

Re: State Significant Development Application SSD-80441462 – Waterloo Mixed Use Development, 881–885 Bourke Street, Waterloo

Submitted by: Residents of Morehead Street, Waterloo NSW 2017

1. Introduction & Interest in the Proposal

We are long-standing residents of Morehead Street, living in immediate proximity to the Danks Street South Precinct and within the Waterloo Heritage Conservation Area (HCA). We submit this objection in response to the public exhibition of SSD-80441462 for the Waterloo Mixed Use Development.

Our property and broader neighbourhood will be materially affected by the proposal. Our primary concerns relate to:

- Excessive bulk, scale, and height of buildings significantly beyond the approved DA envelopes.
- Inadequate scale transition across the site to the Waterloo Heritage Conservation Area
- Residential amenity impacts to existing and future development
- Incorrect or incomplete context and visual impact assessments
- Unrealistic construction timelines
- Lack of family-sized housing in the mix
- Procedural deficiencies in community engagement and late notification of the exhibition
- Equity concerns relating to public housing residents
- Failure of claimed community engagement

2. Deficiencies in the Notification & Exhibition Process

The Exhibition Notice confirms the exhibition period began 12 November 2025.

The Notification Letter was dated 7 November 2025 but was not received at our address until 17 November—five days after the exhibition commenced—while others on the street received theirs around 13–14 November.

The timing did not provide a reasonable or equitable opportunity to review the material given that;

- Regular mail in Sydney can take up to seven business days;
- Mail delivery in and around Waterloo occurs only every second day;
- The SSDA documentation is unusually extensive for a two-week exhibition;

As a result, procedural fairness has not been upheld. We request that the Department consider requiring an extended exhibition period or re-notification, given the material impact of this delay.

3. Social Equity & Public Housing Resident Impacts

More than **70%** of residents on Morehead Street are public housing tenants. These households:

- rely heavily on physical mail
- face barriers accessing digital systems such as the NSW Planning Portal (we are ourselves industry professionals and encountered repeated issues accessing the site to make this submission)
- are less likely to be able to prepare formal submissions
- may not have received, or understood, the late-arriving notification

This means that a majority of directly affected households were effectively prevented from participating in the planning process.

Given NSW Government commitments to equitable community engagement, it is of significant concern that the most vulnerable and most directly affected residents have been placed at a disadvantage.

This amplifies the seriousness of the late notification issue and underscores the need for extended or repeated consultation.

4. Failure of claimed Community Engagement

Although the EIS (Section 7 and Table 36) asserts that “immediate neighbours and residents” were notified during pre-lodgement consultation—including a letterbox drop purportedly reaching 2,967 residents—neither we, nor any neighbours we have spoken to, received this material. We were not invited to any briefing or webinar and were unaware of the proposed change to the existing approved scheme until the formal exhibition letter arrived after exhibition had already begun.

Morehead Street is directly adjacent to the development site, and more than 70% of residents are public housing tenants who face systemic barriers to accessing planning information. These are exactly the households the NSW Undertaking Engagement Guidelines for State Significant Projects (2022) require proponents to prioritise for early and tailored engagement. This clearly did not occur, in contrast to the extensive information regularly provided via letter drop regarding developments around the Waterloo Housing Estate.

There is therefore a significant discrepancy between the consultation claimed in the EIS and the consultation actually experienced by the community. As a result, the proposal does not satisfy the engagement expectations under the SEARs or the NSW engagement guidelines for SSD projects. Re-exhibition or a fully renewed engagement round is warranted.

5. Support for Increased Density — But Not of This Form

We are supportive of responsible densification within Danks Street South and acknowledge that the site is under utilised under the current Concept Approval. However, the SSDA:

- proposes a dramatic uplift from **29m to 125m** maximum height - exceeding anything else in South Sydney including the designated town center at Green Square
- provides **no meaningful transition** to the Waterloo Heritage Conservation Area or neighbouring 2–4 storey buildings which
- introduces **oversized tower footprints and unbroken street walls of up to 70m length and over 10 storeys in height** which are entirely out of scale with local existing and planned building form and in no way demonstrate "design excellence"
- relies on an inaccurate and selective tower context analysis referencing 19+ storey towers nearly a kilometre away rather than the immediate neighbourhood of 4-9 storey buildings.

The result is an inappropriate urban density and scale which visually dominates the surrounding area and the heritage conservation area, and significantly impacts the visual and solar amenity of adjacent sites

6. Excessive and Unjustified Height - Incompatible With Immediate Context

The uplift to **125m**—more than four times the existing 29m control—exceeds any building in the entire Zetland, Waterloo and Green Square area. The VIA acknowledges that the magnitude of visual change is “high”, yet its conclusion of acceptability is flawed due to:

- limited number of and selective chosen viewpoints
- a lack of visual impact study from the Waterloo HCA and listed item Grosvenor Terrace (Morehead St)

The VIA relies on Green Square and Lachlan Precinct towers that are:

- over 800m away
- located in a different urban typology
- not adjacent to Heritage Conservation Areas
- have smaller footprints

While a single tower of around 20 storeys along Bourke Street may be supportable, the **western portion** of the site proposes a **13–19 storey, 71m-long wall** along Young Street with **no transition** to the 2–4 storey HCA beginning at Morehead Street.

