

RE: Objection to Waterloo Estate (South) Concept State Significant Development Application (SSD-93222706)

We object to the Waterloo Estate (South) Concept State Significant Development Application in its current form due to the significant and inadequately justified impacts on surrounding residents, local amenity, privacy, traffic conditions, biodiversity, heritage setting and urban character.

Our apartment is located on Elizabeth Street directly opposite Waterloo Oval and near Waterloo Park. As adjoining residents, we are deeply concerned about the scale, location and cumulative impacts of the proposed redevelopment.

While we understand that strategic planning controls and building height envelopes for Waterloo South were finalised through an earlier planning proposal process in 2022, the major increases in building heights were not communicated to us or any other residents in this neighbourhood. The current Concept SSDA now reveals the practical impacts of those envelopes on adjoining residents and public spaces in a way that was not previously clear.

Through the current concept plans, visual material and recent information sessions, it has become apparent that the proposal would result in substantial overlooking, significant loss of privacy, visual bulk and major impacts on Waterloo Park and surrounding residents.

1. Excessive Height and Incompatible Built Form

The proposal represents a substantial increase in scale from the surrounding built environment, with towers of up to 33 storeys adjoining areas generally characterised by lower-scale residential buildings, heritage terraces and light industrial uses.

The applicant's own documentation confirms that buildings ranging from 3 to 33 storeys are proposed and acknowledges that the towers would "substantially alter the existing visual setting" and create "substantial overshadowing" of adjacent public and private spaces, including Waterloo Park & Oval and surrounding residential interfaces.

The proposed tower forms are excessive relative to the surrounding context, which includes lower-scale residential buildings, heritage terraces and light industrial uses. The abrupt transition in scale is unreasonable and inconsistent with appropriate urban design principles.

2. Loss of Privacy, Overlooking and Residential Amenity

Following recent community information sessions and review of the concept material, it is now clear that the proposed tower configuration would result in substantial and direct overlooking into adjoining residential properties, including our apartment and others along Elizabeth Street opposite Waterloo Park and Oval.

The proposed 30-storey tower forms would create:

- a severe loss of privacy;

- direct overlooking into existing dwellings;
- visual intrusion;
- reduced outlook;
- increased sense of enclosure; and
- diminished residential amenity.

These impacts appear significantly greater than many residents reasonably understood during the earlier strategic planning and rezoning process.

The current Concept SSDA is therefore the first stage at which many adjoining residents have been able to properly appreciate the practical consequences of the proposed tower placement and scale.

At recent community information sessions, representatives associated with the proposal acknowledged that the development would create significant privacy and overshadowing impacts for adjoining residents. It was suggested that these impacts may be addressed at later design stages through measures such as reorientation of buildings, balcony treatment and façade design.

However, given the scale, height and proximity of the proposed tower forms, it is difficult to see how these impacts can be meaningfully resolved without substantial changes to the underlying tower placement, setbacks and building envelopes established through the current Concept SSDA.

The privacy and visual impacts arising from 30-storey towers adjoining existing residential interfaces appear to be fundamental outcomes of the current concept layout rather than matters capable of being adequately resolved through minor architectural refinements.

The current Concept SSDA seeks approval of the fundamental tower locations, building envelopes and development framework. It is therefore important that privacy, overlooking and amenity impacts are properly assessed and resolved at this stage rather than deferred to future detailed design processes, where opportunities for meaningful change may be significantly reduced.

There is also concern that the placement of the tower adjoining Waterloo Park may prioritise premium outlook opportunities for future market housing over achieving appropriate transition, privacy and amenity outcomes for existing residents and surrounding public open space. The tower closest to Waterloo Park is likely to command the highest market value due to its uninterrupted easterly outlook and potential coastal views. This raises concerns that commercial considerations may be influencing tower placement more strongly than appropriate interface and amenity outcomes.

3. Limitations of Earlier Consultation and Community Awareness

While the strategic planning controls for Waterloo South were progressed through earlier planning processes, the practical implications of the approved building envelopes were not apparent to many affected residents and property purchasers.

