

Attention: Chris Eldred, Contact Planner

Re: Submission in objection - SSD-95997711, Mixed Use Development, 903-921 Bourke Street and 3 McEvoy Street, Waterloo

To-whom-it-may-concern,

I write as a neighbour and affected resident to formally object to the State Significant Development application SSD-95997711 for alterations and additions to the approved mixed-use development at 903-921 Bourke Street and 3 McEvoy Street, Waterloo. This submission is lodged during the public exhibition period of 15 April to 28 April 2026, and it supersedes my earlier submission of February 2026 which was made in response to the applicant's pre-lodgement community engagement by Sarah George Consulting.

I acknowledge the importance of meeting housing targets in the City of Sydney LGA and the objectives of the Housing Delivery Authority (HDA) pathway. I also acknowledge that the lodged application has, in several respects, evolved from the pre-lodgement material - most notably through the inclusion of an approximately \$40 million cash contribution to the City of Sydney Affordable Housing Fund and the voluntary acceptance of a 12% affordable housing contribution on uplift floor space. These inclusions are welcome and I give the applicant credit for them.

Nonetheless, I remain strongly opposed to the proposal as lodged. The Environmental Impact and Rezoning Statement (EI&RS) dated March 2026, together with the accompanying specialist reports, confirms that the uplift remains grossly disproportionate to the surrounding context, that the amenity impacts on neighbouring properties are greater than the applicant characterises them, and that several key assessments rely on assumptions or thresholds that understate real-world impact.

My detailed objections follow.

1. Building heights and floor space ratio are out of scale with the Waterloo precinct

The EI&RS Summary confirms that the proposal seeks to amend the Sydney Local Environmental Plan 2012 to:

- increase the Young Street Tower from a 65-metre height limit to 126 metres (a 38-storey tower);
- increase the Bourke Street North tower from a 40-metre height limit to 105 metres (a 31-storey tower);
- increase the Bourke Street south envelope from 24 metres to 41 metres;
- lift the Young Street frontage from 24 metres to 34 metres; and

- more than double the maximum Floor Space Ratio from 1.5:1 to 3.2:1.

This is not a refinement of the approved scheme. It is a fundamental re-scaling of the site, driven principally by the HDA pathway rather than by any site-specific urban design merit assessment. The approved scheme under D/2021/1415 was already the product of a competitive design alternatives process that itself tested the appropriate scale for this precinct. The EI&RS does not explain why the scale resolved through that competitive process is now inadequate, nor does it present any test demonstrating that the proposed 38 storey and 31 storey towers are the minimum necessary to deliver the stated housing outcome.

The applicant relies heavily on endorsement by the State Design Review Panel (SDRP), which met on 12 November and 10 December 2025. SDRP endorsement is directed to design quality at the scale proposed; it is not a finding that the proposed scale is appropriate for the precinct. The Visual Impact Assessment prepared by Arcadia (Appendix 28) is methodologically limited in ways that understate visual impact on the surrounding community:

- **Only seven viewpoints are assessed.** None is a private residential viewpoint, despite the VIA's own methodology distinguishing Private from Public receivers. No viewpoint is assessed from the Divercity apartments opposite, from Lachlan Street, from mid-block Danks Street, from the student accommodation at 224-234 Young Street, or from any of the nearby residential dwellings most directly affected by the proposed towers.
- **The closest viewpoint (VP02, corner of Bourke and McEvoy Street, 18 metres from the development)** is rated Magnitude of Change "High" and yet Visual Impact "Negligible", because the VIA assigns a "Negligible" sensitivity rating on the basis that the location is "a local urban road with moderate vehicular traffic". The methodological consequence is that the closer an observer is to the proposal - and therefore the more affected they are by its scale - the more likely the VIA is to downgrade their sensitivity. This is an inversion of the principle the VIA purports to apply and should not be accepted.
- **The assessment acknowledges its own seasonal limitation** - "the assessment was undertaken when deciduous street trees along Bourke Street were in full leaf and provided maximum screening. Reduced foliage in cooler months may increase visibility of built form within the view." The photomontages therefore represent a best-case seasonal view, not a representative one.

