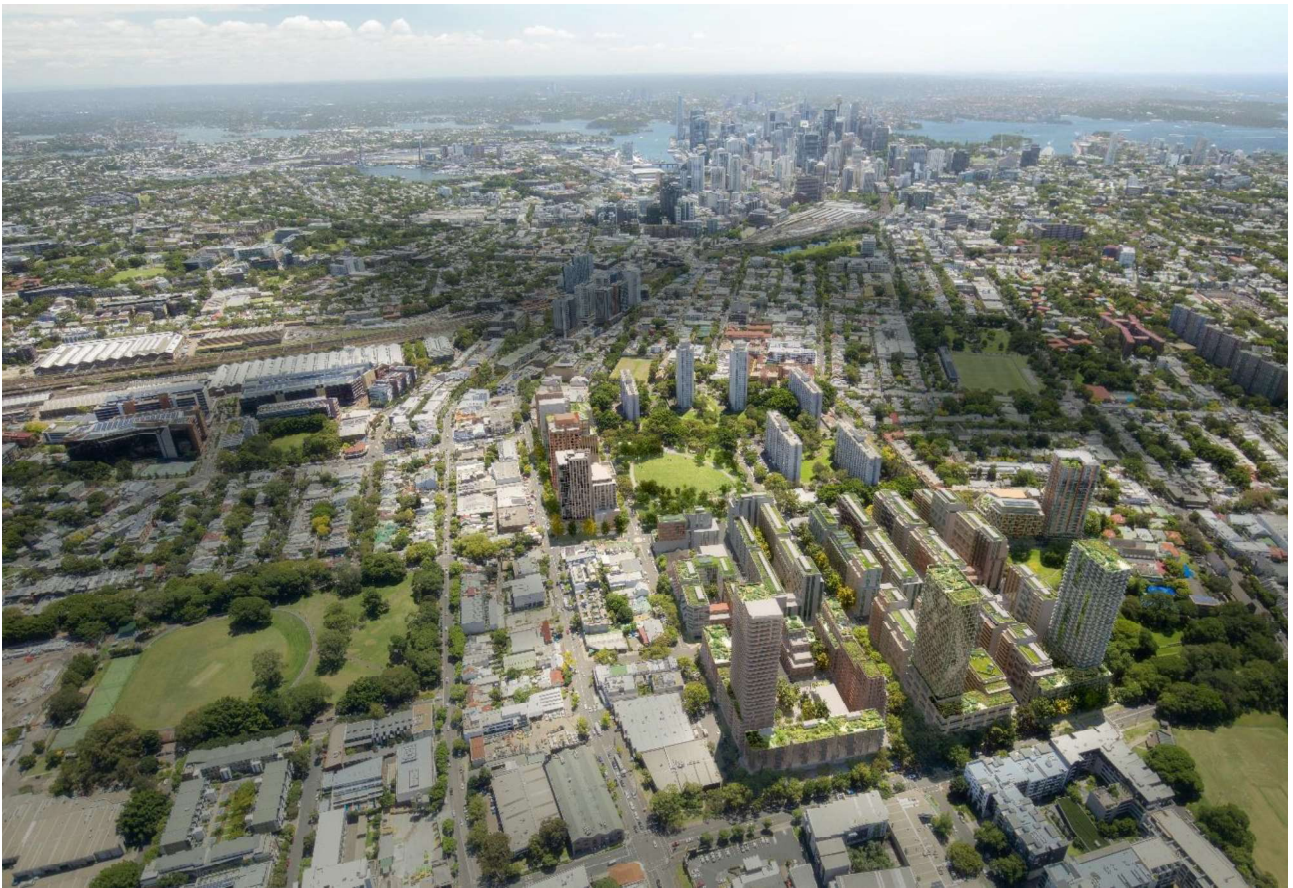


# Waterloo Estate (South)



(Hassell 2022)

Versions to date:

City of Sydney February 2021

Gateway submitted version date April 2021

Amended for Gateway conditions February 2022

Public exhibition March 2022

# Contents

1. Background	3
2. Existing Planning Controls	19
3. Objectives	29
4. Explanation of Provisions	30
5. Justification	35
6. Mapping	77
7. Community consultation	78
8. Project timeline	79
9. List of Studies	80
10. Gateway determination	81

# 1. Background

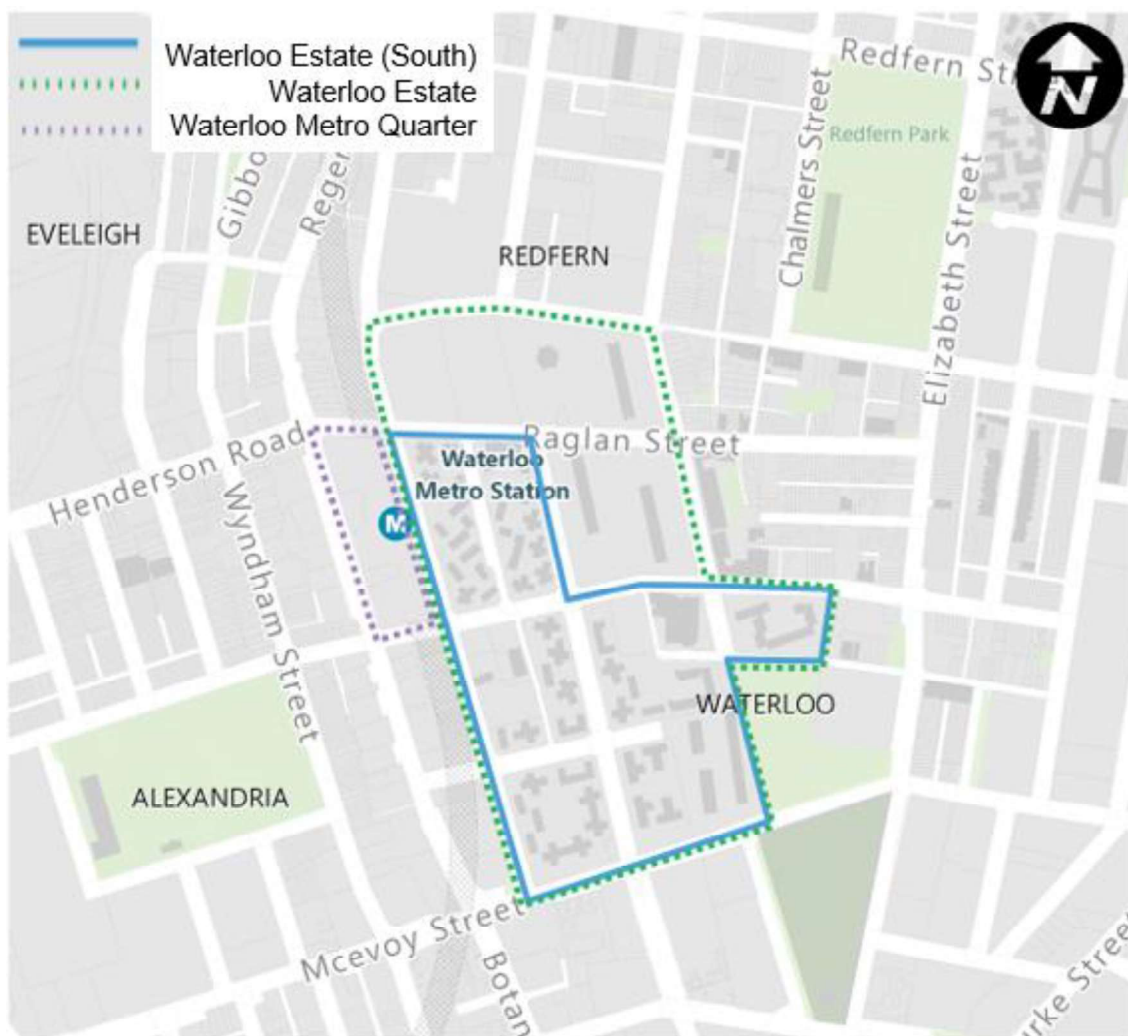
## 1.1. The Site

### 1.1.1. Site identification

The site known as Waterloo Estate (South) is located in the suburb of Waterloo. It includes public housing blocks owned by the NSW Land and Housing Corporation (LAHC), as well as private residential and commercial lots and strata apartment buildings.

As shown in Figure 1, the site is part of Waterloo Estate (outlined in green dotted line) and next to Waterloo Metro Quarter (outlined in purple dotted line). Of the public housing estate, the site comprises two blocks south of Raglan Street and west of George Street, and the remainder of blocks south of Wellington Street. It does not include the public housing blocks north of Wellington Street and east of George Street, and the blocks north of Raglan street.

The site is bounded by Raglan Street in the north, Cope Street in the west, McEvoy Street in the south, and Waterloo Park, Kellick Street, Gibson Street, Wellington Street and George Street to the east.



**Figure 1** Map showing extent of Waterloo Metro (South) outlined in blue, Waterloo Estate outlined in dotted green, and Waterloo Metro Quarter in dotted purple



## Planning Proposal: Waterloo Estate (South)

The lots comprising the site are shown in Table 1.

Address	Lot/DP	Owner
209-219 Cope Street, Waterloo	Lot 1 DP 217386	NSW Land and Housing Corporation
238-246 George Street, Waterloo	Lot 1 DP 225159	NSW Land and Housing Corporation
229-231 Cope Street Waterloo	Lot 3 DP 10721	NSW Land and Housing Corporation
6 John Street, Waterloo	Lot 1 DP 533762	NSW Land and Housing Corporation
97-109 Cooper Street, Waterloo	Lot A DP 105916 Lot B DP 105916 Lot C DP 105916 Lot 14 DP 10721	NSW Land and Housing Corporation
248-254 George Street, Waterloo	Lot 2 DP 533678	NSW Land and Housing Corporation
232 Pitt Street, Waterloo	Lot 11 DP 635663 Lot 10 DP 635663	NSW Land and Housing Corporation
74-76 Wellington Street, Waterloo	Lot 1 DP 224728	NSW Land and Housing Corporation
331-337 George Street, Waterloo	Lot 3 DP 533680	NSW Land and Housing Corporation
247-251 Cope Street, Waterloo	Lot 1 DP 533679	NSW Land and Housing Corporation
339-341 George Street, Waterloo	Lot 1 DP 77168	NSW Land and Housing Corporation
250 Pitt Street, Waterloo	Lot 313 DP 606576	NSW Land and Housing Corporation
221-223 Cope Street, Waterloo	Lot 6 DP 10721 Lot 7 DP 10721 Lot 9 DP 10721 Lot 8 DP 1147179	Ethnic Communities Council NSW
225-227 Cope Street, Waterloo.	Lot 5 DP 10721 Lot 4 DP 10721	Ms Stephanie Mary Hurst
233 Cope Street, Waterloo	Lot 12 DP 1099410 Lots 1-41 SP 79210	The Owners – Strata Plan No 79210
116 Wellington Street, Waterloo	Lot 10 DP 10721 Lot 11 DP 10721	Tillow Enterprises Pty Ltd

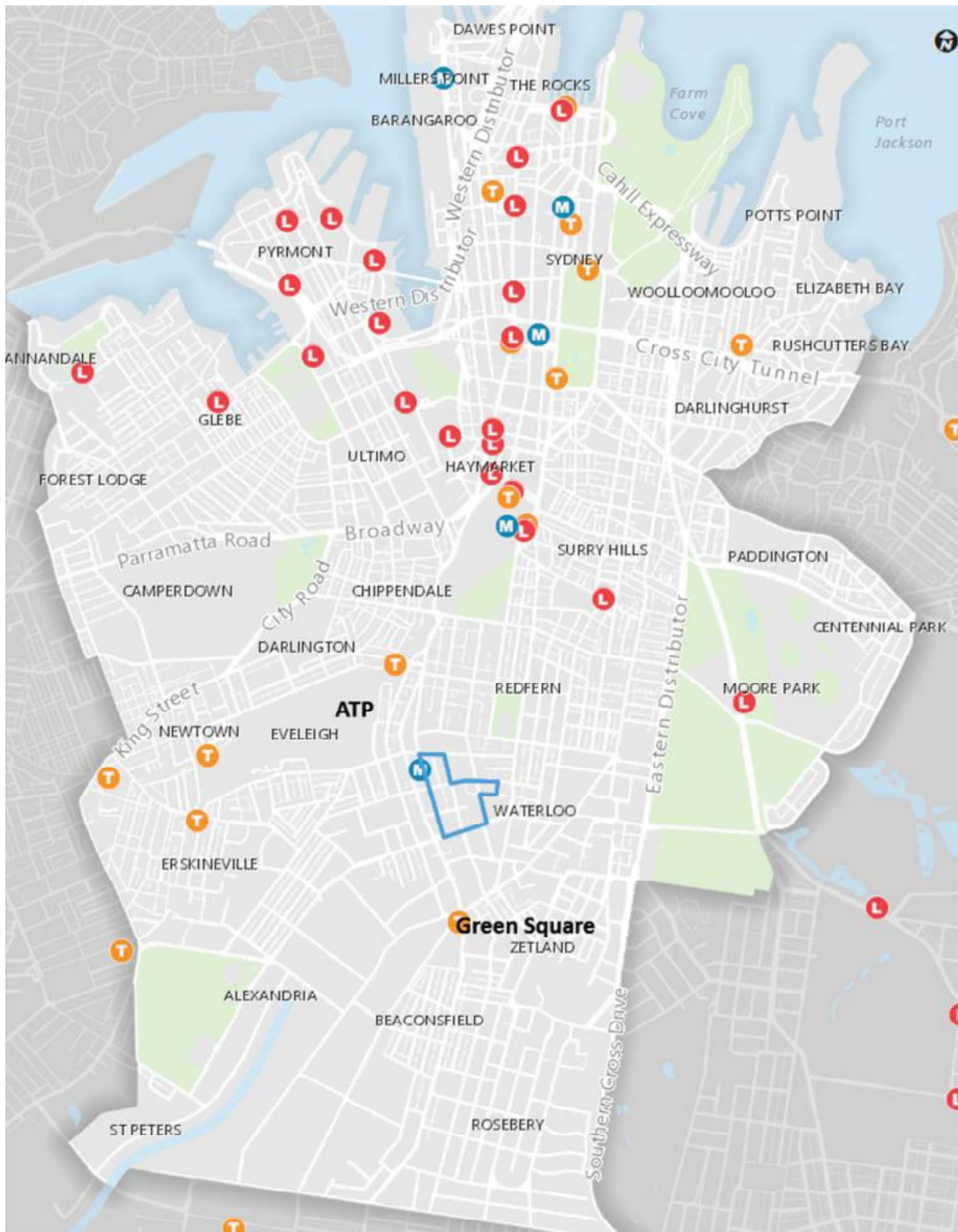
## Planning Proposal: Waterloo Estate (South)

111 Cooper Street, Waterloo	Lot 15 DP 10721	Mrs Elaine Lau and Mr Andy Jeme
291 George Street, Waterloo	Lot 10 DP 1238631 Lots 1-20 SP 96906	The Owners – Strata Plan No 96906
110 Wellington Street, Waterloo	Lot 101 DP 1044801 Lots 1-58 SP 69476	The Owners – Strata Plan No 69476
336 George Street, Waterloo	Lot 3 DP 10686	Alpha Distribution Ministerial Holding Corporation
213-215 Cope Street, Waterloo	Lot 2 DP 217386	Alpha Distribution Ministerial Holding Corporation

**Table 1** Addresses, lot and DP numbers and the respective owners of lots in Waterloo Estate (South)

### 1.1.2. Site location and context

The site is located within the City of Sydney local government area, approximately 3 kilometres south of Sydney Town Hall and 1 kilometre north of Green Square Town Centre. As shown in Figure 2, the site is located between Redfern in the north and Green Square Town Centre to the south, with Alexandria to the west and the northern parts of the Green Square Urban Renewal Area to the east.



**Figure 2** Local government area context with site outlined in blue

Adjacent to the northern portion of the site is the future Waterloo Metro station and Waterloo Metro Quarter development. The approved State Significant Development concept proposal is for three mid-rise buildings between 4 and 10 storeys along Cope Street, and three towers of 23, 25 and 29 storeys above a 3 to 4 storey podium along Botany Road, above an underground station on the Sydney Metro line.

Following the approval of the Waterloo Metro Quarter concept proposal, the following State Significant Development (SSD) applications have been determined, or are near determination:

- SSD-10437 for the detailed design of the southern precinct providing a 25 storey student housing building for approximately 474 students (12,144sqm), a nine storey social housing building containing 70 apartments (5,431sqm), publicly accessible open space, and 1,214sqm of non-residential uses – approved July 2021.
- SSD-10440 for the detailed design of the northern precinct providing a commercial building of varying heights (partly nine, 13 and 15 storeys) with publicly accessible open space,

34,150sqm of commercial floor area, and 588sqm of retail floor area – approved September 2021.

- SSD-10439 for the detailed design for the central precinct providing a part-three and part-23 storey mixed use building with public accessible open space, 12,025sqm of residential floor area, 2,283.8sqm of floor area for community facility, and 614.6sqm of commercial floor area – approved November 2021.

The former Australian Technology Park, now known as South Eveleigh, is within walking distance of the site. South Eveleigh is a growing centre for employment and has seen significant addition of commercial and retail floor space in recent years, with more planned soon.

Green Square Town Centre is close to the site and offers a train station connecting to Central Sydney and Sydney Airport, as well as a growing employment, retail and services offering. Green Square Library, Joynton Avenue Creative Centre, Perry Park Recreation Centre and Gunyama Park Aquatic and Recreation Centre are among the recently delivered community facilities.

The site has been identified for redevelopment under the Land and Housing Corporation's \$22 billion Communities Plus building program, part of the NSW Government's social housing policy Future Directions for Social Housing in NSW. The remainder of Waterloo Estate may also see future redevelopment proposals under this program and are currently called Waterloo Central and Waterloo North.

### **1.1.3. Road network and transport**

The site is served by arterial roads, heavy rail train stations, a future Sydney Metro station, bus routes and regional cycle routes. These connections mean access to Central Sydney is fast and efficient, with a full suite of transport options and low travel times. Access to most of Greater Sydney is relatively high through well connected and high capacity railways and arterial roads.

Arterial roads connect the site to all of Greater Sydney, including Parramatta Road via Cleveland Street, the M8 motorway and Princes Highway via McEvoy Street, and Sydney Airport and North Sydney via the Eastern Distributor.

#### *Local street network*

The site features large blocks bisected by wide north-south and east-west streets, with very few laneways and service roads. Most local roads are closed to cars at arterial roads to prevent through traffic, directing vehicle traffic through Wellington Street as the middle east-west connector. Where roads are closed, footpaths and cycleways provide through access to active transport.

The site is bound by Raglan Street in the north, a short east-west street connecting Botany Road with Pitt Street and Elizabeth Street. Raglan Street is affected by the Botany Road/Gibbons Street one-way pair, so access via Botany Road northbound and Henderson Road eastbound is restricted. Wellington Street is the main east-west connector, connecting Botany Road and Buckland Street to the north-south local streets and onto Elizabeth Street and Morehead Street in the east. John Street is a minor east-west road, closed to Botany Road in the west, and turning into Mead Street in the east, a no-through road.

The site has four north-south streets, Cope Street forming the western boundary, Cooper Street and George Street through the middle, and Pitt Street loosely forming the eastern boundary south of Kellick Street. George Street and Cope Street are closed to McEvoy Street in the south, with through access for pedestrians and cyclists, and Cooper Street terminates earlier at John Street. Pitt Street south of Kellick Street is a no-through road, servicing the car park of 250 Pitt Street. West Street turns into Kellick Street to the rear of 232 Pitt Street, both acting as service roads.

#### *Public transport*

The site is a 15 minute walk to Redfern Station, a key node with direct access to most stations on the Sydney Trains network, except for Sydney Metro and the Airport Line. From Redfern Station, Martin Place is a 13 minute train ride.

Green Square Station is a similar walk from the site, providing access to the Airport Line. From Green Square Station the Domestic Airport Station is a 5 minute train ride.

The site is directly adjacent to the future Waterloo Station on the Sydney Metro line. When opened in 2024, the Metro will connect to Central Sydney, North Sydney, Macquarie Park and the Hills District in the north, and the inner west through to Bankstown in the south-west.

The site has limited bus connections. It is served by the 355 bus, connecting to Moore Park and Bondi Junction in the east and Newtown and Marrickville Metro in the west. It is not a high frequency service, with half-hourly services through the week and early final services on Saturdays (6:30pm) and Sundays (4:50pm). It is also served by the 309 bus, a high frequency service that terminates at Central Station in the north and connects to Rosebery, Mascot and Botany in the south.

Bus services will be changed to better connect with Waterloo Metro Station once it opens in 2024, which will improve access to the site. This includes increasing frequencies and hours of operation for the 309 and 355 routes and re-routing the 355 via Wellington Street.

### *Cycling*

The site is served by the George Street Cycleway, a separated cycleway running down the central spine of Waterloo Estate connecting to Redfern, Central Station and the CBD cycleways via Castlereagh Street in the north, and Green Square Town Centre in the south. Westbound and downhill on Wellington Street there is safe and separated cycling access to Sydney Park via Buckland Street and Mitchell Road. Eastbound (and uphill) on Wellington Street connects through to Danks Street precinct and the Bourke Street Cycleway to Darlinghurst. McEvoy Street is a shared path, connecting to the Bourke Street shared path through to Lachlan precinct, Gadigal Avenue and East Village shopping centre.

