



Submissions Report

Waterloo Estate South Planning Proposal
PP 2021-3265



Prepared for the Department of Planning and Environment
(as the Planning Proposal Authority)

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Executive Summary

This report provides an overview of submissions received during the informal and formal exhibition of the *Waterloo South Planning Proposal*, prepared by the *Department of Planning and Environment* (the Department).

A Planning Proposal seeks to amend the current local planning controls to allow a range of new development to occur on the site.

For the Planning Proposal to proceed, the Department must first grant a *Gateway Determination*. At the Gateway Determination stage, the Department considers whether the Planning Proposal demonstrates planning merit to allow the project to proceed to public exhibition.

Due to the importance of this site, the Department engaged an *Independent Advisory Group* to inform the Gateway Determination.

On 23 June 2021, a Gateway Determination was approved to allow the proposal to proceed to public exhibition.

The Department formally exhibited the Planning Proposal and supporting documents from 3 March 2022 to 29 April 2022. The Department received 134 individual submissions, 17 submissions from non-government organisations, 14 submissions from public authorities and 2,342 individual form submissions.

Following the public exhibition, the Department will assess the proposal with consideration of all submissions.

If the Planning Proposal is approved then future detailed Development Applications will need to be lodged to approve new buildings, parks, footpaths and roads within the site.

This report outlines the issues raised by members of the public, community groups, other stakeholders and public authorities. It also undertakes an analysis of the submissions to assist the Department in its assessment of the Planning Proposal. This analysis identifies the following key themes:

- built form
- the environment
- traffic and parking
- community concerns
- heritage
- project need

The analysis considers key issues raised in submissions and recommends areas for further investigation during the assessment of the Planning Proposal.

This report concludes the Planning Proposal will meet the planning objectives of the site subject to further investigation of some issues. Overall, the Planning Proposal will lead to improved and better planning outcomes for the site, surrounding area and community.

1 Introduction

1.1 Background

On 12 May 2020, *NSW Land and Housing Corporation* lodged a Planning Proposal for consideration by the *City of Sydney Council*.

On 16 March 2021, the *Department of Environment and Planning* (the Department) took over Planning Proposal Authority role to prepare and exhibit the planning proposal.

In order for the Planning Proposal to proceed, the Department as the local plan-making authority must first grant a *Gateway Determination*. A Gateway Determination is an important step in the planning proposal process.

At the Gateway Determination stage, the Department as the local plan-making authority considers whether the Planning Proposal demonstrates planning and site specific merit to allow the project to proceed to public exhibition (this has already occurred).

The Department as the local plan-making authority engaged an *Independent Advisory Group* to inform the Gateway Determination.

On 23 June 2021, a Gateway Determination was approved to allow the proposal to proceed to public exhibition, subject to some additional work being completed and a number of items being satisfied.

1.2 Proposal Overview

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

Amongst other items, the Planning Proposal is intended to:

- repeal the *South Sydney Local Environmental Plan 1998* to the extent it applies to the land;
- amend the *Sydney Local Environmental Plan 2012* to amend development potential at Waterloo South, involving:
 - rezoning the land from R1 General Residential and 2(b) Low Density Residential to B2 Local Centre and B4 Mixed Use;
 - amending the floor space ratio and height of building controls; and
 - requiring the provision of open space, community uses, non-residential floorspace and affordable housing.

Following the public exhibition, the Department will undertake its assessment of the proposal considering all submissions.

This report considers these submissions and provides high level analysis for the Department's consideration.

1.3 Exhibition and Consultation Overview

The *Waterloo Estate South Planning Proposal* (including supporting technical studies) was publicly exhibited from 3 March to 29 April 2022. The exhibition of the Planning Proposal was formally notified via direct mail to 6272 local addresses within Waterloo.

Notification letters were provided to all relevant public authorities and representative bodies including:

- Aboriginal Affairs NSW
- Ausgrid
- City of Sydney Council
- Civil Aviation Safety Authority
- Department of Education
- Heritage NSW and NSW Environment and Heritage Group
- Jemena
- Land and Housing Corporation
- NSW Aboriginal Housing Office
- NSW Department of Communities and Justice
- NSW Environment Protection Authority
- NSW Environment, Energy and Science
- Sydney Trains
- Sydney Metro
- Sydney Local Health District
- Sydney Airport
- Sydney Water
- Transport for NSW

Exhibition documents were available online on the NSW Planning Portal via <https://pp.planningportal.nsw.gov.au/ppr/post-exhibition/waterloo-south>

As part of the consultation process, the Department also carried out a range of engagement activities during the exhibition period, including:

- face-to-face drop in sessions
- online presentations
- community briefing sessions
- stakeholder briefings
- surveys
- various forums

The exhibition was supported by a physical 3D model, architect impressions, a fly-through animation and dedicated project webpages.

