

WATERLOO SOUTH – IMPLEMENTATION OF GATEWAY CONDITIONS AND REQUIREMENTS

Table 1: Additional technical documentation to be prepared and considered		
Gateway condition	Consultant	PPA comment
<p>Independent Advisory Group efficiency testing. <i>Further analysis of IAG feasibility modelling to determine:</i></p> <ul style="list-style-type: none"> <i>i. How sellable floorspace is reflected in FSR controls;</i> <i>ii. How 80% construction efficiency (net sellable area to development floor space) can be achieved by proposed planning controls.</i> 	<p>Hassell Studio and Savills</p>	<ul style="list-style-type: none"> • Hassell Studio and Savills provided extensive input in to determining the correct efficiencies to be applied, including design typology comparison and consultation with Council and LAHC. • Efficiencies differ slightly from IAG. • IAG adopted 85% GEA to GFA, and 80% GFA to NSA. • PP adopts 75% GEA to GFA, and 82.5% (for perimeter blocks) and 85% (for towers) GFA to NSA. • The adopted efficiencies have been applied and are accompanied by an area schedule to illustrate the amount of GEA, GFA and NSA that the precinct will yield. • This information has then been used, along with proposed heights and the design guide to set floor space ratios across the precinct. • The work undertaken satisfies the requirement for further analysis and the condition.
<p>Urban Design <i>Addendum assessment responding to amended proposal and additional technical reports addressing but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Converting net sellable area to GFA using perimeter block type in UDG;</i> • <i>Compliance with SEPP65 ADG;</i> • <i>Updated overshadowing diagrams;</i> • <i>Additional drawings on steep sites with cross falls;</i> • <i>Address recommendations of updated technical studies.</i> 	<p>Hassell Studio</p>	<ul style="list-style-type: none"> • An addendum assessment prepared by Hassell Studio addresses the requirements of the condition. • The addendum assessment has informed the changes to height of buildings, floor space ratios and built form.
<p>Transport <i>Updated transport assessment of the proposed road network.</i></p>	<p>Bitzios Consulting</p>	<ul style="list-style-type: none"> • An updated transport assessment of the proposed road network prepared by Bitzios Consulting satisfies this condition. • The updated transport assessment assesses the road network (Council's proposed network has been adopted) and responds to the built form changes proposed.
<p>Housing <i>Financial feasibility assessment of impact of 9% affordable housing levy on private lands in accordance with Dept guidelines for affordable housing schemes under SEPP70.</i></p>	<p>Savills</p>	<ul style="list-style-type: none"> • The financial feasibility assessment prepared by Savills includes assessment of the impact of 9% affordable housing and satisfies this condition.
<p>Climate change mitigation and adaptation. <i>An addendum report to address storm events and flooding.</i></p>	<p>GHD</p>	<ul style="list-style-type: none"> • An addendum report to the climate change mitigation and adaptation report has been prepared by GHD and addresses the impacts and risks associated with storm events and flooding.

		<ul style="list-style-type: none"> • The addendum report satisfies this condition.
<p>Heritage Addendum report to address amended building envelopes and relationship to heritage. Address s9.1 Direction 2.3</p>	Artefact	<ul style="list-style-type: none"> • An addendum report to the heritage impact assessment has been prepared by Artefact and addresses the built form amendments. • The addendum report satisfies this condition.
<p>Urban Forest Addendum to address Council concept, including opportunities to retain canopy trees.</p>	Aspect Environmental	<ul style="list-style-type: none"> • An addendum report to the urban forest study has been prepared by Aspect Environmental (with input from project arborist, Hugh the Arborist). • It reviews the LAHC, Council and DPIE schemes, and identifies opportunities to retain additional canopy trees through built form changes. • An additional 24 trees are retained. • The addendum report satisfies the condition.
<p>Water quality, flooding and stormwater. A new report to address stormwater management and flooding from overland flow with the amended proposal. Address s9.1 Direction 4.3</p>	GHD	<ul style="list-style-type: none"> • A water quality, flooding and stormwater report has been prepared by GHD and addresses stormwater and flooding from overland flow resulting of built form and other changes. • The new report satisfies the condition.
<p>Wind An addendum report to address the amended proposal including building envelopes recommended by the IAG.</p>	Arup	<ul style="list-style-type: none"> • An addendum wind report has been prepared by Arup and addresses the wind impacts of the built form changes, including the additional tower. • The addendum report satisfies the condition.
<p>Economic Development, Local Retail and Services An addendum report to discuss potential impacts of B2 zone on existing and planned centres. Address Ministerial Direction 1.1.</p>	SGS Economics and Planning	<ul style="list-style-type: none"> • An addendum economic development, local retail and services report has been prepared by SGS Economics and Planning. • The report concludes no changes are required to the extent of the B2 zone, and that the non-residential floor area will have minimal impact on surrounding existing and planned centres. • The report addresses Ministerial Direction 1.1. • The addendum report satisfies the condition.

