

Attachment A

**Planning Proposal – Waterloo Estate
(South) – Sydney Local Environmental Plan
2012 Amendment**

Waterloo Estate (South)



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Executive Summary

At a time when the wait list for social housing in NSW is almost 50,000 people, the demand for social housing has never been greater. With a five to 10 year waiting period for social housing in the City of Sydney area, and the extra demand that will be created by the health, social and economic impacts of Covid-19, there is a critical need to deliver more social and affordable housing in the area.

Sustainable Sydney 2030 sets a direction to increase the supply of diverse and affordable housing for our rapidly growing community. The NSW Government's renewal of social housing estates is a critical opportunity to help achieve the City's social and affordable housing targets, which are based on the maintaining the proportion of social and affordable housing in the city from 2006. The City's recently adopted Local Housing Strategy found that almost 2,000 additional social dwellings and about 10,800 affordable dwellings would be needed between 2016 and 2036. Social and affordable housing is delivered by the NSW Government and other housing providers. Without maximising the supply of social and affordable housing on NSW Government-owned residential sites, the relative amount of social and affordable housing in the city will continue to shrink.

In November 2019 the NSW Government announced a new approach to precinct planning which places greater responsibility for planning in the hands of councils giving councils and communities a greater say. The renewal of social housing estates in the city, including Waterloo Estate, were identified as council-led rezonings, being projects where councils are best placed to deliver the detailed planning within their communities.

The NSW Land and Housing Corporation (LAHC) submitted a planning proposal request with the City of Sydney in May 2020 to change the planning controls for the southern part of the Waterloo Estate - referred to as Waterloo Estate (South). The request included a Planning Justification Report, an Urban Design and Public Domain study and technical studies.

The proposed redevelopment of Waterloo Estate (South) has been included in the NSW Government's Communities Plus program, a large scale \$22 billion scheme to renew its social housing portfolio. Communities Plus aims to deliver 23,000 new and replacement social housing dwellings, 500 affordable housing dwellings and 40,000 private dwellings in NSW with a targeted mix of 70% market and affordable and 30% social housing dwellings per site.

Waterloo Estate (South) is bounded by Raglan Street in the north, Cope Street in the west, McEvoy Street in the south, and Waterloo Park, Kellick Street, Gibson Street, Wellington Street and George Street to the east. It is approximately three kilometres south of Sydney Town Hall, one kilometre north of Green Square Town Centre and adjacent the future Waterloo Metro station and Waterloo Metro Quarter development. It includes public housing lots owned by the NSW Land and Housing Corporation, as well as private residential and commercial lots and strata apartment buildings. There are currently 749 social housing dwellings and 120 private dwellings within Waterloo Estate (South).

The City has assessed the planning proposal request and associated technical studies and has prepared this Planning Proposal to amend the Sydney Local Environmental Plan 2012. The statutory planning controls for the site are currently contained in Sydney LEP 2012, South Sydney Local Environmental Plan 1998 (South Sydney LEP 1998).

The objectives and intended outcomes of this Planning Proposal are to:

- enable the orderly redevelopment of Waterloo Estate (South);
- prioritise the delivery of social and affordable housing, balanced with the provision of market housing;

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- establish a new local centre in the City of Sydney's hierarchy of centres - supported by infrastructure, community facilities and services, open space, and retail;
- 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.

To meet these objectives and outcomes the Planning Proposal:

- zones land on either side of George Street to zone B2 Local Centre, and all remaining land is zoned B4 Mixed Use;
- maps the Floor Space Ratio applying to land owned by LAHC to 1.5:1, with an opportunity to achieve an additional FSR of 1.26, but only if all of the following are satisfied:
 - 30% of residential floor area is used for social housing;
 - 20% of residential floor area is used for affordable housing;
 - no less than 13,000 sqm is used for a non-residential purpose;
 - no less than 5,000 sqm is used for community facilities, health facilities, or centre-based child-care facilities;
 - BASIX commitments for water and energy are exceeded by not less than 10 points for energy and 5 points for water; and
 - adequate open space is provided in the precinct.
- increases the Floor Space Ratio of the following privately owned land from 1.75:1 to:
 - 2.34:1 at 233 Cope Street;
 - 2.61:1 at 221-223 Cope Street;
 - 2.69:1 at 116 Wellington Street and
 - 2.67:1 at 110 Wellington Street;
- maintains the Floor Space Ratio of the following privately owned land at 1.75:1:
 - 111 Cooper Street;
 - 225-227 Cope Street; and
 - 291 George Street;
- maps the building height to allow buildings that primarily range between 9 metres to 48 metres in height, with most buildings being no more than 35 metres in height;
- maps the building height on the south of the site to between 102 metres and 110 metres (i.e. RL 126.4 metres) allowing for no more than three tower buildings;
- amends the Land Use and Transport Integration Map to show the land as "Category A" for the purposes of residential parking;
- amends the Public Transport Accessibility Level Map to show the land as "Category D" for the purposes of commercial parking;
- corrects anomalies for listings and mapping of existing heritage items;
- introduces an Active Street Frontages Map;
- categorises Acid Sulfate Soils as "Class 5";
- categorises most of the land, except on identified land fronting George Street as "Restricted Retail Development";
- does not allow floor space bonuses under State Environmental Planning Policy (Affordable Rental Housing) 2009;
- includes site-specific provisions for land owned by LAHC which:
 - ensure affordable housing contributions under clause 7.13 of the Sydney LEP 2012, do not apply;
 - ensure that buildings demonstrating design excellence are eligible for additional FSR only and not additional height;
 - define social housing to have the same meaning as in the Residential Tenancies Act 2010; affordable housing as having the same meaning as in the Environmental

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- Planning and Assessment Act 1979; and requires affordable housing will be owned and managed by a registered community housing provider;
- require the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the event of any future development application; and
 - requires that development is guided by a development control plan (or concept development application);
 - ensure that where the Active Street Frontages Map applies, ground floor premises will be used for the purposes of business premises, retail premises, community facilities, health facilities, and centre-based child care facilities;
 - inserts site-specific provisions for land not currently owned by LAHC which:
 - provides additional FSR of 0.25 for development that exceeds BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water;
 - requires a contribution to the provision of affordable housing;
 - ensures that a building demonstrating design excellence is only eligible for additional FSR; and
 - requires that the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the assessment of development applications; and
 - inserts a new clause for “Planning Proposal land” and a new schedule for “Planning Proposal land” to identify sites in Waterloo Estate (South), and other sites in the future, that have been the subject of a site-specific planning proposal and will require an affordable housing contribution

This Planning Proposal is supported by more detailed planning controls in the draft Waterloo Estate (South) Design Guide (the draft Design Guide), that are to replace the planning controls currently detailed in Sydney Development Control Plan 2012 and the South Sydney Development Control Plan 1997. The draft Design Guide is to be publicly exhibited in conjunction with this Planning Proposal.