This report summarises all formal submissions and informal feedback made to the Department as the plan making authority, during the public exhibition process. This report addresses the feedback and submissions made, including late submissions received outside of the formal exhibition period.

This report considers all feedback and submissions equally. The weight of consideration given to an issue is not directly correlated to the number of submissions or comments received.

1.4 Report Structure

The structure of the report is as follows:

Section	Overview
Executive Summary	Summary of the findings and analysis of the responses contained in this report.
1 Introduction	Overview of the processes and consultation undertaken by the Department
2 Consideration of Submissions	Identify matters raised in submissions from the community, organisations and public authorities.
3 Summary of Submissions	Summary of key themes of submissions.
4 High Level Analysis	Analysis of key themes identifying areas for further investigation.
5 Conclusion	Statement with the findings of this report. .

Table 1: Report Structure

2 Consideration of Submissions

This section identifies the matters raised in submissions from the community, organisations and public authorities. A total of 165 unique submissions were received (including the form submissions). An overview of the submissions is provided in Table 2.

Submission	Public	Organisation	Authority	Total
Total	134	17	14	165

Table 2: Overview of submissions received

A summary of the issues raised in the submissions is provided below.

2.1 Submissions from Public Authorities

A total of 14 submissions were received from public authorities, including:

- City of Sydney Council
- Civil Aviation Safety Authority
- Department of Education
- Department of Infrastructure, Transport, Regional Development and Communications (Australian)
- Environment Protection Authority
- Heritage NSW
- Land and Housing Corporation
- NSW Environment and Heritage Group
- Sydney Trains
- Sydney Metro
- Sydney Local Health District
- Sydney Airport
- Sydney Water
- Transport for NSW

A summary of key issues raised by public authorities is detailed in the Table 3.

Public Authority	Key issues raised in submission
City of Sydney Council	<ul style="list-style-type: none"> • built form and design • environmental Impacts • traffic and parking • community Impacts • heritage Impacts
Civil Aviation Safety Authority	<ul style="list-style-type: none"> • built form and design
Department of Education	<ul style="list-style-type: none"> • traffic and parking • community impacts
Department of Infrastructure, Transport, Regional Development and Communications (Australian)	<ul style="list-style-type: none"> • Nil issues raised. Agency does not provide submission or comment.

Public Authority	Key issues raised in submission
Environment Protection Authority	<ul style="list-style-type: none"> • Nil issues raised.
Heritage NSW	<ul style="list-style-type: none"> • heritage Impacts
Land and Housing Corporation	<ul style="list-style-type: none"> • built form and design
NSW Environment and Heritage Group	<ul style="list-style-type: none"> • environmental Impacts
Sydney Trains	<ul style="list-style-type: none"> • built form and design • traffic and parking • environmental impacts • community impacts
Sydney Water	<ul style="list-style-type: none"> • built form and design • environmental impacts • community impacts
Sydney Local Health District	<ul style="list-style-type: none"> • built form and design • traffic and parking • community impacts • environmental impacts
Sydney Airport	<ul style="list-style-type: none"> • built form and design
Sydney Metro	<ul style="list-style-type: none"> • traffic and parking • heritage impacts
Transport for NSW	<ul style="list-style-type: none"> • traffic and parking

Table 3: Summary of Agency Submissions

2.2 Submissions from Organisations

A total of 16 submissions were received from organisations. These submissions have been analysed and considered in detail. Table 4 outlines the key issues raised in these submissions:

Organisation	Key Issues raised in submissions	Sub Issues
Aboriginal Medical Service Cooperative Limited	<ul style="list-style-type: none"> • Built form and design • Community impacts • Project need 	<ul style="list-style-type: none"> • Housing mix • Height and density • Impacts on tenants • Safety • Community impacts
Catholic Archdiocese	<ul style="list-style-type: none"> • Built form and design • Traffic and parking • Community/heritage impacts • Project need 	<ul style="list-style-type: none"> • Height and Density • Impacts on neighbouring schools and community • Traffic Congestion and Parking • Heritage Impacts • Overshadowing and Amenity • Alternative Solutions
City South Catholic	<ul style="list-style-type: none"> • Built form and design • Traffic and parking 	<ul style="list-style-type: none"> • Height and Density