Table 2: Updates and modifications to the planning proposal prior to exhibition	
Planning proposal	Amendments and Updates Required
<p>Zoning map Amend the zoning map as follows:</p> <ul style="list-style-type: none"> • In consultation with Council and LAHC, consider zoning the land identified for public park to RE1, to provide certainty for the community during the public exhibition process. If there is no agreement reached between Council and LAHC, evidenced by a Voluntary Planning Agreement or letter of offer, then maintain the B4 zone. • In consultation with Council and LAHC, consider if the proposed B2 zone needs to be modified to address Ministerial Direction 1.1 while ensuring the underlying objective to promote a high street experience along George Street is retained. For example, this may result in the B2 zone being maintained, the B2 zone being amended to only front George Street and Wellington Street, or the B4 zone being reinstated. 	<ul style="list-style-type: none"> • The zoning map has only been amended to rezone the large northern park from B4 to RE1 to provide certainty to the public. • The remaining zones remain as originally proposed. • The addendum economic development report recommended no further changes to the extent of the B2 and B4 zones.
<p>Floor space ratio map Address Ministerial Direction 3.1 and adopt a base FSR of 2:1 for the LAHC properties or provide detailed justification why an alternate FSR is more appropriate.</p> <p>Modify the Site Specific control to prescribe an FSR bonus that is consistent with the Waterloo IAG's financial feasibility assessment to achieve no cost to government, or provide an alternative FSR scheme based on the additional investigations required by Table 1. This may take into account the results of the assumption testing recommended in Part 6.5 of the IAG report and any modifications to the Zoning map and Land Reservation and Acquisition map.</p> <p>Require at least 847 social housing units to replace the existing housing stock.</p> <p>Require 5 to 10% of net additional residential units be developed by a Community Housing Provider (CHP) and/or Aboriginal Community Housing Provider (AHP) (exact percentage subject to the results of the efficiency analysis noted above).</p> <p>Amend the minimum non-residential floor space from 13,000sqm to 12,000sqm. Remove the requirement for "the provision of publicly accessible open space has been made, to the satisfaction of Council"</p>	<ul style="list-style-type: none"> • An alternative FSR scheme has been provided and is explained in section 4 of the planning proposal report. • A minimum 847 social housing units is required in section 4 of the planning proposal report (expressed as a percentage of overall dwellings). • 7% of all dwellings as affordable housing units is required in section 4 of the planning proposal report. • Planning proposal has amended non-residential floor space from 13,000sqm to 12,000sqm. • Requirement for open space to the satisfaction of Council removed and main park zoned RE1 Public Recreation. A VPA will be the mechanism of transfer (dedication) to Council. The planning agreement is subject to ongoing discussions between LAHC and Council. • Condition satisfied.