7. Building Footprints and Street Frontage Length

Parcel 1 proposes a **13–19 storey block with a 71m frontage**—an unacceptable urban form that eliminates vistas, natural ventilation patterns, sky views, and morning winter sun to neighbouring properties along Young Street and Morehead Street.

For context, our tower-comparison materials show that typical 19-storey buildings in Zetland and Green Square have significantly smaller frontages:

- 5 Sam Sing Street (19 storeys): 35m frontage
- 21 Dunkerley Place (19 storeys): 38m frontage
- Alternate Sam Sing tower (19 storeys): 37m frontage

This proposal is not simply “tall”—it is **massively oversized**, with footprints far exceeding any comparable example in the area and sitting immediately adjacent to Grosvenor Terrace and the Waterloo HCA.

8. Loss of Critical Early-Morning Solar Access to Morehead Street

Most terraces along Morehead Street between Phillips Street and Wellington Street—including the majority of the Grosvenor Terrace Heritage Item—have their primary living rooms located on the ground floor facing Morehead Street. These living rooms sit approximately 1.5 metres behind the primary front façade, meaning they are already disadvantaged in winter due to recessed window geometry, terrace layouts, and façade alignment.

As a result:

- These dwellings do not receive the required 2 hours of winter solar access between 9am–3pm, as required for new development under the Apartment Design Guide.
- In winter, sunlight to ground-floor living rooms is typically lost around 10:30am because of the deep façade setbacks and terrace typology.

Despite this, the terraces currently receive excellent early-morning winter sun between 8am and 9am, which is critical in compensating for the lack of sunlight during the 9am–3pm ADG period. This early-morning sunlight:

- naturally warms living rooms before sunlight is lost,
- provides essential residential amenity,
- is particularly important for heritage dwellings that cannot be structurally altered to improve solar penetration.

Proposal Will Remove All Early-Morning Sunlight (8–9am)

The proposed built form in Parcel 1, comprising a 13–19 storey, 71-metre-long building, will completely remove this early-morning sunlight. Although the proponent’s sun-eye views and shadow diagrams only model the 9am–3pm winter period, it is evident from the massing, scale, and orientation that:

- sunlight between 8am and 9am will be entirely blocked, and
- overshadowing is likely to begin even earlier.

This will significantly worsen the already constrained sunlight available to heritage terraces, which are heavily dependent on early-morning sun for winter habitability.

Shadow Diagrams Are Incomplete and Misleading

The proponent’s overshadowing analysis fails to:

- model the 8am–9am winter period, despite its critical importance to heritage terraces,
- acknowledge that terraces already fail to receive adequate 9am–3pm solar access due to built form typology,
- provide cumulative or extended-hour modelling needed to understand true winter loss.

By restricting analysis only to the ADG’s 9am–3pm window, the documentation substantially understates the real overshadowing impacts on existing housing.

Implication

The proposal will permanently remove more than 50% of the winter morning sunlight currently received by the Morehead Street terraces. Given the heritage constraints, modest built form, and limited glazing typical of these dwellings, removal of early-morning sunlight represents a major environmental impact with long-term consequences for residential amenity, thermal comfort, and liveability.

This requires a full reassessment including 8am–9am winter sun modelling and accurate overshadowing analysis.

9. Impact on Waterloo Heritage Conservation Area

The EIS and VIA include **no visual viewpoints** from:

- the Waterloo HCA
- Morehead Street and Grosvenor Terrace (a significant heritage item)

Our overlays clearly show that the proposed SSDA envelope (red) overwhelms the:

- approved DA envelope (blue)
- approved Dasco site envelope (green)

The omission of testing from these locations renders the VIA incomplete and its conclusions unreliable, and contradicts SEARs addressing visual impact, character, and heritage setting.

10. Residential Amenity Impacts

Impacts to Neighbouring Properties

Neighbouring impacts are inadequately assessed:

- no overshadowing or view modelling from the Waterloo HCA
- abrupt transition on Young St from 2-storey buildings (4-6 storey DCP) to 19 storey towers
- overlooking, dominance, and loss of sky views not assessed

This contradicts the proposal's own stated principle of "transitioning to lower-scale edges."

Amenity Within the Proposed Development

Concerns include:

- internal overshadowing
- ventilation constraints
- limited solar access
- dependence on narrow courtyard spaces and shaded open areas

The EIS does not sufficiently demonstrate compliance with the Apartment Design Guide at a precinct scale.

