADG design criteria of 70 per cent of apartments achieving a minimum of two hours of direct sunlight has not been achieved at a per-building level, the outcomes can be attributed to specific built form and locational constraints, including building orientation, envelope depth, separation distances and overshadowing arising from surrounding development.

Natural Cross Ventilation

Design Criteria 4B-3 of the ADG requires that at least 60 per cent of apartments are naturally cross ventilated in the first nine storeys of the building. The indicative drawings show that natural cross ventilation can largely be achieved across each block within the site.

Each of the blocks can achieve a minimum of 60 per cent of apartments within the first nine storeys that benefit from natural cross ventilation in accordance with the design criteria of the ADG. Further, with the minor exception of the market housing proposed on Blocks 4 and 5, each of the residential tenures have an equitable ability to achieve natural cross ventilation across the precinct.

6.2.5 Integrating design excellence floor space

As outlined in Section 5.2.1 of this Rezoning Report, the permitted design excellence GFA has been integrated into the proposed maximum Height of Building and FSR maps within the Sydney LEP 2012. Integrating the maximum permissible floor space within the site-specific planning controls has the following benefits for the project:

- The LEP maps have been prepared alongside the preparation of the building massing shown in the proposed Design Guide updates. If the LEP maps were to exclude design excellence bonus floor space, there would either be a misalignment between the LEP maps and the Design Guide building massing, or the Design Guide maps would misrepresent the likely number of storeys and ultimate building massing which is permissible on the site.
- Given the scale of the precinct and the detailed design work undertaken to inform the LEP and proposed Design Guide updates, trying to introduce separate controls for 'design excellence floor space' would unnecessarily complicate the planning controls with no clear benefit given achieving design excellence is still a mandatory requirement for development on the site under the LEP.
- The proposed building massing in the Design Guide updates has been carefully tested for its ability to accommodate future detailed building designs that achieve a high degree of residential amenity, while protecting amenity of the surrounding public domain. By including the design excellence floor space within these building envelopes, the future detailed applications will benefit from more clarity and certainty regarding the impacts assessed as part of the concept SSDA and Design Guide, inclusive of any additional built form permitted by design excellence floor space.

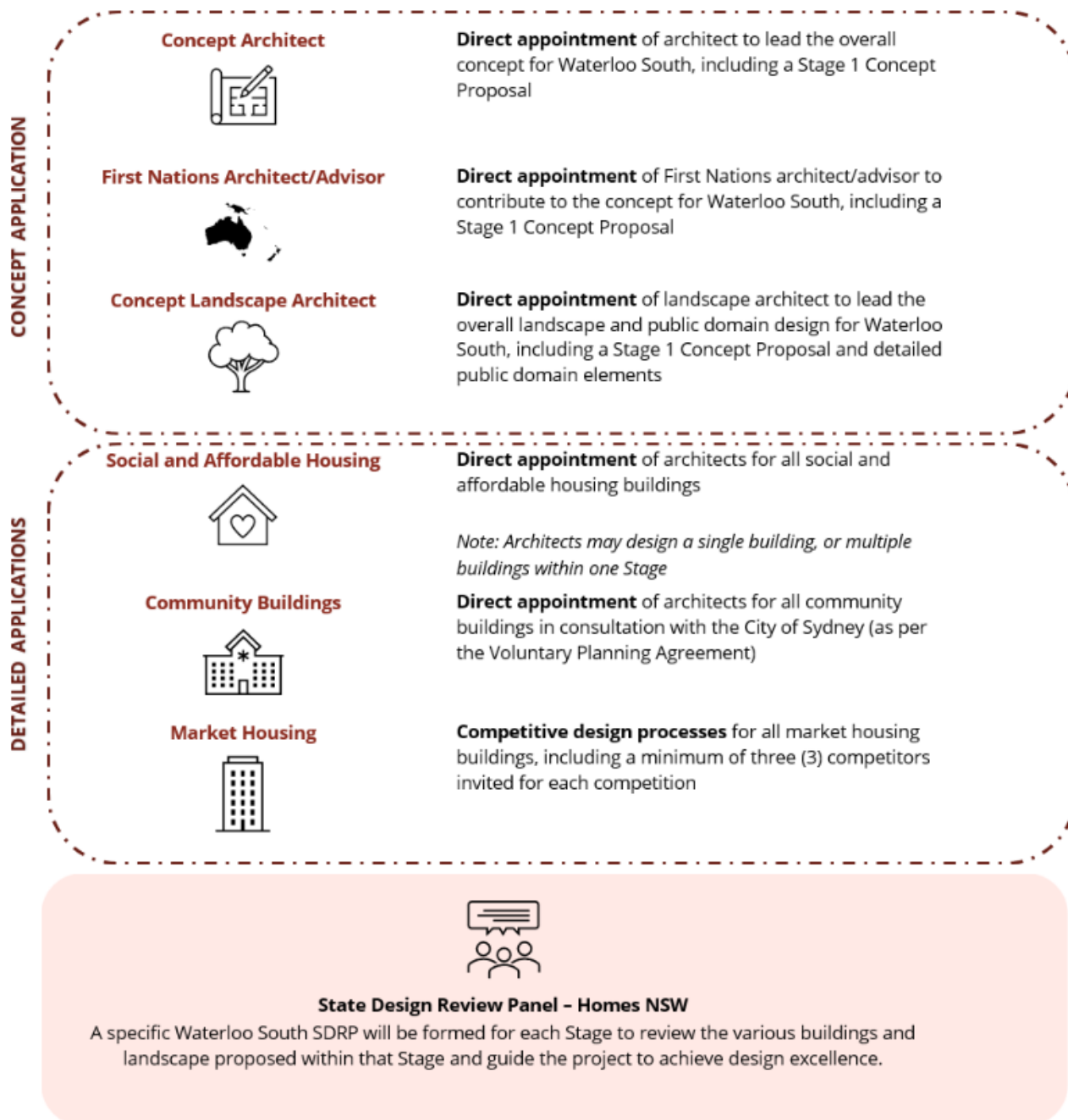
By embedding all relevant floor space within the building envelopes, building massing, and LEP controls, the design team were able to accurately and proactively plan for how the required residential tenure mix can be achieved across the site. For example, if the total social housing GFA is not achieved on one block, a lesser amount of other housing will be able to be delivered as the ratio of residential tenure will need to be maintained across the precinct. As such, the proposed concept SSDA and Design Guide building envelopes carefully ensure the required tenure mix can be achieved across the precinct, inclusive of any future FSR incentives, with acceptable residential amenity.

6.2.6 Design Excellence Approach

Notwithstanding the above, the achievement of design excellence remains a mandatory consideration in the assessment of development applications for Waterloo South. Therefore, the Rezoning Proposal seeks to retain the requirement for the preparation of Design Excellence Strategy (DES) which outlines the design excellence processes that will be implemented at the detailed application stages to allow the consent authority to be satisfied that clause 6.21D(3) of the Sydney LEP 2012 has been addressed.

The requirement for the DES is maintained in Section 8.12.2 of the revised Design Guide and outlines the design excellence processes that will be implemented across the detailed application stages, as outlined in the following figure. The DES has been prepared by Beam Planning and is appended to the concept SSDA.

The DES has been prepared to be generally consistent with the City of Sydney's Competitive Design Policy (as proposed to be amended with the Housekeeping LEP amendment) and the GANSW Alternative Design Excellence Pathway for residential SSDAs.



6.3 Environmental Amenity

The concept SSDA has been developed to optimise amenity across Waterloo South, with a particular focus on access to sky and sunlight, pedestrian comfort, landscape quality and the interface between public and private spaces. The revised Design Guide framework responds to detailed testing of the 2022 Design Guide envelopes and typologies, which identified opportunities to improve environmental performance and amenity while accommodating the permissible GFA and intended new dwellings across the site.

Key refinements include reduced street wall heights, redistribution of taller built form and enhance provision of public, communal and landscaped open spaces which have resulted in improvements to the environmental amenity compared with the conditions achievable under the 2022 Design Guide envelopes. This section assesses environmental amenity outcomes at concept level, including overshadowing, sky view and visual impacts, wind comfort, and landscape outcomes.