Together, the proposed planning controls will facilitate the following development outcomes on Waterloo Estate (South):

- about 3,067 dwellings, including 920 social housing dwellings (30 per cent of all dwellings), 613 affordable dwellings (20 per cent of all dwellings) and 1,534 market dwellings (50 per cent of all dwellings) on LAHC owned sites, plus about 127 additional market dwellings on privately owned sites;
- 10% or more of the total number of affordable housing dwellings provided in Waterloo Estate (South) is to be provided for Aboriginal and Torres Strait Islander housing, with current proportions of Aboriginal and Torres Strait Islander households being maintained or increased in social housing;
- a large park adjoining Waterloo Metro station of more than two hectares and a small park in the south of the site;
- about 249,000 sqm of floor space, including about 13,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- three towers of about 30 storeys and most other building generally around 8 stories (with some 4 stories and others up to 13 storeys where development fronts a park or George Street);
- new streets and through site links; and
- a new cycleway along Wellington Street.

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

- public open space;
- new streets and the upgrade of existing streets;

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- flood mitigation works in public space; and
- community facilities.

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

It is the City's intention that a draft planning agreement between LAHC and the City be prepared and publicly exhibited for community comment. A planning agreement will provide reasonable certainty the necessary public infrastructure is delivered within appropriate timeframes and to Council standards.

1. Background

1.1. The Site

1.1.1. Site identification

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

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

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

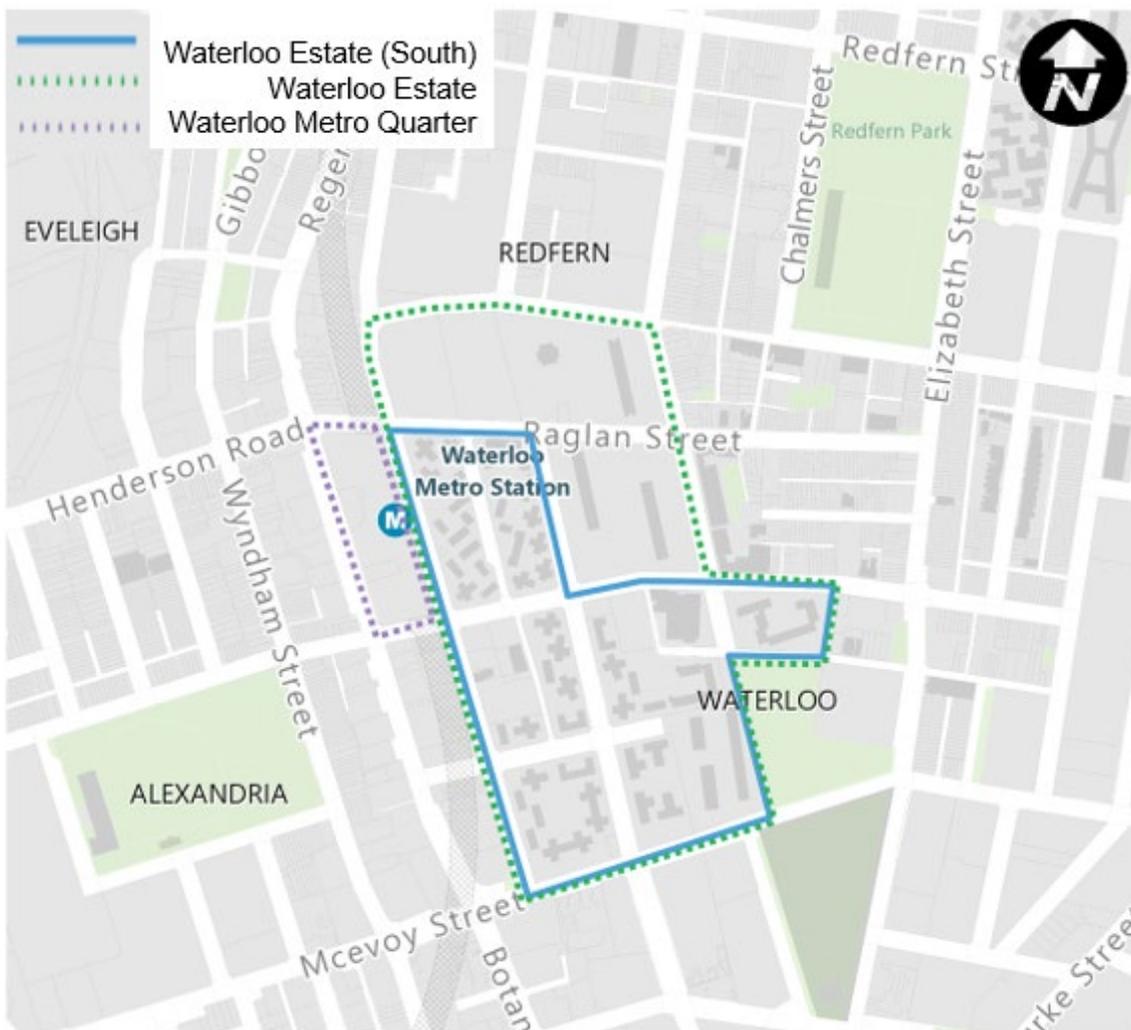


Figure 1 Map showing extent of Waterloo Metro (South) outlined in blue, Waterloo Estate outlined in dotted green, and Waterloo Metro Quarter in dotted purple

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The lots comprising the site are shown in Table 1.