Organisation	Key Issues raised in submissions	Sub Issues
	<ul style="list-style-type: none"> • Community impacts • Heritage impacts • Project need 	<ul style="list-style-type: none"> • Impacts on neighbouring schools and community • Traffic Congestion and Parking • Heritage Impacts • Overshadowing and Amenity • Alternative Solutions
Community Housing Organisation	<ul style="list-style-type: none"> • Built form and design • Community impacts • Project need 	<ul style="list-style-type: none"> • Housing mix • Community facilities • LAHC or City of Sydney proposal
Counterpoint Community Services	<ul style="list-style-type: none"> • Built form and design • Community impacts 	<ul style="list-style-type: none"> • Housing Mix • Height and Density • Safety and Crime Prevention • Overshadowing and Amenity • Traffic Congestion and Road Opening • Impacts on current tenants • Community Facilities
Fact Tree	<ul style="list-style-type: none"> • Built form and design • Environmental impacts • Community impacts 	<ul style="list-style-type: none"> • Height and Density • Housing Mix • Impacts on current tenants • Community facilities
Habitat Association for Arts and Environment Inc.	<ul style="list-style-type: none"> • Built form and design • Project need 	<ul style="list-style-type: none"> • Alternative solutions • Height and density • Housing mix
Hands Off Glebe	<ul style="list-style-type: none"> • Built form and design • Community impacts 	<ul style="list-style-type: none"> • Impacts on existing tenants • Housing mix
Mirvac	<ul style="list-style-type: none"> • Built form and design • Environmental impacts • Traffic and parking • Community impacts • Project need 	<ul style="list-style-type: none"> • Height and density • Housing mix • Parking • Project justification • Open spaces and landscaping • Overshadowing and amenity
Redfern Legal Centre	<ul style="list-style-type: none"> • Built form and design • Community impacts • Project need 	<ul style="list-style-type: none"> • Housing mix • Impacts on current tenants • Community facilities
REDwatch	<ul style="list-style-type: none"> • Built form and design • Environmental impacts • Traffic and parking • Community impacts • Project need 	<ul style="list-style-type: none"> • Housing mix • Aboriginal dedicated housing • Design excellence and sustainability

Organisation	Key Issues raised in submissions	Sub Issues
		<ul style="list-style-type: none"> • Height and density • Suitability of development • Project justification • Impacts on current tenants • LAHC or City of Sydney proposal • Cost of project • Community facilities • Crime prevention and safety • Overshadowing and amenity • Landscaping and open space • Road opening and traffic congestion • Parking
Shelter NSW	<ul style="list-style-type: none"> • Built form and design • Community impacts • Project need 	<ul style="list-style-type: none"> • Housing mix • Aboriginal dedicated housing • Design excellence and sustainability • Impacts on current tenants • Alternative solutions
St Vincent De Paul Society	<ul style="list-style-type: none"> • Community impacts 	<ul style="list-style-type: none"> • Impacts on current tenants • Community facilities
Sydney Catholic Schools	<ul style="list-style-type: none"> • Built form and design • Community impacts • Heritage Impacts • Project need 	<ul style="list-style-type: none"> • Height and Density • Impacts on neighbouring schools and community • Traffic Congestion and Parking • Heritage Impacts • Overshadowing and Amenity • Alternative Solutions
Tenants Union	<ul style="list-style-type: none"> • Built form and design • Community impacts • 	<ul style="list-style-type: none"> • Housing mix • Community facilities • Impacts on current tenants
Vigilanti	<ul style="list-style-type: none"> • Built form and design • Traffic and parking • Community impacts 	<ul style="list-style-type: none"> • Housing mix • Height and density • Parking • Cumulative impacts

Table 4: Summary of Organisation Submissions

2.3 Submissions from the Public

A total of 134 submissions were received from the public.

In addition, a total of 2,342 form submissions were received via email. These submissions contain the same or substantially the same text and therefore was counted as proforma submissions.

All form submissions were received by members of the public, objecting to the proposal. A copy of the proforma submission is provided at **Appendix A**.

The form submissions raised concerns about:

- built form and design
- community impacts
- project need

For the purposes of considering submissions, the form submissions were considered collectively as a single unique submission. Further analysis of the public submissions is identified in below.

These issues are categorised into themes and are discussed in Section 3 to better understand the nature of the submission.

2.3.1 Informal Submissions

The Department (as the Planning Proposal Authority) also received substantial feedback through a number of engagement activities, including face-to-face drop-in sessions, online presentations, community and stakeholder briefing sessions, surveys and various forums.

Key issues raised in this feedback has been given the same consideration in the preparation of this Report.

3 Summary of Submissions

3.1 Overview

The issues raised within all the submissions have been categorised into the following key themes:

- built form and design
- traffic and parking
- community impacts
- environmental impacts
- project need
- heritage impacts

This section provides a summary of the key themes to provide a clear understanding of issues raised in the submissions.