6.3.1 Overshadowing

Solar access and overshadowing have been assessed at the concept plan level to ensure that optimal environmental amenity can be achieved across the Waterloo South precinct and to understand the potential impacts of the concept SSDA on surrounding public spaces and neighbouring residential development.

Public Spaces

The assessment has been undertaken using the reference scheme prepared by SJB, which tests solar access outcomes achievable within the parameters of the proposed building envelopes and indicative built form. The analysis focuses on:

- Solar access to key public open spaces, including the proposed Block 8 park, and the existing Waterloo Park and Waterloo Oval; and
- Solar access to surrounding residential flat buildings located to the south of the precinct along McEvoy Street.

Solar access to public open space has been assessed at 15-minute intervals between 9.00am and 3.00pm on the winter solstice, against the 2022 Design Guide requirement that a minimum of 50 per cent of each park receive at least four hours of direct sunlight. Under the 2022 Design Guide scenario, the following solar access outcomes were recorded:

- **Block 8 Park:** 48.34 per cent of the area achieving more than four hours of sunlight
- **Waterloo Park:** 63.31 per cent of the area achieving more than four hours of sunlight
- **Waterloo Oval:** 96.77 per cent of the area achieving more than four hours of sunlight

This analysis demonstrates that while Waterloo Park and Waterloo Oval achieved the minimum benchmark, Block 8 Park did not meet the required minimum of 50 per cent of the park receiving four hours of sunlight.

The proposed Design Guide updates have been prepared to exceed the established 2022 Design Guide performance criteria. As a result of the proposed updates to the Design Guide building envelopes, the key solar access outcomes under the reference scheme are as follows:

- **Block 8 Park:** 72.02 per cent of the area achieving more than four hours of sunlight
- **Waterloo Park:** 55.10 per cent of the area achieving more than four hours of sunlight
- **Waterloo Oval:** 96.99 per cent of the area achieving more than four hours of sunlight

The analysis illustrated at **Figure 21** confirms that all key public open spaces meet the minimum requirement that at least 50 per cent of each park receives four hours of direct sunlight between 9.00am and 3.00pm at the winter solstice. Notably, Block 8 Park demonstrates a substantial improvement compared to the 2022 Design Guide scenario, while Waterloo Park and Waterloo Oval continue to achieve compliant outcomes.

While the refined built form results in some localised increases in shadows to some public roads, these changes are purposeful and facilitate improved sunlight access to spaces with the highest levels of pedestrian activity and community use. In particular, enhanced solar access is achieved along Cooper Street, within the new Block 8 Park, and across a range of communal open spaces between buildings.

Across the broader public domain, the redistribution of built form reduces extensive continuous overshadowing associated with longer street walls and enables greater penetration of sunlight into key pedestrian corridors and gathering spaces. Overall, the proposed structure plan and detailed reference scheme delivers improved solar access outcomes relative to the 2022 Design Guide framework, while maintaining acceptable amenity across the precinct.

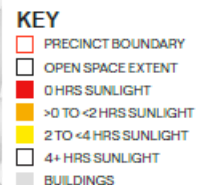
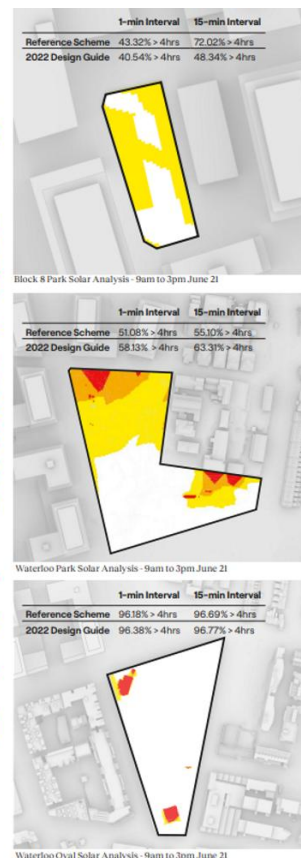
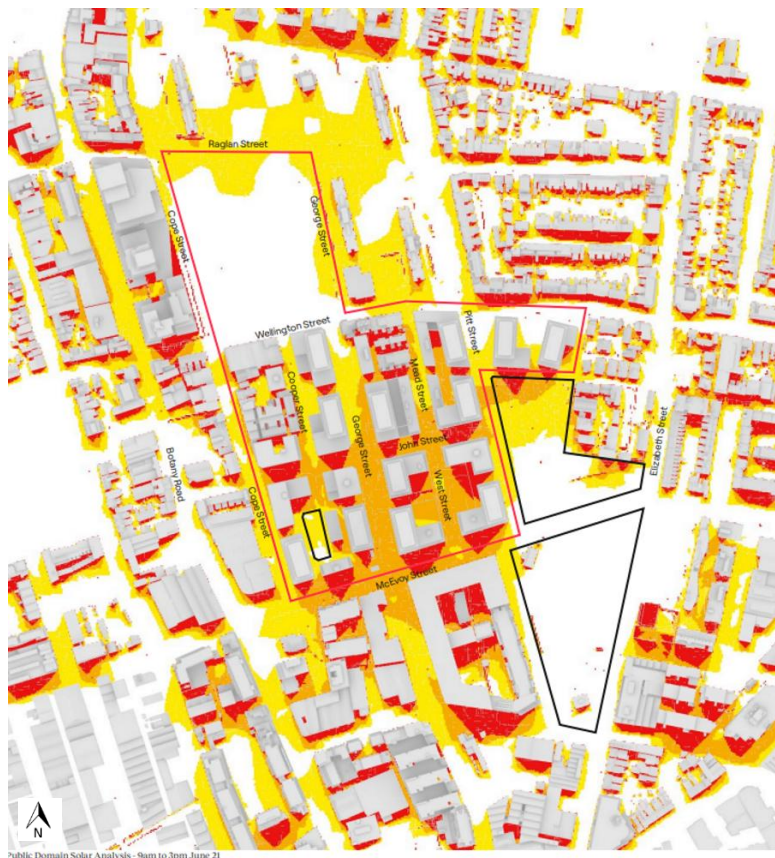


Figure 21 Public domain solar analysis

Source: Design Report prepared by SJB

Surrounding Residential Flat Buildings

To the south of McEvoy Street are a series of medium-density residential flat buildings. Solar access testing undertaken using the 2022 Design Guide building envelopes confirms that none of the three buildings would achieve the ADG design criteria of a minimum of 70 per cent of apartments to receive at least two hours of direct sunlight to primary living rooms and/or private open space between 9.00am and 3.00pm at the winter solstice.

Using the 2022 Design Guide envelopes, the following proportion of apartments achieved a minimum of two hours of solar access:

- **52–54 McEvoy Street:** 68.18 per cent
- **40–46 McEvoy Street:** 42.67 per cent
- **34–38 McEvoy Street:** 69.41 per cent

These outcomes reflect existing site constraints, predominantly southern orientation of the buildings, combined with overshadowing from established surrounding development. This limits the potential for the proposed building envelopes and reference scheme to achieve solar access that is consistent with the design criteria of the ADG while maintaining the permitted GFA and intended quantum of residential dwellings across the site.

The analysis indicates that the redistribution of built form under the concept plan results in changes to the pattern of solar access when compared to the 2022 Design Guide scenario. Across the three existing residential buildings modelled, there is a modest reduction in the proportion of dwellings receiving two or more hours of direct sunlight, ranging from approximately 1 to 12 per cent. These reductions are most apparent at lower levels and in dwellings located in the internal courtyards of the developments.

Conversely, the proportion of dwellings receiving between zero and two hours of direct sunlight generally increases, indicating that some existing dwellings will experience shorter durations of sunlight rather than a complete loss of solar access. Importantly, the proportion of dwellings receiving zero hours of direct sunlight remains unchanged at two of the three sites and increases only marginally at 40–46 McEvoy Street. This confirms that the proposed built form does not result in widespread solar deprivation to surrounding residential development.

At 34–38 McEvoy Street, while the proportion of dwellings receiving two or more hours of sunlight decreases, there is a corresponding increase in dwellings receiving between zero and two hours, with no increase in dwellings receiving zero hours. This outcome reflects a redistribution of solar access rather than a substantive worsening of residential amenity.

