

Attachment D

Clause 4.6 Variation – Parking Rate
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Clause 4.6 Variation

State Environmental Planning Policy (Housing) 2021
Section 68(2)(e)(i)

224-228 & 230-234 Young Street, Waterloo

Prepared for The Trust Company (Australia) Limited as Trustee for JV3 Waterloo Property
Trust

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1.0 Introduction

Clause 4.6 of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) enables the consent authority to grant consent for development even though it contravenes a development standard. Its objectives are to provide an appropriate degree of flexibility in applying certain development standards and to achieve better outcomes for, and from, development by allowing flexibility in particular circumstances. This Clause 4.6 Request for Variation is provided in support of the Development Application (DA) at 224-228 & 230-234 Young Street, Waterloo which proposes the construction of a maximum 7 storey co-living development comprising 283 co-living dwellings, ground level retail use and public domain works.

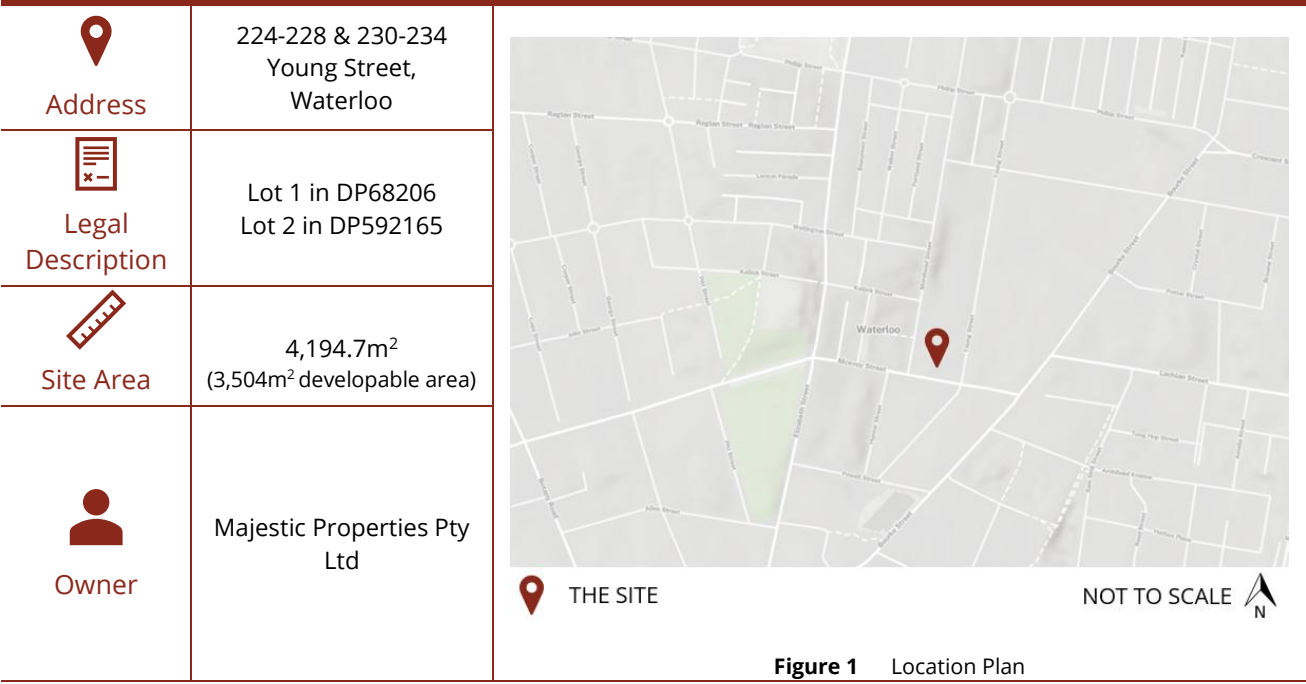
Clauses 4.6(3) of the Sydney LEP 2012 requires that development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The table below provides a summary of the key matters required in a Clause 4.6 Variation set out in the Department of Planning, Housing and Infrastructure's *Guide to Varying Development Standards November 2023*.