11. Apartment Mix and Lack of Family Housing

The proposed unit mix heavily favours:

- studios (34%)
- 1-bedroom units (36%)
- 2-bedroom units (26%)

with less than 5% of the mix 3-bedroom or adaptable family dwellings which is completely inadequate

This fails to meet strategic objectives for:

- housing diversity
- family retention in the inner city
- supporting multi-generational communities with access to jobs, schools, and services

The result reflects investor-focused typologies rather than long-term community-building housing.

12. Missing Construction Management Plan (CMP) / Staging Plan

Numerous documents refer to a CMP; however, **none is available** on the Planning Portal.

Given the need for:

- deep excavation
- a full-site basement
- major service relocations
- construction of nine new buildings

... the construction period is likely to be **very long**, yet no staging, timeline, or completion date has been provided. Media reports of estimated late 2027 / early 2028 completion (2 years) are delusional given the timelines of other much smaller developments constructed in the area over the past several years.

Without a CMP, the community cannot understand:

- construction duration
- staging
- construction and cumulative traffic impacts
- noise, vibration, and dust impacts
- temporary access and safety risks
- impacts on the HCA

It is essential that a CMP be provided.

13. Summary & Requested Outcomes

We request that the Department require the proponent to:

1. Reduce tower heights and frontages and provide a genuine scale transition to the Waterloo HCA and future residential development between Young and Morehead St.
2. Undertake full visual impact testing from Morehead Street and the Grosvenor Terrace heritage item.
3. Reassess height justification without reliance on Green Square or Lachlan Precinct models.
4. Provide a complete heritage and character impact assessment.
5. Improve the apartment mix to include substantially more family-sized dwellings.
6. Deliver a realistic construction staging plan with clear mitigation measures.
7. Address the procedural fairness issues associated with late notification.
8. Consider extending or re-exhibiting the proposal to ensure public housing residents have a fair opportunity to participate.

We support redevelopment of this site, but cannot support a proposal that so significantly exceeds reasonable scale, fails to respond to heritage context, and does not provide equitable or sustainable outcomes for the surrounding community.

14. Barriers to Participation: Complexity and Inaccessibility of the Planning Portal

In addition to late notification and lack of genuine pre-lodgement engagement, significant barriers exist in the process of **making a submission**, further limiting public participation.

Despite both of us being experienced architecture and planning professionals—and long-time Planning Portal users—we were unable to lodge a submission using our existing Service NSW login credentials.

The Planning Portal:

- does **not** allow submission using Service NSW logins (despite being the standard for DA access)

- requires creation of a separate login account
- rejects any login attempt using the same email as a Service NSW login (flagging it as a duplicate)
- forced us to create an **entirely new email address** solely to lodge this objection

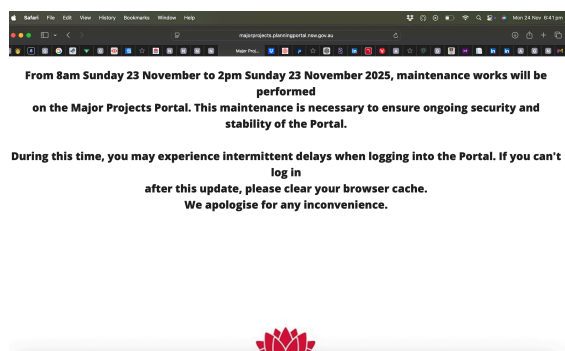
If two industry professionals struggled through this convoluted process, it is unreasonable to expect ordinary residents—particularly public housing tenants, older residents, or CALD communities—to navigate it successfully.

This contradicts the NSW Undertaking Engagement Guidelines for State Significant Projects (2022), which require that communities be able to **easily** participate in planning processes.

Planning Portal Website Outage During Exhibition

The Planning Portal underwent scheduled maintenance on **Sunday 23 November 2025**, but the outage extended well beyond the planned timeframe.

Our screenshot (taken **Monday 24 November at 6:41pm**) confirms the portal was **still unavailable**:



“From 8am Sunday 23 November to 2pm Sunday 23 November 2025, maintenance works will be performed... You may experience intermittent delays... If you can't log in... We apologise for any inconvenience.”

The site remained inaccessible through the evening of the 24th—**34 hours after** the scheduled maintenance window ended.

This further shortened an already inadequate exhibition period that was constrained by:

- late notification
- postal delays
- the need to create new login credentials
- the portal being offline during the exhibition window

Together, these barriers represent a **material impediment** to public participation and undermine the intent of public exhibition.

The combination of:

- complex and inaccessible submission processes
- login incompatibility with Service NSW credentials
- the need to create new email accounts
- extended website downtime
- late exhibition notification

means many residents would simply **not** have been able to make a submission, even if they were aware of the proposal and motivated to do so.

This severely compromises procedural fairness and the integrity of the exhibition process for SSD-80441462.