The anticipated solar access outcomes for the modelled existing apartments under the reference scheme are as follows:

- **52–54 McEvoy Street:** 60.61 per cent
- **40–46 McEvoy Street:** 40.95 per cent
- **34–38 McEvoy Street:** 57.65 per cent

The solar analysis demonstrates that the existing residential buildings on McEvoy Street do not currently meet the 70% minimum 2 hour solar access requirements. The proposed development will alter the solar access achieved to certain apartments along McEvoy Street. Importantly, the proposed development will not reduce solar access to these apartment buildings by more than 20% in accordance with the design guidance provided under objective 3B-2 of the ADG.

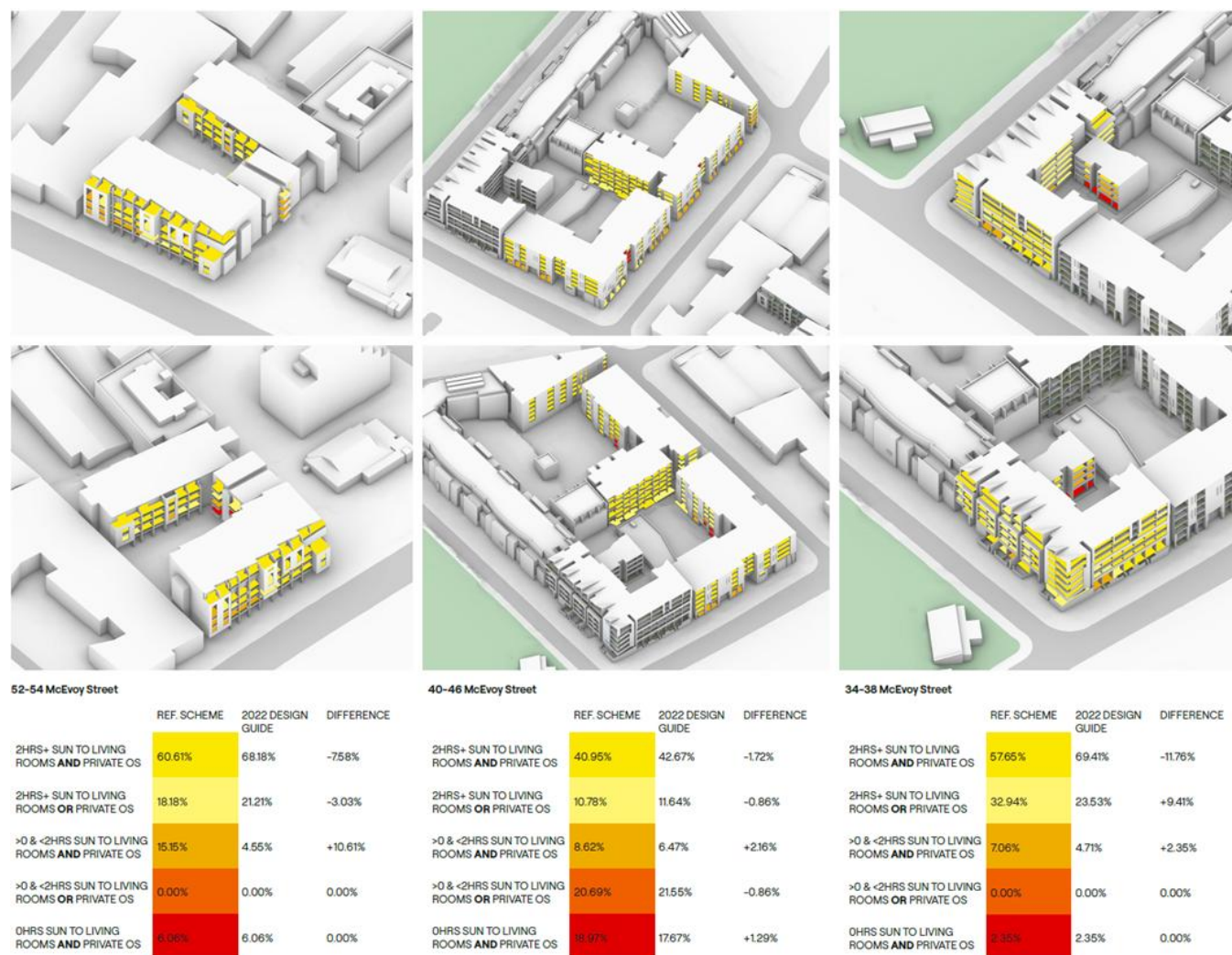


Figure 22 Solar analysis to surrounding existing dwellings

Overall, the solar access and overshadowing assessment confirms that the refinements to the built form and associated updates to the 2022 Design Guide, optimises environmental amenity outcomes across the precinct. The proposal achieves compliant and improved solar access to key public open spaces and the public domain, while resulting in only localised and incremental changes to solar access for surrounding residential development. Detailed consideration of solar access and overshadowing impacts will continue to be undertaken at future detailed SSDA stages to ensure appropriate resolution at the building scale.

6.3.2 Sky views

A sky view analysis has been undertaken to assess the average proportion of sky visible from the public domain, consistent with the methodology set out in the Sydney DCP (Schedule 12.2, Procedure B) as well as objective 8.3(c) within the 2022 Design Guide to “increase the view of the sky from public space”. The analysis indicates that the proposed concept development achieves an improvement in sky view across the precinct compared to the 2022 Design Guide envelopes.

The analysis indicates an increase in the ‘Sky View Index’ from approximately 43.88 per cent under the 2022 Design Guide envelope to 43.97 per cent under the proposed concept development. Whilst the numerical increase is modest, in the context of a tool that typically measures to 3 or 4 decimal points, the increase is quite significant and is achieved whilst accommodating the permissible development capacity within the precinct.

The improved outcome is attributable to refinements to built form massing, including reduced and more consistent street wall heights and the redistribution of taller elements away from key public domain interfaces. These changes align with a key objective of the revised Design Guide, which seeks to reduce the apparent height of buildings and increase views of the sky from streets, parks and pedestrian spaces.

Overall, the analysis confirms that the proposed concept proposal improves sky view outcomes relative to the 2022 Design Guide envelope, despite accommodating greater built form, and supports acceptable visual amenity within the public domain.



Figure 23 Comparison of Sky View Index from the public domain

6.3.3 Visual impacts

A Visual Impact Assessment (VIA) has been prepared by Urbis (refer to **Appendix P** of the EIS) to assess the potential visual impacts associated with the concept development for Waterloo South. As the proposed Design Guide updates include maximum built form parameters rather than a detailed architectural design, the assessment has been undertaken using a reference scheme prepared by SJB.

The VIA was undertaken using Urbis’ established visual impact assessment methodology, which incorporate both qualitative and quantitative analysis and is consistent with contemporary NSW practice. The assessment involved:

- Identification of the visual catchment and representative public and private viewpoints;
- Fieldwork to document existing visual conditions;
- Preparation of verified photomontages illustrating the reference scheme prepared within the concept envelopes, and
- Assessment of visual effects having regard to view sensitivity, viewing distance, visual absorption capacity, compatibility with the surrounding context and anticipated future character.

The baseline for assessment comprises the existing visual catchment, with comparative consideration of the 2022 Design Guide envelopes to understand the relative extent of visual change proposed at concept level.

The VIA assessed a total of 12 representative public domain viewpoints across close, medium and distant viewing distances, including views from surrounding streets, parks and transport corridors.

Overall, the assessment found that:

- the proposed concept envelopes are visually compatible with the existing and emerging high-density urban context;
- existing development, mature tree canopy and topography provide substantial visual screening in many close and medium-distance views;
- where visible, the proposed envelopes are typically perceived within a wider urban composition that includes existing and approved tower forms;
- taller buildings are generally located toward the southern portion of the precinct, reducing visual impacts on key local streets and minimising perceived bulk from sensitive public domain locations; and
- the spatial separation between tower forms avoids the appearance of a continuous wall of development and allows for visual permeability and views of open sky.