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

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

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

1.1.2. Site location and context

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

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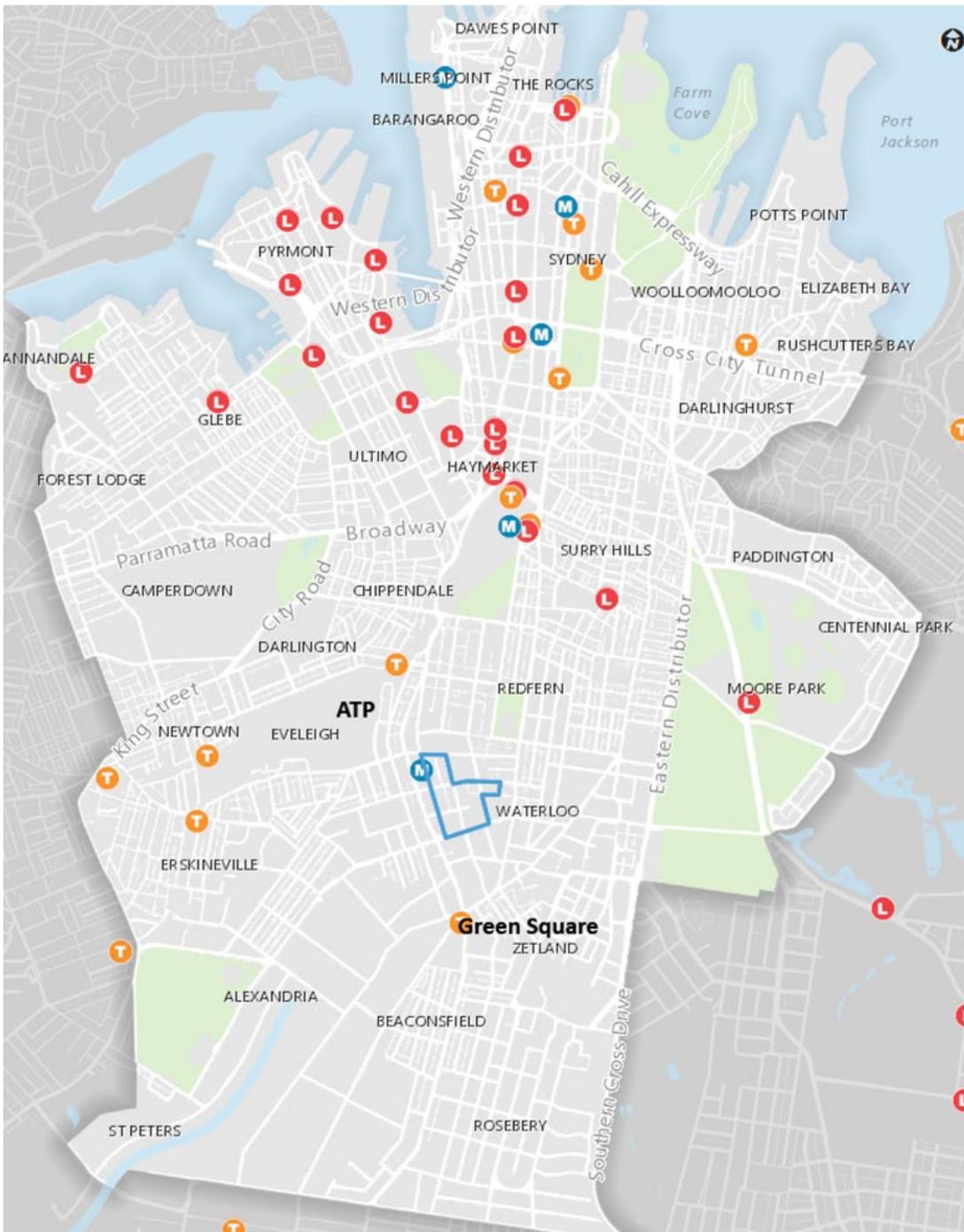


Figure 2 Local government area context with site outlined in blue

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

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

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

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

Other sites in the local government area where LAHC are currently progressing planning proposals with the City of Sydney as the planning proposal authority are:

- Franklyn Street, Glebe,
- Cowper Street, Glebe,
- Explorer Street, Eveleigh, and
- Elizabeth Street, Redfern