Where is the site?	224-228 & 230-234 Young Street, Waterloo
What is the variation?	Under Part 7, division 1 of the Sydney LEP 2012, maximum car parking rates do not apply to co-living developments and as such, the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) applies to the proposed development. The variation applies to section 68(2)(e)(i) of the Housing SEPP which prescribes non-discretionary car parking standards for co-living developments within accessible areas. Section 68(2)(e)(i) of the Housing SEPP states that the proposed development is required to comply with the following car parking rates: <i>(e) unless a relevant planning instrument specifies a lower number –</i> <i>(i) for development on land in an accessible area – 0.2 parking spaces for each private room</i> Based on these rates, an approximate total of 57 car parking spaces is required for the development. A total of 3 car parking spaces is proposed (a variation of 94.7%) for the purposes of building management/retail staff and accessibility.
Why is compliance with the development standard unreasonable and unnecessary in the circumstances of the case?	While a clear objective is not identified within section 68 of the Housing SEPP, the proposed variation does not impact the proposed development's ability to achieve the objectives of the MU1 Mixed Use zone and therefore, compliance with the development standard is unreasonable and unnecessary in the circumstances of this case, as follows: • The proposed development delivers co-living housing that will be occupied by students and young professionals within walking distance to services and amenities including employment opportunities, healthcare, retail and more. • The site is located within close proximity to existing public transport infrastructure including bus, train and metro services that connect the site to various services and amenities, including educational establishments.
What are the sufficient environmental planning grounds to justify contravention of the development standard?	The environmental planning grounds to justify contravention of section 68(2)(e)(i) of the Housing SEPP are: • The proposed reduced car parking provision reflects the transport needs of future occupants and supports reduced reliance on private vehicle use, while encouraging public transport, walking and cycling in a highly accessible mixed-use location. This is consistent with Council's approach to parking within the LEP which imposes <i>maximum</i> parking rates. • The forthcoming City of Sydney Housekeeping Amendments will apply to co-living developments and establish a maximum car parking rate. The proposed development would comply with this maximum rate, demonstrating consistency with the intent of the forthcoming legislative framework to limit car parking provision in well-located areas. • The proposed development delivers bicycle parking to support active transport use and encourage future residents to rely on cycling as a convenient and sustainable alternative to private vehicle usage. • The site is located within proximity to several car-share services that allow future residents to use private vehicles on an as-needed basis. • The proposed reduction in car parking will minimise additional pressure on the surrounding road network. • The proposed car parking provision is consistent with State and local strategic policies.

2.0 The Site



Locational Context

The site is located within the Danks Street South Precinct in the Sydney LGA and is approximately 4km south of the Sydney CBD. The site fronts Morehead Street, McEvoy Street and Young Street, and is within walking distance to local amenities and infrastructure including Waterloo Oval. The site is surrounded by various land uses such as residential, public recreation and mixed use activities, and is serviced by key transport infrastructure including local bus services and the Waterloo Metro Station which is located approximately 1km to the north west of the site. Green Square Train Station is also located approximately 1km south west of the site.



3.0 The Proposed Development

The proposed development involves the construction of a maximum 7 storey co-living development comprising 283 co-living dwellings, ground level retail uses and public domain works. Specifically, the proposed works include:

- Early works and site preparation, including the demolition of existing structures on the site.
- Construction of a new maximum 7 storey co-living development with a maximum building height of 26.35m and a total gross floor area of 7,708.56m², comprising:
 - a total of 283 co-living rooms from the ground floor and above
 - 124.3m² ground floor retail tenancy
- At-grade parking and loading bay, comprising 3 car parking spaces and 188 bicycle parking spaces.
- Vehicular access provided via Morehead Street and bicycle access from Young Street.
- Associated landscaping and public domain works, including footpath embellishments and dedication of footpath widening to the City of Sydney.
- Extension and augmentation of physical infrastructure and utilities as required.
- Remediation of land.
- Installation of signage.

This Clause 4.6 Variation Request relates to the provision of car parking in association with the development.



Figure 3 Artist impression of the amended proposed development

Source: ArchitectureAND

4.0 The Proposed Variation

This section outlines the relevant environmental planning instrument (EPI), the development standard to be varied, and the proposed variation.

