



SCOPING REPORT

Waterloo Over Station
Development – Amending
Concept Development
Application

Prepared for
WL DEVELOPER PTY LTD
2 March 2020



URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Peter Strudwick
Associate Director	Ashleigh Ryan & Danielle Blakely
Senior Consultant	Andrew Hobbs & Anna Wang
Consultant	Jack Kerstens & Charlotte Ryan
Project Code	P00017723
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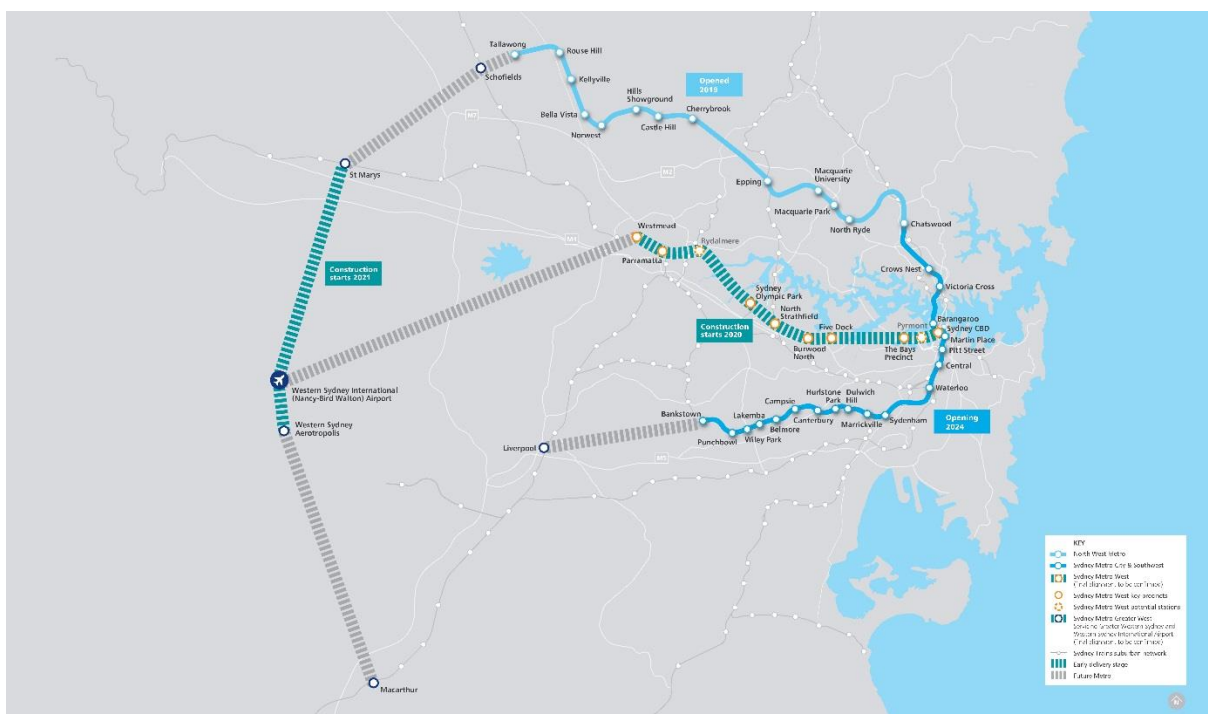
1. INTRODUCTION

Sydney Metro is Australia's biggest public transport project. In 2024, Sydney will have 31 metro railway stations and a 66km standalone metro railway system – the biggest urban rail project in Australian history. The Sydney Metro Project is illustrated in **Figure 1** below.

Services commenced in May 2019 in the city's north west with a train every four minutes in the peak. Sydney Metro will be extended into the CBD and beyond to Bankstown in 2024. There will be new metro railway stations underground at Crows Nest, Victoria Cross, Barangaroo, Martin Place, Pitt Street, Waterloo and new metro platforms under Central.

On 9 January 2017, the Minister for Planning approved the Sydney Metro City & Southwest - Chatswood to Sydenham project as a Critical State Significant Infrastructure project (reference SSI 15_7400) (**CSSI Approval**). The terms of the CSSI Approval includes all works required to construct the Sydney Metro Waterloo Station, including the demolition of existing buildings and structures. The CSSI Approval also includes construction of below and above ground structures associated with the Metro Station and structures required to facilitate the construction of Over Station Development (**OSD**).

Figure 1 – Sydney Metro Alignment Map



Source: Sydney Metro

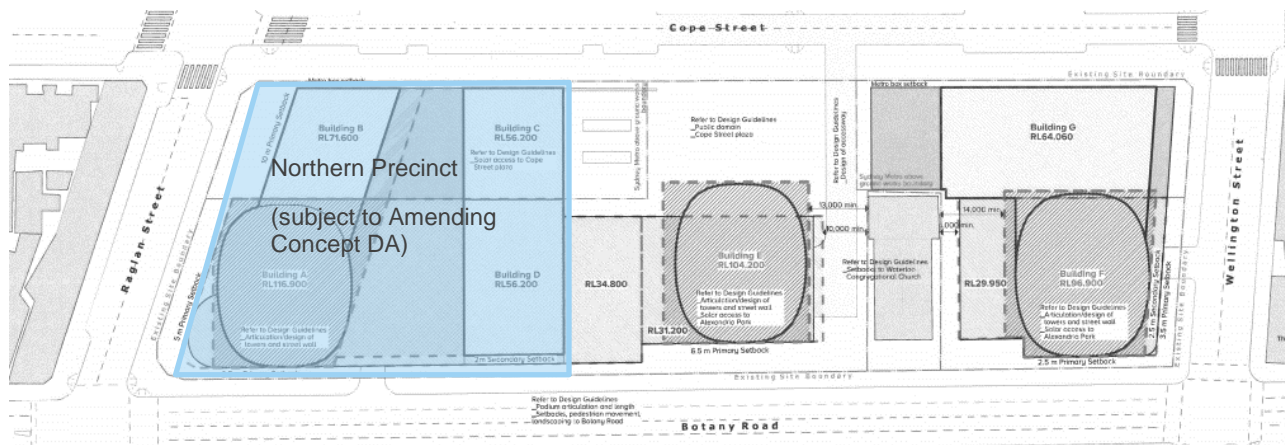
1.1. WATERLOO OVER STATION DEVELOPMENT

This Scoping Report is prepared by Urbis Pty Ltd on behalf of WL Developer Pty Ltd (**the Proponent**). This Scoping Report constitutes a request for Secretary's Environmental Assessment Requirements (**SEARs**) to guide the preparation of an Environmental Impact Statement (**EIS**) that will accompany a State Significant Development (**SSD**) Development Application (**DA**).