3.2 Key Themes

The following section provides an overview of the key themes of concern raised in submissions and feedback.

3.2.1 Built Form and Design

The majority of all submissions and feedback raised concern relating to the proposed built form and design. The following key issues are as follows:

- housing mix and typologies, including:
 - proposed housing mix and ratio of affordable, social and private stock
 - land being sold to the public
 - lack of aboriginal dedicated housing
 - no clarification of dwelling yields and apartment sizes
 - the proposed mix of public and private housing will not be cohesive and has raised concerns for future residents
- height and density, including:
 - proposed building heights
 - overdevelopment and overcrowding of the area
 - wind impacts as a result of taller buildings
 - proposed building heights are not suitable for elderly and/or people with disabilities, who currently reside in the community
- safety and crime prevention, including:
 - crime prevention through environmental design principles are not adequately implemented
 - proposed site layout incorporates lots of narrow pathways and cross site links, which create safety concerns
 - ongoing safety of residents

- design excellence and sustainability, including:
 - proposal does not meet the City of Sydney Councils design excellence standards
 - sustainability of the development
 - limited sustainable methods are proposed
- overshadowing and amenity, including
 - overshadowing onto the public domain and community spaces
 - overshadowing onto private properties

3.2.2 Traffic and Parking

Traffic & parking are the second most frequently theme raised in the submissions and feedback. The following key issues were raised:

- traffic congestion and road openings, such as:
 - opening of roads such as Pitt Street and McEvoy Street will result in increased traffic and noise for nearby residents. The opening of roads will jeopardize the safety of all road users in the area
 - cycleways being removed and no new dedicated cycleway path is proposed
 - pedestrian crossings are limited within the Waterloo South precinct
 - public transport needs to be prioritised as part of the proposal.
 - opening of roads will permit 'rat running' and motorists utilising local and quiet streets to avoid the traffic and congestion.
- parking, including:
 - proposed removal and reduction in number of car spaces
 - car parking yields do not meet the needs of residents
 - limited bicycle parking proposed.

3.2.3 Community Impacts

Community Impacts were raised in the submissions and feedback. The following impacts were addressed:

- impacts on current tenants, including:
 - relocation whilst construction occurs or permanently
 - right to return for existing tenants
 - existing tenants have specialist support systems within the area and may struggle to locate these services in their new community
 - housing needs and feedback of existing tenants should be factored into the new development
- impacts on neighbouring residents and school uses, including:
 - overlooking and lack of privacy
 - visual impacts
 - loss of property value
 - safety concerns for school children and community as a result of increased population/vehicular traffic

- community facilities, including:
 - proposed lack of community facilities, such as access to health, social care and community infrastructure
 - location of proposed community facilities

3.2.4 Environmental Impacts

Environmental Impacts were raised in the submissions and feedback. The issues relating to environmental impacts are identified below:

- landscaping and open space, including:
 - lack of open spaces
 - removal of trees
 - location of open spaces
- noise, flooding and construction impacts, such as:
 - noise generated by neighbours and public spaces
 - inefficient acoustic measures to ensure noise is mitigated
 - construction impacts such as noise, vibrations, traffic
 - increased flood depths
 - proposed tenancies at floor levels, being lower than the flood planning levels

3.2.5 Heritage Impacts

A total of 12 submissions included comments noting that the proposed development may impact or should include further recognition of the existing heritage items in the area.

Generally, these submissions raised concerns relating to:

- proposed impacts on heritage items within the Waterloo South precinct
- potential impacts on surrounding heritage items, located within close proximity to the Waterloo precinct
- the proposed impact on the heritage significant of Our Lady of Mount Carmel Church

3.2.6 Project Need

The submissions and feedback raised issues regarding the need for the project. These submissions have been categorised into the following issues:

- alternative solutions, including:
 - alternative design options
 - NSW Land and Housing Corporation option and commitments
 - City of Sydney Council option and directions
- project justification and consultation
 - need for the proposal
 - lack of consultation
 - lack of aboriginal dedicated consultation
- project cost and feasibility
 - overall project feasibility
 - cost of project to the public (“tax payers money”)

4 High Level Analysis

This section provides analysis of key themes within the submissions.

4.1.1 Built Form and Design

Housing Mix

The Planning Proposal contains a mix of housing typologies including affordable housing, social housing, and private housing.

The planning proposals housing mix results in the following:

- a minimum 847 social housing dwellings, as prescribed by the Gateway Determination
- a net increase of 98 social housing units (from 749 to 847)
- 7.5% of all dwellings to be for affordable housing (determined within the 5 – 10% range prescribed in the Gateway Determination.
- the balance being market housing, which will equate to approximately 64.3% of all dwellings.