1.1.3. Road network and transport

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

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

Local street network

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

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

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

Public transport

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

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

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

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

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

Cycling

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

1.1.4. Site characteristics and existing development

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

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

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

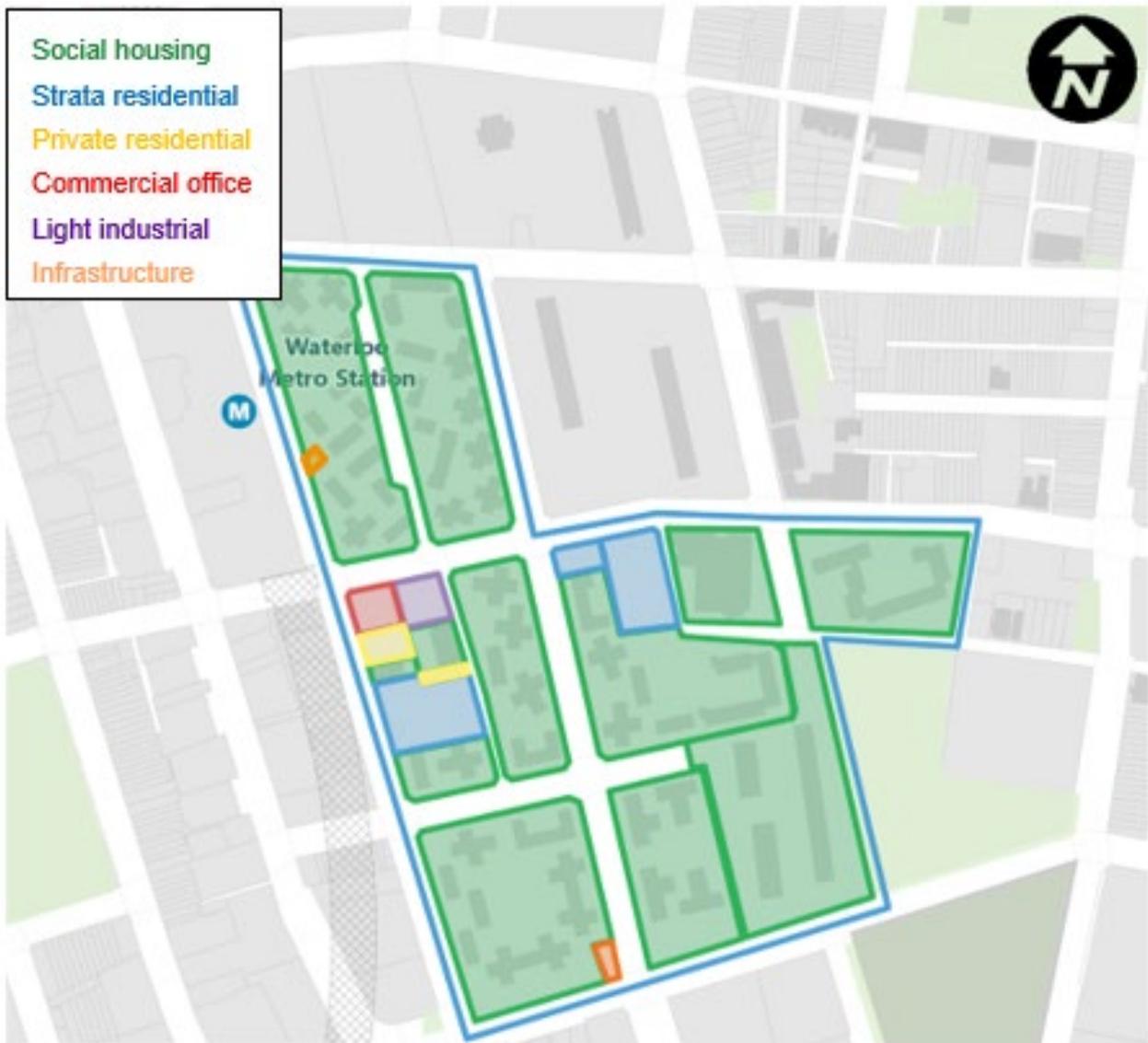


Figure 3 Existing land uses on the site

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

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

The existing building typologies represented on the site are:

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

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

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



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



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



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



Figure 7 Heritage-listed terraces on Cope Street



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



Figure 9 The Dobell building, rear facing John Street



Figure 10 Terraces on Cooper Street



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



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

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



Figure 13 Private strata residential buildings on Cope Street



Figure 14 Private strata residential building at 110 Wellington Street



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



Figure 16 Commercial office building at 221-223 Cope Street



Figure 17 Industrial warehouse building at 116 Wellington Street



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



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

1.1.5. Planning Proposal request

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

The request applies to both LAHC-owned land and privately-owned land and is to facilitate the redevelopment of the site for the following:

- nine tower buildings between 20 and 32 storeys and three tall buildings of 15 storeys and other buildings up to 8 storeys;
- approximately 257,000 sqm of floor area on the LAHC-owned land, comprising:
 - about 239,100 sqm GFA of residential accommodation, providing for approximately 3,048 dwellings (comprising 30% social and 70% private, including 5% affordable housing);
 - about 11,200 sqm of GFA for commercial premises including, but not limited to, supermarkets, shops, food & drink premises and health facilities, mainly located within a new local retail hub; and
 - about 6,700 sqm of community facilities.
- approximately 2.57 hectares of public open space, comprising:
 - a 2.25 hectare park located in the centre of the wider Waterloo Estate next to the Waterloo Metro Station; and
 - a 0.32 hectare park located in the south of the precinct; and
- new streets.

An indicative masterplan for LAHC's planning proposal request for Waterloo Estate (South), is provided at Figure 20. It shows proposed building heights, the location of proposed open space and future road network.

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- three towers of about 30 storeys and most other building generally around 8 stories (with some 4 stories and others up to 13 storeys where development fronts a park or George Street);
- new streets and through site links; and
- a new cycleway along Wellington Street.

Section 5 of this Planning Proposal provides a detailed discussion of the development outcomes to be facilitated by this Planning Proposal, including the justification for the proposed amendments to the Sydney LEP 2012 and explanation of why changes were made to the planning proposal request originally lodged by LAHC.

2. Existing Planning Controls

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

2.1. Zoning

The LAHC-owned lots in the site are identified as Zone No 2 (b) – Residential (Medium Density) Zone in South Sydney LEP 1998, as shown at Figure 21.

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



Figure 21 South Sydney LEP 1998 zoning control

Sydney LEP 2012 contains land use zoning controls for the private lots within the site, as shown in Figure 22. These lots are zoned R1 – General Residential. Sydney LEP 2012 also shows there is also a strip of land along McEvoy Street near Cope Street zoned SP2 – Infrastructure – Classified Road. This is road corridor controlled by Transport for NSW and may be used for road widening in the future.