The SSD DA, hereafter referred to as the Amending Concept DA, will seek consent for an amendment to the Waterloo Metro Quarter Over Station Development Concept DA (SSD 9393). Whilst the Concept DA relates to the whole Waterloo Metro Quarter precinct site, the changes proposed only relate to the Northern Precinct of the overall site. The boundaries of the Northern Precinct are illustrated in dark blue at **Figure 2**.

A separate SSD DA for the detailed design, construction and operation of the Northern Precinct will be lodged concurrently with the Amending Concept DA.

Figure 2 – Indicative Waterloo Metro Quarter Precinct (indicative boundaries only)



Source: Approved Concept Plans

Pursuant to Section 4.36(2) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**):

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development

The proposal is State Significant Development (**SSD**) under Section 4.36 of the EP&A Act as the development has a capital investment value (**CI**) in excess of \$30 million and is predominately for the purpose of residential accommodation or commercial premises, and associated with railway infrastructure under clause 8(1)(b) of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*.

The Amending Concept DA is a new application submitted under Section 4.22 of the EP&A Act. The process is enabled by Section 4.17 of the EP&A Act which allows the proponent to retain the existing consent under SSD 9393 whilst amending a component of this approved development through a separate application.

To support the request for SEARs, this Scoping Report provides the following:

- An overview of the site and context;
- A description of the proposed works;
- An overview of the relevant statutory and strategic planning framework; and
- An overview of the likely environmental and planning impacts.

Modified building envelope drawings prepared by Hassell are attached at **Appendix A**.

In accordance with the Department of Planning, Industry & Environment (**the Department**) new protocol of conduction of 'scoping meetings' prior to formal lodgement of SEARs, a meeting was held on 3 February 2020 with key Departmental staff to discuss the proposed development. This satisfies the requirement for a 'scoping meeting'.

2. SITE AND SURROUNDING CONTEXT

2.1. THE SITE

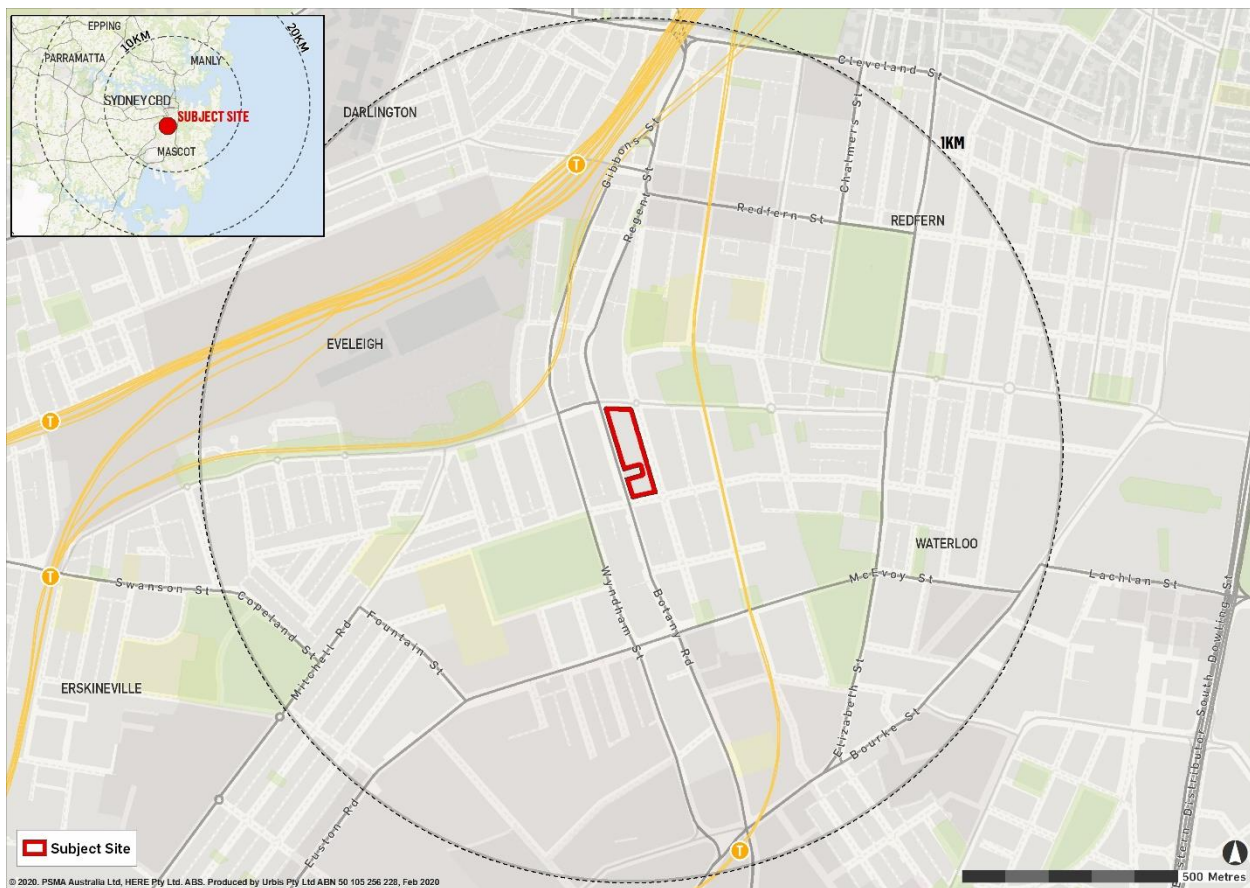
The Waterloo Metro Quarter comprises land to the west of Cope Street, east of Botany Road, south of Raglan Street and north of Wellington Street. The heritage listed Waterloo Congregational Church located at 103–105 Botany Road is within this street block but is not part of the Sydney Metro Waterloo Quarter site boundaries.

All previous structures except for an office building at the corner of Botany Road and Wellington Street have been demolished to facilitate construction of the new Sydney Metro Waterloo Station. As such the existing site is predominately vacant and being used as a construction site.

The area surrounding the site consists of commercial premises to the north, light industrial and mixed-use development to the south, residential development to the east and predominantly commercial and light industry uses to the west.

Figure 2 and **Figure 3** show the site location. An overview of the site characteristics is contained in **Table 1**.