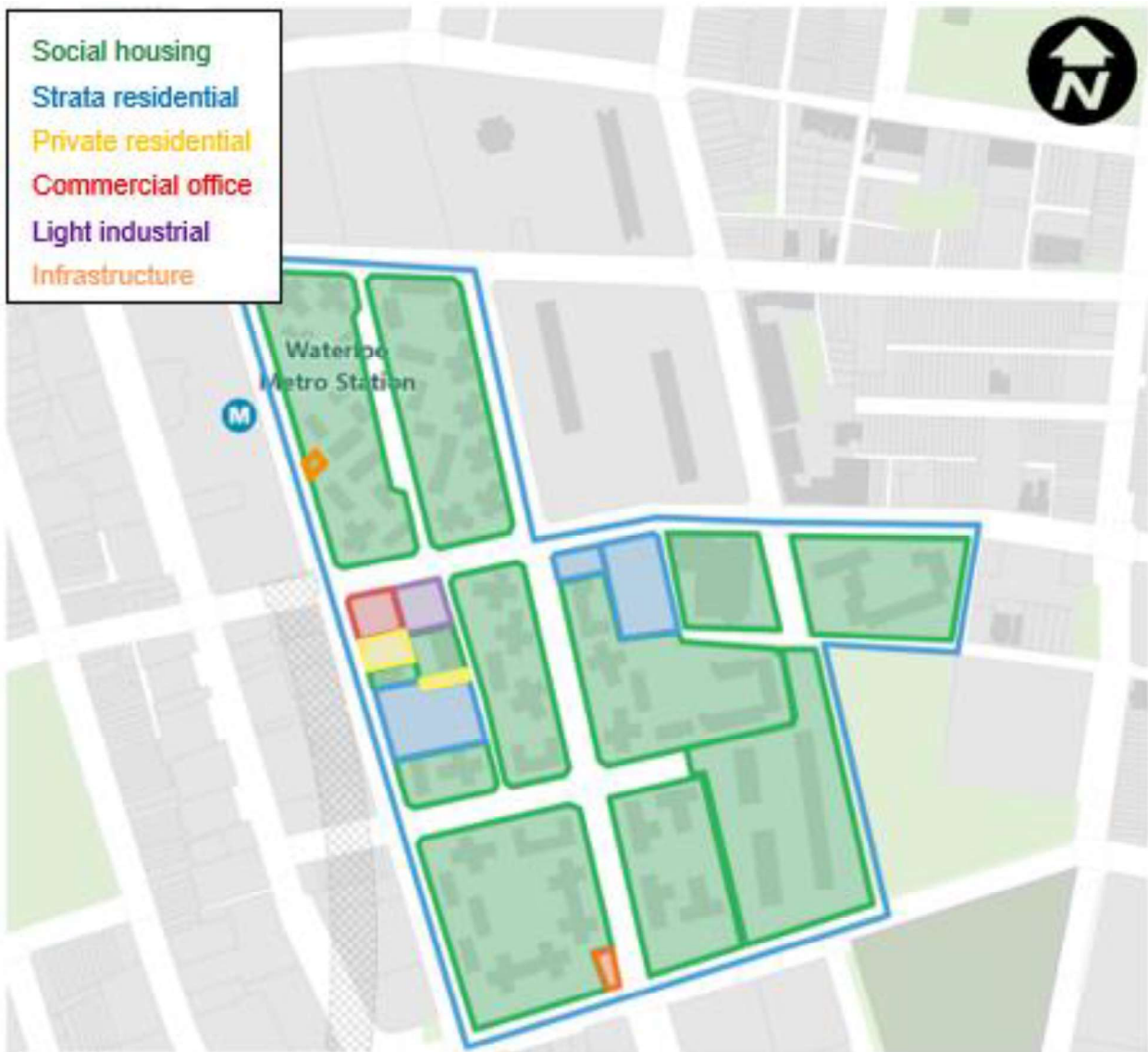
#### **1.1.4. Site characteristics and existing development**

Including internal roads, the site is 10.6 hectares in area and has a perimeter of 1,720 metres. The total site area of all lots is 90,942 sqm. There are 21 lots in total, of which LAHC own 12, making up 91% of the total site area.

The LAHC-owned sites are all currently used almost exclusively for the provision of social housing, with small amounts of space also being used for community rooms and offices. Other uses in the precinct include commercial offices at 221-223 Cope Street, light industrial at 116 Wellington Street, infrastructure at 336 George Street, strata multi-unit residential at 233 Cope Street, 291 George Street and 110 Wellington Street, and single residential dwellings at 225-227 Cope Street and 111 Cooper Street.

Figure 3 shows the land uses distributed across the site, with social housing owned by LAHC in green, strata residential in blue, private single houses in yellow, commercial offices in red, industrial in purple and infrastructure in orange.





**Figure 3** Existing land uses on the site

The site contains 749 social housing dwellings and 120 private dwellings. There is 82,365 sqm GFA of existing built LAHC-owned social housing, about 12,000 sqm GFA of private residential, and about 3,000 sqm GFA of commercial and other uses. There are about 60 workers currently on the site, based on the City of Sydney's 2017 Floor Space and Employment Survey.

Jobs are located at the commercial office building at 221-215 Cope Street, the industrial premises at 116 Wellington Street, and the local Department of Communities and Justice office located in the Drysdale building at 232 Pitt Street.

The existing building typologies represented on the site are:

- single-storey cottages located on Cooper Street, built in the 1950s and 60s with three or more compact studios in each cottage;
- two and three storey walk-ups built in the 1950s and 60s with one and two bedroom apartments;
- infill development built in the 1990s (111 Cooper Street, a privately owned terrace, and 97-109 Cooper Street, with a mix of two and three storey adjoined social housing terraces, and 44 Cooper Street, a small apartment building in the 238-246 George Street block);
- taller buildings up to seven storeys built in the 1980s, including those named 'Dobell' and 'Drysdale' featuring larger three and four bedroom apartments;

## Planning Proposal: Waterloo Estate (South)

- commercial and industrial warehouses at the corner of Cope Street and Wellington Street;
- four storey private strata residential development at 233 Cope Street, built in the 1990s;
- heritage listed Duke of Wellington Hotel, which is currently a strata multi-unit residential development;
- heritage listed terraces at 229-231 Cope Street;
- heritage listed house at 225-227 Cope Street, which was a childcare centre; and
- heritage listed substation at 336 George St, facing McEvoy Street.

Photos of LAHC-owned social housing building typologies are shown below at Figure 4 to Figure 12.



**Figure 4** An example of a three-storey walk up apartment building on Cope Street





**Figure 5** An example of a single storey cottage on the site



**Figure 6** An example of a taller medium density building in the eastern part of the site





**Figure 7** Heritage-listed terraces on Cope Street



**Figure 8** The Drysdale building, featuring a ground floor office for Family and Community Services





**Figure 9** The Dobell building, rear facing John Street



**Figure 10** Terraces on Cooper Street





**Figure 11** Example of a mid-rise building on Wellington Street



**Figure 12** Example of 1990s in-fill three storey walk-up buildings on Raglan Street and Cooper Street

Examples of private residential and other non-social housing buildings on the site are shown below at Figure 13 to Figure 19.





**Figure 13** Private strata residential buildings on Cope Street



**Figure 14** Private strata residential building at 110 Wellington Street





**Figure 15** The heritage Duke of Wellington Hotel, with private residential development attached



**Figure 16** Commercial office building at 221-223 Cope Street





**Figure 17** Industrial warehouse building at 116 Wellington Street



**Figure 18** A privately owned terrace at 111 Cooper Street, left (the single storey house on the right is a LAHC property)



**Figure 19** Rear facing dwellings associated with the private residential building at 233 Cope Street

#### **1.1.5. Planning Proposal request**

A planning proposal request was submitted by LAHC in May 2020 to change the planning controls that apply to Waterloo Estate (South). LAHC have indicated later requests will be made for Waterloo Estate (Central) and Waterloo Estate (North).

The request applies to both LAHC-owned land and privately-owned land and is to facilitate the redevelopment of the site for social housing units, affordable housing by a Community Housing Provider, housing to be sold, commercial space, community services, open space, new streets and access.

#### **1.1.6. Development outcomes facilitated by this Planning Proposal**

This planning proposal will facilitate the redevelopment of the Waterloo Estate (South) for:

- about 3,012 dwellings, including about 847 social housing dwellings (about 28.2% of dwellings and 26.5% of residential gross floor area (GFA)), about 227 affordable dwellings (about 7.5% of dwellings and 7.0% of residential GFA) and about 1,938 market dwellings (about 64.3% of dwellings and 66.5% of residential GFA) on LAHC owned sites, plus about 127 additional market dwellings on privately owned sites;
- a main park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site in the block bounded by Cope, John, George and McEvoy Streets;
- about 265,000sqm GFA, including no less than 12,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- four towers of between 27 and 33 storeys (maximum RL 126.4m refer section 5.1.6) and most other buildings generally around 8 storeys (with some 4 storeys and others up to 13 storeys where development fronts a park or George or Pitt Street);
- new streets and through site links; and
- a new cycleway along Wellington Street.

Section 5 of this planning proposal provides a detailed discussion of the development outcomes to be facilitated by this planning proposal, including the justification for the proposed amendments to the Sydney LEP 2012.



## 2. Existing Planning Controls

The South Sydney Local Environmental Plan 1998 (South Sydney LEP 1998), the Sydney Local Environmental Plan 2012 (Sydney LEP 2012), the South Sydney Development Control Plan 1997 (South Sydney DCP 1997) and Sydney Development Control Plan 2012 (Sydney DCP 2012) contain zoning and development standards for the site. These are discussed below.

### 2.1. Zoning

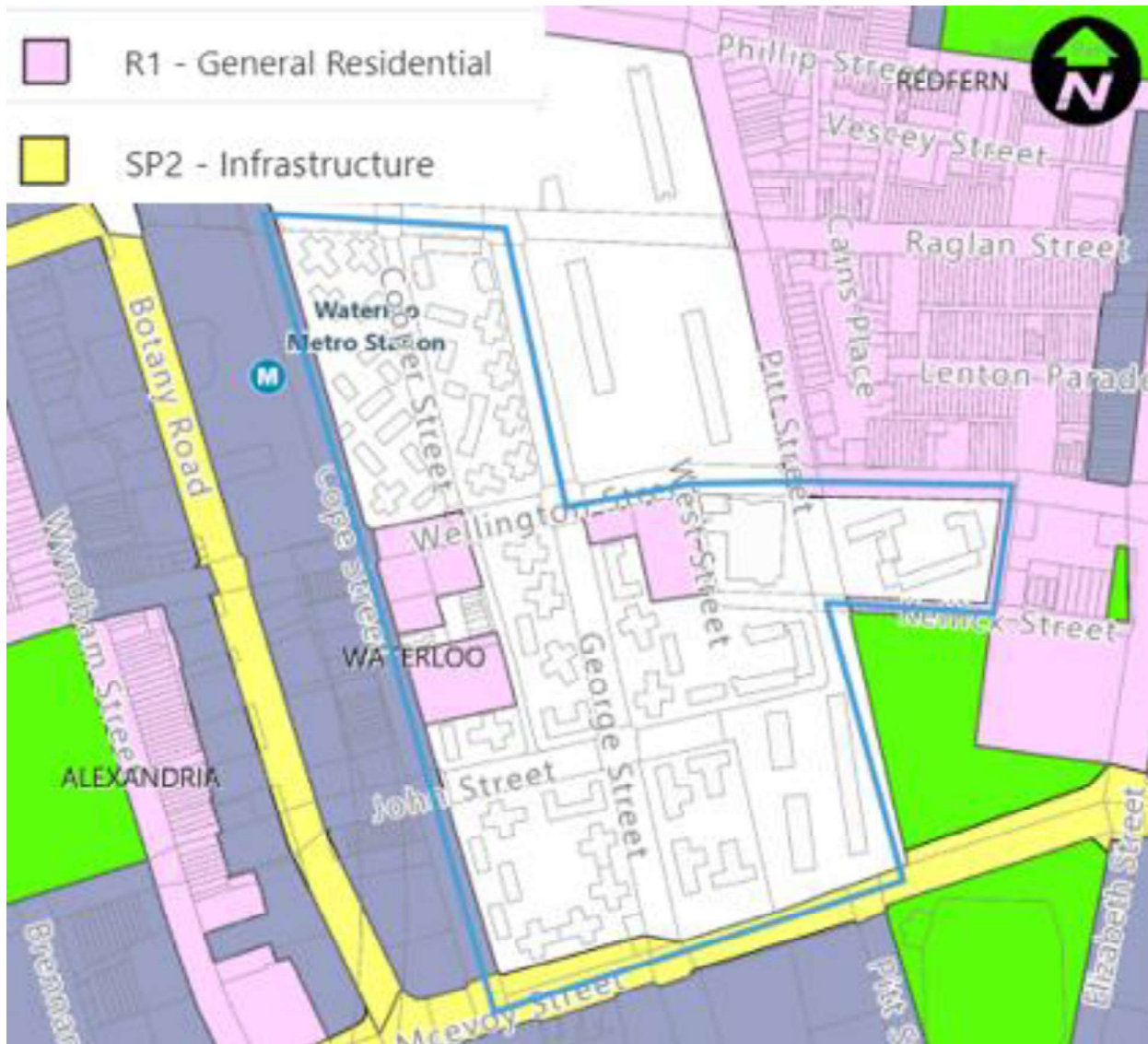
The LAHC-owned lots in the site are identified as Zone No 2 (b) – Residential (Medium Density) Zone in South Sydney LEP 1998, as shown at Figure 20.

Part of the site is identified within the Rail Access Corporation Consultation Area, which is the approximate location of the Airport Line tunnel under the site. This has been superseded by referrals to Transport for NSW which are done routinely.



**Figure 20** South Sydney LEP 1998 zoning control

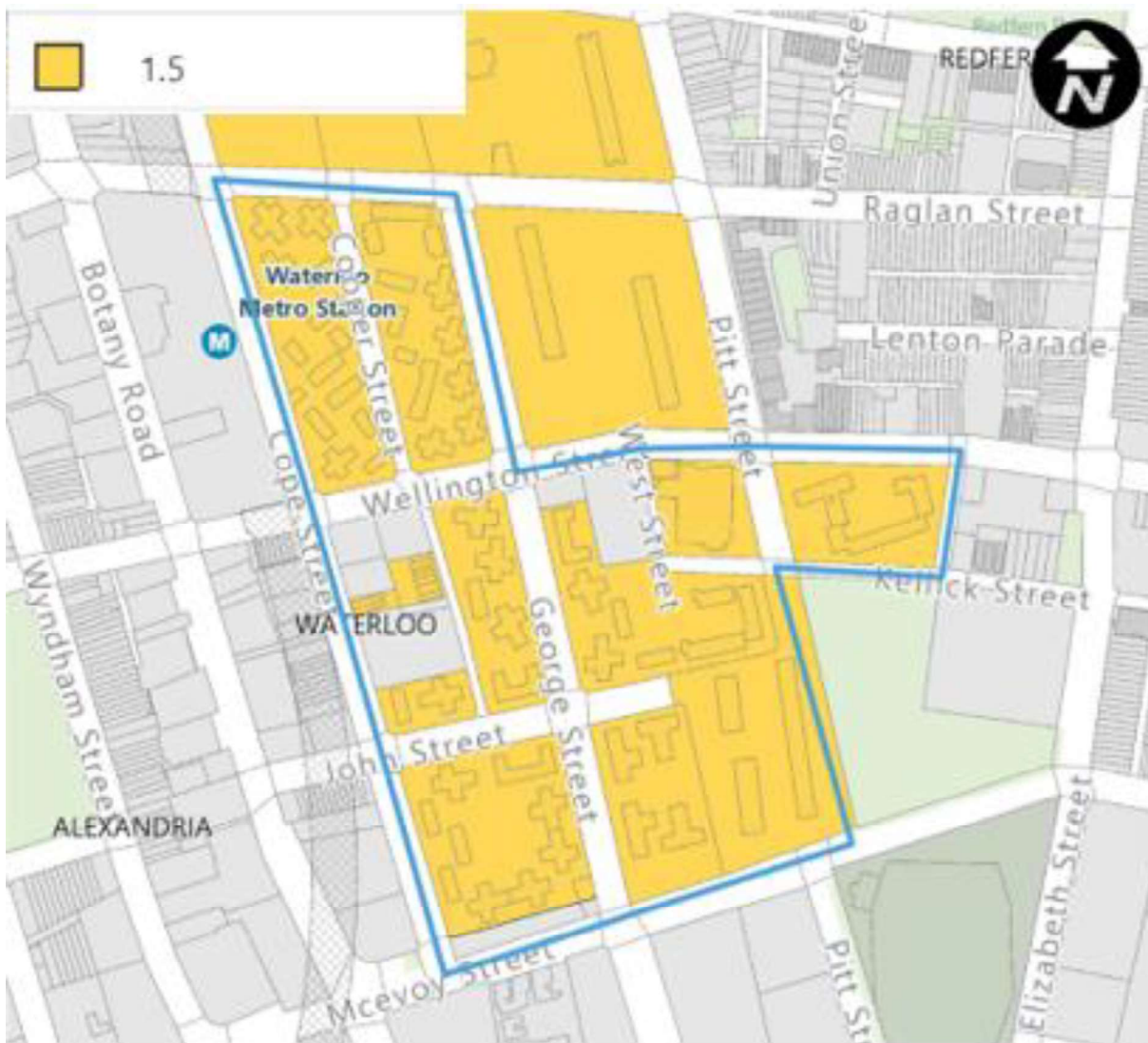
Sydney LEP 2012 contains land use zoning controls for the private lots within the site, as shown in Figure 21. These lots are zoned R1 – General Residential. Sydney LEP 2012 also shows there is also a strip of land along McEvoy Street near Cope Street zoned SP2 – Infrastructure – Classified Road. This is road corridor controlled by Transport for NSW and may be used for road widening in the future.



**Figure 21** Sydney LEP 2012 zoning control

## 2.2. Floor space ratio

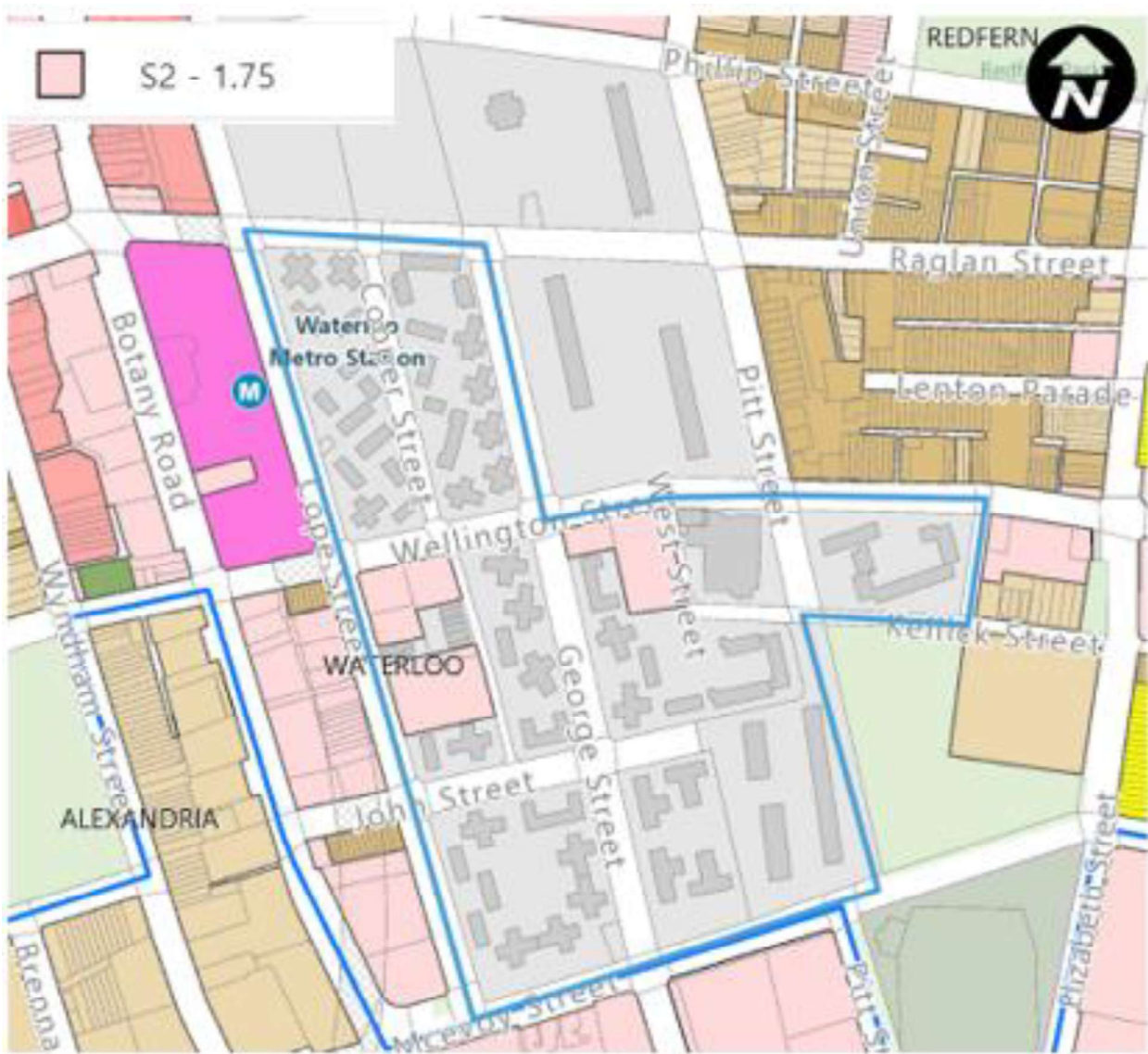
South Sydney DCP 1997 includes floor space ratio controls for the LAHC-owned lots on the site. As shown in Figure 22, the FSR for these sites is 1.5:1.



**Figure 22** South Sydney LEP 1998 FSR control

Sydney LEP 2012 contains floor space ratio controls for the private lots on the site. As shown in Figure 23, the FSR for these lots is 1.75:1.