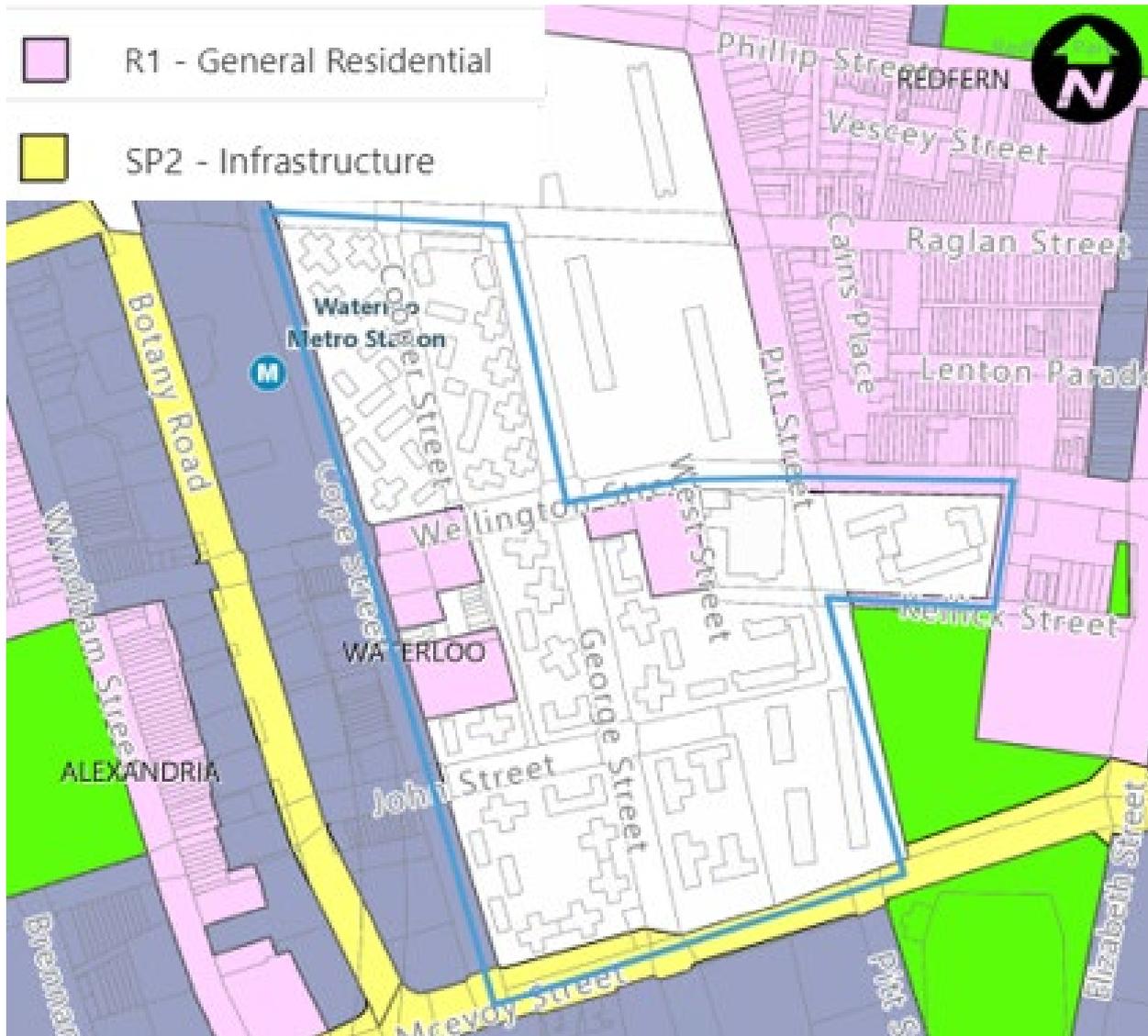


Figure 22 Sydney LEP 2012 zoning control

2.2. Floor space ratio

South Sydney DCP 1997 includes floor space ratio controls for the LAHC-owned lots on the site. As shown in Figure 23, the FSR for these sites is 1.5:1.