Of the viewpoints assessed, the majority were rated as having nil to low visual impact, with a limited number of locations assessed as having medium visual impact due to proximity, sensitivity of the viewing location or visibility of taller envelope forms. One viewpoint from Waterloo Oval was assessed as having a higher level of visual change due to its proximity and sensitivity; however, the impacts were found to be consistent with those already contemplated under the 2022 Design Guide and the emerging character of the area.

Importantly, the VIA concludes that development within the proposed concept envelopes would not block views to areas of unique scenic quality and would not result in additional visual impacts on heritage items beyond those previously considered and accepted through the strategic planning framework for Waterloo South.

6.3.4 Wind impact

An Environmental Wind Tunnel Study (refer to **Appendix O** of the EIS) has been prepared by SLR Consulting Australia to assess the pedestrian wind environment associated with the concept development. The study assesses wind conditions at a precinct-wide scale, recognising that further, building specific wind testing will be undertaken at future detailed development stages once architectural design including façade articulation and building modulation is resolved.

The assessment considers existing conditions and the reference scheme, which has been prepared to represent a realistic development outcome consistent with the proposed building envelopes facilitated by the proposed Design Guide updates. The reference scheme has been used to test potential pedestrian wind impacts associated with the proposed scale, massing and distribution of built form, rather than to finalise mitigation at this stage.

The wind assessment was undertaken using quantitative wind tunnel testing in accordance with accepted industry practice and the requirements of the Sydney DCP 2012. A 1:400 scale proximity model was constructed, incorporating surrounding buildings and terrain within approximately 900 metres of the site to accurately simulate local wind conditions. The study tested multiple scenarios, including:

- Existing (baseline) conditions
- The 2022 Design Guide envelopes
- The reference scheme was used to test wind impacts as it represents a realistic and deliverable development outcome within the maximum building envelopes.

Wind conditions were assessed against:

- Pedestrian safety criteria, based on peak annual gusts; and
- Pedestrian comfort criteria, based on gust equivalent mean wind speeds at a 5% annual exceedance level.

Sensor locations were distributed across footpaths, public spaces, parks and selected elevated communal areas to capture both typical and worst-case scenarios. The wind tunnel testing demonstrates that the reference scheme does not give rise to adverse pedestrian wind conditions at a precinct-wide scale. Key findings include:

- Pedestrian safety criteria are met across all tested locations, with no exceedances of the 24 m/s safety threshold under any scenario.
- The majority of ground-level public domain areas experience wind conditions suitable for standing or walking, consistent with their intended use.
- Variations in wind comfort between locations are primarily attributable to localised building orientation, corner conditions and exposure along wider streets, rather than the overall scale of the development.

Importantly, the assessment confirms that the redistribution of built form within the concept proposal does not materially worsen pedestrian wind conditions compared to existing conditions, and in some locations provides increased shielding due to building massing and street enclosure.

The testing was undertaken without the inclusion of proposed landscaping, awnings or architectural wind mitigation features, representing a conservative assessment. As such, the results provide confidence that acceptable wind conditions can be achieved and further refined through detailed design.

6.4 Arboricultural Impacts

The Waterloo South site contains a substantial and varied tree population comprising mature native and exotic species distributed across streets, open spaces and residential areas. The existing tree stock includes trees of high, medium and low retention value, reflecting differences in age, condition, useful life expectancy and landscape significance. Many trees contribute positively to local amenity, canopy cover and urban character. However, some trees exhibit reduced health or form due to past pruning, infrastructure constraints and site conditions.

This section assesses the potential arboricultural impacts associated with the proposed Waterloo South redevelopment. The assessment has been informed by the Arboricultural Impact Assessment (refer to **Appendix Q** of the EIS) prepared by Tree Management Strategies Pty. The purpose of this assessment is to identify the extent of tree removal and retention required to facilitate the concept development, evaluate the nature of impacts to retained trees, and outline the framework for tree protection and further investigation at subsequent detailed SSDA stages.

The Arboricultural Impact Assessment was undertaken in accordance with relevant Australian Standards, including *AS 4970-2025 Protection of Trees on Development Sites*, and the *IACA Significance of a Tree Assessment Rating System (STARS)*. The methodology included:

- Detailed site inspections undertaken in November 2024.
- Assessment of 540 trees with respect to species, size, health, condition, landscape significance and retention value.
- Classification of impacts arising from proposed building envelopes, roads, services and construction-related activities (including scaffolding and hoarding).
- Identification of trees suitable for retention, removal or further investigation.
- Development of concept-level tree protection and sensitive construction measures.

The Arboricultural Impact Assessment identifies that the proposed concept development will result in both tree removal and retention outcomes. Of the 540 trees assessed:

- 236 trees are proposed for removal, primarily due to major or total incursions into their Structural Root Zones (SRZs) or Notional Root Zones (NRZs) associated with building envelopes, roads and essential infrastructure.
- 304 trees are nominated for retention and protection.

The Design Guide identifies the requirement to retain a minimum of 50% of high value trees and a minimum of 50% moderate value trees. The proposed building envelopes ensure that this can be achieved on site. Of the 304 trees nominated for retention, 50.97 per cent are high retention value trees, 51.4 per cent of moderate retention value trees and 62.4 per cent of low value trees which complies with the minimum requirement for the retention of 50 per cent high value and medium retention value trees as per the requirements of the 2022 Design Guide.

6.5 Landscape and Public Domain

A Landscape and Public Domain Strategy has been prepared by Aspect Studios and are attached at **Appendix J** of the EIS. The landscaping approach for the Waterloo South redevelopment seeks to transform the public domain into a vibrant, inclusive, and sustainable space that fosters community well-being while respecting the cultural heritage and natural environment of the area.

Landscape Design Vision and Principles

The landscape design for Waterloo South is informed by several key guiding principles:

- **Embed Country:** Drawing inspiration from the rich Aboriginal cultural heritage of the area, the design celebrates Aboriginal identity and acknowledges the deep connection to the land, water, and the stories of Country.
- **Create Green, Healthy Spaces:** The design integrates green infrastructure, such as tree canopies and water-sensitive urban design (WSUD), to improve the microclimate, mitigate urban heat, and support biodiversity.

- **Community-Centred Design:** The public domain is designed to foster social interaction, inclusivity, and accessibility, with spaces for gathering, creative expression, and community engagement.
- **Sustainability and Resilience:** Sustainable landscape practices are embedded throughout the design, from water management and planting choices to the integration of resilient, low-maintenance plant species that support both the local ecosystem and human activity.

Landscape Metrics

The proposed landscape strategy for Waterloo South includes several key elements aimed at transforming the public realm into an integrated and connected network of open spaces:

- **Canopy Tree Planting:**
 - The development will retain and enhance the existing tree canopy along key streets and open spaces. The proposal improves on the original 2022 Design Guides targets of 50 per cent Medium and High value tree retention whilst also maintaining a significant number of low value trees where appropriate. The reference scheme demonstrates that 50.97 per cent of high retention trees and 51.4 per cent of medium retention trees can be retained. New planting will focus on native and adaptive species to provide ecological benefits, improve the microclimate, and contribute to the overall environmental sustainability of the precinct by offering shade and cooling.
 - Tree canopy planting is supported through the provision of deep soil zones across the site. The revised building envelopes result in a 9 per cent increase in the provision of deep soil zones across the precinct compared to the original 2022 Design Guide scheme. This increase ensures that trees have sufficient space to grow, which is crucial for long-term ecological health and resilience.
- **Green Corridors and Pocket Parks:** The design includes green corridors, which will act as ecological links throughout the site, connecting Waterloo South with surrounding neighbourhoods. Pocket parks and communal courtyards will be strategically located within the precinct to offer accessible green space at the community level. The revised Design Guide provides 3.2 per cent more public open space than was originally conceived under the 2022 Design Guide.
- **Water-Sensitive Urban Design (WSUD):** The landscape strategy incorporates WSUD principles, such as rain gardens, swales, and permeable surfaces, to manage stormwater, reduce the urban heat island effect, and enhance water quality. These features will be integrated with the streets and public spaces, contributing to a more sustainable and resilient environment.
- **Biodiversity and Ecological Resilience:** The landscaping plan aims to support local biodiversity through plantings that encourage native flora and fauna. Indigenous plant species will be used to create habitat for wildlife, enhance ecological corridors, and promote pollinator activity.
- **Accessibility:** The existing site conditions include a fragmented public domain and significant increases in topography and street levels as you move from west to east across the site. In response, the landscape strategy enforces pedestrian priority and has considered equitable access across the public domain.
- **Street Network:** The overall intent of the street network remains unchanged in terms of street widths, permeability, active transport outcomes and public domain quality. The most substantial amendment is to Cooper Place, which has been reconfigured in response to the surrounding built form (as proposed to be amended) while maintaining the functionality and equitable accessibility envisaged by the 2022 Design Guide. Minor refinements to the road reserve layout are also proposed to improve the public domain outcome. Additional minor changes to internal circulation within Waterloo South include reducing the speed limit on Cooper Street, changing West Street to northbound travel, and extending the closure of John Street between Mead and Pitt Streets to further enhance pedestrian priority within the precinct.