Observation

The proposed housing mix is in accordance with the Gateway determination's minimum number of social homes, and the requirement to determine the appropriate percentage of affordable housing. As such, the mix is considered appropriate to deliver a good redevelopment outcome.

Height and Density

The Planning Proposal includes a variety of building heights and densities distributed across the site. An analysis of the issues on built form and density is provided below:

- ***Tall Buildings***
 - The plan has 4 tall buildings, indicatively between 27 and 33 storeys high. These are consistent in building height to the existing Matavai and Turanga buildings located at Waterloo North.
 - The tall buildings are appropriately located close to services such as shops and transport.
 - Tall buildings are located to the south to minimise overshadowing to adjoining properties.
 - Tall buildings are appropriately located on corners providing an appropriate urban design outcome. Also, this approach seeks to maximise shadows on wider roads, such as McEvoy Street rather than on private property/ dwellings.
- ***Medium-rise buildings***
 - Medium-rise buildings are between 6 and 13 storeys high
 - These buildings are mostly positioned along the edges of the block with courtyards located in the middle.
 - This design gives people the benefit of having an outdoor area next to their home.

- *Low-rise buildings*
 - Low-rise buildings, between 2 and 5 storeys high, are mainly located in between medium-rise buildings providing variety in built form and distributing height across the site.
 - These buildings are located near heritage items to ensure appropriate protection of heritage significance

Observation

The building typology is appropriate for the location and future character of the area and provides a good framework for future buildings to achieve good quality outcomes.

The height and density proposed has been informed by the location of heritage items, neighbouring land uses, retention of significant trees, overshadowing, wind impacts, and other amenity considerations

Safety and Crime Prevention

During exhibition, the submissions and feedback raised concern surrounding the crime prevention and safety aspects of the proposal.

In direct response to these submissions and feedback, the Department as the Planning Proposal Authority, commissioned Mecone to prepare an independent Crime Prevention Through Environmental Design report, to ensure Crime Prevention Through Environmental Design principles were incorporated appropriately into the proposal. This report is included at **Appendix C**.

The Crime Prevention Through Environmental Design report concluded that the through-site links and open space areas have been planned and laid out to ensure good lines of sight and limited opportunities for anti-social behaviour.

Further, a detailed Crime Prevention Through Environmental Design assessment of proposed buildings will be undertaken during the future Development Assessment phase following the development of detailed design and interfaces with the public domain through a future Development Application.

Observation

This issue is considered to have been satisfactorily addressed in the Planning Proposal, and a Crime Prevention Through Environmental Design Report was prepared in response to submissions received. Safety and crime prevention does not warrant further investigation until the Development Application stage.

Design Excellence and Sustainability

The Planning Proposal does not directly address sustainability. However, sustainability is addressed by virtue of the design excellence process and the various controls outlined in the design guidelines. In this regard, design excellence provisions are proposed to address this issue to promote high quality outcomes.

Further, it is noted, the *Draft Waterloo Estate (South) Design Guide* includes the following sustainability ratings:

- 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 m² or more

The supporting Climate Change Adaptation Report and Ecologically Sustainable Development Assessment effectively demonstrate how the planning and design process has incorporated sustainability design initiatives relevant at the master planning and rezoning stage.

Observation

Preparing future Development Applications with guidance from the design guide will ensure sustainability principles are appropriately incorporated into the designs.

Overshadowing and Amenity

The Planning Proposal appropriately considers the location of taller buildings. Taller buildings are located to the south to minimise overshadowing impacts on neighbouring properties and open spaces within the precinct.

The proposed urban design approach ensures that development will meet the objectives and design criteria of the *State Environmental Planning Policy 65 (SEPP 65)* and the *Apartment Design Guide*.

We note that a detailed study of the Planning Proposal found that the lots meet and exceed the Apartment Design Guide's requirements in both 'Part 3 Siting the development' and 'Part 4 Designing the building'.

The proposed West Street and Mead Street West block buildings comply with the minimum building separation due to the sloped site condition. Further, the built form surrounding the park is designed to ensure adequate sun access is provided to the park, as well as to adjoining residential properties.

The George Street West Block and Cooper Street South Block will require specific apartment design outcomes to comply with the minimum building separation requirements. This warrants further investigation later at the Development Application stage.

Solar access is key to the usability, safety and environmental comfort of communal open space and residential amenity. It is important that residential apartments and communal open space gain adequate solar access to ensure their usability.

Observation

Feedback received during community consultation included comments that further solar access investigations were to be undertaken. In response, an additional overshadowing analysis has been prepared and included in the planning proposal.