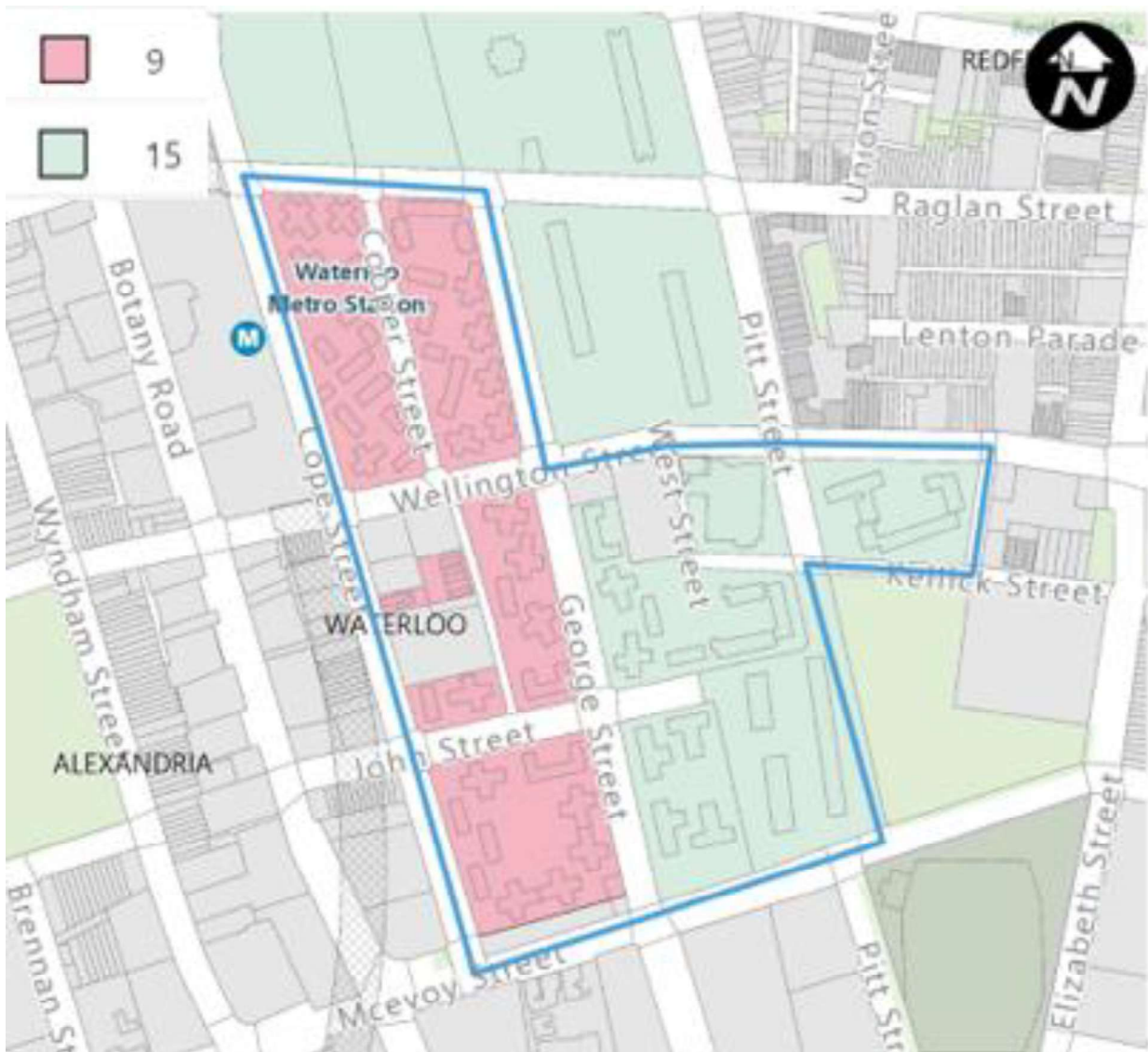




**Figure 23** Sydney LEP 2012 FSR control

## 2.3. Building Height

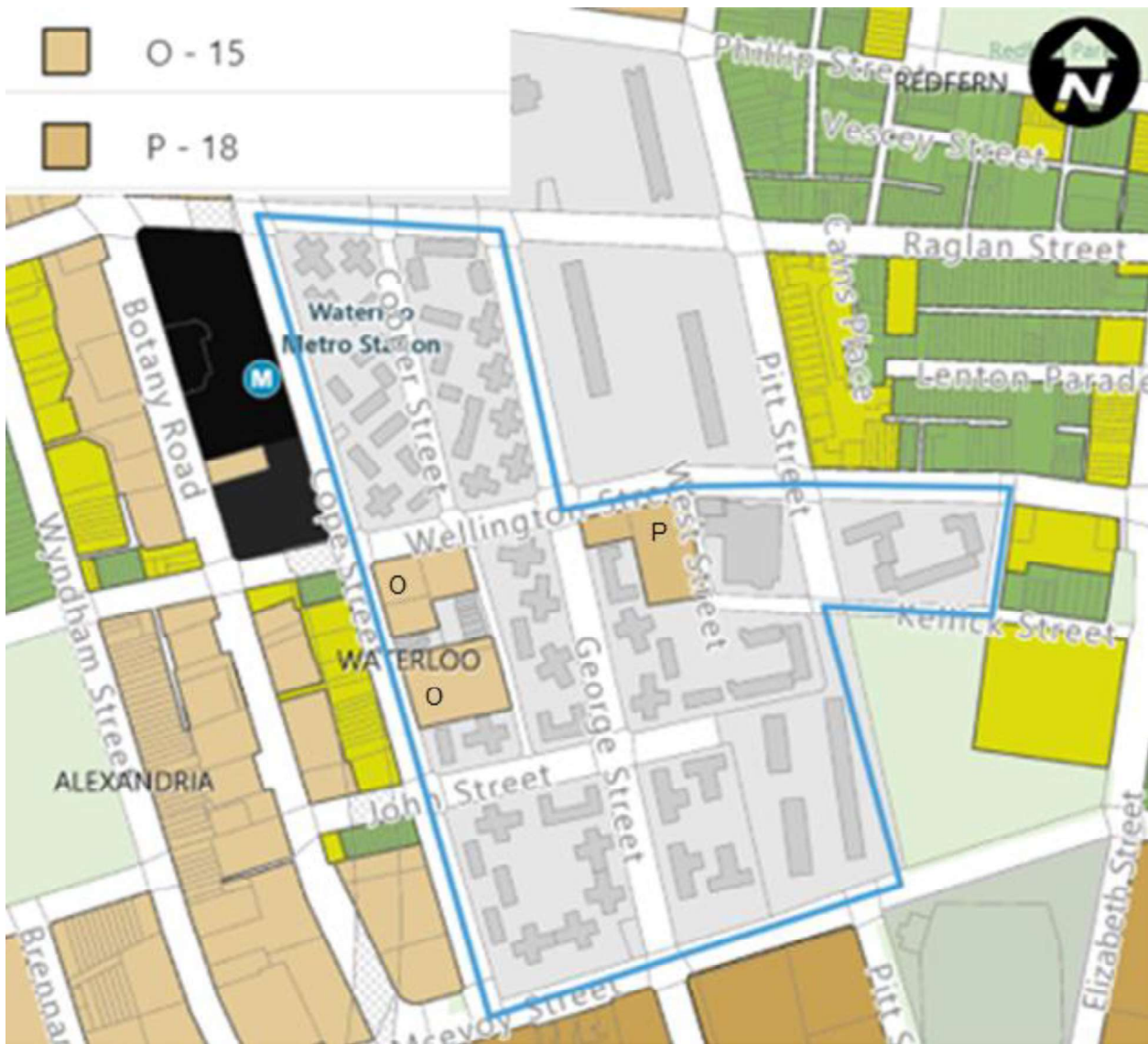
South Sydney DCP 1997 sets the maximum building heights for LAHC-owned lots within the site. As shown in Figure 24, the height control for those sites west of George Street is 9 metres, and east of George Street is 15 metres.



**Figure 24** South Sydney DCP 1997 height control

Sydney LEP 2012 contains maximum height of buildings controls for the private lots within the site boundary. These are 18 metres for the lots on West Street and Wellington Street, and 15 metres for the lots on Cope Street. Height controls in Sydney LEP 2012 are shown in Figure 25.





**Figure 25** Sydney LEP 2012 height control

## 2.4. Heritage

The site has five local heritage listed items within its boundaries, and a State heritage listed high pressure water tunnel running beneath the south of the site. There are a number of local and State heritage listed items in proximity to the site. The site adjoins the Waterloo heritage conservation area to the east and is in proximity to five other nearby conservation areas. Figure 26 shows the location of the site with respect to local heritage listed items and conservation areas.

### 2.4.1. Local heritage listings

There are four local heritage listed items within the site boundaries, which are described below.

- Item 2085: Duke of Wellington Hotel including interior at 291 George Street, Waterloo, shown at Figure 15.  
Local historic, aesthetic and social significance. Good example of inter-war Free Classical style hotels with a prominent corner location. There has been a hotel of the same name at the site since 1876 and has close associations with development of the Waterloo area. Was converted into a 5 storey residential apartment building in 2015 and is no longer a public bar.

## Planning Proposal: Waterloo Estate (South)

- Item 2086: Electricity substation No. 174 at 336 George Street, Waterloo  
Modest red face brick inter-war electricity substation. Built in 1925 by the Municipal Council of Sydney to expand electricity supply to the suburbs and serve the growing industrial and manufacturing base of South Sydney. It is still being used as a substation, and now features a mobile phone tower.
- Item 2077: Former Waterloo Pre-school including interior at 225 Cope Street, Waterloo  
Originally the Waterloo Congregational Chapel in 1870, then the Waterloo Ragged School in 1887, and between 1928 and 1997 the Sydney City Mission Waterloo Kindergarten. The building has historic, social and aesthetic significance, providing moral support and education for the underprivileged local residents, particularly the children of the poor, during a period when Waterloo was one of the most disadvantaged areas in Sydney. Currently being used as a private residence.
- Item 2078: Terraces houses at 229-231 Cope Street, Waterloo, shown at Figure 7.  
Two storey Victorian terrace houses, featuring pitched roofs, French doors flanked with windows at first level and two windows at ground level, and two chimneys standing on the middle of the ridge. A lasting example of 19<sup>th</sup> Century residences in Waterloo prior to development of Waterloo Estate and may have associations with the former Waterloo Pre-school next door.

There are two local heritage listed items adjacent to the site, being Waterloo Park and Oval (item 2079) and Our Lady of Mt Carmel Church and School buildings (including interiors and grounds) (item 2088). These items are adjacent to the site on its Pitt Street border, with Waterloo Oval located on the other side of McEvoy Street.

There are approximately 30 local heritage items in proximity to the site, which are listed in Table 2.

Item number	Item name
Item 2080	Waterloo Town Hall including interior and former air raid shelter at 770 Elizabeth Street, Waterloo
Item 2081	Terrace group including interiors at 772-808 Elizabeth Street, Waterloo
Item 2069	Congregational Church including interior at 103-105 Botany Road, Waterloo
Item 2070	Cauliflower Hotel including interior at 123 Botany Road, Waterloo
Item 4	Cricketers Arms Hotel including interiors at 56-58 Botany Road, Waterloo
Item 5	Former CBC Bank including interior at 60 Botany Road, Waterloo
Item 16	Lord Raglan Hotel including interior at 12 Henderson Road, Alexandria
Item 2087	Terrace group "Gordan Terrace" including interiors at 1-25 John Street, Waterloo
Item 2240	Former Electric Light Substation No 89 including interiors at 212-214 Wyndham Street, Alexandria
Item 11	Alexandria Park including entrance gates, landscaping and grounds at Buckland Street, Alexandria
Item 28	Yiu Ming Temple including building, interior and front court at 16-22 Retreat Street, Alexandria
Item 29	Terrace group (17A-29 Retreat Street) including interiors at 16-29 Retreat Street, Alexandria

## Planning Proposal: Waterloo Estate (South)

Item 6	Glenroy Hotel including interior at 246-250 Botany Road, Alexandria
Item 2082	Former “Chubb Pty Ltd” including interior at 830-838 Elizabeth Street, Waterloo
Item 2094	Electrical substation including interior at 2A Powell Street, Waterloo
Item 2101	Terrace group including interiors at 1-27 Wellington Street, Waterloo
Item 2102	Terrace group including interiors at 29-39 Wellington Street, Waterloo
Item 2089	“Grosvenor Terrace” including interiors at 62-116 Morehead Street, Waterloo
Item 2095	Terrace group including interiors at 2-8 Raglan Street, Waterloo
Item 2096	Terrace group including interiors at 10-56 Raglan Street, Waterloo
Item 2097	Uniting Church buildings including interiors and grounds at 56A Raglan Street, Waterloo
Item 2090	Terrace group including interiors at 61-75 Phillip Street, Waterloo
Item 2091	House including interior at 81-83 Phillip Street, Waterloo
Item 2092	Terrace house including interior at 101 Phillip Street, Waterloo
Item 2093	Terrace group including interiors at 103-107 Phillip Street, Waterloo
Item 1345	Terrace house/shop including interior at 189 Pitt Street, Redfern
Item 1346	Former Somerset Hotel including interior at 191 Pitt Street, Redfern
Item 1347	Redfern Park including low sandstone perimeter walls, entrance gates, fountain and war memorials and landscaping at Redfern Street, Redfern
Item 1319	Terrace group including interiors at 179-193 George Street, Redfern
Item 1320	“Clyde House” including interior at 195-197 George Street, Redfern

**Table 2** Local heritage items within proximity of the site

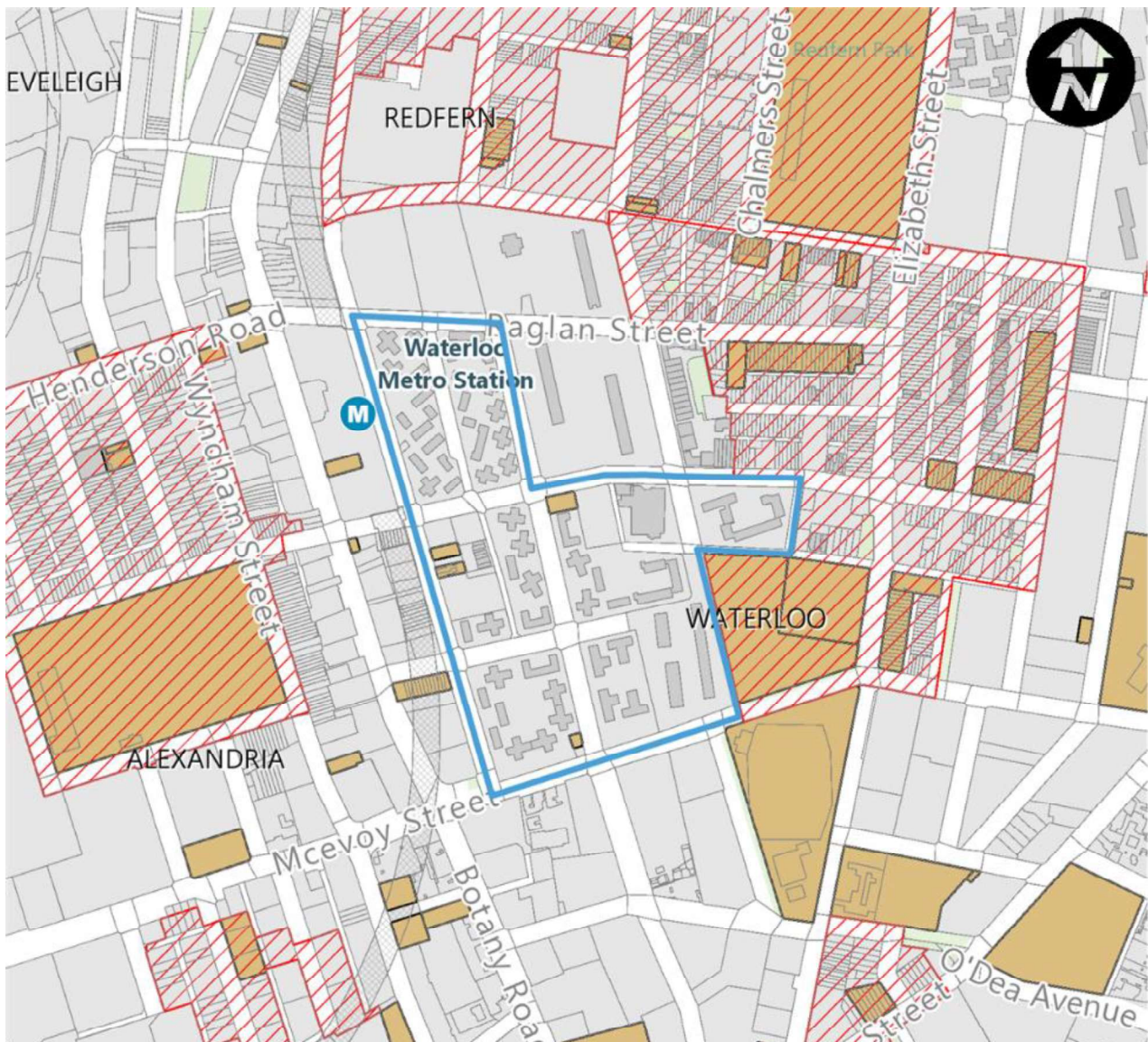
The site is directly adjacent to the Waterloo heritage conservation area, covering the area between Pitt Street and Morehead Street, Phillip Street and McEvoy Street, except “Kensington Mews” on the corner of Morehead Street and McEvoy Street, and 74-76 Wellington Street, a LAHC-owned property.

The conservation area includes several mid- to late-Victorian era subdivisions, the largest and most intact being the c1880s “Victoria Town” subdivision between Phillip Street, Morehead Street, Wellington Street and Elizabeth Street, consisting of highly intact groups of terrace houses development. Elizabeth Street forms the spine of the area, with shopfronts and civic buildings, including Mount Carmel, the Uniting Church and former Waterloo Town Hall.

Development on Waterloo Estate, particularly the current large-scale social housing developments but also contemporary infill and redevelopment, is recognised in the statement of significance as affecting the integrity of the conservation area.



Besides Waterloo conservation area, the site is within proximity of Redfern Estate, Zetland Estate, Alexandria Park and North Alexandria Industrial heritage conservation areas.



**Figure 26** Sydney LEP 2012 heritage items and conservation areas

#### 2.4.2. State heritage listings

The site is in proximity to ten state listed heritage items and has the state heritage listed pressure tunnel running underground. Figure 27 shows the location of state heritage listed items near the site.

The Potts Hill to Waterloo Pressure Tunnel and Shafts (State Heritage Register ID 01630) runs underground through the middle of the site. It is the third largest pressure tunnel in the world, running 16 kilometres from Potts Hill Reservoir in Bankstown to the pumping station at the corner of Bourke Street and McEvoy Street, Waterloo. The shaft structures are also heritage listed, but none exist on the site. The tunnel was constructed between 1921 and 1935 and continues to this day as a functional drinking water supply to the eastern suburbs.

The tunnel has a three-metre curtilage from the structure to prevent damage. Any buildings constructed on top of the tunnel must consider the impacts of foundations, basements and building weight on the tunnel.

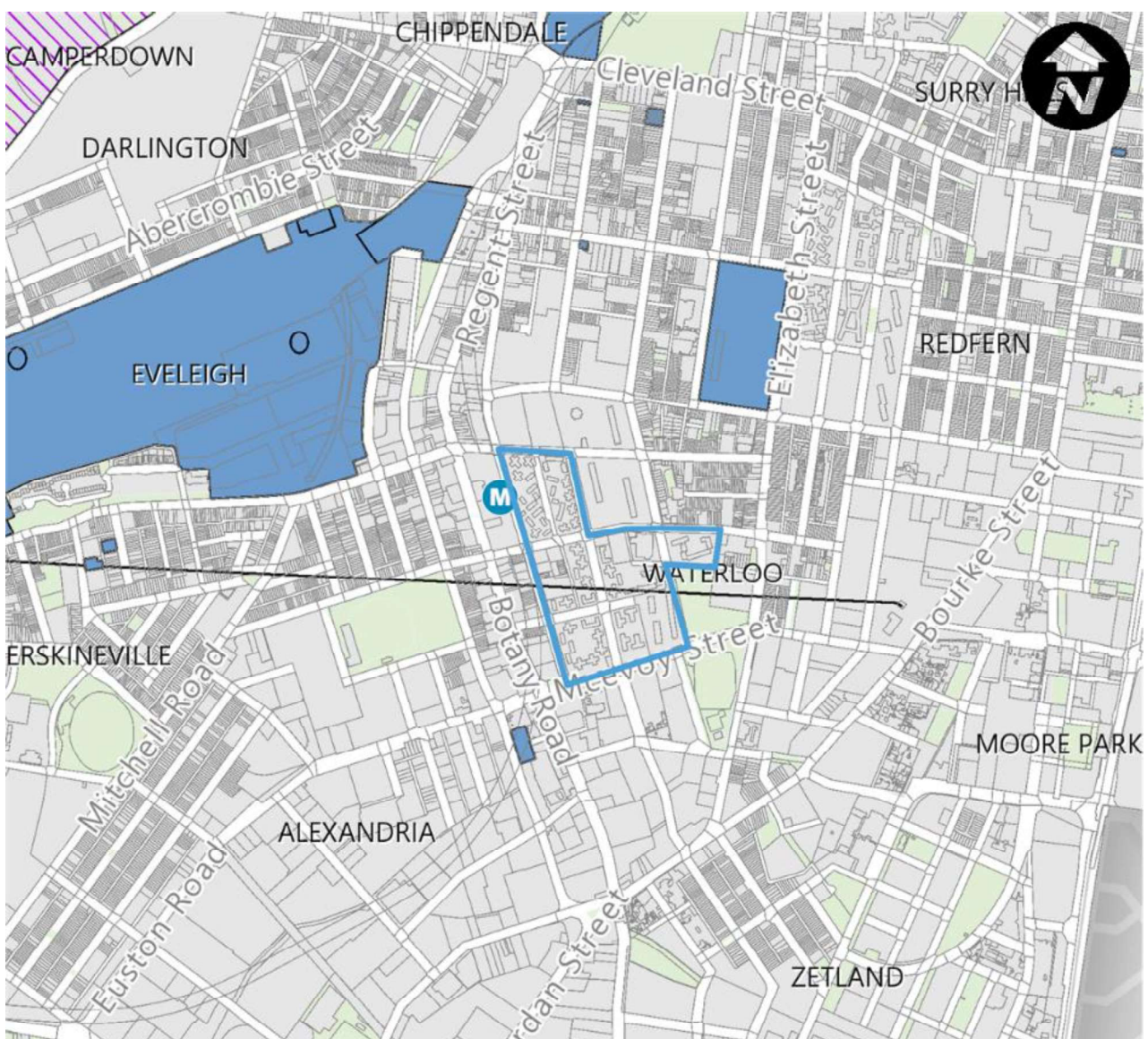
State heritage listed items in the general proximity of the site are:

- SHR ID 02016: Redfern Park and Oval at Redfern Street, Redfern,



## Planning Proposal: Waterloo Estate (South)

- SHR ID 01439: Redfern Post Office at 113 Redfern Street, Redfern,
- SHR ID 00083: Fitzroy Terrace at 6-18 Pitt Street, Redfern,
- SHR ID 01951: Redfern Aboriginal Children's Services and Archives at 18 George Street, Redfern,
- SHR ID 01881: Cathedral of the Annunciation of Our Lady at 242 Cleveland Street, Redfern,
- SHR ID 01234: Redfern Railway Station group at Great Southern and Western Railway, Redfern,
- SHR ID 01140: Eveleigh Railway Workshops at Great Southern and Western Railway, Redfern,
- SHR ID 01141: Eveleigh Railway Workshops machinery at Great Southern and Western Railway, Redfern,
- SHR ID 00723: Enginemans Resthouse at 39 Brandling Street, Alexandria, and
- SHR ID 01297: Yiu Ming Temple at 16-22 Retreat Street, Alexandria.