Table 1 Planning instrument, development standard and proposed variation

Matter	Comment
Environmental Planning Instrument	<i>State Environmental Planning Policy (Housing) 2021</i>
The site's zoning	MU1 Mixed Use zone The objectives of this land use zone are: • <i>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</i> • <i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i> • <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i> • <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> • <i>To ensure land uses support the viability of nearby centres.</i> • <i>To integrate suitable business, office, residential, retail and other land uses in accessible locations that maximise public transport patronage and encourage walking and cycling.</i>
Development standard sought to be varied	Section 68(2)(e)(i) Non-discretionary development standards – the Act, s 4.15 <i>(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing –</i> ... <i>(e) unless a relevant planning instrument specifies a lower number –</i> <i>(i) for development on land in an accessible area – 0.2 parking spaces for each private room</i> The section does not have a specific objective, with the object of the section being “to identify development standards for particular matters relating to development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters”.
Interpretation and Application of the non-discretionary development standards	The development is subject to the non-discretionary development standard for car parking under section 68(2)(e)(i) of the Housing SEPP. The objective of section 68 is to identify development standards for particular matters that if complied with, prevent the consent authority from requiring more onerous standards for that matter. Section 4.15(3) of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) does not prevent development consent being granted if a non-discretionary development standard is not complied with. Non-discretionary development standards are standards that if complied with, prevent consent authorities from: • Taking the non-discretionary development standard into further consideration in determining the DA; • Refusing the DA on the grounds that the development does not comply with those standards; and • Imposing a condition of consent that has the same, or substantially the same, effect as the standard but is more onerous than the standard. Section 4.15(3)(b) of the EP&A Act establishes that a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard. Accordingly, this Clause 4.6 Variation Request seeks to vary the non-discretionary development standard to permit the provision of only 3 on-site car parking spaces. This approach responds to the strategic vision of reducing private vehicle ownership and promoting active and public transport usage to create an active and vibrant space, while protecting the local ecosystem. It is further noted the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 [NSW] (the Bill) passed NSW Parliament on 11 November 2025. The Bill contains proposed amendments to the EP&A Act, including clarification surrounding the necessity for application of clause 4.6 in situations of non-compliances with non-discretionary development standards. The proposed changes to section 4.15(3) of the Act are as follows:

Matter	Comment
	<i>(3) If an environmental planning instrument or a regulation contains a non-discretionary development standard and the development the subject of a development application does not comply with the standard—</i> <i>(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and</i> <i>(b) the consent authority must determine the development application by taking into consideration—</i> <i>(i) the non-discretionary development standard, or</i> <i>(ii) if a corresponding provision of a relevant environmental planning instrument is less onerous than the non-discretionary development standard—the less onerous corresponding provision</i> <i>(3AA) Development consent may, subject to this section and the regulations, be granted for development even though the development would contravene a non-discretionary development standard.</i> <i>(3AB) For subsections (3) and (3AA)—</i> <i>(a) a corresponding provision of a relevant environmental planning instrument that is more onerous than a non-discretionary development standard must be disregarded in the determination of the development application, and</i> <i>(b) a provision in a development control plan that corresponds to a non-discretionary development standard must be disregarded in the determination of the development application, unless the non-discretionary development standard applies, adopts or incorporates the provision in the development control plan, and</i> <i>(c) a provision of an environmental planning instrument that allows flexibility in the application of a development standard does not apply to—</i> <i>(i) a provision referred to in paragraph (a), or</i> <i>(ii) a non-discretionary development standard referred to in subsection (3)</i> Under the proposed amendments to section 4.15(3), in particular section 4.15(3AA) and section 4.15(3AB)(c)(ii), a Clause 4.6 Variation Request would not be required for the proposed car parking provision. Although no formal commencement date has been published, we note the proposed amendments to the Act are imminent.
The proposed variation	As a total of 283 rooms are proposed, 56.6 car parking spaces would be required to achieve the non-discretionary parking rates set out at 68(2)(e)(i) of the Housing SEPP. The proposed development provides 3 car parking spaces, resulting in a shortfall of 53.6 car spaces under section 68(2)(e)(i). This shortfall results in a 94.7% variation from that required by the non-discretionary development standard.

5.0 Justification for Contravention of the Development Standard

Clause 4.6(3) of the Sydney LEP 2012 provides that:

- (3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

These key considerations are addressed in their respective sections below.

5.1 Clause 4.6(3)(a): Compliance with the development standard is unreasonable or unnecessary

In *Wehbe*, Preston CJ of the Land and Environment Court provided relevant assistance by identifying five traditional ways in which a variation to a development standard had been shown as unreasonable or unnecessary. However, it was not suggested that the types of ways were a closed class, i.e. there may be additional ways. Further, that it is not necessary for an applicant to establish each of the methods.