4.1.2 Environmental Impacts

Landscaping and Open Spaces

The existing open spaces within the Waterloo South precinct are limited. Although, the surrounding suburbs have large parks and well maintained open spaces.

There will be an additional 2.5 hectares of public open space to support recreational activities like field sports, cycling and walking. A large number of existing trees will be retained throughout the precinct. The proposal seeks to retain existing trees where possible, over 50% of existing medium and high value trees are to be retained.

Retention of the existing trees will assist with noise amelioration to the neighbouring residential buildings. It is noted, a number of the mature trees significantly contribute to the character of the area. The retention of the trees will help improve the interface between the tall residential development and the neighbouring single storey terraces.

Observation

Preparing future Development Applications with guidance from the design guide will ensure high quality open spaces are provided. The future public parks are considered appropriate in terms of location, size and potential uses

Noise

A Noise and Vibration Assessment was submitted with the Planning Proposal. The assessment notes typical noise sources. The assessment further identifies that the design of the building envelopes have been developed to limit the exposure of residential apartments to noisy areas and allow ventilation through alternate building facades.

It is considered the Noise and Vibration Assessment adequately identifies noise sources and any potential impacts. The assessment includes mitigation measures to be implemented in design and construction phases to ensure impacts are minimised.

Observation

The supporting information on noise impacts is sufficient and does not warrant further investigation until the Development Application stage. The design guide provides appropriate guidance on the design of future buildings with regards to noise.

Construction Impacts

The Planning Proposal seeks to undertake the development in stages. The supporting documentation assesses that staging the development will minimise the cumulative impacts of the proposal on the community.

In regard to construction noise impacts, once details surrounding the proposed construction methodology and equipment is known, a comprehensive assessment and *Construction Noise and Vibration Management Plan* shall be undertaken as part of the development application process.

The Construction Noise and Vibration Management Plan should incorporate mitigation and management strategies developed through consultation with the surrounding community and regulatory authority that is also in accordance with the relevant guidelines as outlined in the supporting Noise and Vibration Assessment Report.

Construction management and construction hours of operation can be addressed in the future Development Application process.

Observation

The supporting information surrounding construction impacts is sufficient and does not warrant further investigation until the Development Application stage.

Flooding Impacts

A Post Gateway Water Quality, Flooding and Stormwater report has been prepared. The report provides a review of the Planning Proposal in relation to stormwater and flooding.

The report identifies mitigation measures to minimise the proposals potential flood risk, such as locating basement entries away from flood prone areas. In addition, the design guide addresses flood prone levels and requirements for future Development Applications to include flood studies.

Observation

Future design stages within the precinct should be supported by further investigation and detailed flood studies to define the flood and flood impacts.

4.1.3 Traffic and Parking

Traffic and Congestion

A Traffic and Transport study supports the Planning Proposal. The studies acknowledge the pedestrian facilities, particularly at the Botany Road and Wellington Street intersection is sufficient to cater for the proposed level of traffic demand in this area.

The assessment finds that the existing congested road network surrounding the Waterloo Precinct presents constraints. The Planning Proposal will result in a significant reduction in peak hour car trips (at least 4.3% in the AM, and at least 9.7% in the PM), compared to the Land and Housing Corporation proposal.

The submissions identified significant concerns that cyclists travelling along George Street will conflict with other users of the proposed activity street. Access between individual development sites and the regional cycle network will be provided via a network of shared and slow streets which will provide safe cycling connections to both Wellington Street and George Street.

Observation

The cycling routes in the planning proposal are considered appropriate in providing for active transport. Potential conflicts between cyclists, pedestrians and cars can be appropriately managed during the future Development Application stage.

Road Opening

Neighbouring residents raised concern in relation to the exhibited extension of Pitt Street to McEvoy Street. Further, submissions and feedback have raised safety concerns surrounding the inclusion of pedestrian crossings and threshold treatments, narrowing of the street and low speed limits which may adversely impact pedestrians and local residents.

Following the submissions and feedback received, the Department as the Planning Proposal Authority commissioned further traffic investigations to determine the impacts of not opening Pitt Street to McEvoy. These investigations found that alternative access and egress routes are available, and as such Pitt Street can remain closed to McEvoy.

Observation

Following public exhibition and the feedback received, the Department has amended the planning proposal to remove the proposed opening of Pitt Street on to McEvoy Street. Pedestrian access is still available, however Pitt Street will not allow vehicle movements onto or from McEvoy Street.

Parking

Parking provisions are to be included as maximum controls for Waterloo South. This provision is based on an assessment of existing supply and also considers the needs of the large number of social housing tenants who will reside in Waterloo South.