A proposal of this magnitude warrants an independent precinct-scale urban design assessment that tests the cumulative visual impact of this site together with the neighbouring Coronation proposal at 881-885 Bourke Street (SSD-96505456), the Woolworths proposal at 923-935 Bourke Street, and the City West affordable housing projects. No such cumulative visual or urban design test has been provided. The Design Report's own key view analysis illustrates a tower massing that substantially departs from the established street wall.

2. Solar access and shadow impacts are understated

Section 7.4.6 of the EI&RS and Part B3 of the Design Report provide a shadow analysis of adjacent properties. On the applicant's own figures, the proposal causes additional overshadowing to:

- **Diversity (830-840 Bourke Street)** - 10 units experience additional overshadowing. Diversity already has only 53% of apartments meeting the 2-hour ADG solar benchmark, well below the 70% compliance threshold.
- **1-9 Lachlan Street** - 2 further apartments lose 2-hour solar access.
- **224-234 Young Street (student accommodation)** - "marginal additional overshadowing" to eastern and northern windows.
- **923-935 Bourke Street** - additional overshadowing to some units.
- **210-222 Young Street** - "minor impact" to windows on northern facade.

The applicant's response in each case is that the impacted dwellings "still receive a minimum of 2 hours solar access" or that the additional overshadowing is within the tolerance of the City of Sydney Overshadowing Guideline. That is a compliance-threshold argument, not a merit argument. Two hours of winter solar access is a floor, not a target. Driving already-compliant dwellings down to the bare minimum - and further reducing sun to Diversity, a building that is already non-compliant - is not an acceptable outcome simply because the tolerance threshold is not breached on aggregate.

I note in particular that the applicant's solar assessment excludes the 57 co-living apartments from the denominator. Section 7.4.1 of the EI&RS states: "It is noted that the co-living apartments have been excluded for the purpose solar access assessment." Excluding 57 of the 580 proposed dwellings from the assessment of solar amenity is unjustified. Co-living residents are residents. The Department should require that the solar assessment be re-presented with the co-living apartments included, on the same basis as all other dwellings.

The shadow impact to the future park, while characterised as "consistent with shadows cast by the approved envelopes," should also be tested against the proposed population - the park will serve a materially larger resident population than the approved scheme, and sunlit park area per resident has decreased meaningfully.

3. Cumulative infrastructure capacity has not been assessed

The proposal increases the approved dwelling yield from 347 to 580 apartments - a net increase of 233 dwellings, or 67%. This change must be assessed not in isolation but cumulatively with the other major applications currently active in the immediate vicinity:

- the Coronation Group proposal at 881-885 Bourke Street (SSD-96505456) for approximately 850 build-to-rent and affordable apartments across 9 buildings, currently at Response to Submissions stage;
- the Fabcot (Woolworths) mixed use development at 923-935 Bourke Street (D/2024/1208);
and

- the City West affordable housing projects in the same precinct, including the 74-apartment Boronia complex.

Taken together, these applications will deliver in excess of two thousand new dwellings within a radius of a few hundred metres. The EI&RS addresses cumulative impacts only briefly at Section 2.3, and its cumulative assessment is confined to built form and wind conditions (the Wind Report at Appendix 33 explicitly models the Coronation and Woolworths developments). There is no cumulative assessment of:

- bus and rail capacity, including the walking-distance metro and train stations at Waterloo and Green Square;
- electrical, water, sewerage and stormwater infrastructure;
- footpath, cycleway and pedestrian space capacity;
- waste collection capacity in the local network; or
- open space provision per resident at the precinct scale.

It is telling that the Wind Report is able to model the neighbouring Coronation development when it suits the applicant's case (Coronation buildings provide wind shielding to the site), but the Transport, utilities and open space assessments treat the site as if it existed in isolation. I request that the Department require a cumulative Infrastructure Capacity Assessment, covering all four active precinct proposals, before determining this application.