6.6 Traffic, Transport and Access

A Transport Impact Assessment (TIA) has been prepared by PTC Consultants (PTC) to assess the potential traffic, transport and accessibility impacts associated with the concept development (refer to **Appendix CC** of the EIS).

As the Sydney LEP 2012 amendments facilitate maximum development parameters rather than detailed building design or final access arrangements, the assessment focuses on strategic network performance, access principles, parking provisions and mode share outcomes, with further detailed assessment to be undertaken within the concept SSDA and at subsequent detailed application stages.

Several historical planning approvals and assessments undertaken for the site have been referenced by PTC in their transport assessment, including the previous transport assessments undertaken for the site include the *Waterloo South Planning Proposal Transport Study* prepared by Jacobs in March 2020 to support the original (2020) Waterloo South Planning Proposal and the City of Sydney Planning Proposal.

Road network

The concept SSDA establishes a clear and legible access framework that responds to the site's urban context, surrounding road hierarchy and proximity to high-capacity public transport. Vehicular access to the precinct is intentionally limited and consolidated to minimise traffic intrusion and prioritise pedestrian movement and public domain quality.

The proposed Design Guide updates include the minimum requirements for the precinct's internal road network. In contrast to the existing road condition the revised Design Guide underpins a key move to give priority to pedestrians, improve active transport and reduce vehicular movements through the precinct. This is proposed by reducing vehicular lanes to enable wider footpaths, more landscaping and slow traffic to create a safer pedestrian environment. The proposed street network and road width are depicted in **Figure 24**.



Figure 24 Proposed internal street network

Source: Waterloo South Design Guide

Primary vehicle access to the precinct is proposed via Wellington Street, with internal streets designed as low-speed environments that balance local access requirements with pedestrian and cyclist priority. The access framework reflects the structure established in the 2022 Design Guide, with targeted refinements informed by traffic assessment and consultation with relevant authorities. It is further noted the City of Sydney are seeking to pursue a left in and left out from George Street, to McEvoy Street, however these discussions have not been finalised and will be assessed during the future detailed applications. Nothing proposed within the Design Guide updates precludes this vehicular movement from being proposed and delivered in the future.

The TIA confirms that the proposed access arrangements are appropriate for the scale and nature of development proposed and are capable of supporting safe and efficient vehicle movements, including emergency access, servicing and waste collection, subject to detailed design at future SSDA stages.

Pedestrian connectivity is significantly enhanced through the introduction of new streets, through-site links and upgraded footpaths, improving permeability across the precinct and strengthening connections to Waterloo metro station, surrounding neighbourhoods and public open spaces.

Traffic generation and distribution

Traffic generation associated with the concept development has been estimated having regard to the proposed land use mix, dwelling yield, parking provision and the site's high public transport accessibility and has been compared to the trip generation proposed and ultimately approved under PP-2021-3265. Vehicular trip generation has been benchmarked against the traffic outcomes previously approved under PP-2021-3265 to provide a robust comparative assessment, the results of which are identified in **Figure 25**.

The assessment retains a conservative 20 per cent private vehicle mode share, consistent with the approved Jacobs assessment for PP-2021-3265. This approach does not assume a reduction in private vehicle use, notwithstanding the introduction of the Sydney Metro City Line with a station immediately adjacent to the precinct, and broader changes in travel behaviour since the earlier approval. Trip generation rates consistent with the 2024 Guide to Transport Impact Assessment have been applied to the current concept development.

Land Use	Number of Dwelling / Car Spaces Provided	Peak Hour	Trip Generation Rate	Trip Generation
Residential	3,067 dwellings	AM	0.14	429
		PM		429
Non-residential	114 car parking spaces	AM	0.4	46
		PM	0.8	91
Total		AM		475
		PM		520

PP-2021-3625 trip generation rates

Land Use	Number of Dwelling / GFA	Peak Hour	Trip Generation Rate	Trip Generation
Residential	3,300 dwellings	AM	Table 27	435
		PM		435
Non-residential	15,305m ²	AM		76
		PM		76
Total		AM		511
		PM		511

Proposed trip generation

Peak Hour	LAHC (Jacobs)	Planning Proposal (CoS)	Concept SSDA	Variation	
				SSDA vs Jacobs	SSDA vs CoS
AM	507	475	511	+4	+36
PM	587	520	511	-76	-9

Proposed trip generation rates (Table 26 of the Transport Impact Assessment)

Figure 25 Comparison of the vehicular trip generation under PP-2021-3625 and the proposed concept SSDA

On this basis, the concept development is expected to generate a similar, and in some instances reduced, traffic impact on the surrounding road network compared to the development facilitated by the 2022 Design Guide and Sydney LEP 2012 provisions. Any potential changes to intersection arrangements at Wellington Street and Botany Road are expected to redistribute traffic within the local network without resulting in a material increase in overall network impacts. Accordingly, further detailed traffic modelling is not considered necessary at the concept stage.

Overall, the concept development is considered supportable from a traffic generation and network performance perspective. As development proceeds on a block-by-block basis, transport demand management measures will be further refined through the preparation of Green Travel Plans accompanying future detailed development applications.

Public Transport, Walking and Cycling

The TIA confirms that the site benefits from a very high level of public transport accessibility, with Waterloo metro station located within close walking distance and providing frequent, high-capacity services to key destinations across the Sydney metropolitan area. This level of accessibility underpins the reduced reliance on private vehicle travel assumed in the assessment.

Compared to the scheme approved under PP-2021-3265, the concept proposal places greater emphasis on public and active transport as the primary modes of movement within and through the precinct. This shift is supported through a range of public domain and streetscape measures, including:

- reduced vehicular lane widths and prioritisation of pedestrian movement;
- widened footpaths and increased opportunities for landscaping and tree planting;
- activated street frontages along George Street and key east-west connections;
- integration with existing and planned cycling routes; and
- provision of bicycle parking and end-of-trip facilities in accordance with applicable controls.

Car parking

Car parking on the site will be provided in accordance with the City of Sydney maximum car parking rates to support sustainable travel behaviour and to reflect the site's public transport accessibility. In accordance with the Sydney LEP 2012 the development precinct is categorised as Category A for residential land uses and Category D for non-residential land uses. These parking rates apply to private parking within the development blocks, not on-street parking.

The LEP parking rates are proposed to be refined under the City of Sydney Housekeeping Amendments, however, a savings provision is to be introduced for Waterloo South in relation to car parking, which will confirm that the car parking standards under the Sydney LEP 2012 as in force prior to the Housekeeping LEP being gazetted remain applicable to the concept SSDA and subsequent detailed applications.

A new subclause is proposed to be added to the Design Guide to ensure that all car parking spaces within the development are to be consistent with AS2890.1 2004. This is to ensure that the car parking spaces designed for the precinct are consistent with the current Australian Standards at the time of writing. These car parking standards reflect typical car dimensions for inner city locations and have been supported through consultation with the City of Sydney and DPHI.

6.7 Infrastructure

The Rezoning Proposal has considered infrastructure servicing requirements having regard to the refined development scheme and, in particular, the inclusion of the total permitted density achievable through the design excellence provisions. The services and utilities assessment that informed PP-2021-3265 did not account for the floor space that may be realised through the 10 per cent bonus for design excellence. While the revised proposal does not seek to increase the maximum GFA beyond that now contemplated under the proposal, it does embed this design excellence floor space within the assessment framework and therefore requires updated consideration of infrastructure and servicing demands.