The provision also considers the important role that car share vehicles can play in reducing the need for car ownership and leading residents to reconsider the need to make a car-based trip.

Observation

The proposed car parking is adequate and aligns with the City of Sydney's desire to reduce car dependency and encourage the use of active and public transport.

Given the area is well serviced by public transport (including existing rail and buses, and future Metro) it is considered that reduced car parking will likely have positive impacts on reducing car dependency.

4.1.4 Community Impacts

Impacts on current tenants

The NSW Land and Housing Corporation and the NSW Department of Communities and Justice will work together to progress the redevelopment and support residents throughout the relocations process. NSW Department of Communities and Justice will meet with residents to understand housing requirements and give residents appropriate notice before relocations begin. A relocations plan, or similar, will be prepared by NSW Land and Housing Corporation of the NSW Department of Communities and Justice.

Observation

The impacts on current tenants have been considered by the NSW Land and Housing Corporation and the NSW Department of Communities and Justice as part of the Planning Proposal and engagement strategies. The ongoing engagement with current tenants and appropriate relocation strategies will be developed.

Impact on neighbouring residential and school uses

Potential impacts on the neighbouring residential area and the nearby Mount Carmel School include traffic, pedestrian safety, noise, and amenity impacts.

Observation

These impacts have been appropriately considered and have informed the design of the planning proposal, especially with regard to heights, and the layouts of buildings and roads.

Future Development Applications will also minimise impacts on neighbouring properties.

Community Facilities

It is evident there is a gap in Waterloo South regarding community spaces and services. The proposal has the potential to provide, new, highly accessible spaces within a well-connected area.

The Planning Proposal will provide a range of parks and community facilities to provide for the communities' diverse needs. The following will be incorporated into the precinct:

- a large community park over 2 ha
- smaller park to the South of Waterloo, for smaller scale activities
- location of community facilities close to active public spaces

Observation

The locations of proposed community facilities take into consideration existing spaces and will provide relocated spaces to better suit the needs of those living within the precinct. No further consideration of the community facilities is warranted at the planning proposal stage.

4.1.5 Heritage Impacts

The planning proposal takes into consideration the building heights relative to the heritage items to mitigate visual impacts of the proposed design. Given the varying topography of the surrounding landscape it is considered that any perceived visual impact will be minimised by sympathetic design to the existing landform.

Overall, the proposed design has allowed for a sympathetic transition of building height with low built forms adjacent to the heritage items transitioning to taller buildings.

Observation

The location of heritage items has informed the planning proposal, in particular building heights.

A post gateway Heritage Impact Assessment provides an analysis of the Planning Proposal on nearby heritage items and provides recommendations which should be adhered to throughout the future Development Application process

4.1.6 Project Need

Alternative Solutions

The Planning Proposal and associated Draft Design Guide has been 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 of Sydney Council in February 2021;
- community consultation undertaken by the NSW Land and Housing Corporation since 2017;
- additional technical studies undertaken by City of Sydney Council and the Department; and
- Gateway Determination conditions and requirements.

Further, the Waterloo South Independent Advisory Group undertook a critical review of the City of Sydney Council and NSW Land and Housing Corporation proposal.

Observation

The planning proposal has been prepared in accordance with the Gateway determination and in consultation with NSW Land and Housing Corporation and City of Sydney Council to provide an appropriate framework for the redevelopment of Waterloo south.

Project Justification and Consultation

The Planning Proposal will deliver new social, affordable, and private homes with access to improved community facilities, parks, shops and transport. The objectives of the 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 Council'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

In terms of consultation, the Department held several meetings, drop-in sessions and briefings for members of the public and organisations to have their say.

The following community consultation strategies have been undertaken, in addition to the formal exhibition on the NSW Planning Portal:

- emails and surveys
- public drop-in sessions
- online community sessions
- online private owners sessions
- non-government organisation briefings
- REDWatch meeting
- Our Lady of Mount Carmel Church and School engagement
- Social Pinpoint briefing session
- Waterloo Redevelopment Group

Additionally, the Department referred the Planning Proposal to 18 Government agencies and other authorities. As outlined in Section 2.1, DPE received response from 14 agencies.

Observation

The project justification adequately sets out the reasoning and objectives behind the planning proposal. An extensive consultation period has occurred during the preparation of the planning proposal.

Project Cost

The planning proposals housing mix results in the following:

- a minimum 847 social housing dwellings, as prescribed by the Gateway Determination
- a net increase of 98 social housing units (from 749 to 847)
- 7.5% of all dwellings to be for affordable housing (determined within the 5 – 10% range prescribed in the Gateway Determination.
- the balance being market housing, which will equate to approximately 64.3% of all dwellings.