Figure 2 – Site Context



Source: Urbis

Figure 3 – Location Plan



Source: Urbis

Table 1 – Site Characteristics

Component	Description
Address and legal description	1368 Raglan Street (Lot 4 DP 215751)
	59 Botany Road (Lot 5 DP 215751)
	65 Botany Road (Lot 1 DP 814205)
	67 Botany Road (Lot 1 DP 228641)
	124-128 Cope Street (Lot 2 DP 228641)
	69-83 Botany Road (Lot 1, DP 1084919)
	130-134 Cope Street (Lot 12 DP 399757)
	136-144 Cope Street (Lots A-E DP 108312)
	85 Botany Road (Lot 1 DP 27454)
	87 Botany Road (Lot 2 DP 27454)
	89-91 Botany Road (Lot 1 DP 996765)
	93-101 Botany Road (Lot 1 DP 433969 and Lot 1 DP 738891)
	119 Botany Road (Lot 1 DP 205942 and Lot 1 DP 436831)
	156-160 Cope Street (Lot 31 DP 805384)
	107-117A Botany Road (Lot 32 DP 805384 and Lot A DP 408116)
	170-174 Cope Street (Lot 2 DP 205942)

Site area	<p>Total area of 1.287 hectares</p> <p>Northern Precinct area – approximately 4,500sqm</p>
Current use	<p>Construction of the Sydney Metro is currently underway on site (below ground level) in accordance with Critical State Significant Infrastructure Approval CSSI 7400. The site previously included three to five storey commercial, light industrial and shop top housing buildings.</p>
Site features	<p>Lots: The various allotments combine into a rectangular shape, with street frontage to Raglan Street to the north, Cope Street to the East, Wellington Street to the south, and Botany Road to the west.</p> <p>Heritage: Within the bounds of the streets listed above is the Waterloo Congregational Church. The church is a locally listed heritage item (I2069), however, does not form part of the site. Immediately to the south west of the site is the locally heritage listed Cauliflower Hotel (I2070) located at 123 Botany Road.</p> <p>Topography: The site is reasonably flat with a slight fall to the south.</p> <p>Approval history:</p> <p>9 January 2017: Sydney Metro Critical State Significant Infrastructure Approval (CSSI 7400) was issued for the construction and operation of the Sydney Metro City and Southwest project between Chatswood and Sydenham.</p> <p>10 December 2019: Concept Approval (SSD 9393) was issued for Waterloo Metro Quarter Over Station Development.</p>
Surrounding development	<p>The area surrounding the site consists of commercial premises, light industrial, mixed-use development, and residential development. Immediately to the east of the site is the Waterloo Estate Precinct, which is the subject of master planning currently being undertaken by the City of Sydney Council.</p>

2.2. SURROUNDING CONTEXT

The Waterloo Metro Quarter is approximately 3.3km south of the Sydney CBD. The neighbourhoods adjoining the site are composed of a layered urban fabric, containing a mix of commercial, residential, civic uses and open space.

To the east of the site is a mix of one and three storey residential flat buildings and attached dwellings that form part of the Waterloo Estate. Further to the east and north east includes high density residential dwellings which also form part of the estate.

To the north of the site is predominately one and two storey commercial uses. The Redfern Town Centre is located beyond this, which includes increased height and a mix of uses which includes retail, student housing and residential accommodation.

Beyond Botany Road to the west are two and three storey commercial and light industrial premises, as well as a five storey mixed use residential flat building. Council recently granted consent for an affordable housing development located at 74-88 Botany Road. The proposal includes ground floor retail facing Botany Road. The Alexandria Park Heritage Conservation Area is located further to the west. A large area of public open space, known as Alexandria Park, is located to the south west of the site. The Australian Technology Park commercial centre is located 400m to the north west of the site.

3. RELATIONSHIP BETWEEN SSD 9393 AND CSSI 7400

3.1. CONCEPT APPROVAL – SSD 9393

Development consent was granted on 10 December 2019 for the Concept SSD DA (SSD 9393) for Waterloo Metro Quarter Over Station Development including:

- A maximum building envelope for podium, mid-rise and tower buildings.
- A maximum gross floor area of 68,750sqm, excluding station floor space.
- Conceptual land use for non-residential and residential floor space.
- Minimum 12,000sqm of non-residential gross floor area including a minimum of 2,000sqm of community facilities.
- Minimum 5% residential gross floor area as affordable housing dwellings.
- 70 social housing dwellings.
- Basement car parking, motorcycle parking, bicycle parking, and service vehicle spaces.

This subject Amending Concept DA seeks consent for an amended building envelope and description of approved development within Waterloo Metro Quarter Over Station Development Concept DA (SSD 9393). The amendments proposed only relate to the Northern Precinct of the overall Waterloo Metro Quarter Site.

A separate Scoping Report and subsequent SSD DA will be prepared for the Northern Precinct, Southern Precinct, Central Building, and basement supporting the Northern Precinct and Central Building. A further application for site preparation works, including archaeological works and remediation works (where required) will be submitted to the Department.

3.2. CSSI APPROVAL – CSSI 7400

CSSI Approval 7400, as it relates to the Waterloo Station, includes:

- Demolition of existing buildings within the site.
- Excavation of the rail tunnel, concourse and platforms and therefore the setting of surrounding structural zones, services and accesses.
- Establishment of an aboveground station footprint (station boxes).
- Space provisioning for future lift cores, access, minor associated parking provision, retail and building services for the future OSD.
- Primary station entry via a Raglan Street, and potential secondary entry via the public plaza from Cope Street.
- Public domain works (including to parts of the Raglan Street Plaza and the Cope Street Plaza).

The CSSI Approval included Indicative Interface Drawings for the below and above ground works at Waterloo Metro Station – South. Section 2.3 of the Preferred Infrastructure Report (PIR) noted that the integration of the OSD elements and the metro station elements would be subject to the design resolution process, noting that the detailed design may vary from the concept design assessed within the planning approval.

Condition E101 of that approval requires that detailed Station Design & Precinct Plans be approved by the Secretary of the Department prior to the construction of above ground works.

The building design in the podium levels for the areas allocated to the OSD as approved by SSD 9393 will need to be updated and coordinated with the Station Design & Precinct Plans prior to their approval by the Secretary.

4. DESCRIPTION OF THE PROPOSAL

4.1. OVERVIEW

The Amending Concept DA seeks consent for an amended building envelope and description of development for the Northern Precinct of the Waterloo Quarter site approved under SSD 9393. For clarity, this Amending DA is a Concept DA (formerly referred to as a 'Stage 1' DA) made under Section 4.22 of the EP&A Act.