Accordingly, a revised services and utilities assessment has been prepared to support the concept SSDA. The updated assessment considers the capacity, suitability and staging of essential infrastructure required to service the revised scheme, including utilities and other key servicing requirements associated with the scale of development proposed.

The revised assessment confirms that infrastructure delivery and servicing have been appropriately considered for the amended proposal, and that the essential infrastructure required to support the development can be delivered in an orderly and coordinated manner. Importantly, the key difference from the original planning proposal is not a fundamental change to infrastructure servicing assumptions, but the need to account for the additional density associated with the design excellence bonus which was not previously assessed.

On this basis, the revised assessment concludes that the infrastructure necessary to support Waterloo South is capable of being provided and staged commensurate with the proposed development, and that infrastructure delivery for the concept SSDA will not result in unacceptable environmental or amenity impacts, subject to appropriate staging, coordination and management through future design and delivery phases.

6.8 Flooding

GRC Hydro has prepared a site wide Flood Impact and Risk Assessment (refer to **Appendix AA** of the EIS) to support the proposed changes to the building envelopes sought in the proposed Design Guide updates and revised building heights.

Flood risk has been assessed through a site-wide Flood Impact and Risk Assessment prepared in accordance with the NSW Flood Prone Land Policy, the City of Sydney Interim Floodplain Management Policy, the Sydney LEP 2012 and the concept SSDA SEARs. Sensitivity assessments have been undertaken using increases to climate change assumptions; however the flood model has been based on the 2019 Australian Rainfall and Runoff Levels and City of Sydney accepted models.

The assessment involved detailed hydraulic modelling of existing and post-development conditions across a range of design events, including the 1 per cent AEP event, the Probable Maximum Flood (PMF) and climate change scenarios. The modelling assessed flood depths, velocities, hazard categories, flow paths and impacts on surrounding properties.

The assessment demonstrates that the concept development is compatible with the site's existing flood behaviour and does not result in unacceptable flood impacts. Post-development modelling indicates that the proposed building envelopes, road layout and drainage strategy generally maintain existing flood levels and flow paths across the site and do not cause material increases to flood levels of adjoining properties.

Where minor, localised changes in flood behaviour were identified in preliminary modelling, these were shown to be capable of being mitigated through detailed design refinement at future planning stages, without altering the overall flood function of the site. The assessment recognises that given the highly urbanised nature of the catchment, opportunities for precinct-scale flood mitigation are limited and that flood management must focus on risk avoidance and resilience rather than redistribution of floodwaters.

Flood risk to future occupants has been assessed as acceptable, provided that appropriate flood planning levels are applied in future detailed designs. The concept establishes a built form framework which enables habitable spaces, sensitive land uses and building entries to be located above relevant flood levels with appropriate freeboard. Basement access and below ground areas can be designed to prevent flood ingress through detailed design at subsequent detailed application stages.

The impacts of climate change have been explicitly considered in the Flood Impact and Risk Assessment. While future climate scenarios indicate increases in flood depth and hazard at certain locations, these changes do not materially alter flood behaviour across the site or introduce new risks that would preclude redevelopment.

The flood risk assessment concludes that the proposed structure plan and building envelopes will not result in unacceptable flood risk impacts. The development is compatible with the existing flood behaviour, does not adversely affect surrounding properties, and incorporates an appropriate framework for managing flood risk to people and property. Flood related matters that require further refinement can be satisfactorily resolved through detailed design at subsequent approval stages.

6.9 Aviation Assessment

The Aviation Impact Assessment has been prepared by Arup (refer to **Appendix GG** of the EIS) to assess the potential impacts of the Waterloo South development on aviation safety, specifically in relation to the Sydney Kingsford-Smith Airport. The assessment considers relevant airspace protection surfaces, construction activities, and other safeguarding requirements under the Sydney LEP 2012, the *Airports Act 1996*, and the National Airports Safeguarding Framework (NASF).

The key objectives of the assessment are to ensure that the proposed development will not pose a risk to aviation operations or airspace integrity during both construction and operation phases. The development includes a range of low, mid, and high-rise structures with a focus on mixed-use development, including social, affordable, and market housing. The height of buildings ranges from 2 storeys to 33 storeys, with the potential for cranes and temporary construction structures to exceed the final building heights during construction.

The OLS protects aircraft safety by ensuring that no obstacle infringes the approach or departure paths to Sydney Airport. The development is located within the conical surface of the OLS, where elevations range from 54m to 76m AHD. Thirteen buildings are planned to permanently exceed this surface, which requires the submission of an application for a controlled activity.

The critical PANS-OPS surface for the Waterloo South development is identified at 126.4m AHD. This surface represents the maximum height at which buildings can reasonably expect approval. Four high-rise buildings are planned to reach this elevation, while cranes during construction are anticipated to temporarily exceed this limit. This is the same as the current 2022 Design Guide and Sydney LEP 2012 height controls across the site. The Radar Terrain Clearance Charts (RTCC) chart for Sydney Airport shows a minimum safe altitude of 335.28m AHD, which is well above the planned heights for the Waterloo South development. Therefore, the RTCC is not expected to impact the development.

Combined Radar Departure Assessment Surfaces (Omni Directional) provide a safety buffer for obstacle clearance during radar-vectored departures from Sydney Airport. The surfaces range from 165m to 180m AHD, which is well above the proposed building heights. However, these surfaces will impact crane operations during construction. A temporary Strategic Helicopter Landing Site (SHLS) at the Royal Prince Alfred Hospital, approximately 2.1 km northwest of the site, is the closest relevant landing site. The assessment found no significant impacts from the development, as the site is outside the 500ft approach and departure path of the SHLS.

To address the impacts on airspace protection surfaces, the following mitigation measures will be implemented:

- **Crane Height Restrictions:** Temporary intrusions into airspace during construction due to cranes will be mitigated by limiting crane heights to below PANS-OPS surfaces.
- **Obstacle Lighting:** Buildings that exceed the OLS surfaces will be required to install obstacle lights to enhance visibility and safety.
- **Controlled Activity Approvals:** Applications for controlled activities will be submitted to the relevant authorities (e.g., Sydney Airport) for approval, with ongoing monitoring during construction to ensure compliance with aviation safety regulations.

The Aviation Impact Assessment for Waterloo South demonstrates that, with appropriate mitigation measures in place, the proposed development will not significantly compromise aviation safety or operations at Sydney Airport.

6.10 Social Impacts

The social impact assumptions underpinning the original Waterloo South Planning Proposal (PP-2021-3265) have been revisited as part of this Rezoning Proposal. The original proposal was supported by a social baseline assessment that examined the existing community, patterns of disadvantage and vulnerability, and the availability of social and community infrastructure within and around Waterloo South. That assessment has been reviewed and updated through the revised Social Impact Assessment prepared by Urbis to support the concept SSDA and this Rezoning Proposal. This review confirms that the social impacts of the revised proposal are not materially different from those identified under the original planning proposal.

While the revised scheme increases the overall dwelling yield and maximum permissible GFA, these changes arise from aligning LEP heights and FSR controls to incorporating the additional GFA available through design excellence bonuses. This is a positive amendment in social and strategic terms, as under the current Sydney LEP 2012 controls a scheme that complies with the 2022 Design Guide and existing development standards would otherwise result in an estimated shortfall of approximately 20,000m² of permissible GFA. Approximately 50 per cent of that capacity would otherwise be delivered as social and affordable housing. Retaining the current controls would therefore constrain delivery of the project's intended housing contribution and reduce alignment with State-led housing delivery objectives.

The revised proposal also reduces the minimum non-residential floor space from 17,000sqm to 15,000sqm, while retaining the requirement for 5,000sqm of community-related floor space and broadening the range of qualifying uses to include educational establishments. The removal of the specifically identified Health One Facility, at the request of NSW Health, does not remove health or community-serving uses as broader land use outcomes from the precinct.