The five methods outlined in *Wehbe* include:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Method).
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary (Second Method).
3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (Third Method).
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Method).
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone (Fifth Method).

This Clause 4.6 Variation Request establishes that compliance with the development standard is unreasonable or unnecessary in the circumstances of the proposed development because the objectives of the standard are achieved and accordingly justifies the variation to the car parking control pursuant to the **First Method** outlined in *Wehbe*.

In the judgement for *Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7*, the Chief Judge upheld the Commissioner's approval of large variations to height and FSR controls on appeal. He noted that under Clause 4.6, the consent authority (in that case, the Court) did not have to be directly satisfied that compliance with the development standard was unreasonable or unnecessary but that the applicant's written request adequately addresses (our emphasis) the matters in clause 4.6(3)(a) that compliance with each development standard is unreasonable or unnecessary.

The following section addresses the matters in clause 4.6(3)(a), and in particular how the objectives of the zone and principles of the Housing SEPP are achieved notwithstanding the non-compliance with the numerical control.

5.1.1 First Method: The underlying objectives or purposes of the development standard

The following demonstrates how the proposed car parking variation achieves the objectives of the zone and principles of the Housing SEPP notwithstanding non-compliance. As the standard being varied is a non-discretionary development standard, there are no specific objectives that relate to the standard.

The shortfall of 53.6 car parking spaces under section 68(2)(e)(i) does not undermine the intent of the non-discretionary development standard which seeks to establish a car parking provision for this land use type in well-located areas. The site is located within proximity to local bus and within a 1km distance from rail services, including Green Square Station and the recently completed Waterloo Metro Station. With access to existing transport infrastructure, residents are well connected to shops, healthcare, educational establishments, community infrastructure and other essential services without the need to rely on private vehicles. Many of these services are also within walking distance, supporting convenient day-to-day access and encouraging active transport.

Furthermore, private vehicle ownership amongst residents within co-living developments is significantly lower than in the general population, in comparison to bicycle ownership. In this context, the proposal's reduced parking provision is both appropriate and justified.

The proposed development (inclusive of the proposed 94.7% variation) is consistent with the objectives of the MU1 Mixed Use land use zone, as presented in **Table 2**.

Table 2 The proposed development's alignment with the objectives of the MU1 Mixed Use zone

Objective	Alignment
<i>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</i>	The proposal delivers 283 co-living rooms purpose-built for students and young professionals, located within a highly accessible area, in addition to ground floor retail space. The proposed development thereby supports the zone's objective of generating employment opportunities within access to business and retail. The proposed parking provision does not impact consistency with this objection.
<i>To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.</i>	The proposed development provides diverse and active street frontages to attract pedestrian traffic through the provision of ground floor retail space and an active, vibrant lobby space. The proposed reduced provision of car parking spaces supports the creation of a more pedestrian-oriented environment by prioritising active street uses, public domain improvements and sustainable transport outcomes.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	The proposed development does not create any conflict with adjoining zones and is compatible with the immediate surrounding land uses. Given the location of the site, being within walking distance of open space, amenities, services and more, the proposed reduction of car parking does not create any further conflict with the adjoining land use.
<i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i>	The proposed development is consistent with this objective, as it provides ground floor retail space that will support business and non-residential activity within the building. The retail tenancy will contribute to an active street frontage, encourage pedestrian activity, and support the broader mixed-use character of the locality. The proposed variation to the car parking standard does not compromise this outcome, as it does not reduce or affect the provision of ground floor retail floor space. Additionally, a dedicated car parking space for retail staff is provided which will support employment travel.
<i>To ensure land uses support the viability of nearby centres.</i>	The proposed development will support the viability of nearby centres through increased demand for local shops, services, employment and community facilities, thereby stimulating the local economy. The provision of ground floor retail space will further contribute to local economic activity, and the proposal will introduce additional residents that activate the surrounding centres. Within a prime, highly accessible location, the reduced car parking provision will not compromise the ability of future residents, visitors or workers to access nearby centres. Rather, it will encourage access by walking, cycling and public transport, supporting local activity without creating unnecessary reliance on private vehicle use.
<i>To integrate suitable business, office, residential, retail and other land uses in accessible locations that maximise public transport patronage and encourage walking and cycling</i>	The proposed development integrates residential and retail land uses within an accessible location, with access to both public and active transport infrastructure including bus, train and metro services, in addition to cycling infrastructure. The proposal's location maximises usage of existing and future public transport by reducing the provision of car parking spaces and encouraging future residents to rely on public and active transport methods. As such, the proposal maximises the benefits of the site's accessible location and supports a sustainable, transit-oriented development outcome.