Specifically, the proposal seeks to modify the approved building envelope for the Northern Precinct (previously comprising 'Building A', 'Building B', 'Building C' and 'Building D' under SSD 9393) through:

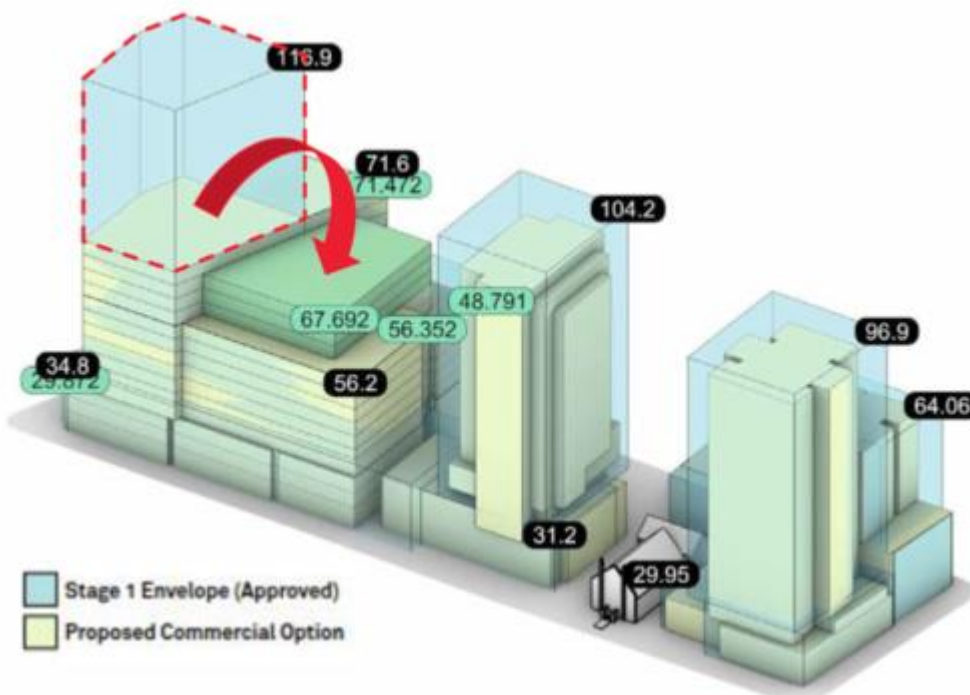
- Increasing the maximum building height for the southern portion of the Northern Precinct from RL56.2 to RL76.50 (refer to **Figure 4**).
- Removing the 'tower component' of the Northern Precinct, to enable the redistribution of floor space to commercial office floor plates.
- Amending the description of development to refer to a mid-rise (approximately 13 storey) commercial office building, comprising approximately 33,000sqm of commercial office floor space within the northern portion of the site, rather than a third residential tower.

The modification of the approved Concept SSD DA will enable the detailed design of a new commercial building (comprising office and retail premises) to be pursued on the site, significantly increasing the proportion of employment generating floor space on the Waterloo Metro Quarter site. This new commercial building is proposed in replacement of four building envelopes approved under SSD 9393, which comprised one residential tower, and three mid-rise residential buildings.

This proposal will not exceed the permissible building height for the site under the SLEP 2012 or the maximum height approved under SSD 9393. As discussed previously, a separate Scoping Report and SSD DA will be lodged concurrently for the detailed design, construction and operation of the Northern Precinct.

No changes are proposed to the Concept Approval as it relates to the Southern Precinct or Central Building.

Figure 4 – Proposed Amendments to Concept Approval SSD 9393 (Northern Precinct)



Source: Hassell

Whilst the Concept SSD DA applies to the entire Waterloo Metro Quarter site, the only changes proposed relate to the commercial building and as such the Amending Concept DA will be limited in scope to the Northern Precinct only. Therefore, the EIS will include:

- A full description of the proposed amendments to the Concept DA;
- A full list of all drawings that are proposed to be amended, and copies of all revised drawings;
- A full description of any proposed modifications to the Concept Approval conditions arising as a result of the amended concept, and a version of the proposed modified conditions of consent; and
- A comprehensive assessment of the impacts of the proposed amendments to the development concept.

The proposal requests that a condition(s) is imposed on any approval of the Amending Concept DA pursuant to Section 4.17(1)(b) of the EP&A Act, requiring Concept Approval SSD 9393 to be modified upon the commencement of the Amending Concept DA consent, in accordance with clause 97 of the *Environmental Planning and Assessment Regulation 200* (**EP&A Regulation**).

This condition(s) would ensure consistency between the original Concept Approval SSD 9393 and the Amending Concept DA. This would also ensure the subsequent Detailed DA (previously referred to as Stage 2 DA) for the Northern Precinct is consistent with the revised building envelope.

The inclusion of a condition to this affect is enabled by Section 4.17(5) of the EP&A Act which indicates that if a consent authority imposes a condition requiring the modification or surrender of a consent, that consent may be modified subject to and in accordance with the regulations.

As discussed previously, a Detailed SSD DA for the Northern Precinct will be lodged concurrently to the Amending Concept DA. The Amending Concept DA is being submitted to ensure the detailed design of the commercial building is wholly contained within the 'Stage 1' building envelope, as required by Condition B1 of SSD 9393.

All required matters for consideration or impact assessment detailed in the SSD 9393 consent conditions will be assessed and are included as key issues for consideration in Section 6.

The key environmental planning issues that are proposed to be addressed in the EIS are outlined below to assist the Department and the Secretary in identifying the Environmental Assessment Requirements for the proposal.

5. STATUTORY AND STRATEGIC CONTEXT

The site is located within the City of Sydney LGA. As such, the relevant Acts, environmental planning instruments and development controls relating to the site and relevant to considerations for the SSD application are as follows:

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*;
- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour) and Draft Environment SEPP*;
- *Sydney Local Environmental Plan 2012 (SLEP)*; and
- *Sydney Development Control Plan 2012 (SDCP)*.

Each of the above are described further below in terms of their relevance to the subject site and the proposed development.

5.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Pursuant to Section 4.36(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*:

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development

The proposal is classified as SSD as detailed in Section 5.2 below.

In accordance with Section 4.5 of the EP&A Act, the Independent Planning Commission is designated as the consent authority if there is a Council objection to the DA or there are more than 25 submissions, unless otherwise declared by the Minister as a State Significant Infrastructure related development. Unless otherwise declared, the Minister will be the consent authority for the detailed SSD DA (refer Clause 8A of the SRD SEPP and Instrument of Delegation dated 11 October 2018).

Pursuant to Section 4.22 of the EP&A Act a Concept DA may be made setting out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application(s). This Scoping Report relates to an Amending Concept DA which, if approved, will amend Concept Approval SSD 9393 through the imposition of condition(s) under section 4.17(1)(b) of the EP&A Act.