Observation

The Waterloo Independent Advisory Group tested a development scenario involving redevelopment of the area at a lower density. The conclusion was that the density proposed in City of Sydney's scheme was appropriate, however urban amenity and design quality should be prioritised.

5 Conclusion

This Response to Submissions Report has been prepared for the *Department of Planning and Environment* (the Department) in response to the Waterloo South Planning Proposal.

The Planning Proposal and supporting documents were formally exhibited by the Department from 3 March 2022 to 29 April 2022.

A detailed examination of the submissions received during both the informal and formal exhibition of the Waterloo South Planning Proposal found that a total of 165 unique submissions were made. Individual members of the public, community groups, stakeholders and NSW government agencies provided comments on the Planning Proposal.

Further analysis of these submissions identified six key themes which have been used to categorise the submissions. The themes are:

- Built form
- Environment
- Traffic and Parking
- Community
- Heritage; and
- Project Need

This report undertakes an assessment of the above issues. This assessment has identified further solar access investigation by the Department is required as part of this Planning Proposal.

Consideration of other issues raised in the submissions are deemed to be adequately addressed or alternatively warrant further consideration as part of any future Development Application for development on the site.

Subject to the additional investigations above, this report concludes that the Planning Proposal will meet the planning objectives of the site and will lead to improved and better planning outcomes for the site, surrounding area and community.

Appendix A Copy of Form Submission

SUBMISSION ON WATERLOO SOUTH PLANNING PROPOSAL PP-2021-3265

I OBJECT to the proposal for Waterloo South. This development would evict hundreds of public housing tenants from their homes for little to no public benefit - fewer than 100 hundred additional social housing units in a state with more than 50,000 households on the waiting list.

98 more social units is not enough.

The 847 social housing units proposed for Waterloo South is far too low for a site of this size and development of this scale. This is an addition of only 98 social homes, while there are more than 1000 households on the waiting list for public housing in the inner city allocation zone. These are the people who need public housing right now; by the time the development is complete, there will be many more. Any development of public land should prioritise public housing.

Redfern-Waterloo needs more affordable housing for Aboriginal people. In addition to a desperate need for more public housing, Redfern-Waterloo needs more housing that is affordable to Aboriginal people and families. The Redfern Waterloo Aboriginal Affordable Housing Campaign, which is supported by the Redfern Waterloo Alliance of Aboriginal Community Controlled Organisations and allied organisations, demands that 10% of any housing developed on government land is devoted to social and affordable housing for Aboriginal people. This is the least that the government should do to address the decades of state-sponsored gentrification and displacement of Aboriginal people from this neighbourhood, which was once home to tens of thousands of Aboriginal people and so crucial to the movement for self-determination.

The promise of 30% social housing has been broken.

When the redevelopment of the Waterloo estate was announced in December 2015, the Minister promised that 30% of new housing would be social housing. Under this proposal, only 28.2% of homes will be social housing – 57 fewer than promised. Nor will social housing make up 30% of the residential floor space of the proposed development – it will comprise only 26.5%.

Furthermore, the proposal seeks approval for 3,012 total units plus 10% bonus floor space for design excellence, whereas the City of Sydney proposal was for 3,012 units inclusive of this 10% bonus for design excellence. This is a cunning attempt to sneak in an extra several hundred units for private sale and is a further betrayal of the promised 30% social housing.

Bad economics leads to bad planning.

The fundamental problem with this proposal is that the NSW Land and Housing Corporation is trying to redevelop Waterloo at no cost to the NSW Government. Good planning outcomes are not possible under these financial constraints: too many homes are proposed and too few of them will be affordable to people on low and moderate

incomes. The NSW Government and Commonwealth Government should instead fund the construction and acquisition of new public housing and the proper repair, maintenance and refurbishment of existing public housing. Yet even under the NSW Government's self-imposed constraints, more social and affordable housing and better planning could be achieved if the site is retained in public ownership, as shown by a recent report by Dr Cameron Murray and Prof Peter Phibbs for Shelter NSW and by the submission of Prof Bill Randolph and Dr Laurence Troy to the Waterloo South Independent Expert Advisory Panel.

It's not too late to make it right.

I strongly object to the proposal for Waterloo South. The budget-neutral model it follows should be abandoned. It is patently obvious that it would lead to far too many homes for the site yet far too few social and affordable ones.

Furthermore, a thorough social impact assessment of the proposed redevelopment is yet to be commissioned, despite the persistent demands of community organisations over the past six years. The Land and Housing Corporation and Department of Planning should go back to the drawing board to find the most socially beneficial approach to the Waterloo estate rather than the most financially beneficial one.



Appendix B
Crime Prevention Through Environmental Design Report