**Figure 27** State Heritage Register items



### 3. Objectives

This planning proposal will facilitate the redevelopment of Waterloo Estate (South). The objectives of this planning proposal are to:

- enable the orderly redevelopment of Waterloo Estate (South);
- prioritise the delivery of social and affordable housing, balanced with the provision of market housing;
- establish a new local centre in the City of Sydney's hierarchy of centres, that is supported by infrastructure, community facilities and services, open space, retail and commercial services, and employment opportunities that meet the diverse needs of the local community;
- ensure the built form provides high levels of amenity for residents and tenants, to the public domain and to open space; and
- require high environmental performance standards for buildings to mitigate the effects of climate change.

## 4. Explanation of Provisions

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### 4.1. Proposed amendment to Sydney LEP 2012

This Planning Proposal is intended to:

- repeal the South Sydney LEP 1998 to the extent it applies to the land;
- incorporate new planning controls and maps into Sydney LEP 2012 for LAHC-owned sites currently subject to South Sydney LEP 1998; and
- amend the planning controls that currently apply to privately owned land in the Sydney LEP 2012.

The intent of the planning proposal's amendments to the Sydney LEP 2012 are provided below. The following is not proposed drafting. It shows how clauses and maps may look in order to achieve the intent of the planning proposal. A more detailed justification for the proposed planning controls and further explanation of the intended outcome is provided at Part 5 – Justification of this Planning Proposal.

#### 4.1.1. Intent of planning proposal

To achieve the intended outcomes, this planning proposal seeks the following amendments to the South Sydney LEP 1998 and the Sydney LEP 2012:

- (1) Repeal the South Sydney LEP 1998 to the extent it applies to the land.
- (2) Apply the Sydney LEP 2012 to the land.
- (3) Identify the area referred to as the Waterloo Estate (South) on Locality and Site Identification Map.
- (4) Rezone lots on either side of George Street between Wellington Street and McEvoy Street to B2 Local Centre, land bounded by Raglan, George, Wellington and Cope Streets to RE1 Public Recreation and all remaining land on the site to B4 Mixed Use.
- (5) Provide the following Floor Space Ratios:
  - a. show a new FSR of 2.4:1 at 233 Cope Street, Waterloo, being Lot 12 DP 1099410;
  - b. show a new FSR of 2.61:1 at 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179;
  - c. show a new FSR of 2.65:1 at 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721;
  - d. show a new FSR of 2.57:1 at 110 Wellington Street, Waterloo, being Lot 101 DP 1044801;
  - e. show a new FSR of 2:1 at 111 Cooper Street, Waterloo, being Lot 15 DP 10721;
  - f. show a new FSR of 1.75:1 at 225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721;
  - g. show a new FSR of 1.75:1 at 291 George Street, Waterloo, being Lot 10 DP 1238631; and
  - h. show new FSRs on all other land as shown at Part 6 of this planning proposal to apply the amended FSRs.



## Planning Proposal: Waterloo Estate (South)

- (6) Amend maximum building heights across the planning proposal area.
- (7) Categorise the subject land “Category A” on Land Use and Transport Integration Map.
- (8) Categorise the subject land “Category D” on Public Transport Accessibility Level Map.
- (9) Identify heritage items in full.
- (10) Categorise the subject land “Class 5” on Acid Sulfate Soils Map.
- (11) Apply active street frontage controls to the identified frontages by introducing a new Active Street Frontages map.
- (12) Categorise most of the subject land, except identified land fronting George Street, Waterloo, as “Restricted Retail Development”.
- (13) Introduce an exclusion from clause 1.9 Application of SEPPs to ensure the following Chapters, Parts and Divisions of State Environmental Planning Policy (Housing) 2021 do not apply to the land that is the subject of this planning proposal. The purpose of this clause is to ensure no additional floor space bonuses, that may be sought under this SEPP, may apply to the land.
  - a. Chapter 2, Part 2, Divisions 1, 2, 3 and 5
  - b. Chapter 3 Part 3
  - c. Chapter 3 Part 4
- (14) Introduce a site-specific local clause for land in the Waterloo Estate (South) currently owned by the NSW Land and Housing Corporation. The proposed site-specific clause is to:
  - a. provide site specific objectives to:
    - ensure development is orderly;
    - ensure a balanced mix of social and affordable housing and other housing;
    - ensure development is of high environmental performance;
    - ensure community facilities are provided to support the growing residential population; and
    - provide a local centre to service the local community;
  - b. identify the land to which the clause applies as the “Waterloo Estate South – Area 1” on the Locality and Site Identification Map;
  - c. ensure clause 7.13 of the Sydney LEP 2012, that requires a contribution to affordable housing, does not apply to the land;
  - d. ensure no less than 12,000sqm is used for non-residential uses;
  - e. ensure no less than 5,000sqm is being used for community facilities, health facilities and centre-based child care facilities;
  - f. ensure no less than 26.5% of residential gross floor area is provided as social housing (this requirement is to extend to any additional residential gross floor area received from design excellence bonuses);
  - g. ensure no less than 7.0% of residential gross floor area is provided as affordable housing (this requirement is to extend to any additional residential gross floor area received from design excellence bonuses);
  - h. require participation in the design excellence process, but ensure that a building demonstrating design excellence under Clause 6.21 of the Sydney LEP 2012 may be eligible for additional FSR, but not additional height;
  - i. define social housing as having the same meaning as in the *Residential Tenancies Act 2010*. Note, this is consistent with the approach taken in the Sydney LEP (Glebe Affordable Housing Project) 2011;

## Planning Proposal: Waterloo Estate (South)

- j. define affordable housing as having the same meaning as in the Act and require that any affordable housing will be owned and managed by a registered community housing provider (within the meaning of the *Housing Act 2001*);
  - k. ensure floor space for community facilities can only be used for those community facilities identified as being needed;
  - l. ensure that where the Active Street Frontages Map applies, all premises that face the street on the ground floor of buildings, will be used for the purposes of business premises, retail premises, community facilities, health facilities, and centre-based child care facilities;
  - m. ensure that the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the event of any future development application (the intent of this is to require the design guide be considered, but not to elevate the guidance within the design guide to development standards);
  - n. allow rooftop solar panels to penetrate the mapped maximum building height if no additional visual and amenity impacts will result;
  - o. ensure arrangement for the provision of publicly accessible open space has been made.
- (15) Introduce a site-specific local clause for land in the Waterloo Estate (South) not currently owned by the NSW Land and Housing Corporation. The proposed site-specific clause is to:
- a. provide site specific objectives to:
    - require contribution to the provision of affordable housing, in addition to that required by Clause 7.13 of Sydney LEP 2012;
  - b. identify the land to which the clause applies as:
    - 233 Cope Street, Waterloo, being Lot 12 DP 1099410;
    - 111 Cooper Street, Waterloo, being Lot 15 DP 10721;
    - 225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721;
    - 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179;
    - 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721;
    - 110 Wellington Street, Waterloo, being Lot 101 DP 1044801; and
    - 291 George Street, Waterloo, being Lot 10 DP 1238631;
  - c. require identified site's participation in the design excellence process, but ensure that a building demonstrating design excellence in accordance with Clause 6.21 of the Sydney LEP 2012 is only eligible for additional FSR, and not additional height; and
  - d. ensure that the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the event of any future development application (the intent of this is to require the design guide be considered, but not to elevate the guidance within the design guide to development standards).
- (16) Introduce a new clause for "Planning Proposal land" and a new schedule for "Planning Proposal land". The intent of this clause and schedule is to identify sites in Waterloo Estate (South), and other sites in the future, that have been the subject of a site-specific planning proposal and therefore require an affordable housing contribution comprising: any contribution that may apply under Clause 7.13 to floor space that was available *before* the planning proposal; and a different and additional contribution rate (to that under 7.13) to floor space that was available *because* of the planning proposal.
- Some sites that are identified in the site-specific clause for Waterloo Estate (South) – Area 2 are the first sites to be identified on the new schedule. The proposed local provision is to:
- a. require that on 'Planning Proposal land', being land listed on the new Schedule, an affordable housing contribution requirement be applied to development where it is for:
    - i. the erection of a new building over 200 square metres



## Planning Proposal: Waterloo Estate (South)

- ii. additions to an existing building resulting in the creation of more than 200 square metres of residential floor area
  - iii. additions to an existing building resulting in the creation of more than 60 square metres of non-residential floor area, or
  - iv. a change of use to existing floor area from a non-residential purpose to a residential purpose.
  - b. ensure that Clause 7.13 of the Sydney LEP only apply to floor space that was available *before* the planning proposal.
  - c. enable the consent authority to levy a contribution on Planning Proposal land in accordance with the rate identified on the Schedule.
  - d. require on planning proposal land a contribution as set out in the schedule,
  - e. allow the contribution to be satisfied either by way of:
    - i. a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres), in accordance with the Program, with any remainder being paid as a monetary contribution to the Council, or
    - ii. an equivalent monetary contribution to the Council. See sub-clause 4.
  - f. require that where an equivalent monetary contribution is made, the equivalent monetary contribution rate provided in the City of Sydney Affordable Housing Program, adopted by Council 24 August 2020, be applied.
  - g. ensure all development, whether it was in existence before, or is created after the commencement of the clause, is subject to the contribution.
  - h. ensure demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.
- (17) Introduce a new 'Schedule 7 – Planning Proposal land' to list Planning Proposal land and the required affordable housing contribution rate and:
- a. identify sites in the Waterloo Estate (South) – Area 1, being those sites not currently owned by Land and Housing, on the new Schedule.
  - b. identify the total affordable housing contribution requirement on the following sites:
    - i. 233 Cope Street, Waterloo, being Lot 12 DP 1099410:
      - 27% of total floor area: 9% contribution, plus
      - 73% of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
    - ii. 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179:
      - 33% of total floor area: 9% contribution, plus
      - 67% of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
    - iii. 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721:
      - 34% of total floor area: 9% contribution, plus
      - 66% of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
    - iv. 110 Wellington Street, Waterloo, being Lot 101 DP 1044801:
      - 32% of total floor area: 9% contribution, plus
      - 68% of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012.
    - v. 111 Cooper Street, Waterloo, being Lot 15 DP 10721:
      - 12.5% of total floor area: 9% contribution, plus
      - 87.5% of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012.

- (18) Correct anomalies in Schedule 5 Environmental Heritage – Part 1 Heritage Items relating to the following existing heritage items listed in both South Sydney Local Environmental Plan 1998 and Sydney Local Environmental Plan 2012: 530 George Street, Waterloo (Lot 3 DP 10686); and 229-231 Cope Street, Waterloo (Lot 3, DP 10721). It is not proposed to remove or add any new heritage items.

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## 4.2. Waterloo Estate (South) Design Guide (draft)

Depending on the value of future applications, Waterloo Estate (South) is likely to be State Significant Development and assessed and determined by the NSW Government. This follows changes to the State Environmental Planning Policy (Planning Systems) 2021, which came into effect on 1 March 2022, to specify that development carried out by or on behalf of LAHC with a value of over \$100 million is State Significant Development.

Where sites are identified SSD, the Sydney Development Control Plan 2012 does not apply. To address this, the Waterloo Estate (South) Design Guide (draft) provides more detailed controls to guide development on the site. The provisions proposed to be inserted into the Sydney LEP 2012 will require the Design Guide be considered prior to granting approval of development on the site. It is not the intent to elevate the guidance within the design guide to the status of development standards. Rather, the design guide is to be considered during the merit-based assessment of future applications, and may allow some flexibility when an application can demonstrate, in instances of non-compliance, the objectives are nonetheless satisfied.

In the event that Waterloo Estate (South) is not identified SSD, the Design Guide will be used in a similar manner a development control plan would be used to provide guidance.

A discussion of the proposed planning controls in the Design Guide, as they relate to the proposed provisions in the Sydney LEP 2012, is provided at Part 5 – Justification of this Planning Proposal.



## 5. Justification

This Planning Proposal and associated draft Design Guide is informed by:

- assessment of the planning proposal request and various technical reports lodged by the NSW Land and Housing Corporation in May 2020;
- assessment of the planning proposal and various technical reports prepared by the City in February 2021;
- community consultation undertaken by the Land and Housing Corporation since 2017;
- additional technical studies undertaken by the City of Sydney and the planning proposal authority;
- Gateway determination conditions and requirements;
- additional technical studies undertaken by the planning proposal authority; and
- community consultation undertaken by the planning proposal authority between March and April 2022.

This section provides a description of development outcomes facilitated by this planning proposal and the draft Design Guide. It also provides the justification for the proposed amendments to the Sydney LEP 2012.

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### 5.1. Development outcomes

#### 5.1.1. Key Development Outcomes

The controls proposed in this Planning Proposal will facilitate the following key outcomes for Waterloo Estate (South):

- about 3,012 dwellings, including about 847 social housing dwellings (about 28.2% of dwellings and 26.5% of residential gross floor area (GFA)), about 227 affordable dwellings (about 7.5% of dwellings and 7.0% of residential GFA) and about 1,938 market dwellings (about 64.3% of dwellings and 66.5% of residential GFA) on LAHC owned sites, plus about 127 additional market dwellings on privately owned sites;
- a main park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site in the block bounded by Cope, John, George and McEvoy Streets;
- about 265,000sqm GFA, including no less than 12,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- four towers of between 27 and 33 storeys (maximum RL 126.4m refer section 5.1.6) and most other buildings generally around 8 storeys (with some 4 storeys and others up to 13 storeys where development fronts a park or George or Pitt Street);
- new streets and through site links; and
- a new cycleway along Wellington Street.

The existing planning framework for Waterloo Estate (South) is unable to deliver these outcomes. As such, amendments are required to Sydney LEP 2012 and South Sydney LEP 1998 and supporting planning controls (within either Sydney DCP 2012 or the Waterloo Estate (South) Design Guide).

#### 5.1.2. Overview of Development Outcomes

##### *Fine Grain*

A fine-grain lot pattern will be re-introduced, with flexible and varied lot sizes, allowing for a variety of apartment arrangements and a flexible approach to staging and redevelopment. Variety and

quality in architectural design and housing choice will cater to the diverse community of existing and future residents, providing a vibrant, attractive, environmentally sustainable and safe neighbourhood.

### *Design*

Development will be of high quality and respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people. Varied, innovative and high-quality design is to be delivered to ensure an environmentally sustainable, attractive and diverse neighbourhood. A flexible and varied lot pattern supports this outcome.

### *Housing*

The redevelopment of the Waterloo Estate (South) will provide mixed tenure outcomes, with about 64% of housing being market housing, and 36% affordable and social housing. The tenure mix and dwelling types are to support households of a variety of cultural backgrounds, as well as evolving family situations and structures.

### *Built Form*

Buildings will generally be arranged to form continuous street frontages around courtyards to achieve a clear delineation between public and private space. Building height and form will respond to the hierarchy of streets and open spaces and to key view corridors both over and within the locality. New development will also respond appropriately to the form and setting of heritage items in the neighbourhood.

Future built form will fit into the wider urban context, as mid-rise buildings will predominate. This scale of development provides sunlight to streets and will result in a low-impact wind environment, promoting a comfortable street experience and tree growth. People will live closer to the street – promoting street activity, safety and social cohesion. Smaller mid-rise buildings also decrease the number of large complex strata management groups and reduces potential identifiable difference between social and market housing.

Four towers are proposed, with three along McEvoy Street, and one near the corner of Gibson and Kellick Streets. The towers have been located to increase amenity, limit overshadowing within and outside of the precinct, and increase solar access to future apartments and open space.

Development at the proposed scale also relieves housing stress as it:

- improves affordability because decreasing construction costs reduce the average house prices;
- decreases the ongoing costs of housing because tall buildings are more expensive to run; and
- increases ecological sustainability because tall buildings would use more energy.

### *Topography*

Future development, street layout and design will respond to the topography of the locality, which is distinctly different on either side of George Street. The almost flat western side lends itself to the best siting of public open space and housing for people of all abilities. The steeply sloping topography to the eastern side requires careful layout of streets and walkways to ensure equitable access across the site.

### *Public Domain*

The established and significant Fig and Eucalyptus trees which define key streets and open spaces and are characteristic of the wider area will be protected during redevelopment. Canopy cover will be increased with further street tree planting which is supported by good levels of sunlight at street level. The public domain will be reinforced and celebrated through public art and cultural heritage interpretation.



## Planning Proposal: Waterloo Estate (South)

The urban design strategy from the draft Design Guide, shown at Figure 28, illustrates how redevelopment of the Waterloo Estate (South) will function as a cohesive precinct in itself, as well as integrate with the wider area.



**Figure 28** Urban design strategy from the draft Design Guide

### 5.1.3. Planning and Design Principles

The following principles have guided the intended development outcomes and proposed planning controls for Waterloo Estate (South) in this planning proposal and in the draft Design Guide.

#### *Principle – Diverse land uses to support a diverse community*

- Capitalise on the proximity of Waterloo Metro station by creating a vibrant mixed-use neighbourhood that blends residential, retail, commercial, community and recreational uses.
- Provide a range of dwelling types and housing choices to accommodate mixed tenure development that supports a range of households and living choices.
- Development will respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people
- Design non-residential spaces to accommodate a range of commercial and retail activities, that may change over time in response to community needs.
- At least 7.5% of dwellings (7.0% of residential floor area) to be allocated as affordable housing dwellings.
- Ensure at least 28.2% of dwellings (26.5% of residential floor area) to be allocated to social housing dwellings.
- Retail spaces and local services need to be provided which can meet the local daily shopping needs of a dense residential population.
- George Street is to become the focal point of pedestrian and commercial activity, and will have continuous ground level retail, commercial and community uses. This facilitates a main retail street environment that contributes to the identity, activation and vibrancy of the area.
- Provide additional retail opportunities in a continuous retail frontage along McEvoy Street with retail ground floor to tower buildings.

#### *Principle – The right type, height and scale of buildings for Waterloo*

- Building heights will respond to the hierarchy of streets and open spaces with taller buildings facing parks and George and Pitt Streets.
- Building forms, their separation, and orientation will promote sunlight into streets and open spaces, open sky views from the streets, and will minimise wind effects.
- Tower forms are limited to the southern part of the precinct near McEvoy Street and the north eastern part of the precinct on Kellick Street to minimise overshadowing impacts to open space and surrounding residential properties.
- To ensure an appropriate setting for heritage items on Cope Street, heights are limited to two to four storeys between Cope and Cooper streets closer to these items.
- Multiple buildings along each street block will promote architectural diversity.
- The built form and land uses will be located to manage noise, pollution (particularly along McEvoy Street) and other potential land use conflicts as best as possible.
- Development intensity will be spread evenly across the precinct to eliminate very high peaks of development and provide equity between sites.
- All residential development, irrespective of tenure, will be of high quality.

#### *Principle – Streets prioritise pedestrians and cyclists.*

- Existing large street blocks will be subdivided to form a finer grained street network
- The precinct includes a permeable network of streets, pedestrian links, public open space and cycle connections that:
  - respond to key connections within and surrounding the locality;
  - accommodate multiple users and needs;
  - are accessible for people of all abilities;
  - maximise opportunities for walking and cycling;
  - maximise the safety of vulnerable users;
  - require slow traffic speeds;



- respond to stormwater management considerations; and
  - respond to local traffic and access requirements.
- George Street is the main street of the community, with continuous ground floor retail frontage and awnings and is to provide opportunity for a large supermarket.
- Maintain and expand the City's regional bike network by maintaining the regional north-south connection along George Street and implementing a new regional east-west connection along Wellington Street.
- Street orientation and width is to maximise sunlight at street level.
- Streets are to provide high quality streetscapes, new footpaths, tree planting and street furniture.