Accordingly, the key social impact pathways remain substantially the same, including increased demand for social infrastructure and local services, the need to support social cohesion and community connection, and the importance of access to shops, services, open space and community facilities within walking distance. The revised proposal does not give rise to a fundamentally different social impact profile; rather, it represents a change in scale within the same strategic renewal framework, with the additional capacity supporting the delivery of more housing, including social and affordable housing outcomes.

Importantly, the revised scheme is expected to improve social outcomes in several respects through its design response, including more connected and usable open space, improved walkability and neighbourhood connections, better solar access, and improved access to retail, services and community spaces. Community feedback on the revised scheme also indicated a preference for these improvements relative to the earlier proposal.

Overall, the revised assessment confirms that the underlying social impact assumptions remain valid at a strategic level. The social impacts of the proposal have not materially changed from those already assessed and, in several respects, are expected to improve through the refined design, public domain and accessibility outcomes of the revised scheme.

7.0 Consultation

This Rezoning Proposal will be exhibited concurrently with the concurrent concept SSDA, as the Rezoning Proposal facilitates the proposed development sought for approval within the concept SSDA. Public consultation will be undertaken in accordance with the requirements of the concept SSDA and will be addressed in the Environmental Impact Statement (EIS).

At a minimum, the concept SSDA will be notified for the public exhibition on the Major Projects portal, and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups. It is expected the concept SSDA will be publicly exhibited for at least 28 days in accordance with section 5.5.2 of the DPHI's publication, '*A guide to preparing local environmental plans*'.

7.1 Pre-Lodgement Consultation

Significant pre-lodgement consultation has occurred during the preparation of this Rezoning Proposal and concurrent concept SSDA. This pre-lodgement consultation is outlined in detail within the EIS supporting the concept SSDA.

In summary, the pre-lodgement consultation has involved engagement with:

- **Local community:** Comprising existing social housing tenants and future residents of Waterloo South and residents living within and around the precinct. Key topics discussed with the community included the: overall neighbourhood and building layout, walkability, permeability and safety, housing mix and allocation, open space, community facilities and activities and impacts on neighbouring properties. This valuable feedback has been considered and included within the design response.
- **Community and human service providers:** Engagement with community organisations and social agencies that support the community was undertaken to under that the needs of vulnerable residents, seniors, people with a disability and Culturally and Linguistically Diverse (CALD) communities remained central to planning discussions.
- **Aboriginal Stakeholders:** To ensure First Nations voices were respected, heard and meaningfully integrated into planning and design outcomes. Engagement was approached as an ongoing, culturally safe relationship, building on extensive consultation already undertaken for Waterloo South, rather than a one-off exercise.
- **Government agencies and statutory authorities:** Collaboration with government agencies and technical stakeholders has been an important part of developing the Rezoning Proposal. A key focus of these sessions was to ensure the housing mix is consistent with local planning priorities, addresses increased infrastructure requirements, and responds to other regulatory needs. A summary of the consultation undertaken with Government agencies and City of Sydney Council is provided in **Table 12** below.

Please refer to the Engagement Report which supports the concept SSDA for further detail as to how the consultation has informed the preparation of the proposed building envelopes and concept design for the redevelopment of the precinct.

Table 12 Agency consultation outcomes

Agency	Feedback	Response
TfNSW	TfNSW (Sydney Metro and Sydney Trains) were engaged to discuss requirements for development near rail tunnels. Key matters raised included: • Interface with the T8 Line (Airport & South) and the Metro City & Southwest tunnels, including track depth, alignment and rail safety protection works. • Identification of first and second reserve zones and areas to be avoided in proximity to tunnels. • Recognition that ground stress changes and bedding displacement have occurred as a result of tunnel construction.	• The Applicant has engaged with Sydney Metro and Sydney Trains and will continue consultation through detailed planning and delivery stages. • The Proposal acknowledges the presence of rail tunnels and associated protection requirements. • Prior to construction, the Proponent will: - Confirm tunnel positioning through survey and investigation. - Prepare detailed engineering analysis, impact assessment and a monitoring plan addressing tunnel protection requirements. - Submit required documentation to TfNSW for review and agreement. ○ Site access for tunnel surveying and 3D scanning has already been undertaken to inform future works and detailed design.

Agency	Feedback	Response
	TfNSW advised that prior to construction the following would be required: • Survey confirmation of tunnel positioning. • Borehole depth controls and monitoring approaches to maintain permissible clearances to tunnels. • Preparation and approval of a monitoring plan, engineering analysis and impact assessment.	
Crown Lands	Stockland requested consultation with Crown Lands via email. Crown Lands confirmed that there is no Crown Land included within the development footprint.	No further comment.
Schools Infrastructure NSW	Stockland requested consultation with Schools Infrastructure on Waterloo South. No response was received.	N/A
Homes NSW	Ongoing consultation has occurred between Stockland and Homes NSW as the Applicant of the Rezoning Proposal throughout the preparation of this application.	Feedback received from Homes NSW has been integrated throughout the development of the proposed building envelopes and reference scheme.
Sydney Local Health District (SLHD)	• SLHD emphasised the importance of early consideration of the complex health, social and accessibility needs of the existing community, including residents with chronic health conditions, mental health needs, ageing-related mobility issues and limited family support. • Strong support for place-based, co-located community services integrated with housing to improve outcomes for vulnerable residents. • Importance of culturally appropriate engagement approaches and recognising tenants as trusted community messengers. • Safety concerns, particularly at night, highlighting the role of CPTED principles, activation and ongoing management rather than enforcement alone. • Risks associated with relocation, including disruption to established social networks, loss of identity and wellbeing impacts, and the need for clear communication and relocation support. • Strong support for the early delivery of accessible, welcoming community spaces to reduce isolation and support mental health and social connection.	• Ongoing engagement with SLHD, tenants and service providers will continue to inform detailed design, relocation planning and operational arrangements to support health, wellbeing and continuity of community networks.
City of Sydney – Planning and Design Teams	City of Sydney raised a range of urban design, access and interface matters, including: • The design and function of George Street, including traffic movement, access arrangements and active frontages. • Treatment of terraces as community floor space on Cope Street. • Basement access locations and the appropriateness of basement connections under Cope Street and John Street. • Traffic noise impacts from McEvoy Street.	The submitted precinct design has been amended to respond to City of Sydney feedback, including: • Refinement of George Street to align with the Design Guide, confirmation of access arrangements and provision of continuous active frontages • Removal of Cope Street terraces from community floor space dedication. • Inclusion of deep soil planting in accordance with City of Sydney requirements. • Basement access, loading, childcare locations and interface treatments will be further refined through detailed