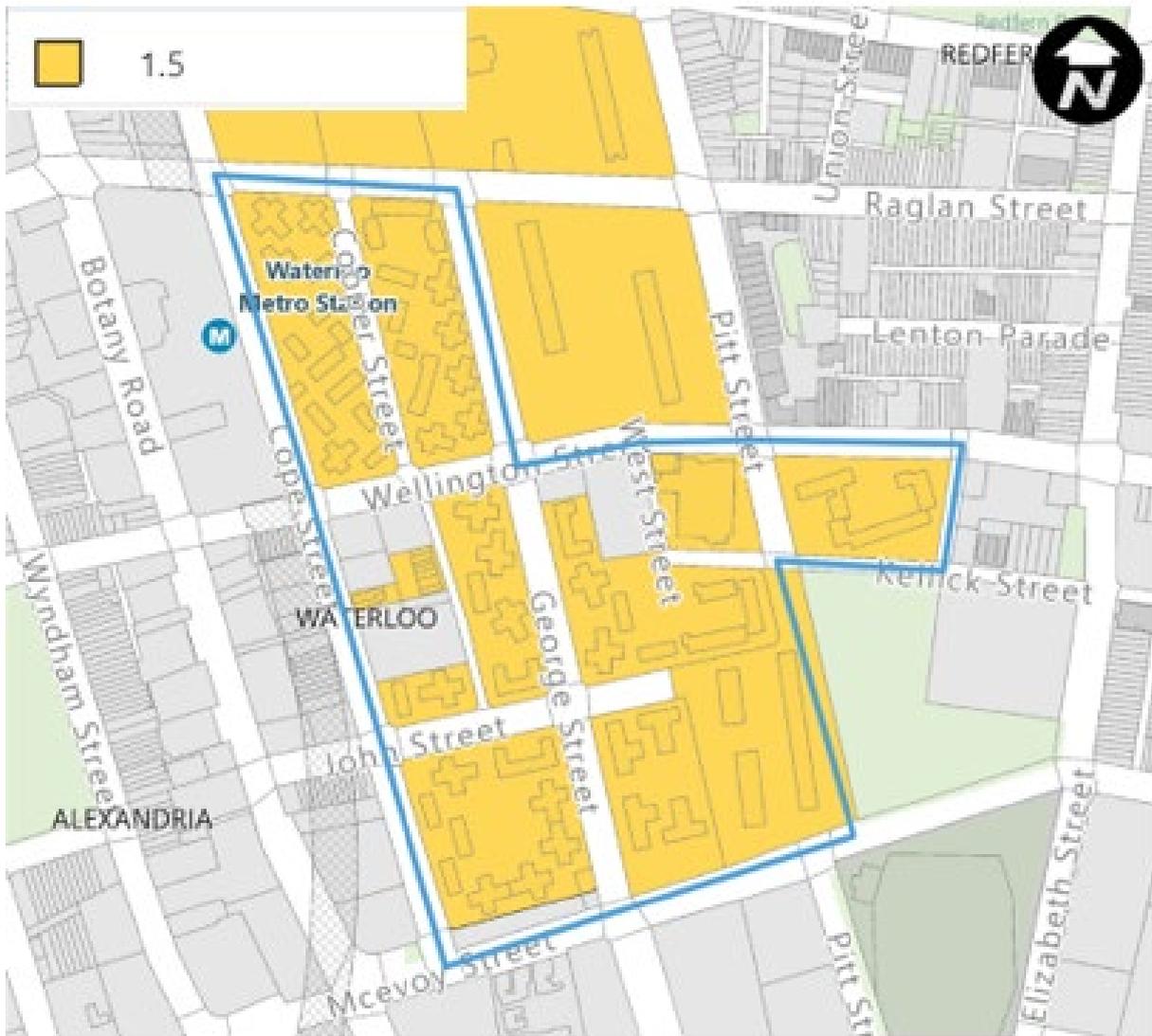


Figure 23 South Sydney LEP 1998 FSR control

Sydney LEP 2012 contains floor space ratio controls for the private lots on the site. As shown in Figure 24, the FSR for these lots is 1.75:1.

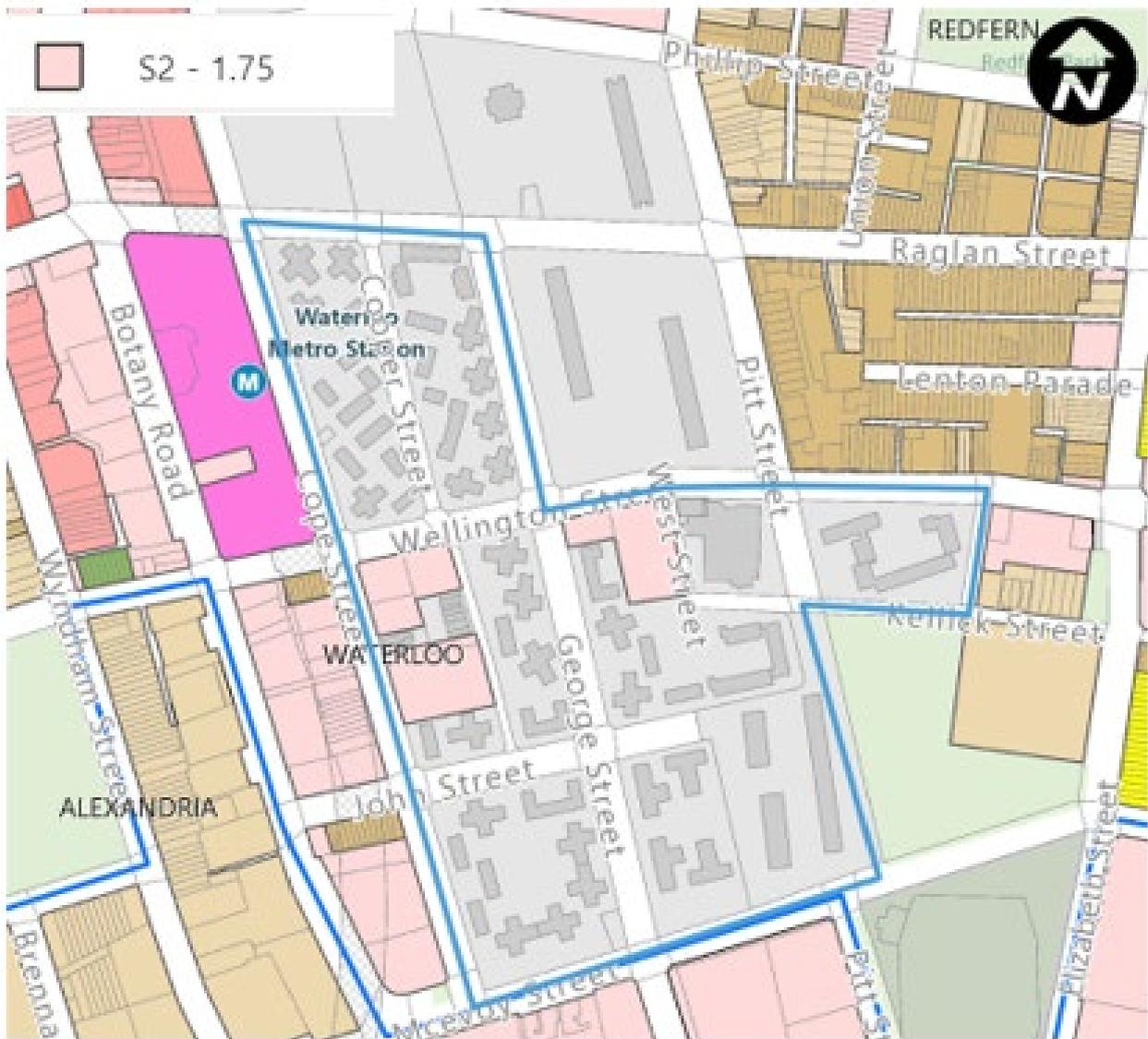


Figure 24 Sydney LEP 2012 FSR control

2.3. Building Height

South Sydney DCP 1997 sets the maximum building heights for LAHC-owned lots within the site. As shown in Figure 25, the height control for those sites west of George Street is 9 metres, and east of George Street is 15 metres.