5.2. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

The Amending Concept DA is classified as SSD under Section 4.36 of the EP&A Act as the development has a CIV in excess of \$30 million, and is for the purpose of commercial premises associated with railway infrastructure under clause 8(1)(b) of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*.

5.3. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 (SLEP)

SLEP is the principal environmental planning instrument applying to the site. The zoning, permissibility and key built form controls are addressed in **Table 2** below.

5.3.1. Permissibility

The site is zoned as B4 Mixed Use in SLEP. The objectives of this zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To ensure uses support the viability of centres.*

The prominent land use proposed as part of the Amending Concept DA is best defined as ‘**commercial premises**’, which is defined in SLEP as:

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

Office premises is defined in the SLEP as:

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Retail premises is defined in the SLEP as:

Retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

The land use table for B4 Mixed Use identifies the proposed land uses as development that is permitted with consent on the site.

5.3.2. Other LEP Provisions

An initial assessment of preliminary plans against the principal development standards within the SLEP is provided below.

Table 2 – SLEP Principal Development Standards Compliance Table

Development Standard	Control	Proposed	Complies
4.3 Height of buildings	The finalised Waterloo SSP increased the height controls on the site to take advantage of the new Metro Station. The height control for the site is RL 116.9 for the northern precinct.	The maximum height of the amended building envelope, including roof plant is approximately RL76.50, significantly less than the maximum height control.	Yes
4.4 Floor space ratio	6:1 across the site	The proposed development includes only a portion of the site and will therefore comply with the maximum FSR.	Yes
5.10 Heritage Conservation	A heritage management document may be required to be prepared for land that is within the vicinity of a heritage item. The document is to assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item.	A Heritage Impact Assessment and a Heritage Interpretation Strategy will be prepared for the proposed amendment.	Yes
6.45 Waterloo Metro Quarter - general	<p>The consent authority must not consent to development on land at the Waterloo Metro Quarter unless it is satisfied that the development is consistent with the following objectives:</p> <ul style="list-style-type: none"> - 12,000 sqm of GFA below podium for land uses other than residential accommodation or passenger transport facilities. - 2,000 sqm of GFA for the purpose of community facilities. - 2,200 sqm of land for publicly accessible open space. <p>Further, the consent authority must not consent to the construction of one or more dwellings on land at the Waterloo Metro Quarter unless:</p> <ul style="list-style-type: none"> - It is satisfied that at least 5% of the GFA used affordable housing - It is satisfied that no dwelling used for the purposes of affordable housing will have a GFA less than 50 square metres - It is satisfied that land uses other than residential accommodation or passenger transport facilities will be evenly distributed throughout the Waterloo Metro Quarter 	<p>The proposed development delivers significant proportion of GFA for non-residential or transport purposes at the podium levels, in addition to a full building for employment generating floor space.</p> <p>The EIS will outline how other components of clause 6.45 will be delivered across the site, in accordance with the modified conditions of the Concept DA. This includes the delivery of additional public open space, affordable housing units, community floor space, and a significant component of non-residential floor space across the site. It is noted that each building across the site comprises non-residential accommodation.</p>	Yes
6.46 Waterloo Metro Quarter -	Development consent must not be granted for development for the	As outlined within the Concept SSD DA, the proposed	Yes

State public infrastructure	purposes of residential accommodation (whether as part of a mixed use development or otherwise) on land at the Waterloo Metro Quarter that results in an increase in the number of dwellings on that land, unless the Planning Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land.	infrastructure delivered by this development and the CSSI Approval satisfies clause 6.46. This will be outlined within the EIS.	
7.6 Car parking	The LEP sets a maximum provision of car parking based on site area.	<p>SSD 9393 approves the following car parking provision:</p> <ul style="list-style-type: none"> - The proposed development will not exceed the maximum 170 residential car parking spaces required by condition B8. <p>Commercial car spaces to support the modified building envelope (Northern Precinct) will be delivered in the basement (separate application), however will not exceed the relevant control in the SLEP.</p>	Yes

Excerpts of the key built form control plans from the SLEP are provided at **Appendix B**.

5.3.3. Site Specific DCP

Clause 7.20 of SLEP requires the preparation of a DCP for sites outside of Central Sydney if the site area is more than 5,000 sqm or if the development will result in a building with a height greater than 25m above existing ground level. However, this obligation can be satisfied by the approval of a staged development application for the site. A staged development application has been approved for the site (SSD 9393) and is proposed as part of this Amending Concept DA, therefore clause 7.20 has been satisfied.

5.3.4. Satisfying Design Excellence

The relevant design excellence provisions in SLEP are:

- Clause 6.21(3) which requires the Consent Authority to not grant consent unless the proposed development exhibits design excellence.
- Clause 6.21(4) which defines matters the Consent Authority must have regard to in determining whether a development exhibits design excellence.
- Clause 6.21(5) which requires the Consent Authority to not grant consent unless a competitive design process has been held in relation to the proposed development. However, clause 6.21(5) is not applicable if a waiver is granted pursuant to clause 6.21(6).

The Concept Approval exercises the discretion available under clause 6.21(6) of SLEP to waive the requirement for a competitive design process under clause 6.21(5) as the concept design has been subject to the Sydney Metro Waterloo Design Excellence Strategy.

The Sydney Metro Waterloo Design Excellence Strategy includes processes for competitive selection and project benchmarks capable of delivering a high quality architectural and urban design outcome in lieu of a SLEP competitive design process.

Prior to lodgement of any future development applications, a final Sydney Metro Design Excellence Strategy will be submitted for approval by the Planning Secretary. In addition, a Design Integrity Report will be

submitted to the Sydney Design Review Panel for review. The Design Excellence Strategy is not proposed to be amended by the Amending Concept DA.

The Amending Concept DA will retain the same approach to achieving Design Excellence as the Concept Approval.

5.4. SYDNEY DEVELOPMENT CONTROL PLAN 2012

In accordance with clause 11 of the State and Regional Development SEPP, the provisions of Sydney Development Control Plan 2012 do not apply to this development.

5.5. OTHER RELEVANT POLICIES

In addition to the above statutory provisions, the following relevant planning, goals and strategic planning objectives will be addressed:

- NSW State Priorities;
- State Infrastructure Strategy 2018-2038;
- A Metropolis of Three Cities – The Greater Sydney Region Plan 2018;
- Eastern City District Plan 2018 (including Planning Priority E11, growing investment, business opportunities and jobs in strategic centres);
- Future Transport 2056 Strategy;
- Better Placed – An integrated design policy for the built environment of New South Wales; and
- City of Sydney Local Strategic Planning Statement.