*Principle - Public parks and community facilities will provide for the community's diverse needs:*

- A large main park of over 2 hectares, adjacent to the new Waterloo Metro Station will be the focus of community recreational activity.
- The main park will be flat; open and welcoming; provide opportunity for a range of recreational opportunities; active day and night and highly accessible to public transport, cyclists and pedestrians.
- A smaller park is to be provided in the south of the precinct on flat land and will form a square and be a place for smaller scale but similarly diverse activity, with pedestrian connections to John, George and Cope streets.
- Community facilities will be provided close to active public space.

*Principle - A green, low-carbon precinct that is resilient to climate change*

- Retain and protect established trees, and plant new trees to provide shade and good amenity
- Landscaping is to assist in the management of stormwater quality.
- Create a strong and consistent landscape character throughout the precinct.
- To ensure that buildings are resilient and sustainable, their width and floorplates are sized to fit the lots and are ideal for natural cross ventilation and daylight.

#### **5.1.4. Zoning and land use**

*Provisions in the Sydney LEP 2012*

This Planning Proposal amends and introduces land use zoning in Sydney LEP 2012 to the entire Waterloo Estate (South) precinct.

It proposes sites fronting George Street on both sides will be zoned B2 – Local Centre, to facilitate a main street environment with retail, employment and community uses. The large park will be zoned RE1 – Public Recreation. The remainder of the site will be zoned B4 – Mixed Use.

The proposed zoning is shown at Figure 29.



**Figure 29** Proposed land use zoning

***B4 – Mixed use***

The objectives of the B4 – Mixed use zone are to:

- 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 zone permits most land uses defined in the Sydney LEP 2012, including residential, retail and commercial uses, and excludes only those that represent a clear conflict with the abovementioned uses.

The B4 – Mixed use zone is the predominant land use zone in the local government area. It is considered appropriate for the identified sites given the proposed density of the Waterloo Estate (South) and the range of uses that are proposed. Importantly, the B4 – Mixed use zone is inherently flexible and will provide the best support for establishing a new centre in the hierarchy of the City's centres.

***B2 – Local Centre***

The objectives of the B2 – Local centre zone are to:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To allow appropriate residential uses so as to support the vitality of local centres.

Other examples of the B2 – Local Centre zone in the local government area include Danks Street, Waterloo, parts of the Ashmore Estate and King Street, Newtown.

The rationale for applying the B2 – Local Centre zone to land fronting George Street is discussed in more detail in section 5.1.8 ‘Public infrastructure’ of this planning proposal.

#### *RE1 – Public Recreation*

The objectives of the RE1 – Public Recreation zone are to:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide links between open space areas.
- To retain and promote access by members of the public to areas in the public domain including recreation facilities and waterways and other natural features.

Most parks and recreation areas in the City are zoned RE1. The large park can also provide community facilities for the local community to access.

The small park will be rezoned RE1 following construction and dedication to the City.

#### *Additional requirements in the Waterloo Estate (South) Design Guide*

While predominantly a residential precinct, about 17,000 sqm of non-residential uses are proposed on the site, which is to comprise mostly retail uses, but also community facility uses and commercial uses. Generally, non-residential uses are concentrated:

- along George Street, the main shopping street in the Estate and an area of community focus;
- McEvoy Street, that is heavily affected by noise; and
- community facilities may be provided in the parks.

Active street frontages are mapped and discussed in detail later in this Planning Proposal.

### **5.1.5. Floor space ratio**

#### *Provisions in the Sydney LEP 2012 on LAHC-owned land*

This planning proposal maps all LAHC-owned land in the Waterloo Estate (South) with varying FSRs, facilitating approximately 265,000 sqm of gross floor area (including residential and non-residential land uses).

The FSR that is mapped, will include:

- 28.2% of dwellings (26.5% of residential floor area) for social housing;
- 7.5% of dwellings (7.0% of residential floor area) for affordable housing;
- no less than 12,000 sqm is used for a non-residential purpose; and
- no less than 5,000 sqm is used for community facilities, health facilities, or centre-based child-care facilities.

In addition to the above, up to 10% additional FSR could be achieved subject to a competitive design process. Any additional residential floor area granted by the 10% design competition bonus is to also provide the required mix of social, affordable and market housing.

This planning proposal facilitates FSRs ranging from 0.85:1 to 8.41:1 across the developable land in Waterloo Estate (South). Altogether, the total available residential floor area on all LAHC-owned



land in the Waterloo Estate (South) is about 250,000 sqm (about 3,012 dwellings), and about 17,000 square metres for non-residential uses.

### *Provisions in the Sydney LEP 2012 on privately owned land*

This Planning Proposal maps privately-owned sites in the Waterloo Estate (South) as having various FSRs as shown at Table 3.

Privately-owned land	Proposed FSR
233 Cope Street, Waterloo, being Lot 12 DP 1099410	2.4:1
221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179	2.61:1
116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721	2.65:1
110 Wellington Street, Waterloo, being Lot 101 DP 1044801	2.57:1
111 Cooper Street, Waterloo, being Lot 15 DP 10721	2:1
225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721	1.75:1
291 George Street, Waterloo, being Lot 10 DP 1238631.	1.75:1

**Table 3** Proposed FSR on privately-owned land

Of those sites with a proposed FSR of 1.75:1, this has been provided as the FSR has not been reduced from what is currently provided, it is a heritage listed site or redevelopment is not envisaged as part of the redevelopment of Waterloo Estate (South).

Other privately-owned sites in the Waterloo Estate (South) have been mapped with FSRs ranging 2:1 to 2.65:1. These sites may redevelop over time at the initiative of the landowner but are not relied on to facilitate the wider redevelopment of the Estate.

Up to 10% additional FSR, calculated on the FSR described above, may be achieved subject to a competitive design process at 110 Wellington Street. A site-specific provision will limit the 10% design excellence bonus to FSR and not to additional height.

Altogether, the total available floor area on all privately-owned sites in the Waterloo Estate (South) is about 23,000sqm of floor area (including residential and non-residential floor space). There are currently 120 dwellings on privately-owned sites. With the additional development capacity from the new controls, there is potential for 127 additional dwellings increasing total private dwellings to 247.

### *Additional requirements in the Waterloo Estate (South) Design Guide*

The draft Design Guide provides additional guidance for how floor area is to be distributed across future street blocks, shown at Figure 30 (including 10% for design excellence), on LAHC-owned land in any future staged development application.

Table 4 below shows an indicative distribution of floor area on LAHC-owned land. It is noted the below Table does not identify on what street blocks affordable and social housing is to be provided. This is a matter that is to be resolved in a development application.

# Planning Proposal: Waterloo Estate (South)



**Figure 30** Street blocks and building lots

## Planning Proposal: Waterloo Estate (South)

Street block	Estimated street block area**	Indicative residential floor area	Indicative non-residential floor area
1	20,013sqm***	None	None
2****	2,916sqm	6,000sqm	None
3	5,900sqm	28,600sqm	4,500sqm
4	6,242sqm	20,800sqm	3,750sqm
5	3,470sqm	16,200sqm	None
6	3,322sqm	15,100sqm	None
7	6,666sqm	32,200sqm	None
8	10,421sqm***	50,100sqm	3,900sqm
9	7,276sqm	39,900sqm	3,500sqm
10	6,504 sqm	37,000sqm	1,250sqm
<b>Total</b>		<b>246,000sqm</b>	<b>16,900sqm</b>

**Table 4** Indicative floor area distribution on LAHC owned land, by street block

\* Floor area estimates provided assume all floor space available under Clause X.X of the Sydney LEP 2012 is being utilised but does not include additional floor area that may be achieved where the development demonstrates design excellence under Clause 6.21 of the Sydney LEP 2012

\*\* Street block areas are indicative and ultimately determined by a detailed survey (to be provided with a Stage 1 (concept) development application) showing minimum dimensions for public space are being achieved.

\*\*\* Includes land for open space

\*\*\*\* Includes 370sqm of floor area for the retention of the heritage listed terraces at 229-231 Cope Street

### *How have FSRs been established?*

The FSRs have been derived for each site based on the building envelopes established by building height, setbacks (in the draft Design Guide), and building efficiencies of:

75% of Gross Envelope Area (GEA) = Gross Floor Area (GFA);

82.5% of GFA = Net Saleable Area (NSA) for perimeter blocks; and

85% of GFA = NSA for towers.

### **5.1.6. Building height and form**

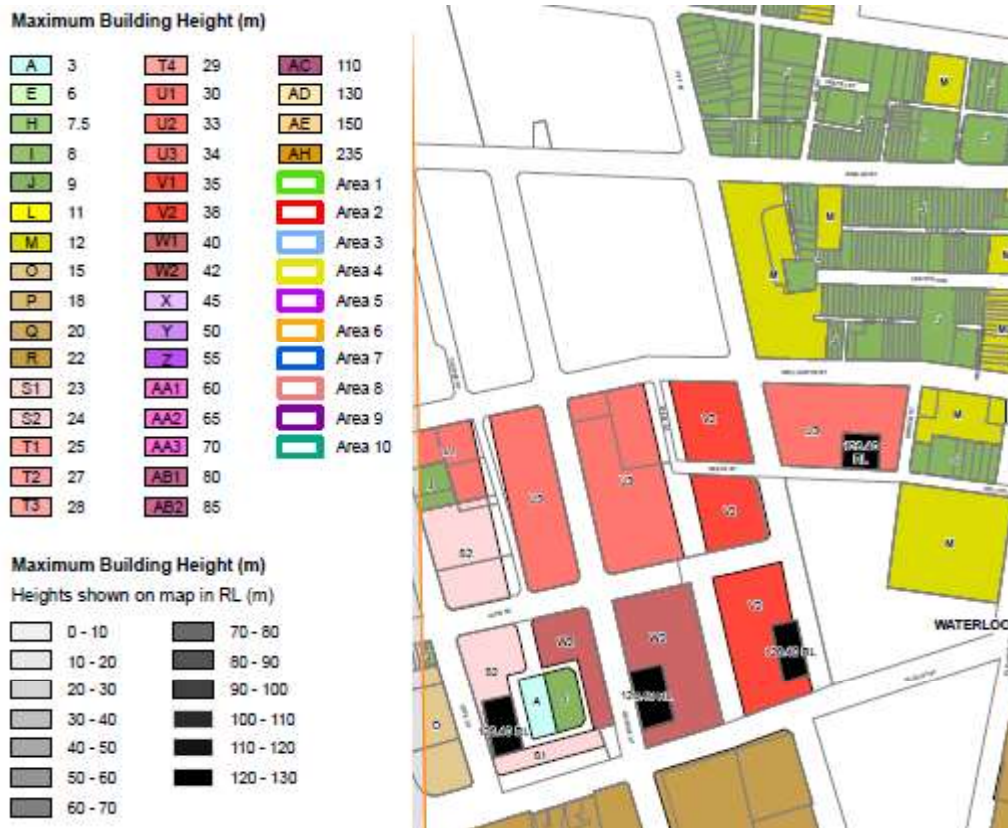
#### *Provisions in Sydney LEP 2012*

This Planning Proposal is to amend the Height of Buildings Map in Sydney LEP 2012 to allow building heights that will primarily range between 9 metres to 48 metres across the site. Most



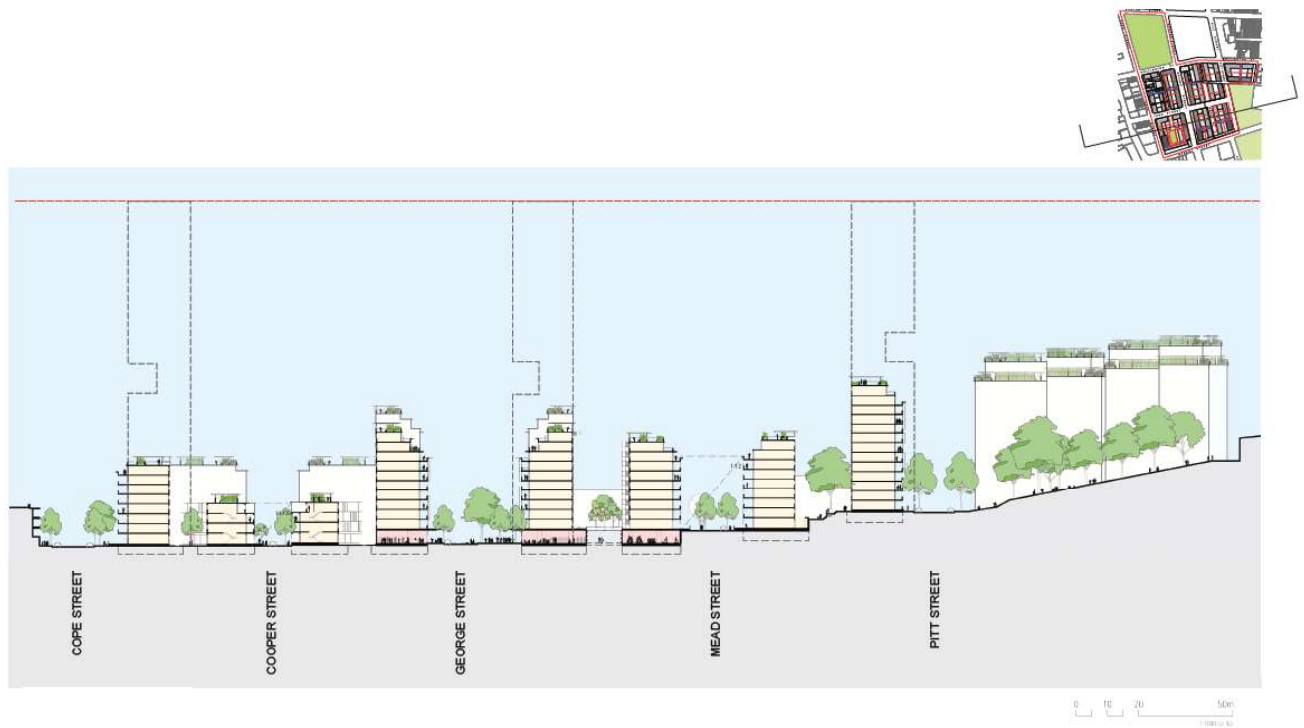
buildings will be no more than 35 metres in height, with the four tower buildings being up to 110 metres in height (i.e. RL 126.4 metres).

Figure 31 shows building heights distributed across the site. Most of the building heights on the map are to be shown in metres, however the four towers are shown as Reduced Levels (RLs) due to their relationship with the maximum RLs established by Sydney Airport Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS).



**Figure 31** Proposed maximum building height map

The proposed heights in the Planning Proposal will result in a distribution of heights as shown in the cross section at Figure 32.



**Figure 32** Proposed heights – cross section through south of site

*Additional requirements in Waterloo Estate (South) Design Guide*

The draft Design Guide provides more detailed guidance on building height in storeys and street wall heights, shown at Figure 33.

**Figure 33** Building height in storeys



SCALE 1:1000 @ A3



The draft Design Guide includes the following additional guidance on building heights:

- minimum floor-to-floor and floor-to-ceiling heights are specified for residential and non-residential uses;
- provision for variation to the location and distribution of heights within street blocks where it can be demonstrated there will be improved sun access to public space and to residential properties, and compliance with the Apartment Design Guide; and
- provisions for tall buildings to include design elements to minimise wind impacts generated by towers.

### *Wind impacts*

The planning proposal request prepared by LAHC contained a large number of tall buildings. Tall buildings may produce wind environments at ground level in public space, parks and streets that are not comfortable and may not be safe for people.

The windy conditions experienced along Pitt and McEvoy Streets are generally due to the flow being channelled along the wall of taller buildings relative to the surroundings. It should be noted that McEvoy Street was generally bounded by eight storey buildings, with a 15-storey building on the Cope Street corner, and still resulted in strong wind conditions. This is the reason to slowly build-up the height of the buildings towards the middle of Waterloo Estate (South)

The comfort wind conditions at majority of open areas were assessed against the walking criterion, only the north half of the Village Green was assessed against the pedestrian standing criterion. Most of the locations between buildings were close to the walking criterion and therefore would be expected to be associated with the wind speed associated with people sitting for only about 50% of the time.

Wind testing has shown that locations approaching the safety criterion and poor comfort conditions were located close to the taller towers along McEvoy and Kellick streets on the outer corners of the development massing.

However, as the current design is an envelope, and the final tower volume would be smaller, appropriate sculpting measures can be implemented at detailed design stage to reduce wind impacts and achieve safe wind conditions. Measures that could be incorporated into a design would include:

- rounding the corners,
- increasing the tower setback from the podium edges,
- reducing the height of the tower,
- introducing appropriate place articulation, and
- incorporating an awning structure around corners.

As the tower on Kellick Street to the north-east of the site is elevated and exposed to all prevailing strong wind directions, the wind conditions here approach the safety criterion and with the significant increase in building massing, this and nearby locations along Gibson and Kellick Streets, and Waterloo Park would be expected to exceed the safety criterion. However, the tower location allows the retention of three significant mature trees on the corner of Kellick and Gibson streets, which will improve the wind conditions around this corner. In addition, the envelope size relative to the resulting tower means amelioration techniques to the shape of the tower, including possible tapering of the tower and rounding of corners, could be used to improve the wind conditions. The wind conditions around this isolated tall tower will require significant consideration of the building geometry to improve the conditions to a safe level. As the developments will be subject to a competitive design process, wind impacts will be thoroughly considered, and mitigation measures incorporated into the design entries.

#### **5.1.7. Apartment Design Guide – Performance**

The Apartment Design Guide (ADG) provides consistent planning and design standards for apartments across the State. It provides design criteria and general guidance about how development proposals can achieve the nine design quality principles identified in State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65).

The urban design approach undertaken in this Planning Proposal ensures that development will meet the objectives and design criteria of the ADG, and in some cases exceed requirements.

A detailed study of the lots bound by George Street, John Street and West Street meet and exceed the ADG's requirements in 'Part 3 Siting the development' and 'Part 4 Designing the building'. The approach also addresses all matters outlined in 'Part 2 Developing the Controls', which provides tools to support the strategic planning process when preparing planning controls.

#### **5.1.8. Public infrastructure**

A range of public infrastructure has been identified as being required to support the significant population growth and demographic change brought about by the redevelopment of Waterloo Estate (South), including:

- land for road reserves;
- embellishment of road reserves;
- land for public open space;
- embellishment of public open space; and
- community facilities.

Before progressing with the redevelopment of the site, negotiation is required to ensure infrastructure is delivered in a timely manner, provided to a suitable standard to support the future population. LAHC has proposed a number of public benefits, to be offset against future development contributions, including:

- the 'dedication' and embellishment of land for 2.36 hectares of new public open space within the Waterloo Estate (South) site;
- the construction and the dedication of new public roads to Council, and the upgrade of all existing roads within the development area to be provided as part of the development at no cost to Council;
- the provision of up to 2,400 square metres of community facilities.

Reference should be made to the draft infrastructure schedule for additional information on this matter.

#### **Open space**

The draft Design Guide identifies land to be dedicated by LAHC to the City for a large park adjacent to the future Waterloo Metro station, and a small park in the south of the site. The total amount of land proposed to be dedicated for open space is about 21,000 square metres. The proposed dedication areas are shown Figure 34.

# Planning Proposal: Waterloo Estate (South)



SCALE 1:1000 @ A3

**Figure 34** Dedications and easements

*Streets and through site links*



The draft Design Guide identifies land to be dedicated by LAHC to the City for new streets, totalling about 9,028 sqm dedication land. The proposed dedication areas are shown at Figure 34 above.

Figure 34 Dedications and easements also shows through-site links where an easement for public access is to be provided.

#### *Community facilities, childcare and healthcare*

The Social Sustainability Study and the Social Baseline Study, prepared for LAHC by Elton Consulting and GHD respectively, provides an analysis of existing social infrastructure in the wider area that may be utilised by current and future residents on the Waterloo Estate (South). It also provides an assessment of what additional community facilities and services are required to support the future population by applying estimated population growth to benchmarks for provision of facilities.

Generally, the Estate has reasonable access to community facilities and services, but there are some impediments to access, existing gaps and increased demand arising from the proposed redevelopment of the Estate.

The peer review identified 5,000sqm of community facilities required to support the redevelopment of Waterloo Estate (South). About 2,400 sqm of the identified need could be accommodated in a purpose-built multi-purpose community facility (or multiple facilities). Typically, such facilities would be provided and managed by Council. The City is working with LAHC to agree an appropriate funding provision and delivery model for the facilities. Should agreement be reached, it will form part of a future planning agreement between LAHC and the City. Any planning agreement would be placed on public exhibition for community comment.

The delivery of the community facility is likely to be towards the end of the redevelopment process. The exact makeup of the multi-purpose community facility requires extensive consultation with the community in the design and delivery phases.

The remaining 2,600 sqm of identified need can be owned and managed by commercial, not-for-profit or state government operations. The floor space required for these facilities and services is to be provided by the developer and incorporated into residential or mixed-use buildings, predominantly in the mixed-use buildings along George Street where they can be easily accessed by the community.

To ensure the delivery of identified need, the planning proposal requires that in order for the redevelopment of Waterloo Estate (South) to progress, no less than 5,000 square metres of floor space for community facilities, childcare facilities and health facilities must be provided in Waterloo Estate (South).

The draft Design Guide describes the above-mentioned community facilities and services required to be provided in Waterloo Estate (South), however facilitates a flexible approach to ensure identified needs can be updated over time. It also includes additional provisions for:

- community rooms within social housing and affordable housing buildings for delivery of education/training programs, tenant meetings, and tenant events:
- office space for housing providers within social housing affordable housing buildings may be required by providers in the building which they manage.

There is no incentive or requirement for the provision of community facilities on privately-owned sites in Waterloo Estate (South). Private developments will make development contributions towards the provision of local infrastructure under the City's contributions plan.

#### *Schools*

LAHC has undertaken a Social Sustainability Study and a Social Baseline Study that estimate approximately 194 children aged 5 to 11 will in Waterloo Estate (South) and 218 young people aged 12 to 17 and that 6 primary school classrooms and 3 high school classrooms would be needed as a result of redevelopment. Consultation with the Department of Education occurred during the public exhibition period to ensure there is sufficient capacity in schools to support additional growth.