4. The wind assessment relies on assumptions that may not hold

The Wind Report prepared by MEL Consultants (Appendix 33, February 2026 addendum) concludes that, in the configuration tested, the proposal satisfies the pedestrian safety criterion at all ground-level test locations, achieves walking comfort as a minimum, and achieves standing comfort at most locations. I accept the methodology.

However, three points warrant attention:

First, the cumulative scenario depends on the Coronation development being built. The report explicitly states that "the Coronation Project buildings at 207–229 Young Street and 881–885 Bourke Street provide effective wind shielding along the northern edge of the site." If the Coronation application is delayed, modified, or not built, the wind conditions around the site as approved would not match those tested. I request that any approval be conditioned on a re-test of wind conditions in the event that Coronation is not constructed or is materially modified.

Second, the future park only achieves sitting comfort at one test location (Test Location 63). Every other park test location (65–68, 70 and 71) achieves only walking comfort. The SDRP's own review letter of 18 December 2025 (Item 4b) required that "the park provides generous area for sitting and gathering to support the increased population." A single sitting-comfort test location is not generous provision. The report acknowledges that "some localised mitigation measures may be required to

achieve additional sitting comfort levels should that be required" - but those mitigation measures are not specified, not quantified, and not secured as conditions.

Third, the SDRP directed the applicant to address wind through urban design and massing rather than temporary measures (Item 4c). The Wind Report's acknowledgement that "localised mitigation measures may be required" suggests that this directive has not been fully satisfied.

5. The Transport Impact Assessment is methodologically deficient and understates local network impact

The Transport and Accessibility Impact Assessment prepared by JMT Consulting (Appendix 15, 27 February 2026) concludes that the proposal will generate a "negligible" increase of between 3 and 4 vehicle movements per hour in the peak periods, or "one additional vehicle every 15 to 20 minutes". On that basis it concludes that the transport impacts are acceptable. Several features of the report warrant scrutiny.

The baseline used in the TIA is incorrect. Section 1.1 of the TIA describes the proposal as "an increase from 376 to 580 apartments". The currently approved dwelling yield under D/2021/1415, as confirmed in the EI&RS Summary, is 347 apartments - not 376 - following the Mod H amendment. The real uplift is +233 apartments (+67%), not +204 (+54%) as stated in the TIA. This is not a trivial error: it flows through to the parking comparison (Table 4, "% Increase"), the trip-generation comparison (Table 8), and the overall conclusion of "negligible" change.

Traffic generation is modelled per parking space, not per dwelling, which is circular. JMT states at Section 4.8 that "given the constrained parking environment within the site it is appropriate to forecast traffic movements based on the quantum of parking provided within the site" and applies a rate of 0.14 vehicle trips per space in the AM peak and 0.10 in the PM peak. Because the applicant has capped on-site parking at 376 spaces, capping trip generation to parking ensures a low forecast regardless of how many dwellings are added. This methodology assumes that residents and visitors without an on-site space simply do not generate a vehicle trip. In practice, they park on surrounding residential streets. The TIA's "negligible" finding is therefore a self-fulfilling outcome of the choice of metric.

Visitor parking provision is manifestly inadequate. Table 3 of the TIA shows that the Sydney LEP parking rate would allow 45 visitor spaces; the proposal provides 24. For a development of 580 apartments, 24 at-any-one-time visitor spaces is a ratio of 0.04 spaces per dwelling. The TIA does not assess whether this is sufficient for the visitor demand generated by 580 dwellings, and does not assess parking displacement onto the surrounding residential streets that are already under parking pressure. The choice to provide fewer visitor spaces than the LEP would permit, in a location where on-street parking is already highly regulated and constrained, will result in visitor parking behaviour being displaced onto surrounding streets.