6. KEY ISSUES FOR CONSIDERATION

6.1. LEGISLATIVE FRAMEWORK

The EIS will detail the applicable legislative approvals framework for the application. It will also provide an assessment of the proposal against the relevant matters required by Section 4.15 of the EP&A Act and Section 4.22 of the EP&A Act relating to Concept development applications.

6.2. RELATIONSHIP WITH AND REQUIREMENTS OF SSD 9393 AND CSSI 7400

The EIS will detail the relationship between the Amending Concept DA with the existing approvals on the site.

The EIS will address and provide an assessment against the relevant conditions contained within SSD 9393, as modified. It will also include a description of works subject to approval by the Secretary of the Department in accordance with CSSI condition E101, and how coordination between these two approvals will be managed to ensure a coherent building appearance and management of construction timeframes.

6.3. BUILT FORM AND URBAN DESIGN

The EIS will detail how the built form of the amended building envelope complements existing development surrounding the site and sits within the context of the adjacent heritage buildings and surrounding landscape.

As detailed in Section 5.3.4, the concept design for the development has been subject to the Sydney Metro Design Excellence Evaluation Panel review and the Amending Concept DA will retain the same approach to achieving Design Excellence. The Concept Approval exercises the discretion available under clause 6.21(6) of SLEP to waive the requirement for a competitive design process.

The detailed design associated with the amended building envelope will undergo a rigorous and structured design development and review process aligning with the scale and complexity of the project including finalisation of the project specific design guidelines and Design Excellence Strategy as required by conditions A14 and A15 of Concept Approval SSD 9393.

Built form considerations set out in condition B7 of the Concept Approval will be addressed in the SSD DA.

6.4. HERITAGE IMPACT

The site is adjacent to a locally listed heritage item, being the Waterloo Congregational Church at 103 Botany Road. Consultation is required to be undertaken with the Waterloo Congregational Church as part of the conditions of the Concept Approval.

The proposed development will also consider the following details, as required by conditions B12 of the Concept Approval:

Future development applications for aboveground works shall include a detailed Heritage Impact Statement and a Heritage Interpretation Strategy for the proposed works prepared in consultation with the City of Sydney Council.

Further, condition B23 of the Concept Approval requires:

vibration testing is conducted before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent damage. In the event the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Applicant must review the construction methodology and, if necessary, propose additional mitigation measures.

advice of a heritage specialist has been incorporated on methods and locations for installed equipment used for vibration movement and noise monitoring of heritage-listed structures.

A Heritage Impact Assessment and a Heritage Interpretation Strategy are to be prepared for the amendment to the approved building envelope and the proposed works for the Northern Precinct, in consultation with the Heritage Council of NSW and City of Sydney Council.

6.5. ENVIRONMENTAL PERFORMANCE / ESD

The proposal will confirm how it will continue to achieve the relevant targets established under the Concept Approval and explore opportunities to achieve stretch targets in ecologically sustainable design. An ESD Strategy will be included as part of the EIS.

6.6. WIND IMPACTS

The Amending Concept DA will be accompanied by an updated Pedestrian Wind Environment Study outlining revised mitigation measures to support the amended building envelope.

6.7. TRAFFIC, ACCESS AND CAR PARKING

An updated Traffic and Transport Impact Assessment will be prepared to accompany the Amending Concept DA to support the amended building envelope and additional employment generating floor space proposed on the site, compared to that envisaged under the Concept SSD DA.

6.8. UTILITIES

The existing capacity and any augmentation requirements of the proposed development for the provision of utilities, including staging of infrastructure through the preparation of an infrastructure / utility management plan will be provided with the SSD DA.

6.9. AMENITY

The Amending Concept DA will establish revised key built form parameters, which will consider the amenity implications for adjacent and nearby development. Given the proximity to neighbouring development, the following impacts will be considered for the amended building envelope:

- Overshadowing, particularly with regard to Alexandria Park and surrounding low scale residential development and the nearby Waterloo Congregational Church.
- Solar access and natural ventilation to the proposed apartments.
- Useability and connectiveness of communal open space the public domain.

6.10. ACCESSIBILITY AND BCA

An Accessibility and BCA Report will be submitted as part of the EIS for the associated Northern Precinct development to confirm that the revised building envelope can deliver a detailed design that can comply with the relevant provisions of the BCA. Some elements may require performance solutions to meet the intent of the standards.

6.11. SOCIAL AND ECONOMIC IMPACTS

The social and economic impacts of the proposal will be detailed in the EIS. The anticipated social impacts will relate to:

- The provision of additional employment during construction and operation.
- Improved solar access for the general public with regards to reduced overshadowing from the modified building envelope to Alexandria Park and the Alexandria Park heritage conservation area.
- Greater opportunities for the general public to appreciate the heritage values of the adjacent heritage buildings.
- Greater opportunities for additional employment floor space.

6.12. CONSULTATION

Consultation will take place with key stakeholders and agencies during the preparation of the EIS and during the assessment of the EIS, including:

- Department of Planning, Industry and Environment
- City of Sydney Council
- Office of Environment and Heritage
- Transport for NSW
- Infrastructure NSW
- Sydney Water
- Ausgrid
- Waterloo Congregational Church
- Relevant community organisations
- Occupants of neighbouring buildings
- General community

The EIS will be placed on public exhibition once the Department has reviewed the EIS to confirm that it has satisfactorily responded to each of the issues identified in the SEARs. The key stakeholders will be provided with an additional opportunity to review the proposal, including the final development plans and the detailed specialist studies and assessment reports accompanying the final EIS.

7. CONCLUSION

The purpose of this report is to request SEARs for the preparation of an EIS for an Amending Concept DA to Concept Approval SSD 9393. The proposal seeks to amend the approved building envelope(s) for the Northern Precinct through increasing the maximum building height for the southern portion of the Northern Precinct from RL56.20 to RL76.50, and amending the description of development to remove the residential buildings on the northern portion of the site for a new commercial office building.

This SEARs request outlines the approval pathway for the application, the legislative framework and the key matters for consideration in the assessment of the application. The EIS and subsequent applications will demonstrate how the proposed amendment to the building envelope for Concept Approval SSD 9393 will accommodate the detailed design for the Northern Precinct.

We trust that the information detailed in this report is sufficient to enable the Department to issue the SEARs to guide the preparation of the EIS.