### *Water recycling facility*

Sustainability studies make multiple references to the opportunities and benefits of using recycled water. The studies include recommendations to explore options to use decentralised technologies such as recycled water networks, and the installation of a third pipe system.

The draft Design Guide has objectives to minimise water use, maximise water re-use and ensure development is resilient against the effects of climate change. It also includes requirements that all buildings are constructed to be capable of providing a dual reticulation water system for water services which can connect to a non-potable recycled water network, and configured to supply all toilets, washing machine taps, car wash bays, cooling towers and irrigation usage.

#### **5.1.9. The hierarchy of centres and retail**

This planning proposal establishes properties fronting George Street as a local centre within the hierarchy of centres of the City South. The hierarchy of centres is described in *Sydney DCP 2012*, and supported with clauses in Sydney LEP 2012.

A retail strategy was prepared for Waterloo Estate (South) by the City of Sydney to support the planning proposal. It established four key principles for retail planning on the site, being:

- affordability and flexibility, to accommodate a diverse retail and non-retail services offering;
- convenience and ease of access, reflecting the expected type and role of retail in the area;
- concentration and clustering, enabling agglomeration effects and efficient use of public and private investment; and
- room for growth, to accommodate potential for higher demand in the future.

These key principles are the strategic framework for the proposed planning controls for the site.

In addition, an Economic Development, Local Retail and Services Review of the planning proposal has been prepared to support the planning proposal. The Review concludes that the planning proposal will have only a marginal impact on nearby local and strategic centres.

The study finds that the retail floor space at Waterloo South will mostly be consumed by new residents and works, and the primary purpose of this retail floor space is to provide amenity for future residents, rather than providing a 'destination' retail centre.

As a result, demand for supermarket floor space at Green Square will only be reduced by 2.4%, and demand for overall retail floor space at Green Square will reduce by 45sqm. However, as the retail floor space at Waterloo will not compete in other retail areas, demand for clothing, soft goods and household goods will all increase at Green Square by 1% due to the increased population nearby.

The demand for retail floor space in the Redfern local centre will only be reduced by 92sqm.

### *Provisions in the Sydney LEP 2012*

This planning proposal includes mapping lots fronting either side of the full extent of George Street within the site as Zone B2 Local Centre in Sydney LEP 2012. As explained in section 5.1.4 Zoning and land use, the remaining development lots, other than the large park, within the precinct will be zoned B4 Mixed Use.

The objectives of the B2 Local Centre zone best match the future vision for retail planning on the site and the George Street corridor specifically, being to provide a range of retail, commercial and community serving facilities and services to meet the needs of local residents, encourage local employment opportunities, maximise public and active transport use and allow appropriate residential uses to support the centre.

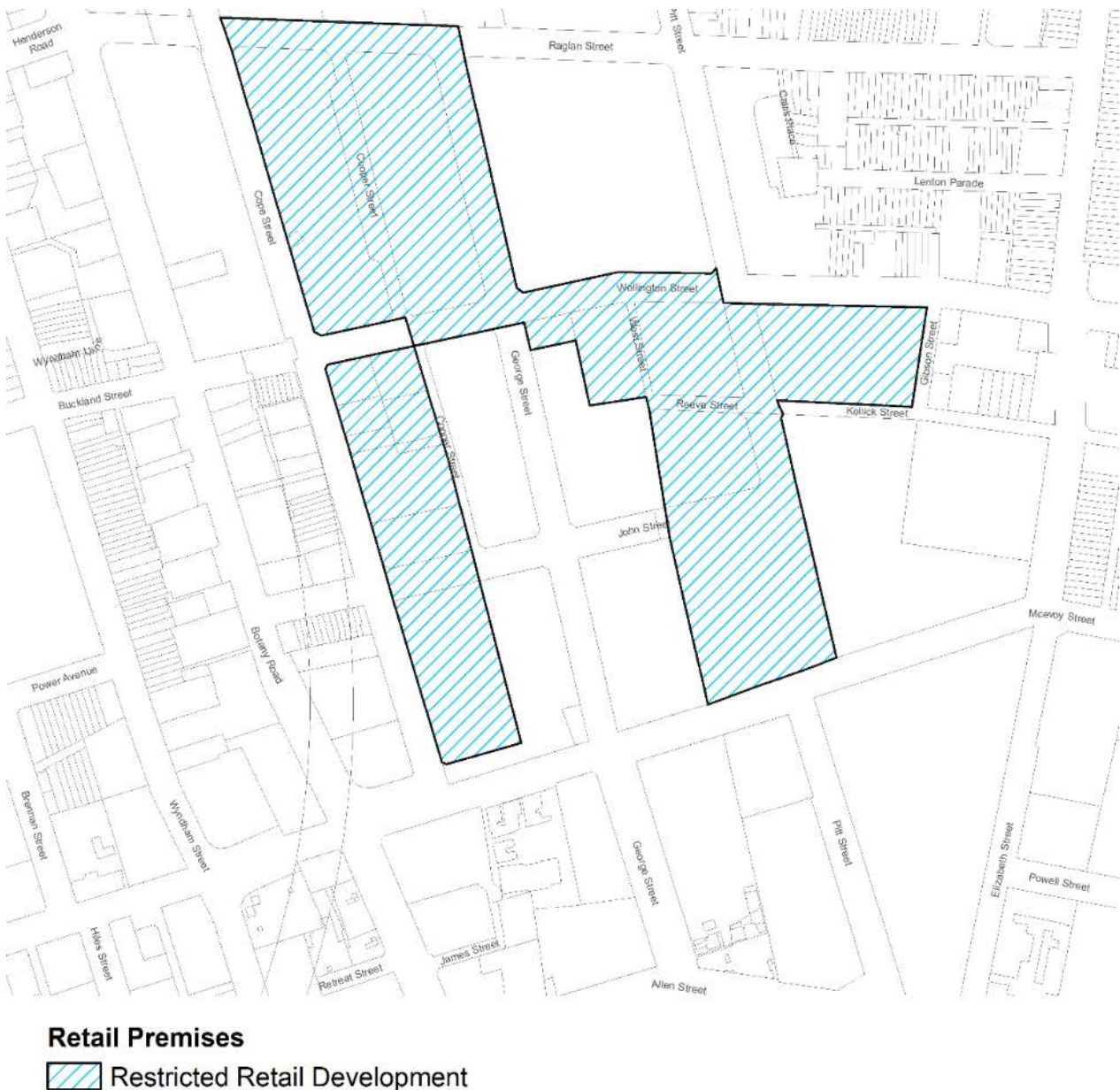
Extending this zoning to full lots along the extent of George Street enables an active high street environment that comprises:

- retail premises on multiple lots along a high activity corridor,
- retail fronting the street to enable access to pedestrians,

## Planning Proposal: Waterloo Estate (South)

- flexible business premises for creative industries and offices,
- side streets, and laneways providing overflow and affordable retail and employment space, and
- space on the ground floor of larger lots for accessible ground-level shopping centres.

This planning proposal maps the site on the Retail Premises Map, in line with Sydney LEP 2012 controls. As shown in Figure 35, the George Street corridor is excluded from the Restricted Retail Premises provision, while the remainder of the site is subject to this provision. In accordance with Sydney LEP 2012 clause 7.23 'Large retail development outside of Green Square Town Centre and other planned centres', larger retail premises (such as larger supermarkets) will be allowed along George Street but elsewhere shops and markets are limited to 1,000 sqm.



**Figure 35** Proposed restricted retail development map

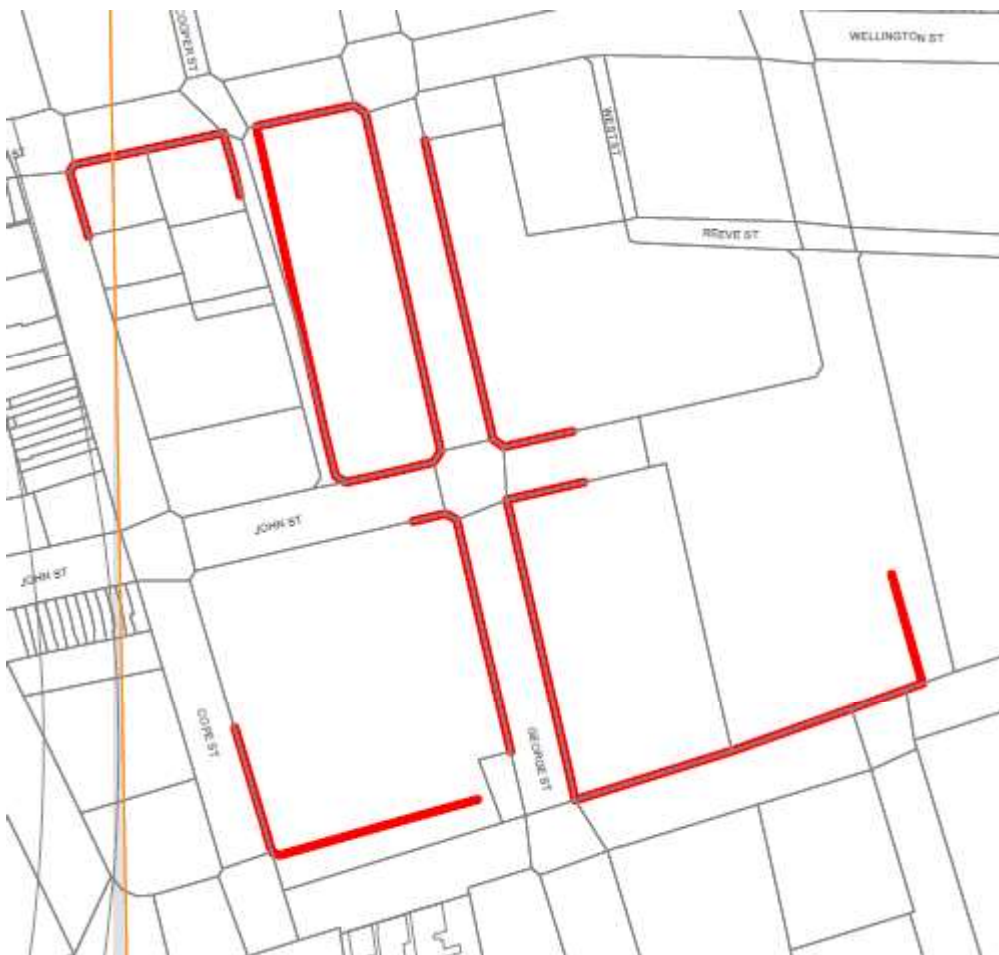
This map is used by clause 7.23 'Large retail development outside of Green Square Town Centre and other planned centres' of Sydney LEP 2012. It restricts shops and markets to 1,000 sqm within identified areas. Larger retail developments are allowed outside these areas.



The George Street corridor will not be subject to the 1,000 square metre limit on the size of individual shops and markets. This is in consistent with other B2 zoned areas, and will enable large retail developments, including full-line supermarkets and large speciality stores to act as anchor tenants, and for shopping centres to provide clusters of retail and additional retail floor space if demand increases. Restricting shops and markets to 1,000 sqm outside the George Street corridor will ensure large retail premises concentrate in the planned new centre.

This planning proposal also maps Active Street Frontages in Sydney LEP 2012, as shown in Figure 36, along the extent of George Street and on corners and laneways extending off the sides of George Street. This mapping is used by clause 7.27 'Active street frontages' and requires all premises on the ground floor of identified buildings to be used for the purposes of business premises or retail premises, and for those premises to have an active street frontage. This Planning Proposal expands the requirement to include all of the following uses on the ground floor of identified buildings in Waterloo Estate (South): business premises, retail premises, community facilities, health facilities, and centre-based childcare facilities.

Identifying George Street will ensure delivery of retail, business premises and community uses along the extent of the main street in the site, helping support a lively and continuous strip of activity, and providing convenient, easy access to retail by residents. Identifying side streets and laneways will deliver overflow and more affordable retail space, to support a diversity of uses and provide room for growth.



**Figure 36** Proposed Active Street Frontages Map

#### *Additional requirements in the Waterloo Estate (South) Design Guide*

The draft Design Guide includes built form provisions to support the objectives for retail, commercial and other non-residential uses on the site. These include:

- establishing George Street as the main retail street in Waterloo Estate (South) and a focal point for the community – where a range of retail, commercial, creative, enterprise and community spaces, and local services will be provided;
- a minimum of one supermarket, of no less than 2,000sqm, is required to front George Street;
- retail premises and food and drink premises are to open on to public space and/or through site links;
- the active frontages section in the Sydney DCP 2012 applies to mapped active street frontages and is to be read in conjunction with the draft Design Guide; and
- the 'Hierarchy of centres and retail in City South' in the Sydney DCP 2012 is to be read in conjunction with the draft Design Guide.

#### **5.1.10. Public domain**

This planning proposal does not make any provision or requirement in regard to the design and maintenance of public space.

However, the draft Design Guide includes requirements for the provision of the public domain within Waterloo (South) to ensure that public space integrates trees, landscaping, stormwater and water sensitive urban design (WSUD) with the needs of pedestrians, cyclists and vehicles.

The draft Design Guide aims to establish:

- a consistent and high-quality design approach for public space;
- a large park to accommodate a range of active and passive activities;
- a small park for passive recreation;
- a street layout oriented to maximise solar access, sustainable travel behaviours, safety and all abilities access; and
- an active and level main street on George Street as the social and economic focus of the precinct.

Development of the public domain will need to be consistent with any adopted Plan of Management or policy of Council. Public space (including parks, the street, pedestrian and cycles network) will to be designed in accordance with the City of Sydney Waterloo Estate (South) Public Domain Concept Plans and the public space sections in the draft Design Guide. Public Domain Concept Plans for the open spaces will be developed by the City in consultation with the community.

#### **5.1.11. Social and affordable housing**

##### *Provisions in the Sydney LEP 2012 on LAHC-owned land*

This planning proposal includes the requirement for LAHC land to achieve 28.2% of dwellings as social housing (26.5% of residential floor area) and 7.5% of dwellings as affordable housing (7.0% of residential floor area).

There is no additional requirement for contributions to affordable housing on LAHC owned land under Clause 7.13 of the Sydney LEP 2012.

It is estimated that about 847 social housing dwellings (about 98 additional) and about 227 affordable housing dwellings (all additional) will result from the redevelopment of Waterloo Estate (South).

##### *Provisions in the Sydney LEP 2012 on privately-owned land*

This planning proposal introduces a new clause and schedule into Sydney LEP 2012 to identify 'planning proposal land' and require an affordable housing contribution commensurate with the increase in development capacity.

The new clause and schedule were first proposed in the City's *Planning Proposal: Affordable Housing Review*, that was adopted by Council and the Central Sydney Planning Committee on 17 September 2018 and 13 September 2018 respectively. However, while providing in principle

support, the Department advised the new schedule could not be included until such time that a site was proposed to be identified on it. Therefore, it is the Waterloo Estate (South) Planning Proposal, that is the subject of this report, that will implement the new clause and schedule.

The new clause and schedule are intended to streamline and provide transparency and certainty to a process that is currently achieved through a planning agreement at the planning proposal stage. The planning agreement process can be time consuming and expensive, and a local environmental plan provision is more accessible.

Land will be identified on the schedule as 'planning proposal land' where additional residential floor area has been created through a planning proposal process. The affordable housing contribution on that land is commensurate with additional development capacity achieved by the planning proposal and is identified in the new schedule. It is proposed the privately-owned land in the Waterloo Estate (South), where there is an increased FSR as a result of this planning proposal, be the first 'planning proposal land' identified on the new schedule.

The new clause in the Sydney LEP 2012 will refer to the City of Sydney Affordable Housing Program, adopted by Council on 24 August 2020, for how the contribution will be applied and administered. The Program provides a standardised approach to establishing the affordable housing contribution rate that will be applied to planning proposal land. The total contribution to affordable housing that applies on each site will depend on the amount of new floor area that has been created on the site as a result of this planning proposal. Different rates will apply to floor area that was available before the planning proposal and to floor area that was available because of the planning proposal.

Under the Program, Waterloo Estate (South) is in the City South precinct. The total affordable housing contribution rate is therefore:

- 9% of new floor area, being floor area created as a result of the planning proposal; and
- 3% of existing residential floor area; and
- 1% of existing non-residential floor area.

The above contribution rates can be satisfied by way of providing finished dwellings, or as an equivalent monetary contribution (as provided by the Program).

The planning proposal land contribution rates have been tested with reference to the various housing sub-markets in the local government area ensuring development viability is not adversely affected. The testing, updated in November 2020, concluded development viability would not be affected by the requirement because the contribution only applies to new floor area achieved in the change to planning controls.

It is estimated if all the privately-owned sites in the Waterloo Estate (South) are redeveloped, that up to 11 affordable housing dwellings may be provided.

#### *Additional requirements in the draft Waterloo Estate (South) Design Guide*

The draft Design Guide includes principles for the provision of social and affordable rental housing in the Waterloo Estate (South), including:

- social and affordable housing is to be provided so that a socially diverse residential population, representative of all income groups, is created;
- affordable housing is to be made available to a mix of households on very low to moderate incomes and rented at no more than 30% of gross household income;
- affordable housing is to be managed so as to maintain use for affordable rental housing in perpetuity;
- social and affordable housing is to be constructed to a standard which, in the opinion of the consent authority, is consistent with other dwellings in Waterloo Estate (South); and
- affordable Housing is to be owned and/or managed by government or a Tier 1 or Tier 2 community housing provider.



The draft Design Guide also includes tenure and dwelling mix provisions that provide an aspirational framework for future development, including the delivery of Aboriginal and Torres Strait Islander housing. The draft Design Guide provisions are to:

- deliver in excess of 10% or more of the affordable housing for Aboriginal and Torres Strait Islander peoples;
- maintain or increase the current proportion of social housing provided to Aboriginal and Torres Strait Islander peoples; and
- ensure Aboriginal and Torres Strait Islander housing is culturally appropriate housing and developed in consultation with Aboriginal and Torres Strait Islander peoples.

LAHC has noted that current residents of the Waterloo Estate (South), who will be rehoused during the redevelopment, have a right of return into the new housing.

#### *Aligning with City of Sydney and NSW State Government housing policy*

The City considered affordable housing needs in the local government area in the assessment of LAHC's request.

The high cost of housing is an important economic and social issue in Sydney, particularly with the City's local government area (LGA) where housing prices are amongst the highest in Australia. Increasing the amount of affordable rental housing available for lower income households is an urgent priority for the City.

The City of Sydney Local Strategic Planning Statement (Planning Statement) and City of Sydney Local Housing Strategy (Housing Strategy) were adopted by Council in February 2020. The Planning Statement was endorsed by the Greater Sydney Commission in March 2020. It comprises a 20-year planning vision for land-use in the local area, the values that are to be preserved and how change will be managed into the future. The purpose of the Planning Statement is to guide the City in its strategic planning.

The Planning Statement and the Housing Strategy acknowledge the housing affordability crisis facing Australian cities. The decline in housing affordability is detrimental to the socio-economic diversity which underpins the city's rich social fabric. Economic growth and social cohesion rely on opportunities to participate, and barriers like housing affordability must be addressed.

To address affordability issues, more affordable rental housing and social housing is also needed for lower income households. The Planning Statement and the Housing Strategy establish a target that in 2036, 7.5% of all private housing will be social housing and 7.5% will be affordable housing, continuing the targets set by Sustainable Sydney 2030 in 2008. This requires about 2,000 additional social housing dwellings and 11,000 affordable housing dwellings to be provided in the local government area to 2036.

The Planning Statement and the Housing Strategy includes actions for more affordable rental housing and social housing with a particular focus on encouraging greater engagement from the Australian and NSW governments to address this critical issue. A key opportunity to increase the stock of social and affordable housing is on NSW government owned sites such as the Waterloo Estate (South).

To that end, this planning proposal requires 28.2% of dwellings be provided as social housing (26.5% of residential floor area) and 7.5% as affordable housing (7.0% of residential floor area). The redevelopment of Waterloo Estate (South) provides a once in a generation opportunity to substantially increase the quantum of affordable housing in one of the least affordable areas of Australia.

Increasing the quantum of social and affordable housing is an important aim of NSW Government housing policy including the Premier's Priorities, the Communities Plus Program, the Greater Sydney Region Plan, and the Eastern City District Plan. The provision of social and affordable housing as required by this Planning Proposal provides an opportunity to meet NSW State Government housing policy aims and associated targets.

The Premier's Priorities represent a commitment by the NSW Government to making a significant difference to enhance the quality of life of the people of NSW. The target associated with the 'Reducing Homelessness' priority is to reduce street homeless across NSW by 50% by 2025. The provision of housing is an initiative to help achieve the target.

Communities Plus, via the NSW Government's Future Directions of Social Housing in NSW, is the centrepiece policy for the delivery of new and replacement social housing in NSW. Communities Plus commits the NSW Government to the delivery of up to 23,000 new and replacement social housing dwellings, 500 affordable housing dwellings, and up to 40,000 private dwellings on public land sites. This commitment is made via the NSW National Housing and Homeless Agreement. Available evidence indicates that the NSW Government is well off its Communities Plus commitment.

The Greater Sydney Region Plan and the Eastern City District Plan includes a target range of 5-10% of new residential floorspace to be delivered and maintained as affordable rental housing.

#### **5.1.12. Design excellence**

##### *Provisions in the Sydney LEP 2012 – LAHC and privately-owned land*

This Planning Proposal includes provision to ensure that a building demonstrating design excellence under clause 6.21 of Sydney LEP 2012 may be eligible for additional FSR, but not additional height.

LAHC will need to undertake the competitive design process under Clause 6.21 (Design Excellence) of the Sydney LEP 2012 for each 'competitive design site' identified within in the draft Design Guide. Once the process is completed, up to an additional 10% of the permissible floor area for that site in Sydney LEP 2012 may be allowed.