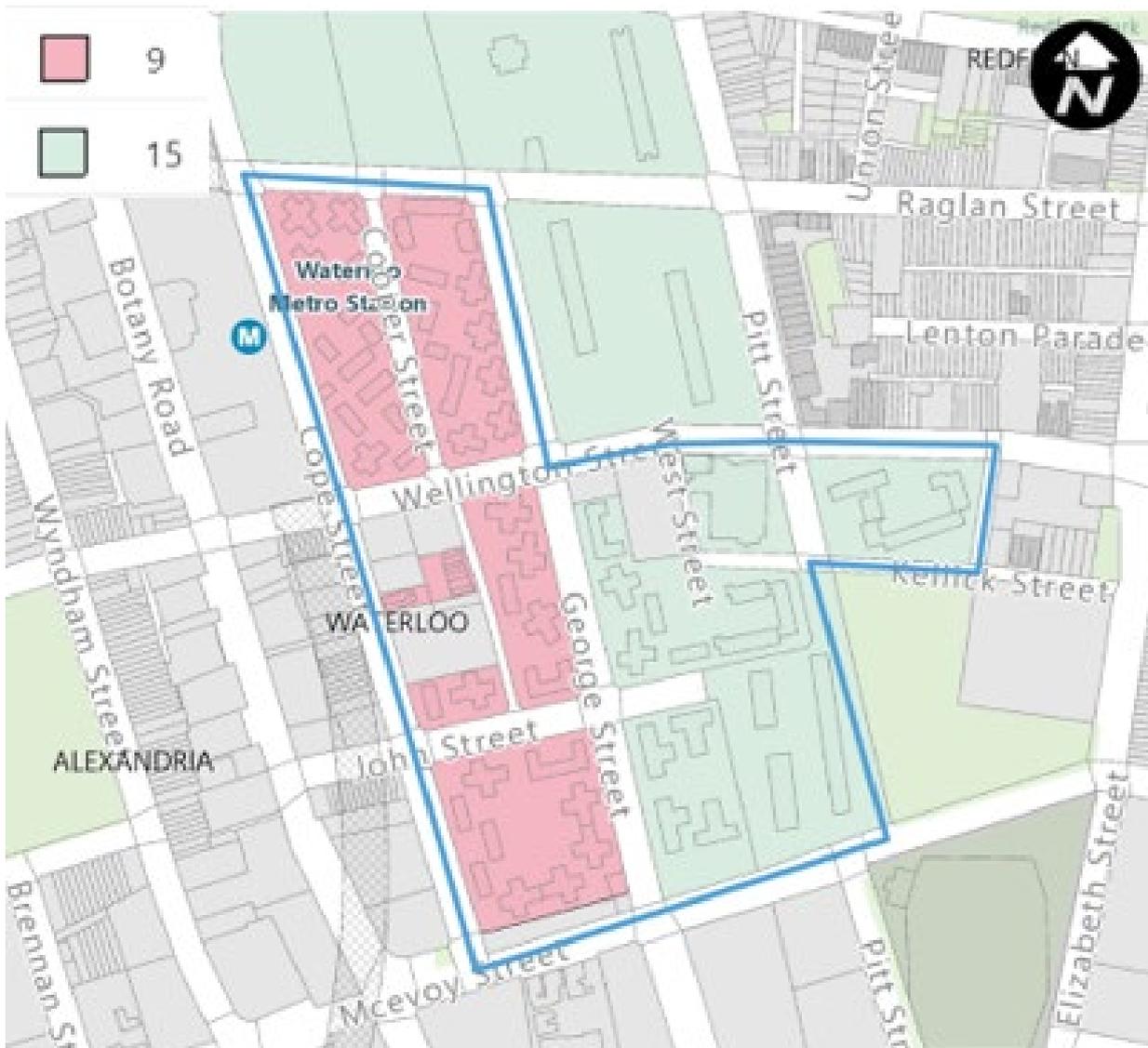


Figure 25 South Sydney DCP 1997 height control

Sydney LEP 2012 contains maximum height of buildings controls for the private lots within the site boundary. These are 18 metres for the lots on West Street and Wellington Street, and 15 metres for the lots on Cope Street. Height controls in Sydney LEP 2012 are shown in Figure 26.

