

Dear assessment officer,

Waterloo Mixed Use Development 881-885 Bourke Street (SSD-80441462)

I do not support the development in its proposed form. Transforming the current vacant former industrial land into housing, affordable housing and the provision of new streets and green spaces consistent with the current planning controls would be welcome. However, this development application and planning proposal makes a mockery of those carefully considered planning controls and should not be approved.

Height and density

As you will know, the current planning controls applying to the site were imposed in September 2019 pursuant to the *Sydney Local Environmental Plan 2012 (Amendment No 51)*. This was a result of the City of Sydney's Danks Street South Precinct Planning Proposal which was implemented to facilitate residential development in the precinct. The planning proposal was based on the Danks Street South Urban Design Study (November 2018) which provided a holistic strategic plan for the whole Danks Street South Precinct. Development approval was granted in 2021 (D/2021/1415) for the southern portion of the site for a development consistent with the planning controls. This development is now under construction. A building approved prior to the current planning controls but consistent with the height limits has been completed at 895-901 Bourke Street.

The applicant's planning proposal seeks to fundamentally depart from the strategic plan for the wider Danks Street South precinct and introduces built forms that are incompatible with the surrounding area. Most concerning is the proposed 521% increase in height of a parcel located on Bourke Street from 24 meters to 125m.

The Danks Street South Urban Design Study's urban strategy responded to the scale of existing surrounding built form and included the design principle to:

Locate taller buildings in the centre of precinct to reduce overshadowing of open space and surrounding existing developments.

This resulted in the Urban Design Study and current planning controls locating the highest building of 65 meters (now under construction) in the centre of the precinct.

Conversely, the proposed 125 meter parcel is located on the edge of the precinct, towering over existing buildings located across the street of 35 and 22 meters. The neighbouring existing 5 storey affordable housing block directly south of the proposed 125 meter tower will be particularly impacted by overshadowing and overlooking of its communal courtyard garden. This appears calculated to concentrate the worst impacts of the development on affordable housing residents. Similarly, a 67 meter tall building will be located on the western side of the precinct, across the street from an existing 15 meter high building. The location of these towers are completely at odds with what the original intention for the precinct.

Locating a 125m tall building on Bourke Street would create a singular built form that dominates the entire area, including the nearby low rise heritage conservation area in Redfern, being a height that is far in excess of the height limits of any surrounding building. This visual impact of this building would therefore be widely felt. As set out in the EIS the increased height will reduce solar access for the proposed park and surrounding residential buildings.

The height increases, coupled with the proposed doubling of FSR is aimed at increasing the total density of the site far in excess of what was originally planned for the precinct. This will put increased pressure on infrastructure and services, including those the existing planning controls provide for including public open space. It is noted the Planning Proposal does not increase the amount of public green space in proportion to the increase in density. If the Planning Proposal is supported, I recommend that the public green space ratio be increased commensurate with the size of the development.

Traffic

The development will have unacceptable impacts on traffic and therefore bus times (which already struggle during week day peak hours) and provides insufficient information in respect of active and public transport.

The Traffic Impact Assessment provides that the increased traffic generated by the development will result in the deterioration of key intersections along Bourke Street. These intersections serve key bus routes on which the surrounding high density neighbourhoods rely upon, having no rail stations within reasonable walking distance. Impacts on intersection timing will impact bus journey times and reliability. This is not acceptable given the high reliance on bus routes for a high density area with no rail alternatives.

The traffic mitigation options proposed relies upon Transport for NSW deciding to implement a clearway on Bourke Street. This treatment cannot be relied upon by the Minister as a serious mitigation option because:

1. Is not certain to proceed, as it is outside the control of the proponent and will require TfNSW to decide to implement clearway; and
2. Externalises the impact by leading to a reduction in on-street parking, in other words, asking for a public benefit to be taken away in order to offset the impact of the development.

For these reasons, the Post-Development SIDRA Assessment Outcome (with treatment) in Table 8-4 of the Traffic Impact Assessment should be disregarded and the impacts as set out in Table 8-3 be considered as the relevant impacts. I would suggest that a more suitable mitigation of the traffic impacts would be to reduce the number of car spaces. An additional 627 car spaces are not appropriate for this location.

Further, the traffic impact assessment provides that it will provide “an appropriate amount of bike parking for residents, tenant staff and visitors to service the future tenants and encourage active transport”. This is an uncertain statement about an important aspect of the development, in particular an aspect that, if adequately provided for, has the capacity to mitigate the impacts on an already strained road and public transport network. As the Minister is provided with no information to determine whether the provision of bike parking is, as the applicant says, adequate, the Minister cannot fully understand the social and environmental impacts of the development.

It is noted that the Transport Infrastructure Assessment does not consider the impacts on an already strained bus network. Without this information, the Minister can not understand the impacts on the capacity of the bus network.

For these reasons, it is not appropriate to allow for a departure from the current planning controls. Development of the site consistent with the current planning controls is welcome, but this application should be refused.

Thank you for taking the time to consider my submission.

Kind regards

Jay Gillieatt and Josh Pallas