The building heights proposed by this planning proposal allow for up to an additional 10% of FSR to be achieved across the site where a competitive process is undertaken, and where it can be demonstrated that there are no adverse impacts resulting.

##### *Additional requirements in the Waterloo Estate (South) Design Guide*

The draft Design Guide proposes a design excellence strategy for identified 'competitive design process sites' based on a preferred subdivision pattern. If a subdivision pattern is approved as part of a Stage 1 development application that does not follow the one prescribed in the draft Design Guide, then an updated Design Excellence Strategy would need to be prepared and approved by the relevant consent authority.

Separate competitive design alternatives processes will need to be undertaken for each competitive design process site. On sites where planning controls permit tower buildings, an invited architectural design competition with at least five competitors is required.

The Design Excellence process will include site specific issues for certain locations, especially the towers blocks. Issues will include noise/acoustics, solar access, wind and tree retention.

The draft Design Guide requires that Indigenous influence is embedded in the design of Aboriginal housing by encouraging the participation of Aboriginal and Torres Strait Islander design professionals in the design of housing.

#### **5.1.13. Sustainability**

##### *Provisions in the Waterloo Estate (South) Design Guide*

Energy use in buildings continues to be a significant contributor to greenhouse gas emissions in the City. High performing buildings are essential to community resilience and the upfront investment will reduce operating costs for housing providers and the cost of living for social and affordable housing tenants.

The draft Design Guide includes additional sustainability ratings as follows:

- 6 star Green Star communities

- NABERS Energy Commitment Agreement of 5.5 stars for the base building of commercial office buildings with a net lettable area of 1,000 square metres or more.
- NABERS Water rating of 4.5 stars for commercial office buildings with a net lettable area of 1,000 square metres or more.

The draft Design Guide also includes requirements for Green Infrastructure such as dual reticulation (where there is commitment to water recycling), waste management and vehicle charging; and provisions maximising the use of recycled materials at the building construction phase.

#### **5.1.14. Transport, traffic and parking**

##### *Provisions in the Sydney LEP 2012*

The most restrictive parking rates in Sydney LEP 2012 (Part 7 of Division 1 – car parking ancillary to other development) are proposed for Waterloo Estate (South). This requires that:

- The Land Use and Transport Integration Map is amended to categorise Waterloo Estate (South) as “Category A”.
- The Public Transport Accessibility Level Map is amended to categorise Waterloo Estate (South) as “Category D”.

Parking rates in Sydney LEP 2012 identify the maximum number of car parking spaces that may be provided to service particular land uses and seek to minimise the amount of vehicular traffic generated by new development. Based on these rates, the future redevelopment of Waterloo Estate (South) could result in approximately 1,685 residential and 114 commercial parking spaces.

The most restrictive rates are justified because of the site’s high accessibility to public transport, existing and proposed regional cycleways and the City of Sydney’s pedestrian network within the precinct. These include:

- Metro - Waterloo Metro Station will provide access to the Sydney Metro City & Southwest, with connections to the suburban rail network at interchanges like Central Station. Waterloo Metro station is planned to commence operation in 2024.
- Train - Four suburban rail lines are accessible via Redfern Station, giving direct access to strategic centres, including major employment locations in central Sydney, Parramatta, North Sydney and Macquarie Park. Green Square station provides direct access to central Sydney and Sydney Airport, and access to other strategic centres via interchange with other lines.
- Bus - The bus network in and around Waterloo is focussed on north-south travel, particularly for access to central Sydney.
- Cycleways - The City’s regional bicycle routes plan includes two main paths that cross at the centre of the Waterloo estate: north south along George Street and east west along Wellington Street. Cycling will be increasingly important to access the Waterloo Metro Station and key employment and education centres including South Eveleigh, Sydney CBD, Sydney University and UTS. Waterloo Metro Station is likely to be a key cycling destination and interchange node.
- Pedestrian connections - proposed controls in this planning proposal and Waterloo Estate (South) Design Guide will combine to create a fine grain urban grid. Pedestrian access will be prioritised, with a permeable network of streets, pedestrian and cyclist connections, and ensure accessibility for people of all abilities.

##### *Additional requirements in the Waterloo Estate (South) Design Guide*

Additional provisions in the draft Design Guide provide guidance on:

- basement car parking;
- pedestrian walkways and ramps;
- cycle ways through and surrounding Waterloo Estate (South) (existing and future);
- the location, layout and function of streets and laneways;



- road closures and access points into Waterloo (South);
- vehicular entry points for car parking;
- street speeds;
- intersections; and
- shared driveways

### 5.1.15. Heritage

#### *Provisions in the Sydney LEP 2012*

This Planning Proposal corrects some anomalies that relate to existing heritage items listed in both *South Sydney Local Environmental Plan 1998* and *Sydney Local Environmental Plan 2012*. It is not proposed to remove or add any new items. The corrections relate to two of the existing items as follows:

#### *Existing heritage item curtilage, Electricity substation No. 174 (item I2086 & 530)*

Existing heritage item, Electricity substation No. 174 at Lot 3 DP 12086 - is listed in Schedule 2 Heritage Items of South Sydney LEP 1998. This Planning Proposal merges and updates the identification and mapping of this heritage item from the two plans that apply to different parts of this site: South Sydney LEP 1998 and the Sydney LEP 2012.

This substation is identified on the Heritage Map in Sydney LEP 2012 as item number I2086 and part of the site is shaded as a heritage item. However, it is not identified as a heritage item in Schedule 5 of Sydney LEP 2102 and the full site is not shaded as a heritage item on the Heritage Map. This error is likely caused by the boundary between the South Sydney and Sydney local environmental plans cutting through the centre of the substation site. This Planning Proposal merges and updates the heritage schedule and mapping in Sydney LEP 2012 by describing this heritage item in schedule 5 and shading the full land parcel in the Heritage Map.

#### *Existing heritage item, Terrace Houses at 229-231 Cope Street (Item: I2078)*

This item is identified in the schedule of heritage items of South Sydney LEP 1998. The item is not in the schedule of heritage items in Sydney LEP 2012. It is however shown as a heritage item with the item number I2078 on the heritage map in Sydney LEP 2012, but the item number is not currently used in the schedule. This Planning Proposal corrects this error by including the item in the schedule of heritage items in Sydney LEP 2012.

In summary, it is proposed that the heritage schedule and map in Sydney LEP 2012 is updated to include the heritage items with full curtilage from the South Sydney plan for the Electricity substation No. 174 and Cope Street terrace houses. The item numbers are as shown currently in the Sydney LEP 2012 heritage map. The recommended heritage item entry is to be adjusted to the current Sydney LEP 2012 plan conventions and standard instrument direction as shown in **Table 5**.

Locality	Item name	Address	Property description	Significance	Item no
Waterloo	Electricity Substation No 174 building including interiors	530 George Street	Lot 3, DP 10686	Local	I2086

## Planning Proposal: Waterloo Estate (South)

Waterloo	Terrace houses including interiors	229-231 Cope Street	Lot 3, DP 10721	Local	I2078
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**Table 5** Proposed amendments to heritage schedule

The Sydney LEP 2012 heritage map for the terrace houses is correct. For the substation, the heritage map should be updated to shade the full land parcel of Lot 3 DP 10686. The proposed updated heritage mapping is shown at Figure 37.



**Figure 37** Proposed heritage mapping showing corrected curtilages

## 5.2. Need for the Planning Proposal

### Q1. Is the Planning Proposal the result of any strategic study or report?

No, this planning proposal is the result of a request from the majority landowner in Waterloo Estate (South) to change the FSR and height controls that apply to the site.

### Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the only way by which planning controls on the site can be changed to facilitate redevelopment of the site for additional social and affordable housing.

## 5.3. Relationship to the strategic planning framework

**Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?**

### **Greater Sydney Region Plan**

*A Metropolis of Three Cities – The Greater Sydney Region Plan* is the Greater Sydney Commission's strategic plan for Greater Sydney. It is a 20-year plan with a 40-year vision, seeking to transform Greater Sydney into a metropolis of three distinct but connected cities: the Eastern Harbour City, the Central River City and the Western Parkland City.

The overarching aspirations of this strategy are:

- Liveability
- Productivity
- Sustainability
- Infrastructure and collaboration

This Planning Proposal is consistent with the following objectives of the Greater Sydney Region Plan:

- Objective 1: Infrastructure supports the three cities – Sydney Metro City and Southwest is a city-shaping transport infrastructure project that creates an opportunity for the renewal of the Waterloo Estate (South);
- Objective 7: Communities are healthy, resilient and socially connected – this planning proposal will create a walkable place at a human scale with active street life and opportunities for cycling and use of public transport;
- Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods - the significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part of placemaking.
- Objective 10: Greater housing supply – this planning proposal increases the number of dwellings in the local area, including social and affordable housing;
- Objective 11: Housing is more diverse and affordable – this planning proposal will deliver 28.2% social housing (26.5% of residential floor area) and 7.5% affordable housing (7.0% of residential floor area), and is supported by the draft Design Guide which requires that no less than 10% of the affordable housing provided in Waterloo Estate (South) is to be provided for Aboriginal and Torres Strait Islander housing.
- Objective 12: Great places that bring people together – Waterloo Estate (South) will be a connected and walkable place with open space, community facilities and a vibrant high street;
- Objective 13: Environmental heritage is identified, conserved and enhanced – the built form outlined in this planning proposal will be sensitive to, conserve and enhance the heritage items and adjoining conservation areas;
- Objective 14: Integrated land use and transport creates walkable and 30-minute cities – Waterloo Estate (South) is an opportunity to locate new dwellings in a well-connected precinct supported by a public transport, walking and cycling network;
- Objective 30: Urban tree canopy cover is increased – This planning proposal protects existing trees and creates opportunities for tree planting and tree canopy growth;
- Objective 31: Public open space is accessible, protected and enhanced – This planning proposal provides two parks, a main park adjoining Waterloo metro and a small park for passive recreation and small-scale community events.
- Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change – This planning proposal includes sustainability measures to improve the environmental performance of the precinct;
- Objective 34: Energy and water flows are captured, used and re-used – The City is exploring opportunities to provide a precinct wide water recycling facility plant.; and



- Objective 38: Heatwaves and extreme heat are managed – This planning proposal provides opportunity for increased tree canopy cover and green roofs to mitigate the urban heat island effect.

### Eastern City District Plan

The *Eastern City District Plan* sets out the Greater Sydney Commission's vision for the Eastern City District, of which the City of Sydney is a part. This Planning Proposal is consistent with the following planning priorities of the Eastern City District Plan:

*Planning Priority E3 Providing services and social infrastructure to meet people's changing needs* – The City has identified a range of community facilities to be delivered as part of the Waterloo Estate (South) redevelopment including a multi-purpose community facility, early education and care, and a health care (Health One) facility.

To ensure the delivery of identified need, the Planning Proposal requires no less than 5,000 square metres of floor space for community facilities, childcare facilities and health facilities must be provided in Waterloo Estate (South).

- *Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities* – This planning proposal also provides for non-residential uses in a high street environment along George Street, fostering vibrant street life and creating meeting places.

The draft Design Guide also contains guidance to ensure the public domain will be reinforced and celebrated through public art and cultural heritage interpretation. The significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part to placemaking. A sense of belonging and community is to be fostered, where both long-term residents and new generations can see themselves and feel they belong.

This planning proposal facilitates a predominately medium rise precinct to provide diversity of housing, including social, affordable and market housing in Waterloo Estate (South). The built form proposed can be broken down into smaller lots and smaller mid-rise developments within the capacity of the CHP sector to develop which increases opportunities for greater housing diversity and a higher proportion of affordable and social housing.

In addition, fewer and smaller towers will decrease the number of large complex strata management groups and reduce potential identifiable difference between social and market housing. This allows for a greater sense of community within individual buildings, and the provision of tender blind buildings (i.e. buildings that in appearance cannot be distinguished as social or private housing).

- *Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport* - The District Plan identifies Waterloo Estate as an opportunity for additional capacity for housing supply, and this planning proposal will deliver over 3000 dwellings, with more dwellings anticipated as part of the future redevelopment Waterloo Central and Waterloo North precincts. This planning proposal takes a place-based approach to the provision of additional housing, open space, commercial, retail and community facilities within the precinct.

The site is an appropriate location for increased housing supply, being a 15-minute walk to Redfern and Green Square stations, and directly adjacent to the future Waterloo Station on the Sydney Metro line, which will open in 2024. These rail lines provide access to employment, able to access Martin Place station or the Domestic Airport station in under 10 minutes.

The site is also within walking distance of South Eveleigh (former Australian Technology Park), a centre for employment which has seen significant addition of commercial and retail floor space in recent years, with more planned in the near future. Green Square Town

Centre is also close to the site, offering a growing employment, retail and services offering and a range of recently delivered community facilities.

As identified in the City of Sydney Local Housing Strategy, a key opportunity to increase the stock of social and affordable housing is on NSW government owned sites such as the Waterloo Estate (South). A range of dwelling typologies and a diverse housing and tenure mix is to be provided to support evolving family structures and a range of housing needs and living choices.

- *Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage* - This planning proposal will create a walkable and accessible neighbourhood of human scale, with a mix of land uses including community facilities and a vibrant local centre.

This planning proposal and associated draft Design Guide creates a new block structure with wide streets, cycleways, two new parks, including a main park greater than 2 hectares, and a new high-quality main street with ground floor retail.

This planning proposal will deliver approximately 17,000 sqm of non-residential floor space for retail, commercial and community facilities. As outlined in the draft Design Guide, George Street is to become the main street of the community, with continuous ground floor retail frontage and awnings. It is to have a generous 10 metre setback on its eastern side to receive the afternoon sunlight and the built form is to reinforce the pedestrian scale.

This planning proposal and associated draft Design Guide will facilitate the delivery of a new local centre for residents to gather, with a wide range of retail, services and employment opportunities to meet the diverse demographic of the new development and surrounding area.

Waterloo's first inhabitants were Gadigal people of the Eora Nation. Redfern/Waterloo has become an entry point for Aboriginal and Torres Strait Islander people coming into the city for work opportunities, shelter and connections with community and family and holds great cultural and political significance to Aboriginal and Torres Strait Islander people and the broader community.

There is a strong and resilient Aboriginal and Torres Strait Islander community living in the Waterloo Estate today. The draft Design Guide contains a principle that the significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part to placemaking. Development must be of high quality and respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people.

The draft Design Guide also contains requirements that encourage the provision of affordable and social housing dwellings for Aboriginal and Torres Strait Islander people in Waterloo Estate (South).

*Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute City* - This planning proposal and draft Design Guide will deliver over 3,000 dwellings, comprising private market housing, social housing and affordable housing and 17,000 sqm of non-residential floor space for retail, commercial and community facilities, all within walking distance of the Sydney Metro City and South West. As outlined above, the site is also within a 15-minute walk of Redfern and Green Square train stations.

The draft Design Guide controls will improve walking and cycling by introducing a permeable network of streets and pedestrian links that respond to key desire line connections and are accessible for people of all abilities. The redevelopment will result in improved accessibility within and through the site, ensuring accessible pedestrian access from the south east of the site to the main street, to the main park and to the new Metro station.

The draft Design Guide ensures that new streets will be designed to prioritise pedestrians and cyclists and slow traffic speeds. The City's regional bike network will be maintained and

expanded, maintaining the north-south connection along George Street and implementing a new east-west connection along Wellington Street.

*Planning Priority E17: Increasing urban tree canopy cover and delivering Green Grid connections* - The draft Design Guide provides several greening and urban ecology measures to protect and enhance urban biodiversity and deliver urban green infrastructure for habitat and ecological health.

The street layout and heights outlined in the draft Design Guide have been designed with wider and more north-south oriented streets to ensure adequate sunlight access to support the growth of trees.

- *Planning Priority E18: Delivering high quality open space* - This planning proposal facilitates a new large park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site increasing the provision of public open space. The large park is proposed to be rezoned RE1 – Public Recreation in the planning proposal, while the small park will be rezoned RE1 – Public Recreation following construction and dedication to the City.

The main park adjoining Waterloo metro station will accommodate a broad range of uses, events, experiences and activities, both active and passive and cater to the community's needs. A small park will provide for passive recreation, social interaction opportunities and small-scale community events.

In addition, the draft Design Guide identifies land dedications to be provided to Council and generous street setbacks to create well defined and designed streets with generous footpaths and tree planting to provide a sense of place and encourage social interaction. In particular, the setbacks to George Street will provide an active and level high-street as the social and economic focus of the precinct.

- *Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently* - This planning proposal and associated draft Design Guide will encourage new developments to use energy, water and waste efficiently; including that buildings should be capable of providing a dual reticulation water system for water services.

The draft Design Guide includes detailed provisions to ensure that development within Waterloo Estate (South) will:

- minimise energy use, water use, waste generation and urban heat effects.
- maximise on-site renewable energy generation, water re-use and waste recycling.
- ensure the efficient use of resources in building design, construction and operation.

#### **Q4. Is the Planning Proposal consistent with council's local strategy or other local strategic plan?**

##### *Sustainable Sydney 2030*

Sustainable Sydney 2030 is the visions for sustainable development of the City of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of the City. The plan outlines the City's vision for a green, global, and connected city and sets targets, objectives, and actions to achieve this vision. This planning proposal is aligned with the following relevant strategic directions and objectives:

- *A leading environmental performer*, including:
  - 2.1 Greenhouse gas emissions are reduced across the city Sydney in 2030
  - 2.2 Waste from the city is managed as a valuable resource and the environmental impacts of its generation and disposal are minimised
  - 2.3 Across the city, potable water use is reduced through efficiency and recycling and gross pollutant loads to waterways are reduced



2.6 The extent and quality of urban canopy cover, landscaping and city greening is maximised

- *Integrated transport for a connected City*, including:

3.1 Investment in public transport and walking and cycling infrastructure encourages more people to use these forms of transport to travel to, from and within the city

3.2 Transport infrastructure is aligned with city growth

3.3 The amenity of the city centre and villages is enhanced through the careful management and integration of transport

3.4 Public transport, walking and cycling are the first choice transport modes within the city

3.5 Transport services and infrastructure are accessible

- *A city for walking and cycling*, including:

4.1 The city and neighbouring areas have a network of accessible, safe, connected pedestrian and cycling paths integrated with green spaces

4.3 The number of people who choose to walk and cycle continues to increase

- *Resilient and inclusive local communities*, including:

6.1 Our city comprises many unique places – a ‘city of villages’ – for communities to live, meet, shop, study, create, play, discover, learn and work

6.2 Our city is a place where people are welcomed, included and connected.

6.3 Local economies are resilient, meet the needs of their community, and provide opportunities for people to realise their potential

6.4 There is equitable access to community facilities and places, parks and recreational facilities to support wellbeing in daily life

- *A cultural and creative City*, including:

7.1 Creativity is a consistent and visible feature of the public domain and there are distinctive cultural precincts in the city and its villages

7.4 The continuous living cultures of Aboriginal and Torres Strait Islander communities is visible and celebrated in our city

- *Housing for a diverse community*, including:

8.1 The supply of market housing in the city meets the needs of a diverse and growing population

8.2 The supply of affordable housing supports a diverse and sustainable community and economy

8.3 The supply of safe and sustainable social housing in the inner city is available for those who need it

- *Sustainable development, renewal and design*, including:

9.1 The City of Sydney leads by example to facilitate great places

9.2 The city is beautiful, sustainable and functions well

9.3 There are great public buildings, streets, squares and parks for everyone to use and enjoy

9.5 The urban environment promotes health and wellbeing

- *Implementation through effective governance and partnerships*, including:

10.5 The community is engaged and active in shaping the future of the city

## 10.6 Strategic partners and collaborators support the delivery of Sustainable Sydney 2030

### *City Plan 2036 - Local Strategic Planning Statement*

City of Sydney's recently endorsed Local Strategic Planning Statement sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global, and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls, including those sought by proponents through planning proposals.

This planning proposal gives effect to the following planning priorities of the planning statement:

- I1 Movement for walkable neighbourhoods and a connected city
- I2 Align development and growth with supporting infrastructure
- I3 Supporting community wellbeing with social infrastructure
- L1 A creative and socially connected City of Sydney
- L2 Creating great places
- L3 New homes for a diverse community
- S1 Protecting and enhancing the natural environment for a resilient City of Sydney
- S2 Creating better buildings and places to reduce emissions and waste and use water efficiently
- G1 Open, accountable and collaborative planning

This planning proposal is also consistent with the site-specific principles for growth outlined in the LSPS, as demonstrated in Table 6 below.