Agency	Feedback	Response
	- Deep soil planting requirements and protection of the public domain. - Potential conflicts associated with loading areas, childcare locations and residential interfaces. - Consideration of setbacks and design responses around infrastructure, including the Block 8 substation. - The reference to the current AS for car parking dimensions was noted and agreed. - The ARR 2019 flood models were agreed to be utilised within the flood impact assessment.	- development applications to minimise conflicts and protect residential amenity. - Traffic noise and public domain impacts will be addressed through detailed design and supporting technical studies. - The Proposal establishes key planning parameters, with detailed resolution of setbacks, access, infrastructure interfaces and streetscape outcomes to occur at subsequent stages in consultation with City of Sydney.
City of Sydney – Public Infrastructure Working Group	- Pedestrians should be prioritised over bicycles and vehicles in the design of streets within Waterloo South. - Interest in opening the southern end of George Street to traffic, subject to TfNSW approval, including potential left-in/left-out movements. - Further investigation requested regarding the application of Sydney Water guidelines and opportunities for street tree planting across the precinct.	- The proposal prioritises pedestrians through the street hierarchy, including safe separation between pedestrians, cyclists and vehicles. - Street widths, setbacks and footpath dimensions have been designed to improve pedestrian comfort and safety at ground level. - Discussions with TfNSW regarding traffic access at the southern end of George Street are ongoing; the Proposal has been designed to comply with the Design Guide while allowing for future road opening if approved. - Street tree planting and public domain outcomes will be refined through detailed design in accordance with City of Sydney and Sydney Water requirements.
Social Planning and Safer Cities Unit	- Importance of building on existing consultation, research and strategic work rather than restarting engagement processes. - Need to plan for demographic change, including how redevelopment scale and dwelling mix will reshape community needs over time. - Concerns about the social impacts of rapid change, particularly community cohesion, wellbeing and trust during transition. - Importance of strong governance, resourcing and alignment between planning frameworks, service delivery and place planning. - Emphasis on safety, belonging and CPTED principles during construction and operation. - Community facilities and services should be equitably distributed and accessible across the precinct, rather than concentrated. - Lessons from other renewal projects highlight the risk of social conflict if communities feel excluded from change.	- Feedback from City of Sydney informed the preparation of the concept SSDA and Rezoning Proposal, building on earlier research, consultation and engagement outcomes. - The proposal establishes a strategic framework that supports social cohesion, wellbeing and inclusion as the precinct transitions over time. - Community facilities and services are planned to be distributed across the precinct to support equitable access and social inclusion. - A Place Activation Strategy will be developed in consultation with Homes NSW and key stakeholders to support social connection, safety and belonging. - Governance and precinct management arrangements will be developed with Homes NSW and Community Housing Providers to address tenant support, safety and access to services. - Safety and CPTED principles will be embedded through detailed design and technical studies at future development application stages. - Ongoing engagement will continue as designs are refined to ensure community needs are addressed throughout redevelopment.
Sydney Water	- Sydney Water issued a feasibility letter outlining initial guidance on wastewater and potable water capacity within Waterloo South. - Existing infrastructure capacity is insufficient to support the renewal. - Key requirements include upgrades to wastewater and potable water infrastructure and provision of on-site stormwater detention within each block.	- The proposal has been informed by Sydney Water's feasibility advice. - Water, wastewater and stormwater servicing requirements will be addressed through future detailed design and development applications. - On-site stormwater detention will be incorporated within each block in accordance with Sydney Water requirements.
Ausgrid	Ausgrid advised that existing electrical infrastructure is insufficient to support the redevelopment.	Stockland and ASP3 are continuing to liaise with Ausgrid to progress servicing requirements.

Agency	Feedback	Response
	- New high-voltage feeders will be required, supplied from the Zetland Zone Substation. - Compliance with Ausgrid requirements is required for the precinct-wide masterplan, public domain works and individual blocks.	- Electrical infrastructure upgrades will be coordinated through detailed design. - Separate future applications will address precinct-wide infrastructure, public domain works and individual development blocks in accordance with Ausgrid requirements.
Communication Carriers (including NBN Co, Nextgen, Optus, PIPE Networks, Telstra, Verizon, Vocus and others)	- Early engagement has occurred with communication carriers servicing and intersecting Waterloo South. - Existing overhead telecommunications infrastructure within the precinct is redundant and no longer in use. - New telecommunications services will be provided by NBN, with initial advice received. - Key considerations include decommissioning existing infrastructure and establishing new connections to support future services.	- A detailed approach to telecommunications servicing will be developed following receipt of detailed asset information from carriers. - Decommissioning, removal and delivery of new telecommunications infrastructure will be coordinated with service providers. - Telecommunications servicing will be addressed through future detailed development applications.
Jemena Gas	- The Waterloo South project will be fully electrified and no new gas infrastructure is required. - Existing gas infrastructure traversing the precinct will remain operational for future use where required.	- Existing gas infrastructure will be reviewed in consultation with Jemena. - Disconnection, decommissioning or removal will be coordinated with the relevant authority where required. - Gas infrastructure matters will be addressed through detailed design and future development applications.

7.2 Future Consultation

The concurrent exhibition period will provide the community, stakeholders and government agencies with a further opportunity to review the proposed changes to the planning provisions and development standards sought in this Rezoning Proposal and the concept development proposed in the concept SSDA and make formal submissions. The project team will then prepare a Submissions Report which responds to any further matters raised by the community and Government agencies during this period.

Ongoing Stakeholder Engagement

Engagement will remain central as Waterloo South progresses from concept approval into more detailed planning and delivery. The project team will continue to consult and engage with key stakeholders throughout the exhibition and assessment period of the project.

Subject to approval, the planning for detailed development applications for individual stages of the redevelopment are anticipated to commence in early 2026. These applications will include detailed architectural design, public domain works, infrastructure delivery and site-specific technical studies, and will be publicly notified in accordance with statutory requirements.

The project team will continue to consult with key stakeholders throughout assessment and delivery, including government agencies, City of Sydney, utility providers and service organisations. Ongoing engagement with tenants, neighbouring residents and the wider community will inform detailed design development, staging, interface treatments and operational planning as the project progresses.

Overall, the staged planning and delivery approach ensures that community and stakeholder feedback continues to inform detailed outcomes over time, while delivering the precinct-wide benefits established through the State Assessed Rezoning Proposal.

8.0 Project Timeline

In line with the benchmark timeframes for the finalisation of Planning Proposals outlined in the LEP Making Guidelines and the DPHI targets for the assessment of housing applications, it is anticipated that the Planning Proposal will be finalised in approximately six (6) to nine (9) months from lodgement, giving an anticipated finalisation date of December 2026. A breakdown of the project timeline is provided in **Table 13**.

Table 13 Project Timeline

Phase	Indicative Timeframe	Indicative Date
Phase 1 – Public Exhibition	28 days	April-May 2026
Phase 2 – Response to Submissions	60 days	June-July 2026
Phase 3 – Assessment	100 days	August-October 2027
Phase 5 - Finalisation	30 days	November 2027
Notification and Gazettal	-	December 2026

9.0 Conclusion

This Rezoning Report has been prepared by Beam Planning on behalf of Stockland and Homes NSW to support a State Assessed Rezoning Proposal seeking amendments to the Sydney LEP 2012 for Waterloo South, in accordance with section 3.29 of the EP&A Act 1979.

Waterloo South is the first stage of the wider Waterloo Estate renewal and is proposed to be redeveloped over approximately 10–15 years. Since the finalisation of the 2020–2022 planning proposal, Stockland, in collaboration with Homes NSW, has undertaken detailed design development, feasibility testing and delivery planning for Waterloo South. This work identified misalignments between the Sydney LEP 2012 controls and the built form framework established through the 2022 Design Guide.

This Rezoning Report outlines targeted amendments to the planning controls to align the statutory plans so they operate as an integrated and deliverable framework. The amendments are intended to support the efficient and coordinated staged delivery of the project and to facilitate refinements to the built form and the public domain that improve future residential amenity, streetscape quality, and key pedestrian and open space interfaces. By enabling the current permissible GFA to be delivered across the site, the amendments also support the NSW Government's commitment to deliver up to 50 per cent of residential GFA as market housing, safeguarding the capacity to deliver a substantial quantum of social and affordable homes alongside high-quality urban outcomes.

The proposal has been progressed as a State-assessed rezoning under the NSW Government's State Significant Rezoning Program, reflecting its alignment with DPHI's program focus on rezonings that deliver social and affordable housing. The proposal is considered to have both strategy and site-specific merit as the proposal has been prepared having regard to the applicable strategic planning framework and responds to extensive design testing and engagement undertaken since 2020.

The Rezoning Proposal demonstrates strategic merit by facilitating a major increase in well-located housing supply within inner Sydney, including a substantial and enduring contribution to social and affordable housing, and by supporting a complete community through provision of community infrastructure, services, local employment and high-quality public domain outcomes. The proposal also demonstrates site-specific merit by enabling refinements to built form distribution, street wall and tower configuration, pedestrian permeability, park interfaces and streetscape quality that improve amenity and deliverability while maintaining the permissible development capacity for the precinct.

In addition, the proposal embeds culturally-led planning and delivery foundations through the ongoing application of the Waterloo South Connecting with Country Framework and the Designing with Country approach, ensuring that cultural governance and Country-led design directions can be carried forward and implemented through subsequent stages of planning, detailed design and delivery.

For these reasons, and having regard to the demonstrated strategic and site-specific merit of the proposal, the targeted amendments to the Sydney LEP 2012 are considered appropriate to facilitate the coordinated delivery of the Waterloo South renewal and its associated public benefits over the life of the project.