Public transport capacity is not assessed; walking-distance framing is optimistic. The TIA forecasts (Table 7) that the site will generate approximately 104 train/metro trips and 87 bus trips per peak

hour. This is from 903-921 Bourke Street alone. The TIA does not test whether the existing bus network on Bourke Street, the T8 line at Green Square, or the Waterloo Metro line can absorb this level of additional demand when combined with the neighbouring Coronation proposal (850 dwellings, SSD-96505456), Fabcot/Woolworths (D/2024/1208) and the City West affordable housing developments. The TIA's statement at Section 4.10 that "the metro station has relieved capacity constraints on existing bus services in the Waterloo area" is an assertion without modelling. Furthermore, both Green Square and Waterloo Metro stations are stated as being approximately 850 metres from the site - the TIA also records this as "an 18-minute walk" to the Metro elsewhere in the applicant's materials. This is at the outer edge of accepted walk-up catchment (typically 400–800 metres for rapid transit), not the "convenient walking distance" described in the EI&RS.

The approved DA baseline also did not assess a 580-apartment yield. Section 2.2 of the TIA states that the road network assessment for the approved DA "confirmed that the intersections within the study area will maintain an acceptable level of service following the full development of the precinct" and that Transport for NSW's acceptance was received in July 2022. That assessment was made against a 376-unit scheme, subsequently reduced to 347 units. There has been no updated network assessment for the 580-unit scheme, nor for the cumulative precinct load that now includes the Coronation proposal.

I request that the Department require the applicant to (i) correct the dwelling-yield baseline throughout the TIA and re-run the comparative tables; (ii) present a trip-generation forecast based on dwelling yield rather than on-site parking, consistent with the TfNSW Guide to Transport Impact Assessment; (iii) provide a visitor parking demand assessment and a parking displacement study for the surrounding residential streets; and (iv) provide a cumulative public transport and intersection capacity assessment covering the 903-921 Bourke Street, Coronation, Fabcot/Woolworths and City West proposals.

6. Co-living and affordable housing

I acknowledge and welcome two material changes in the lodged application compared to the pre-lodgement material:

- the proponent's acceptance of a 12% affordable housing contribution on the uplift floor space (i.e. floor area above 2:1 FSR), consistent with the City of Sydney Affordable Housing Program, even though the EI&RS acknowledges the proposal is not strictly bound by that Council policy; and
- the approximately \$40 million cash contribution to the City of Sydney Affordable Housing Fund referenced in the Social Impact Assessment at Appendix 17.

These are significant improvements on a position of zero affordable housing. However, I note the following.

On-site affordable housing remains preferable to a cash contribution. A cash contribution is a conversion of affordable housing entitlement into a fund that may produce affordable housing

somewhere, sometime, at a rate entirely dependent on City of Sydney's property acquisition activity. The residents of the new Danks Street District precinct receive no direct, deed-restricted affordable housing within the development they live in. The Department should consider requiring that the 12% affordable housing contribution be delivered on-site as dwellings rather than as a financial contribution.

Co-living is not a substitute for deed-restricted affordable housing. Section 3.7 of the EI&RS describes co-living studios as "smaller in size and designed to provide rental accommodation for single people at a more affordable rental price-point." This is a market-rate product at a lower price-point because the dwellings are smaller; it is not housing delivered at a below-market rent to eligible key workers or low- and moderate-income households. The Social Impact Assessment's characterisation that co-living "may result in more affordable housing for students and others on lower incomes" is appropriately hedged - it "may," but there is nothing in the application that secures this outcome. I request that any approval condition the co-living dwellings to defined rental caps, or alternatively treat them as conventional studio apartments for the purposes of all impact assessments.

The co-living dwellings have been excluded from the solar access assessment. As noted at point 2 above, Section 7.4.1 of the EI&RS explicitly excludes the 57 co-living apartments from the ADG solar access calculation. The applicant cannot have it both ways - these are either dwellings, in which case they count for amenity assessment, or they are not dwellings, in which case they should not count toward the housing yield argument that justifies the height uplift.