In addition to the proposal (inclusive of reduced car parking) being consistent with the objectives of the MU1 Mixed Use zone and the underlying purpose of the non-discretionary development standard, it aligns with section 3 of the Housing SEPP, which outlines the principles of the policy. Specifically in relation to the proposed development, the proposal demonstrates consistency with the relevant subsections of section 3 as follows:

3. Principles of Policy

The principles of this Policy are as follows –

...

- (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,*
- (e) minimising adverse climate and environmental impacts of new housing developments,*

The proposed development seeks to utilise existing and forthcoming infrastructure and services, including the public transport network comprising Metro, rail and bus services within the vicinity of the site, as well as future pedestrian

upgrades. The accessibility and connectivity of the site provide future occupants with direct access to services, employment and amenities within the locale and will support reduced reliance on private vehicle use, thereby making good use of existing and planned infrastructure and services. In addition to this, the reduced car parking provision will assist in lowering vehicle-related emissions, reducing the carbon footprint of future occupants and supporting a more sustainable way of living, ultimately minimising adverse climate and environmental impacts of new housing developments.

Therefore, despite the non-compliance with the non-discretionary development standard for car parking, the proposed development is consistent with this principle, ensuring the co-living development will make good use of existing infrastructure and services, without potential increasing traffic and congestion within this locality.

5.2 Clause 4.6(3)(b): Sufficient environmental planning grounds to justify the contravention of the development standard

Clause 4.6(3)(b) of the Sydney LEP 2012 requires the contravention of the development standard to be justified by demonstrating that there are sufficient environmental planning grounds to justify the contravention. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole.

Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (*Initial Action at [24]*). In *Four2Five*, the Court found that the environmental planning grounds advanced by the applicant in a Clause 4.6 Variation Request must be particular to the circumstances of the proposed development on that site at [60].

In this instance, the relevant aspect of the development is the proposed variation of 94.7% of the car parking rate established under section 68(2)(e)(i) of the Housing SEPP. There are sufficient environmental planning grounds to justify this contravention, as described below.

Private Vehicle Ownership Rates in Co-living Developments

As addressed in the Transport Impact Assessment prepared by Ason Group (**Appendix M** of the exhibited DA), low vehicle ownership rates are associated with co-living developments. Co-living accommodation typically provides smaller, more affordable private living spaces with shared communal facilities, attracting residents who prioritise location, affordability and access to services, rather than the expenses of private vehicle ownership. These developments, as in the case of the proposed development, is typically occupied by students and young professionals, who are more likely to rely on public transport services and active modes of transport, such as buses, trains and bicycles.

In the context of the proposed development and variation, the reduced car parking provision is considered appropriate and justified. Providing parking at the required numerical rate under the Housing SEPP would be inconsistent with the parking demand generated by the proposed use and would result in an inefficient use of valuable site area, with excess parking space remaining underutilised. The proposal instead prioritises bicycle parking and access to public and active transport, providing a more appropriate outcome in the context of co-living developments and the site's inner-city location. The proposal will continue to deliver 3 car parking spaces for the purposes of accessibility and building management/retail staff.

Forthcoming City of Sydney Housekeeping Amendments to Co-living Parking

In December 2023, the City of Sydney resolved to endorse the draft 'Housekeeping Amendments' to the Sydney LEP 2012 and Sydney Development Control Plan 2012 (Sydney DCP 2012), with a Gateway Determination being issued in October 2024. Subsequently, the draft provisions were publicly exhibited until 15 March 2025 and on 19 June 2025 and reported to Council and the Central Sydney Planning Commission (CSPC) who endorsed the finalisation of the planning proposal and DCP amendments.

At the time of preparing and lodging D/2025/944, the planning proposal was in the finalisation stage. It remains in the finalisation stage at the time of preparing this Clause 4.6 Variation Request.