DISCLAIMER

This report is dated 24 February 2020 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of WL Developer Pty Ltd (**Instructing Party**) for the purpose of Scoping Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A AMENDED BUILDING ENVELOPE DRAWINGS

Modified Building Envelope Plans

Plans

Building Envelope Plan

Elevations

West Elevation – Botany Road

East Elevation – Cope Street

North & South – Raglan & Wellington Street

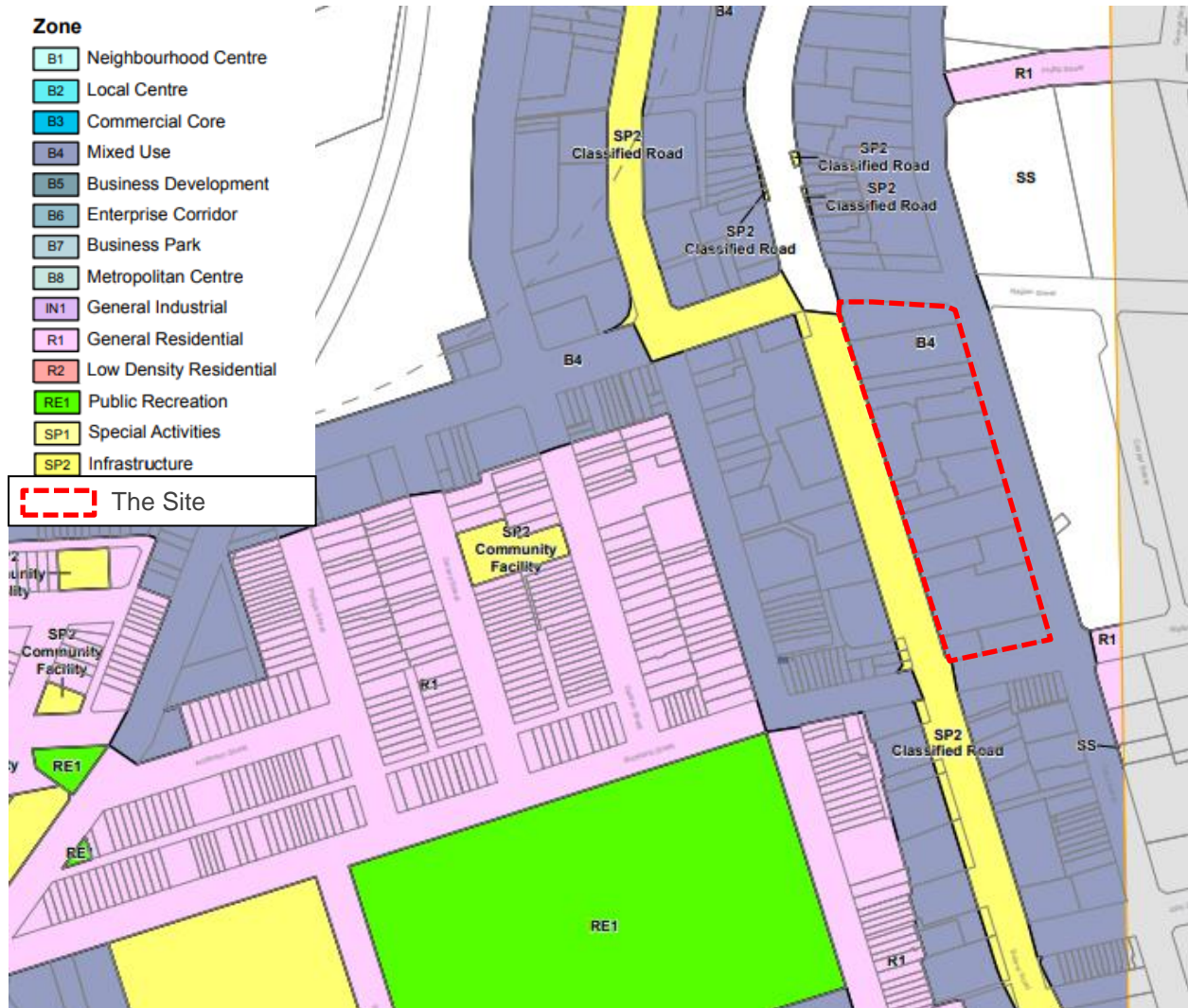
APPENDIX B SYDNEY LEP MAP EXTRACTS

SYDNEY LEP 2012 CONTROLS

Clause 2.2 Zoning

The site is zoned as 'B4 Mixed Use' (see Figure 5 below). The proposed development is permissible with consent in the zone as detailed in **Section 5.3.1**.

Figure 5 – Extract of SLEP 2012 Zoning Map



Source: SLEP 2012

Clause 4.3 Height

The development site has multiple height restrictions shown. The northern precinct has a maximum height RL of 116.9m. Refer **Figure 6** below.