7. Inconsistencies between the applicant's own documents

Several of the applicant's documents contain inconsistent figures, which should be reconciled before determination. By way of example only:

- The EI&RS Summary states the Young Street Tower is 38 storeys and contains 208 apartments, while the Social Impact Assessment (Appendix 17) at Section 2.0 refers to a 36-storey Young Street Tower and a 30-storey Bourke Street North tower.
- The EI&RS Summary states the proposal yields 580 apartments, while the Social Impact Assessment states 579 apartments and describes a net increase of 232 units rather than 233.
- The gross floor area figures in the Design Report (59,172 sqm) and the Social Impact Assessment (58,669 sqm) differ by approximately 500 sqm.
- The Transport Impact Assessment at Section 1.1 describes the uplift as being from 376 to 580 apartments, using the superseded baseline. The comparative tables in the TIA (Table 4 on parking, Table 8 on trip generation) are constructed on this incorrect baseline and therefore understate the real change relative to the current approval of 347 apartments.

These inconsistencies are not cosmetic. The Social Impact Assessment's conclusions about residual social impact significance are based on the lower figures. The Department should require the

applicant to reconcile all technical reports against a single, definitive project description before determination.

8. Community feedback has been acknowledged but not acted upon

The applicant's own Social Impact Assessment at Section 4.0 records that "feedback from local residents was overwhelmingly in opposition to the proposed alterations and additions," citing concerns about height, density, traffic, parking, transport capacity, shadow, wind, pollution and neighbourhood character. Those are substantially the same concerns raised in this submission and in my earlier submission of February 2026.

The Design Report describes two rounds of SDRP review, extensive engagement with the applicant's design team, and consultation with City of Sydney, GANSW, TfNSW and Ausgrid. It does not demonstrate that the substantive community concerns - scale, density, cumulative infrastructure load, parking displacement - have materially altered the design. The final scheme is taller and denser than the pre-lodgement material, not smaller.

9. Conclusion and requests

I respectfully but firmly object to SSD-95997711 in its current form. I request that my objections be formally noted in the Engagement Report and in the Department's assessment report.

I request that the Department, prior to any recommendation for approval:

- require a cumulative precinct-scale urban design and visual impact assessment incorporating the neighbouring Coronation (SSD-96505456), Fabcot/Woolworths (D/2024/1208), and City West applications, including private-viewpoint assessments from the residential properties most affected (Diversity, Lachlan Street, Young Street apartments, and 224-234 Young Street) and photomontages that do not rely on full-leaf seasonal screening;
- require the solar access and ADG compliance assessment to be re-presented with all 580 apartments included, including the 57 co-living apartments currently excluded;
- require a cumulative Infrastructure Capacity Assessment covering transport, utilities, stormwater, open space and waste for the Danks Street South precinct as a whole;
- condition any approval on re-testing of pedestrian wind conditions in the event the Coronation development is not constructed or is materially modified, and require the wind mitigation measures alluded to in Appendix 33 to be specified and secured as conditions of consent;
- require the Transport Impact Assessment to be re-run against the correct 347-apartment baseline, with trip generation modelled per dwelling rather than per on-site parking space (consistent with the TfNSW Guide to Transport Impact Assessment), and with a visitor parking demand and surrounding-streets parking displacement study included;

- require a cumulative public transport and intersection capacity assessment covering this site together with the Coronation, Fabcot/Woolworths and City West applications;
- require the 12% affordable housing contribution to be delivered on-site as dwellings rather than as a financial contribution to the Affordable Housing Fund, or alternatively to be materially increased if delivered as cash;
- condition the co-living dwellings to defined rental caps for eligible key workers or low- and moderate-income households, failing which they should be assessed as conventional studio apartments for all amenity purposes; and
- require the applicant to reconcile all technical reports against a single, definitive project description, with impact assessments re-run where the underlying figures have changed.

I would welcome the opportunity to discuss this submission further and can be contacted at the details above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Leon Geisler', written in a cursive style.

Leon Geisler

Waterloo, 2017