While the car parking rates under the existing Sydney LEP 2012 do not apply to co-living developments, a key amendment to the Sydney LEP 2012 and Sydney DCP 2012 is the inclusion of provisions addressing co-living developments, including car parking. As such, clause 7.5 of the existing Sydney LEP 2012 will be amended with new maximum parking rates for

residential flat buildings, dual occupancies, multi-dwelling housing, boarding houses and co-living housing with the following:

c. on land in category C -

- i) For each studio dwelling – 0.3 spaces, and
- ii) For each 1 bedroom dwelling – 0.5 spaces, and
- iii) For each 2 bedroom dwelling – 0.9 spaces, and
- iv)

The forthcoming amendments to the Sydney LEP 2012 are relevant to the proposed variation as they demonstrate a clear intention to apply maximum car parking rates to co-living developments, rather than a minimum car parking provision. Council's justification for this amendment, as identified in 'Appendix A – Local Environmental Plan Amendments', is as follows:

*"The City's current parking rates were originally developed...with the broad approach of reducing the impacts of parking by ensuring provision is closely aligned with actual need...**the market will tend to oversupply residential parking spaces compared to demand.***

Potential oversupply of parking in new residential developments has many detrimental effects...It reduces the supply of lower cost, parking-free housing for people who do not need to own a car.

Potential oversupply can also result in increased car ownership and associated traffic impacts in excess of those caused by genuine need. This contributes to avoidable congestion and impacts those who need the road for economic uses, social needs, family or disability-related requirements.

*The City's research has found that car ownership is currently lower than the parking rates set in Sydney LEP 2012 for some apartment types and accessibility levels, **particularly smaller apartments in high accessibility areas.***

(emphasis added)

- City of Sydney, Appendix A – Local Environmental Plan Amendments

In light of Council's above justification, the proposed development is considered to appropriately respond to the identified risk of oversupplying car parking by providing car parking at a rate that is more closely aligned with the demand generated by the proposed co-living use. The site's location within a high accessibility area, as identified throughout this Clause 4.6 Variation Request, further supports this. The proposed development is also consistent with the intended statutory framework, which would require a maximum of 85 car parking spaces. In this context, the proposed variation aligns with the emerging intent of the amendment to limit car parking in well-located areas, reduce reliance on private vehicle usage and avoid unnecessary oversupply of car parking.

Public Transport Availability

Located in Waterloo and the Danks Street South Precinct, the site is identified as being well-served by public transport, including bus and rail services. In particular, the site is within walking distance to bus stops on Bourke Street and Elizabeth Street, and is within a 1km distance from Green Square Station and Waterloo Metro Station. These public transport services connect the site to various suburbs of Sydney, in addition to services and infrastructure, including universities and tertiary institutions (see **Figure 4**).

The site is also supported by infrastructure that promotes active transport, including walking and cycling. Existing footpaths and pedestrian and cycling networks surround the site, with the City of Sydney planning further routes in close proximity, as identified in the City of Sydney's Cycling Strategy and Action Plan.



Figure 4 Public transport routes

Source: Architecture AND/Ason Group

The site is highly accessible by public transportation and subsequently provides an attractive option for future residents which does not require car parking spaces for private vehicle usage on the site. As the public transportation network is so extensively serviced within the vicinity of the site, the proposed variation in car parking indirectly benefits future occupants by reducing the cost with private vehicle ownership and surplus car parking, while encouraging greater use of public and active transport.

Utilisation of Car Share Services

While the proposed development does not propose dedicated car parking spaces for sharing services, the site is serviced by car share operators including GoGet, Flexicar, Hertz On Demand and more. Ason Group has assessed that the site has access to approximately 17 car share vehicles within a 400m radius and is capable of servicing the proposed development (see **Figure 5**). It is anticipated that with the rapid growth and development of the locale, additional car share services will continue to be provided within the broader area and Danks Street South Precinct.

The surrounding car share services will provide future residents with convenient access to vehicles on an as-needed basis, reducing the need for private vehicle ownership and supporting the proposed reduced car parking provision.