<p>as this provides no finality. The planning mechanism to deliver open space is to be either zoning of the land RE1 or by a draft VPA. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>	
<p>Height of Building Map Use the Waterloo IAG storey height map as a guide and set simplified maximum heights above ground on the Height of Buildings Map, including an allowance for rooftop communal facilities and flood levels.</p> <p>Maintain the maximum RL for the three 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 VPA.</p>	<ul style="list-style-type: none"> • The IAG height map was considered. • Simplified heights of buildings set in both LEP map and design guide figure (height in storeys). • Maximum RL retained for existing towers and applied to fourth tower also. • Courtyard heights removed. • Heights on roads and laneways removed. • A Land Reservation Acquisition Map has been prepared and applied to new roads. • Condition satisfied.
<p>Active Street Frontage The map is to be amended to remove land that does not front an existing or proposed public road depicted on the Land Reservation Acquisition Map.</p>	<ul style="list-style-type: none"> • ASF map has been modified accordingly. • Condition satisfied.
<p>Retail Premises Map This map is to be updated as required in response to any alterations to the zoning map.</p>	<ul style="list-style-type: none"> • No changes required as B2 and B4 zones retained as originally proposed (retention and extent of zones informed by addendum to economic development, local retail and services report). • Condition satisfied.
<p>Land Reservation and Acquisition Map Land to be dedicated for public roads are to be identified on a Land Reservation Acquisition Map.</p>	<ul style="list-style-type: none"> • Council has expressed concern with the land reservation and acquisition map, particularly the identification of setbacks and roads and identification of Council as the acquiring authority. • Council are concerned that the effect is they can be required to “acquire the land under the <i>Land Acquisition (Just Terms Compensation) Act</i>, and in doing so be compelled to make a substantial contribution to its development...If the maps were made it could be at significant cost to Council. These costs could be in addition to the contribution already making by offsetting developer contributions as well as other future costs the City will bear, such as the upkeep and maintenance of parks and community facilities”. • Council have also identified that Section 10 of the EP&A Regulation 2000 notes that Council’s concurrence would be required to become an acquiring authority, and that Council “has not, and is unlikely to, provide concurrence”. • Land Reservation Acquisition Map includes land to be dedicated for roads.

<p>Design Excellence <i>The planning controls are to require LAHC to participate in the Design Excellence process to promote high quality outcomes.</i></p>	<ul style="list-style-type: none"> • Planning provisions included to require LAHC to participate in DE process. • No changes to Council's DE process are proposed. A competitive design process with three entries is required for all sites identified as design competition sites (in design guide), with a competitive design process with five entries required for the four tower sites. • The 10% bonus is still proposed, but provisions included limit this 10% bonus to additional FSR only, not height. • This has been retained based on extensive consultation with Council to ensure consistency and alignment with Council's design excellence processes. • The design excellence process is discussed in 5.1.12 of planning proposal. • Condition satisfied.
<p>Explanation of Provisions <i>Include a plain English explanation of provisions.</i></p>	<ul style="list-style-type: none"> • A comprehensive communications strategy is being prepared, with a range of engagement methods and techniques being employed. • A plain English explanation will be provided as part of this communications strategy. • Condition to be satisfied in communications strategy.
<p>New Affordable Housing Clause and Schedule 7 <i>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.</i></p>	<ul style="list-style-type: none"> • Following completion of technical studies, especially the financial feasibility assessment, there have been no changes to the contributions to affordable housing for LAHC or privately owned land. • Condition satisfied.
<p>Proposed Drafting <i>Remove proposed drafting which is undertaken at finalisation stage subject to legal advice.</i></p>	<ul style="list-style-type: none"> • Removed. • The proposed drafting has been replaced with Section 4.1.1 that details the intent of the planning proposal to ensure all provisions are appropriately explained without proposing legal drafting. • Condition satisfied.
<p>Planning Proposal Report <i>Update the Report to be consistent with the final planning proposal.</i></p> <p><i>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.</i></p>	<ul style="list-style-type: none"> • The planning proposal has incorporated relevant requirements of all original technical studies, plus the outcomes of additional technical studies undertaken in response to the Gateway conditions. • Condition satisfied.
<p>Design Guide <i>Update the Design Guide to be consistent with the final planning proposal, and taking into account the recommendations within the Waterloo IAG report.</i></p>	<ul style="list-style-type: none"> • The design guide has incorporated relevant requirements of all original technical studies, plus the outcomes of additional technical studies undertaken in response to the Gateway conditions as well as all built form amendments proposed. iii. Condition satisfied.