Figure 6 – Extract of SLEP 2012 Height of Buildings Map

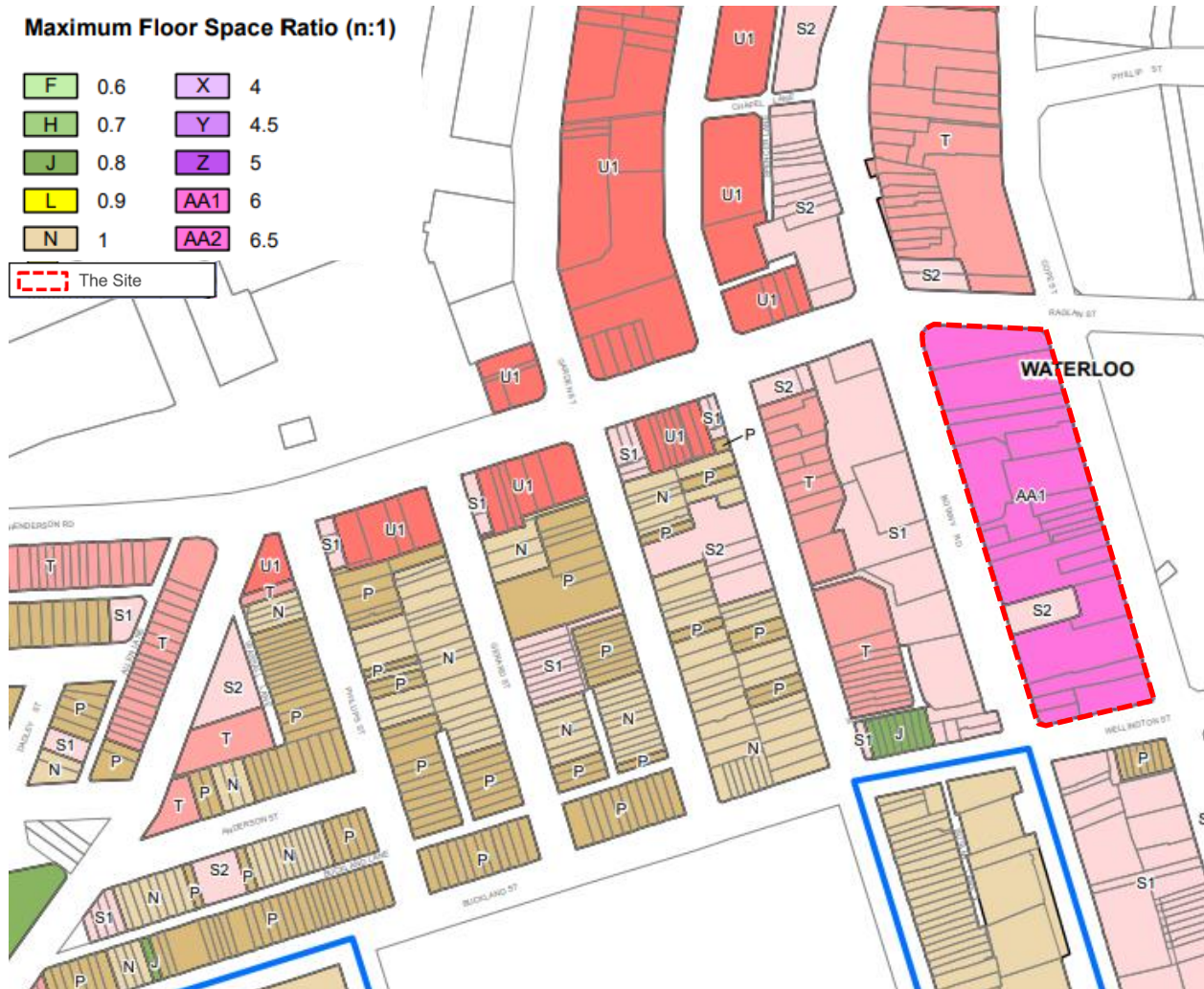


Source: SLEP 2012

Clause 4.4 Floor Space Ratio

The base FSR control of 6:1 that applies to the site, see **Figure 7 below** and commentary at **Section 5.3.2**.

Figure 7 – Extract of SLEP 2012 Floor Space Ratio Map

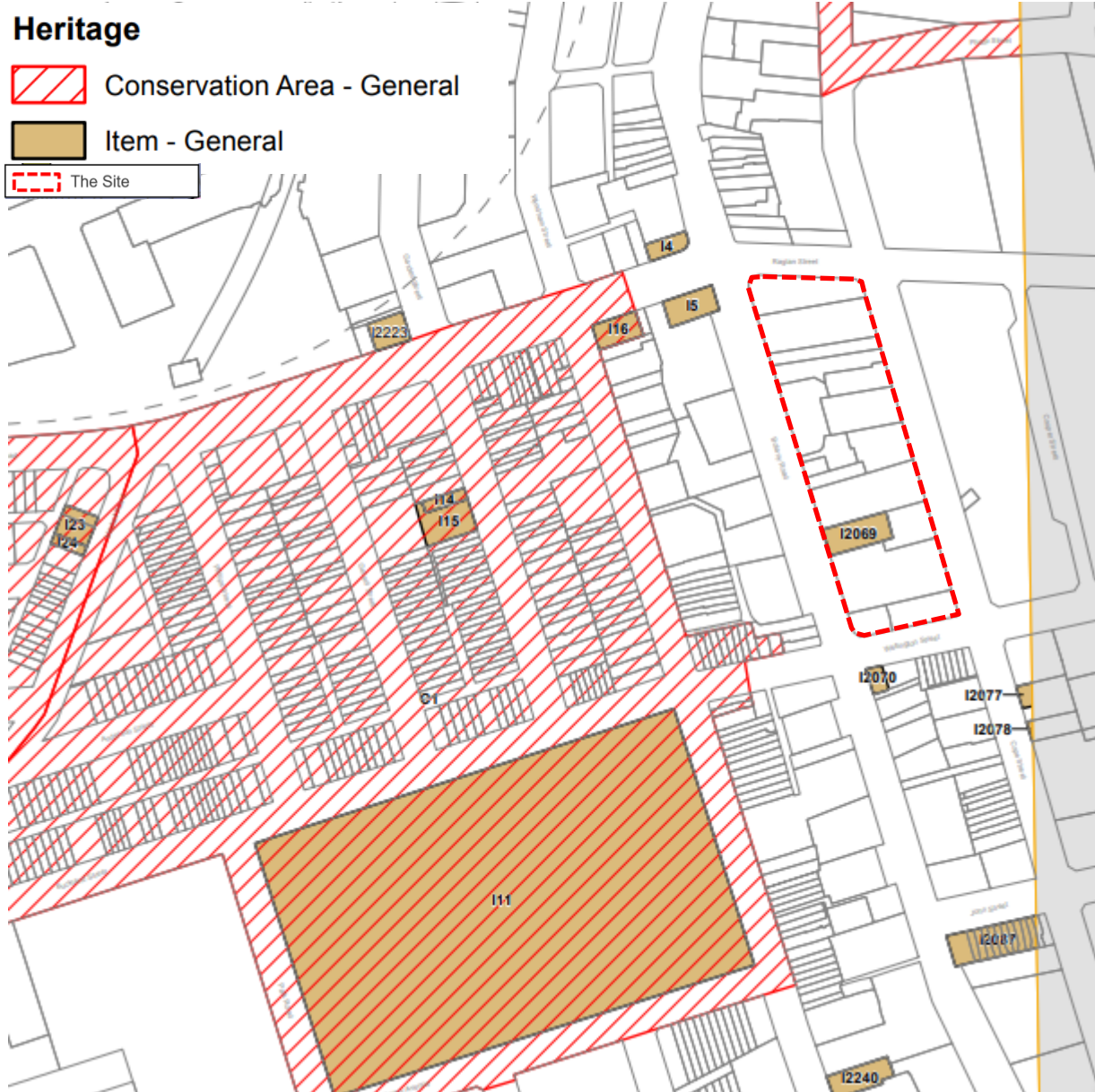


Source: SLEP 2012

Clause 5.10 Heritage Conservation

There are two locally listed heritage items adjacent to the site (refer Figure 8 below) and commentary at Section 5.3.2.

Figure 8 – Extract of SLEP 2012 Heritage Map



Source: SLEP 2012