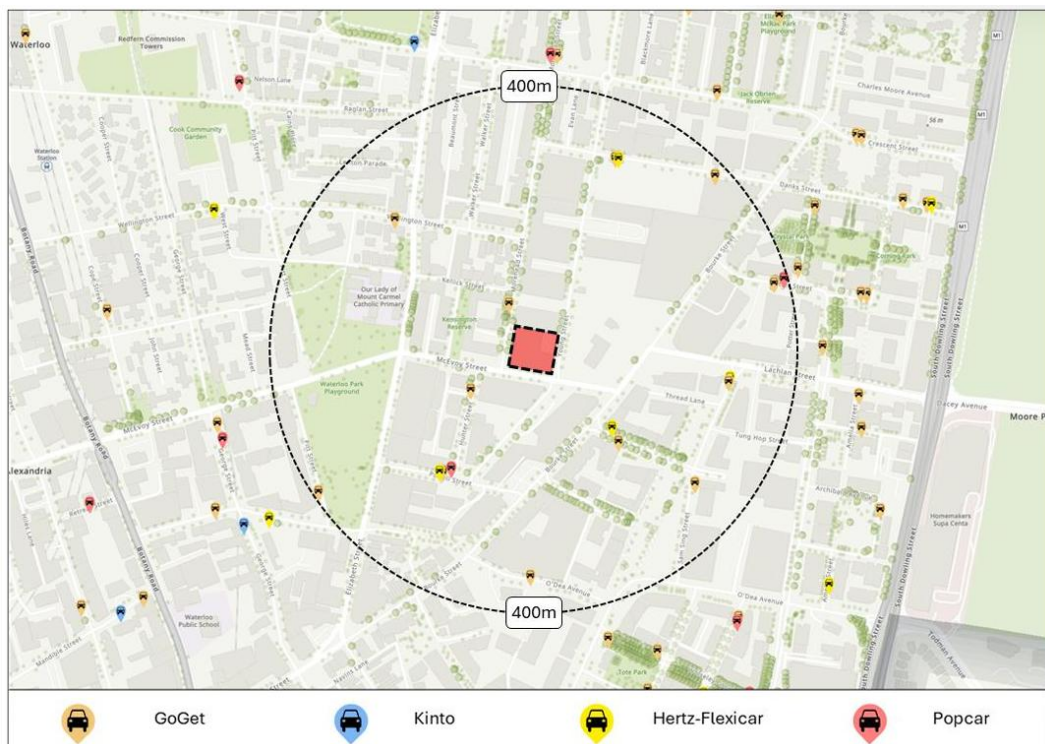


Figure 5 Car share services surrounding the site

Source: Ason Group

Reduced Traffic Generation and Impact on the Surrounding Road Network

In the context of Waterloo and surrounding inner-city suburbs, providing car parking in accordance with the Housing SEPP would result in higher traffic movements and contribute to a more congested road network in the vicinity of the site. Low car parking provisions in such road environments is important to limit potential traffic generation by the site's activity to a level which will not unduly compromise the operation of the surrounding road network. The reduced traffic generation has the follow-on impacts of:

- Greater pedestrian safety for individuals walking to and from the site.
- Avoidance of unnecessary pollution caused by congestion in the site's vicinity.
- Avoidance of unnecessary amenity issues in the vicinity of proposed pedestrian-centric public domain works.
- Improved conditions for cyclists and other active transport users by reducing vehicle movements and potential conflict points.
- Encouragement of more sustainable travel behaviour among future residents, visitors and workers by reducing reliance on private vehicle trips.
- Reduced pressure on the surrounding road network and kerbside areas, including loading, servicing and short-term parking spaces.

Strategic Alignment

The proposed development, inclusive of the reduced car parking provision, is consistent with the broader objectives of local and State strategic planning policies, which seek to support sustainable urban growth, reduce reliance on private vehicles, and promote a greener, more connected future for Greater Sydney. In particular, the proposed development aligns with the following strategies:

- 'A City for Walking' Strategy and Action Plan – Continuing the Vision
- City Plan 2036: Local Strategic Planning Statement
- Our Greater Sydney 2056: Eastern City District Plan
- Greater Sydney Region Plan – A Metropolis of Three Cities

6.0 Conclusion

This Clause 4.6 Variation Request demonstrates that, under the circumstances outlined in **Section 4.0**, a departure from section 68(2)(e)(i) of the Housing SEPP is justified. As detailed in **Section 5.2**, and in light of the proposed development's alignment with the objectives of the MU1 Mixed Use zone, sufficient environmental planning grounds have been established to justify the proposed variation from the standard.