Prior to 2022, we were living in another nearby apartment that was also impacted by the redevelopment. However, we did not receive any direct information regarding the proposal or the scale of the future tower development.

We subsequently purchased our current apartment in August 2022. At the time of purchase, we were **not informed** of the extent of the proposed tower placement, overlooking and privacy impacts associated with the development. Had the practical consequences of the proposed 30-storey towers been clearly understood, we would not have proceeded with the purchase.

The progression from strategic planning controls to the current Concept SSDA highlights a significant gap between the broad planning framework presented during earlier consultation processes and the practical consequences that are now becoming apparent. The detailed plans, visual material and information sessions associated with the current application have revealed impacts relating to privacy, overlooking, visual bulk and amenity that many affected residents and purchasers were not in a position to properly assess during the earlier rezoning and planning proposal stages.

This raises serious concerns regarding whether the practical impacts of the proposal were adequately communicated and understood during the earlier strategic planning and consultation process.

4. Inconsistent Transit-Oriented Development Logic

The proposal repeatedly relies on proximity to Waterloo Metro Station as justification for increased density and building height. However, the tallest towers will not be located immediately next to the metro station itself, in contradiction of this principle.

Instead, significant tower forms are located closer to Waterloo Oval, McEvoy Street and existing residential interfaces, where impacts on surrounding residents and public open space are greatest.

The documentation does not adequately explain:

- why the highest-density built form is not concentrated closest to the metro station;
- why lower-scale transition areas have not been used near existing residential properties;
- or
- why alternative building layouts and height distributions were not adopted to reduce impacts on neighbouring residents and Waterloo Park.

This raises concerns that the distribution of height and density has not been driven by coherent strategic planning principles.

5. Overshadowing and Public Domain Impacts

The applicant's own heritage assessment acknowledges substantial overshadowing impacts on adjacent public and private spaces.

The proposal risks diminishing the amenity, usability and environmental quality of Waterloo Park & Oval through excessive scale, overshadowing and visual bulk.

The scale of the proposed towers adjoining public open space is inconsistent with maintaining high-quality public amenity outcomes for existing and future residents.

6. Traffic and Cumulative Infrastructure Impacts

McEvoy Street already functions as a heavily trafficked arterial corridor connecting the M5/M8 and broader WestConnex network with the eastern suburbs and inner Sydney.

The proposed density increase is likely to significantly increase:

- traffic congestion;
- service vehicle activity;
- construction impacts;
- pedestrian conflicts; and
- pressure on surrounding infrastructure.

Importantly, the Transport Impact Assessment accompanying the proposal confirms that discussions regarding access arrangements and traffic outcomes remain unresolved and subject to further assessment.

This is particularly concerning given Transport for NSW's earlier Alexandria to Moore Park Connectivity Project, which identified the need for major upgrades along the McEvoy Street corridor to accommodate increasing traffic associated with urban renewal and motorway-related traffic growth.

Those transport investigations occurred prior to the current proposal's substantial increase in scale to towers of up to 33 storeys.

The current proposal therefore raises serious concerns that:

- cumulative traffic impacts have been ignored and/or underestimated;
- existing modelling may no longer reflect the true scale of development intensity now proposed; and
- surrounding roads, intersections and pedestrian environments may experience substantially greater congestion, **safety and** amenity impacts than originally anticipated.

A revised and independently reviewed cumulative traffic assessment should therefore be undertaken which specifically considers:

- the increased density now proposed for Waterloo South;
- cumulative impacts from surrounding urban renewal projects;
- WestConnex-related traffic redistribution;
- pedestrian and cyclist safety;
- construction traffic impacts; and
- long-term impacts on residential amenity and local connectivity.

7. Inadequate Biodiversity Assessment, Designing with Country and Flying Fox Impacts

The proposal area adjoins mature tree canopy and habitat associated with Waterloo Park, including a known flying fox colony located within the Morton Bay Fig trees adjoining the park.