Site-specific principles for growth	Comment
Proposals must locate development within reasonable walking distance of public transport that has capacity (assuming development capacity will be delivered) and is frequent and reliable.	Consistent. Waterloo Estate (South) is within reasonable walking distance of both Redfern Station and Green Square station and will be directly adjoining the new Waterloo Metro station where services are scheduled to commence in 2024.
Proposals must meet high sustainability standards and mitigate negative externalities.	Consistent. This planning proposal and associated draft Design Guide includes provisions that aim to mitigate the effects of climate change.
Proposals must include an amount and type of non-residential floor space appropriate to the site's strategic location and proximity to or location within a centre or activity street.	Consistent. This planning proposal will deliver 17,000 sqm of non-residential floor space for retail, commercial and community facilities. This includes a new local centre to be zoned B2 to service the population of Waterloo Estate (South). George Street is to become the main street of the community, with continuous ground floor retail frontage and a range of community facilities.
Proposals must create public benefit.	Consistent. This planning proposal and associated draft Design Guide will facilitate the delivery of numerous public benefits, including the following: <ul style="list-style-type: none"> <li>• the renewal of social housing with about 98 additional social housing dwellings;</li> <li>• increased supply of affordable housing, comprising 7.5% of dwellings (about 227 additional affordable dwellings);</li> <li>• increased supply and diversity of new private dwellings to help meet projected demand from population growth;</li> </ul>

## Planning Proposal: Waterloo Estate (South)

	<ul style="list-style-type: none"> <li>• public space, including public open space, roads and footpaths, through site links and cycleways;</li> <li>• community serving facilities and services, such as health care and childcare; and</li> <li>• development that achieves high levels of water, energy and waste efficiency.</li> </ul>
Proposals must be supported by an infrastructure assessment and demonstrate any demand for infrastructure it generates can be satisfied, assuming existing development capacity in the area will be delivered.	<p>Consistent. Analysis has been undertaken of the public infrastructure required in conjunction with Waterloo Estate (South). A range of public infrastructure has been identified, including:</p> <ul style="list-style-type: none"> <li>• public open space;</li> <li>• new streets and the upgrade of existing streets;</li> <li>• flood mitigation works in public space; and</li> <li>• community facilities.</li> </ul> <p>The changes to planning controls proposed by this Planning Proposal are contingent on satisfactory arrangements being made for the provision of infrastructure</p>
Proposals must make a positive contribution to the built environment and result in an overall better urban design outcome than existing planning controls.	<p>Consistent. The redevelopment of the Waterloo Estate will result in the replacement of aged housing stock with a new fit-for-purpose, master planned built form appropriate for the site. Large public open spaces and a range of community facilities and spaces will be provided through this Planning Proposal. This Planning Proposal and associated draft Design Guide also introduces new streets, pedestrian through site links and cycleways, improving connectivity and accessibility throughout the site.</p>
Proposals must result in high amenity for occupants or users.	<p>Consistent. This Planning Proposal provides for a high amenity precinct for both future residents and visitors. The built form modelling of the proposed controls undertaken by the City ensures that the amenity standards of the Apartment Design Guide will be met. This is shown in the City's urban design study that is appended to this Planning Proposal. The tower buildings are located and separated in the southern part of Waterloo Estate (South) to limit impacts on the amenity of public places. In addition, a competitive design process will ensure new development contributes high quality design to the public domain and delivers high levels of amenity.</p>
Proposals must optimise the provision and improvement of public space and public connections.	<p>Consistent. This Planning Proposal facilitates a large park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site. The large park is proposed to be rezoned RE1 – Public Recreation in the planning proposal, while the small</p>



park will be rezoned RE1 – Public Recreation following construction and dedication to the City.

The Proposal also includes new cycleways and pedestrian connections to improve accessibility within and through the precinct.

**Table 6** Consistency with the LSPS site-specific principles for growth

**Q5. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?**

This Planning Proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 7.

State Environmental Planning Policy	Comment
SEPP No 65—Design Quality of Residential Flat Development	Consistent – The built form proposed is able to comply with the minimum amenity standards of the Apartment Design Guide. This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Consistent – This Planning proposal will not contradict or hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Housing) 2021	<p>This Planning Proposal is to exclude the Waterloo Estate (South) from certain parts of the SEPP (Housing) 2021 that deal with bonuses. This is consistent with elsewhere in the City where specific provision is made by other means for the delivery of social housing.</p> <p>This Planning Proposal also provides additional social and affordable housing, requiring at least 28.2% of the dwellings will be for the purposes of social housing (26.5% of residential floor area) and at least 7.5% of the dwellings will be for the purposes of affordable housing (7.0% of residential floor area).</p>
SEPP (Industry and Employment) 2021	Consistent – This Planning proposal will not contradict or hinder application of this SEPP.
SEPP (Planning Systems) 2021	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Precincts – Eastern Harbour City) 2021	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Primary Production) 2021	Not applicable.

SEPP (Resilience and Hazards) 2011	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Resources and Energy) 2021	Not applicable.
SEPP (Transport and Infrastructure) 2021	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.

**Table 7** Consistency with State Environmental Planning Policies (SEPPs)

No Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan regions, which are deemed SEPPs, apply to the subject site.

#### **Q6. Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?**

This Planning Proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in **Table 8**.

Ministerial Direction	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	<p>The objectives of this direction are to encourage employment growth, protect employment land, and support the viability of identified centres.</p> <p>This Planning Proposal is consistent with this direction because it encourages employment growth in a suitable location and identifies a new local centre to provide for the local services needs of the community.</p>
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Management	Not applicable
2.3 Heritage Conservation	<p>The objective this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>This Planning Proposal is consistent with this direction because it facilitates the conservation of items, buildings and places of significance to the area. This planning proposal amends the Heritage Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to identify heritage items in full.</p> <p>Development will respond appropriately to the form and setting of heritage items in the neighbourhood. To ensure an appropriate</p>

## Planning Proposal: Waterloo Estate (South)

	<p>setting for heritage items, heights are limited to two to four storeys around heritage items between Cope and Cooper Streets.</p> <p>The draft Design Guide contains a principle that the significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part to placemaking. Development must be of high quality and respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people.</p>
2.4 Recreation Vehicle Areas	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
2.6 Remediation of Contaminated Land	Consistent – A Preliminary Site Investigation provided by LAHC identifies potential sources of contamination, receptors and exposure pathways and presents a range of contamination recommendations which can be addressed at development application stage.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<p>This Planning Proposal is consistent with the objectives of the direction given it:</p> <ul style="list-style-type: none"> <li>• Encourages a variety and choice of housing types through its varied built form and by providing at least 28.2% of dwellings will be for the purposes of social housing (26.5% of residential floor area) and at least 7.5% of dwellings will be for the purposes of affordable housing (7.0% of residential floor area).</li> <li>• Ensures new housing will have appropriate access to infrastructure and services, particularly the Waterloo Metro Station.</li> </ul>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent. This Planning Proposal does not contain provisions that contradict or would hinder application of this direction.
3.4 Integrating Land Use and Transport	Consistent. The objectives of s9.1 direction 3.4 are to improve accessibility, increase transport options, reduce travel demand and dependence on cars, support public transport, and provide for efficient movement of freight.
3.5 Development Near Regulated Airports and Defence Airfields	<p>This direction applies to this Planning Proposal because the Planning Proposal “will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.”</p> <p>This Planning Proposal is to amend the Height of Buildings map in Sydney LEP 2012 to allow building heights that will primarily range between 9 metres to 48 metres across the site. Most buildings will be no more than 42 metres in height, with the four tower buildings</p>



## Planning Proposal: Waterloo Estate (South)

on the site being between up to a maximum of 110 metres in height (i.e. RL 126.4 metres).

The land subject to this Planning Proposal is also affected by the Obstacle Limitation Surface (OLS). However, no proposed increase in height in the Planning Proposal (or any other proposed control) will allow development to exceed the OLS airspace level.

The following requirements of this direction are relevant to this Planning Proposal:

In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:

- (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,
- (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,
- (c) for land affected by the OLS:
  - (i) prepare appropriate development standards, such as height, and
  - (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome

The Planning Proposal is consistent with the above

### 3.6 Shooting Ranges

Not applicable

### 3.7 Reduction in non-hosted short term rental accommodation period

Not applicable

## 4. Hazard and Risk

### 4.1 Acid Sulfate Soils

This Planning Proposal does not contain provisions that contradict or would hinder application of this direction.

The objective of s9.1 direction 4.1 is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. While the provisions in this Planning Proposal may result in some intensification of land uses in Central Sydney, this intensification is in part in response to broader metropolitan planning objectives as detailed elsewhere in this Planning Proposal.

Specific responses to the presence of acid sulfate soils can be addressed site by site through the development application process.

### 4.2 Mine Subsidence and Unstable Land

Not applicable

### 4.3 Flood Prone Land

This Planning Proposal will significantly increase development potential (in terms of floor space) currently achievable under the LEP in the tower cluster areas and the Western Edge. The intensification of development in Waterloo Estate (South) is an intended outcome on this proposal.

## Planning Proposal: Waterloo Estate (South)

It is noted that Clause 7.15 of the LEP already includes provisions to minimise flood hazards. As part of the Local Strategic Planning Statement, Council is investigating establishing a set of LEP flood maps.

This Planning Proposal makes no amendments to the flood planning clause in the LEP. Future development applications will continue to be required to address flooding risks.

4.4 Planning for Bushfire Protection	Not applicable
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### 5. Regional Planning

5.2 Sydney Drinking Water Catchments	Not applicable
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5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
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5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
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5.9 North West Rail Link Corridor Strategy	Not applicable
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5.10 Implementation of Regional Plans	The Planning Proposal is consistent with the Region Plan, as discussed in detail under question 3 (above) of the Planning Proposal.
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5.11 Development of Aboriginal Land Council land	Not applicable
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### 6. Local Plan Making

6.1 Approval and Referral Requirements	Consistent. The Planning Proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.
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6.2 Reserving Land for Public Purposes	The Planning Proposal rezones over 2 hectares to RE1 Public Recreation which will provide open space for surrounding communities and commuters at the new Waterloo Metro Station.
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6.3 Site Specific Provisions	<p>Inconsistent. The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p> <p>The planning proposal is inconsistent with this Direction as it proposes site specific controls to allow a particular development to be carried out. Division 5 of the LEP contains site-specific provisions for various sites across the City.</p> <p>This planning proposal involves introducing site-specific controls into the LEP to facilitate the redevelopment of the site for social,</p>
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## Planning Proposal: Waterloo Estate (South)

affordable and market housing and ensure an appropriate tenure mix on the site consistent with NSW Government policy and to give effect to the local strategic planning statement. In this instance, the inconsistency is of minor significance.

### 7. Metropolitan Planning

7.1 Implementation of A Plan for Growing Sydney	The Planning Proposal is consistent with the Greater Sydney Region Plan, as discussed in detail under question 3 (above) of the Planning Proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4 Implementation of North West Priority Growth Area – Land Use and Infrastructure Implementation Plan	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land use and Infrastructure Implementation Plan	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban renewal Corridor	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable

**Table 8** Consistency with Ministerial Directions

## 5.4. Environmental, social and economic impact

**Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. It is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this Planning Proposal. Notwithstanding

this, the draft Design Guide includes provisions to mitigate impacts, promote greening and ecological communities.

A site inspection for the study found:

- no threatened ecological communities (TECs) or communities of conservation significance or natural vegetation communities were identified within the study area;
- no threatened ecological communities or communities of conservation significance or natural vegetation communities on the site; or threatened flora listed under the TSC Act or EPBC Act, or threatened flora referred to in the UESAP or SSROC CCB;
- that potential future works would remove potential foraging habitat for Grey-headed Flying Fox, but works would not cause a significant impact; and
- that Waterloo Estate (South) provides potential habitat for 'small birds' and works would remove potential marginal habitat.

The draft Design Guide provides a number of greening and urban ecology measures to protect and enhance urban biodiversity and deliver urban green infrastructure for habitat and ecological health.

The building envelopes and footprints have been designed to retain as many significant trees as possible.

**Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

No.

**Q9. Has the Planning Proposal adequately addressed any social and economic effects?**

Yes. The social and economic impacts of this Planning Proposal are discussed in Section 5.1 – Development Outcomes.

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## 5.5. State and Commonwealth Interests

**Q10. Is there adequate public infrastructure for the Planning Proposal?**

A range of public infrastructure has been identified as being required to support the significant population growth and demographic change brought about by the redevelopment of Waterloo Estate (South), including:

- public open space;
- new streets and the upgrade of existing streets;
- flood mitigation works in public space; and
- community facilities.

The changes to planning controls proposed by this Planning Proposal are contingent on satisfactory arrangements being made for the provision of infrastructure.

**Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

To be determined during consultation with public authorities.



## 6. Mapping

(1) This Planning Proposal seeks to amend the following maps contained in Sydney LEP 2012:

- Land Application Map Sheet 1
- Locality and Site Identification Map Sheets 10 and 17
- Land Zoning Map Sheets 10 and 17
- Floor Space Ratio Map Sheets 10 and 17
- Height of Building Map Sheets 10 and 17
- Land Use and Transport Integration Map Sheets 10 and 17
- Heritage Map Sheets 10 and 17
- Public Transport Accessibility Level Map Sheets 10 and 17
- Acid Sulfate Soils Map Sheets 10 and 17
- Special Character Areas and Retail Map Sheets 10 and 17

(2) This Planning Proposal also introduces a new Active Street Frontages Map Sheet 17

## 7. Community consultation

The Planning Proposal was exhibited in accordance with the Gateway determination which requires public exhibition for a period of not less than 42 days. The requirement for an extended consultation process was intended to allow the community an opportunity to understand the proposal in full and make the necessary submissions.

The Planning Proposal was exhibited for a period of 8 weeks from 3 March to 29 April 2022. It was decided that an even longer consultation period should occur to ensure the proposal was understood in full, enable well-considered engagement activities to occur, and allow more time for the community to be engaged.

Notification of the public exhibition was via the NSW Planning Portal.

Exhibition material was made available on the Department's website and at strategic locations within the City of Sydney LGA, including the Waterloo Neighbourhood Centre.

In addition to the notification on the NSW Planning Portal, the following activities were also undertaken:

- face-to-face drop in sessions
- online presentations
- attendance at various forums
- surveys
- mail outs
- interactive online map.

The public exhibition was also supported by a physical 3D model, artist's impressions, and a fly-through animation.

Consultation with the following relevant NSW agencies, authorities and other relevant organisations was undertaken in accordance with the Gateway determination:

- NSW Environment and Heritage Group;
- Heritage NSW;
- Transport for NSW;
- NSW Environment Protection Authority;
- Sydney Trains;
- Sydney Metro;
- Civil Aviation Safety Authority;
- Sydney Water;
- Utilities providers including Ausgrid and Jemena;
- NSW Aboriginal Housing Office;
- Aboriginal Affairs NSW;
- Department of Education;
- Sydney Local Health District; and
- Department of Communities and Justice.

A submissions report, prepared by Keylan Consulting Pty Ltd, forms part of this planning proposal (as referenced in Section 9).

## 8. Project timeline

The anticipated timeline for completion of the Planning Proposal is as follows:

Stage	Timeframe
Gateway determination	June 2021
Public exhibition and government agency consultation	February 2022 – April 2022
Consideration of submissions	April – May 2022
Post exhibition consideration of proposal	June 2022
Drafting of LEP provisions and finalisation of LEP and design guide and notification	July 2022

## 9. List of Studies

### Original Supporting Studies

- Urban design and public domain study
- Consultation and Visioning Report
- Visual Impact Assessment
- Transport Study
- Housing Diversity and Affordability Study
- Utilities and Infrastructure Servicing Study
- Social Baseline Study
- Social Sustainability Study
- Climate Change Adaptation Report
- Heritage Impact Statement
- Aboriginal Cultural Heritage Study
- Urban Forest Study
- Flora and Fauna Study
- Ecologically Sustainable Development Study
- Water Quality, Flooding and Stormwater Study
- Noise and Vibration Assessment
- Air Quality Study
- Light Spill Study
- Pedestrian Wind Environment Study
- Aeronautical Study
- Urban Design Study
- Environmental Wind Assessment
- Retail Review
- Community Facilities Study

### Addendum Reports from Gateway conditions

- Financial Feasibility Assessment
- Addendum to Urban Design Assessment
- Updated Transport Assessment
- Addendum to Climate Change Mitigation and Adaptation Assessment
- Addendum to Heritage Impact Statement
- Addendum to Urban Forest Study
- Water Quality, Flooding and Stormwater
- Addendum to Wind Study
- Addendum to Economic Development, Local Retail and Services Study

### Additional reports prepared for public exhibition

- Addendum to Aboriginal cultural heritage study
- Acoustic report

### Additional reports prepared post-exhibition in response to submissions

- Crime Prevention through Environmental Design report
- Addendum updated transport assessment
- Submissions report
- Revised addendum to Urban Design
- Overshadowing analysis



# 10. Gateway determination



Planning,  
Industry &  
Environment

## Gateway Determination

**Planning proposal (Department Ref: PP\_2021\_3265):** *Redevelopment of Waterloo Estate (South) to facilitate the renewal of the social housing site under the NSW Government's Communities Plus scheme*

I, the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sydney Local Environmental Plan (LEP) 2012 to facilitate the redevelopment of Waterloo Estate (South) should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
  - a) Prepare the technical reports in Table 1 and make alterations to the planning proposal in response, and
  - b) Modify the planning proposal as detailed in Table 2
2. Prior to community consultation, consultation is required with the following public authorities:
  - City of Sydney Council
  - NSW Land and Housing Corporation
3. Prior to community consultation, the planning proposal is to be revised to address conditions 1 and 2 and forwarded to the Department for review and approval to ensure consistency with relevant gateway conditions.
4. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 42 days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - NSW Environment, Energy and Science;

## Planning Proposal: Waterloo Estate (South)

- Heritage NSW;
- Transport for NSW;
- NSW Environment Protection Authority;
- Sydney Trains and Sydney Metro;
- Civil Aviation Safety Authority;
- Sydney Water;
- Utilities providers including Ausgrid and Jemena;
- NSW Aboriginal Housing Office;
- Aboriginal Affairs NSW;
- Department of Education;
- Sydney Local Health District; and
- Department of Communities and Justice

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 42 days to comment on the proposal.

6. Given the nature of the proposal, the Principal Planning Authority, Council should not be authorised to be the local plan-making authority.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated the *23rd* day of June 2021.



**The Hon. Rob Stokes MP**  
**Minister for Planning and Public Spaces**

PP\_2021\_3265 (IRF No 21/2528)

## Planning Proposal: Waterloo Estate (South)

Table 1: Additional Technical Documentation to be Prepared and Considered		
Study	Addendum Reports	
	Independent Advisory Group (IAG) efficiency testing	<p>The efficiencies applied in the IAG feasibility modelling for the redevelopment of the LAHC land requires further testing, as noted at Part 6.5 of the IAG report. This analysis is to determine:</p> <ol style="list-style-type: none"> <li>how the sellable floorspace relied upon by the IAG per <b>Table 10</b> of the Gateway report is best reflected in the FSR controls, and</li> <li>how the 80% construction efficiency relied upon by the IAG for the residential development (net sellable area to development floorspace) in the feasibility model can be achieved by the proposed planning controls.</li> </ol> <p>The results of the analysis is to be exhibited concurrently with the planning proposal to assist the community and stakeholders in commenting on the revised planning proposal.</p>
2.	Urban Design	<p>Provide an addendum assessment that responds to the amended proposal and additional technical reports. This should address, but not be limited to:</p> <ul style="list-style-type: none"> <li>Converting the net sellable area to a gross floor area using the perimeter block typology in the Design Guide,</li> <li>Ensure the required sellable residential floorspace can be achieved in the planning proposal, as per the Waterloo IAG financial feasibility planning metrics,</li> <li>Compliance with SEPP 65 and the Apartment Design Guide,</li> <li>Updated overshadowing diagrams for the revised scheme,</li> <li>Additional drawings on built form on steep sites with cross falls, and</li> <li>Address the recommendations of updated technical studies.</li> </ul>
5.	Transport	An updated transport assessment of the proposed road network.
6.	Housing	A financial feasibility assessment of the impact of the 9% affordable housing levy on the private lands in accordance with Department guidelines for affordable housing schemes under SEPP No.70.
10.	Climate Change Mitigation and Adaptation	An addendum report to address storm events and flooding with the amended proposal.
11.	Heritage	An addendum report to address the amended proposals building envelopes and relationships to heritage. Address Ministerial Direction 2.3.
14.	Urban Forest	An addendum to address the Council concept, including opportunities to retain additional canopy trees.
17.	Water Quality, Flooding and Stormwater	A new report to address stormwater management and flooding from overland flow with the amended proposal. Address Ministerial Direction 4.3.

PP\_2021\_3265 (IRF No 21/2528)

## Planning Proposal: Waterloo Estate (South)

**Table 2 Updates and Modifications to the Planning Proposal Prior to Exhibition**

	<p>Amend the minimum non-residential development floorspace from 13,000m<sup>2</sup> to 12,000m<sup>2</sup>.</p> <p>Remove the requirement for “<i>the provision of publicly accessible open space has been made, to the satisfaction of Council</i>” as this provides no finality. The planning mechanism to deliver public open space is to be by either zoning of the land RE1 or by a draft Voluntary Planning Agreement. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>
Height of Building Map	<p>Use the Waterloo IAG storey height map as a guide and set simplified maximum heights above ground on the Height of Building Map, including an allowance for roof top communal facilities and flood levels.</p> <p>Maintain the maximum RL for the 3 proposed towers.</p> <p>Remove the 3m and/or 6m height control that depicts the location of private internal courtyards and apply the adjacent maximum heights.</p> <p>Remove the 3m and/or 6m height control on land to be dedicated for roads or laneways. Prepare a Land Reservation Acquisition Map and address road dedication through a Voluntary Planning Agreement.</p>
Active Street Frontage Map	<p>This map is to be amended to remove land that does not front an existing or proposed public road depicted on the Land Reservation and Acquisition Map.</p>
Retail Premises Map	<p>This map is to be updated as required in response to any alterations to the zoning map.</p>
Land Reservation and Acquisition Map	<p>Land to be dedicated for open space, road widening and/or pedestrian links are required to be identified on a Land Reservation and Acquisition map.</p>
Design Excellence	<p>The planning controls are to require LAHC to participate in the Design Excellence process to promote high quality outcomes. However, this should not entitle LAHC to additional floorspace or height.</p>
Explanation of Provisions	<p>Include a plain English explanation of provisions.</p>
New Affordable Housing Clause and Schedule 7	<p>Update the provisions to be consistent with the results of the additional technical report required on financial feasibility as noted under reports (Study item No.6) above.</p>
Proposed Drafting	<p>Remove proposed drafting which is undertaken at finalisation stage subject to legal advice.</p>
Planning Proposal Report	<p>Update the Report to be consistent with the final planning proposal.</p> <p>Identify the 26 technical studies required by the Department to support the Waterloo rezoning (at May 2017) and explain how the final planning proposal incorporates the recommendations within these studies within the Justification at part 5 of the report.</p>

PP\_2021\_3265 (IRF No 21/2528)