At a recent information session, it appeared that representatives associated with the proposal had little or no awareness of the existence of this colony.

This raises serious concerns regarding the adequacy of the ecological investigations undertaken to date.

Despite the ecological sensitivity of the area, the documentation appears to rely on a Biodiversity Development Assessment Report waiver request rather than a comprehensive biodiversity assessment. This situation is completely unacceptable.

The proposal documentation also places significant emphasis on “Designing with Country” principles and acknowledges the importance of Aboriginal cultural connection to place, landscape and environment within Waterloo.

Waterloo has long been home to one of Sydney’s most significant Aboriginal communities. Given the proposal’s emphasis on connection to Country, it is concerning that there appears to be limited detailed ecological assessment regarding the impacts of the proposal on existing urban wildlife habitat and vulnerable native species.

The Waterloo Park area currently supports a known flying fox colony within the mature Morton Bay Fig trees adjoining the park. Grey-headed flying foxes are recognised as a vulnerable species and play an important ecological role within native ecosystems.

The surrounding parklands and mature tree canopy also support a range of native birdlife and urban fauna, including species that utilise the broader green corridor extending through Waterloo and Redfern Park. Redfern Park is known to support significant populations of native ibis and other birdlife, yet it remains unclear how the cumulative impacts of this development on these ecological networks have been assessed.

Given the proposal’s emphasis on connection to Country, greater consideration should be given to:

- protection of existing urban habitat;
- impacts of light pollution from tall towers on native fauna;
- impacts of light pollution from tall towers on local residents;
- night-time disturbance;
- habitat fragmentation;
- cumulative ecological impacts; and
- long-term biodiversity outcomes associated with intensive urban redevelopment.

At present, it is unclear whether the proposal has adequately assessed the ecological impacts associated with the scale and positioning of the proposed towers, particularly given the apparent reliance on a Biodiversity Development Assessment Report waiver rather than a comprehensive biodiversity assessment.

A development of this scale adjoining established urban habitat should adopt a precautionary approach to biodiversity protection, particularly where vulnerable species are known to exist within the immediate locality.

8. Community Consultation Concerns

The proposal documentation refers to extensive community consultation. However, neither we nor many other adjoining residents ~~appear to~~ have been meaningfully consulted regarding the practical impacts associated with the substantial increase in building heights and tower placement.

Importantly, the applicant's own Social Impact Assessment acknowledges:

- consultation fatigue;
- community scepticism; and
- risks that affected community voices may not be adequately represented in decision-making.

Many residents have only now become fully aware of the extent of the impacts through the current Concept SSDA material and community information sessions.

This raises serious concerns regarding the effectiveness and legitimacy of the consultation process undertaken to date.

Conclusion

While urban renewal and additional housing supply are important objectives, the current proposal imposes excessive impacts on surrounding residents and public spaces without sufficient justification or mitigation.

We respectfully request that the Department:

- reconsider the proposed tower placement and building envelopes adjoining Waterloo Park and existing residential properties;
- require demonstrable resolution of privacy and overlooking impacts at the Concept SSDA stage rather than deferring these matters to future design phases;
- reduce tower scale adjacent to existing residential areas and Waterloo Park;
- concentrate greater density closer to Waterloo Metro Station;
- undertake further independent assessment of privacy, overlooking and overshadowing impacts;
- require a comprehensive biodiversity assessment addressing the flying fox colony, native birdlife, ecological corridors and impacts associated with light pollution;
- undertake updated cumulative traffic modelling incorporating the increased development scale and broader WestConnex-related traffic impacts;
- provide greater transparency regarding the ecological impacts of the proposal and how these align with the stated Designing with Country principles; and
- undertake genuine consultation with directly affected residents before determination of the application.

The current proposal does not achieve an appropriate balance between housing delivery, environmental protection, urban design quality, cultural responsibility and community amenity.

Robyn Crowhurst and Nick Birbara