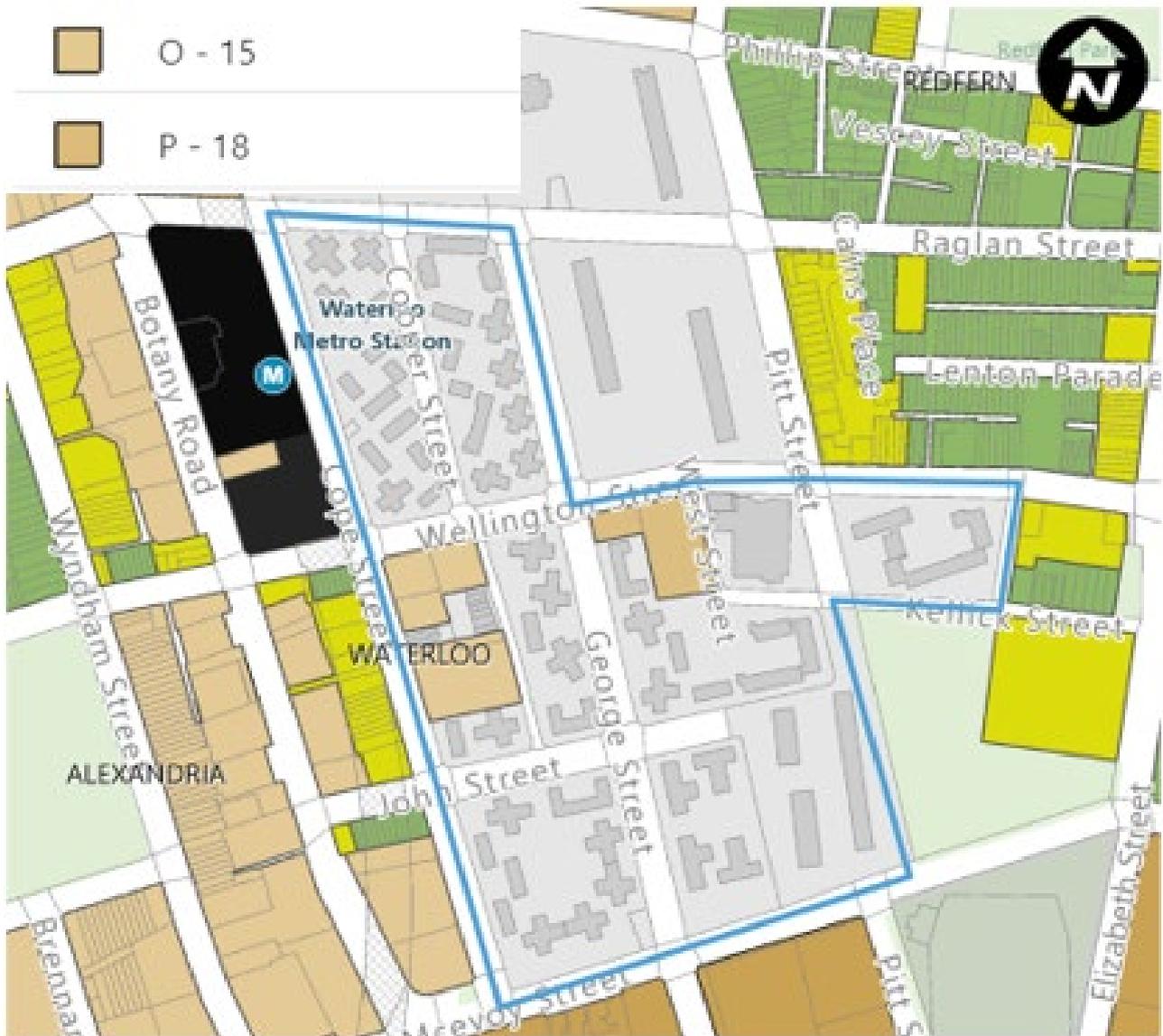


Figure 26 Sydney LEP 2012 height control

2.4. Heritage

The site has five local heritage listed items within its boundaries, and a state heritage listed high pressure water tunnel running beneath the south of the site. There are a number of local and state heritage listed items in proximity to the site. The site adjoins the Waterloo heritage conservation area to the east and is in proximity to five other nearby conservation areas. Figure 27 shows the location of the site with respect to local heritage listed items and conservation areas.

2.4.1. Local heritage listings

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

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

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

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

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

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

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

Table 2 Local heritage items within proximity of the site

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

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

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

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

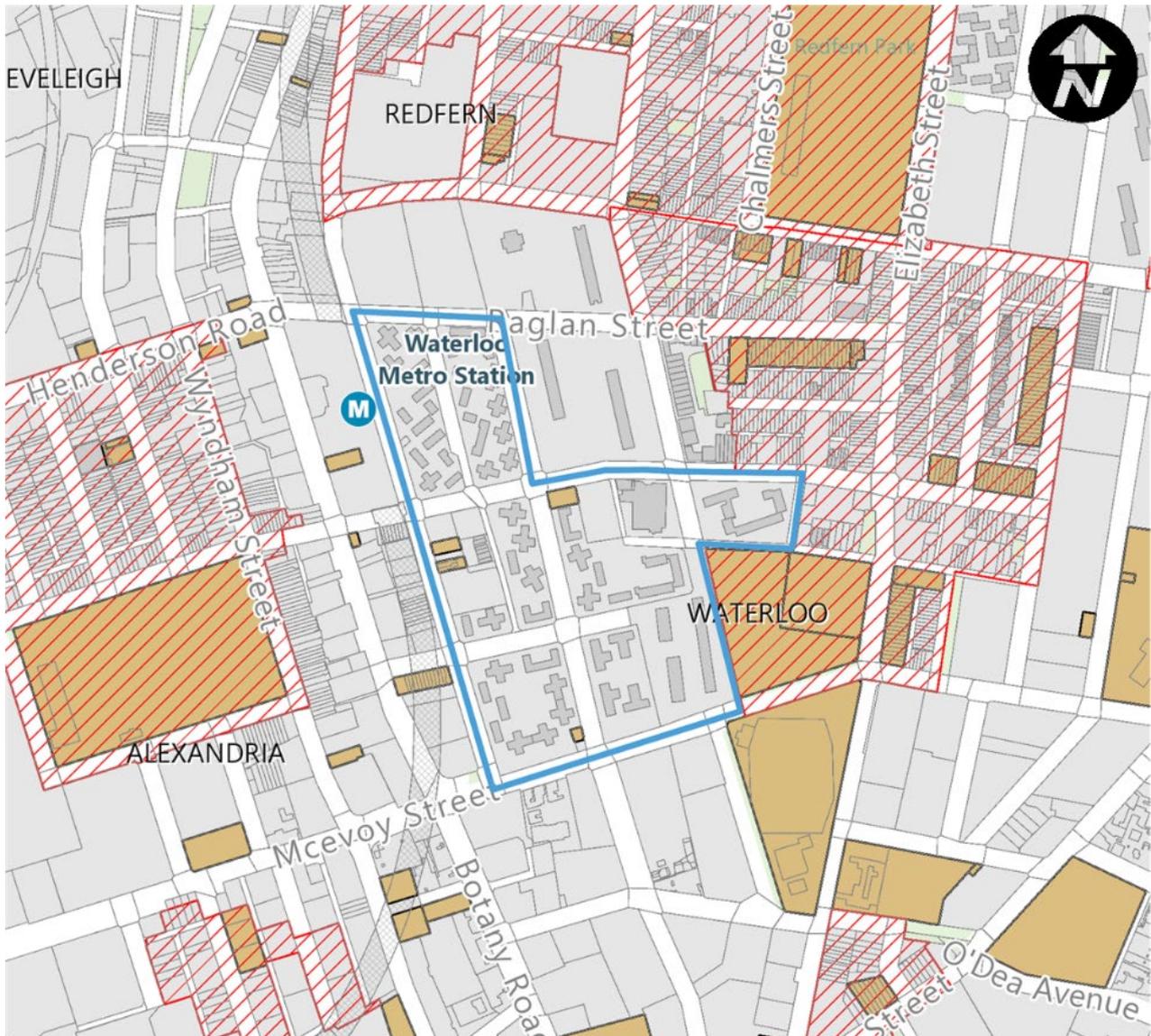


Figure 27 Sydney LEP 2012 heritage items and conservation areas

2.4.2. State heritage listings

The site is in proximity to ten state listed heritage items and has the state heritage listed pressure tunnel running underground. Figure 28 shows the location of state heritage listed items near the site.

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

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

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

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

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

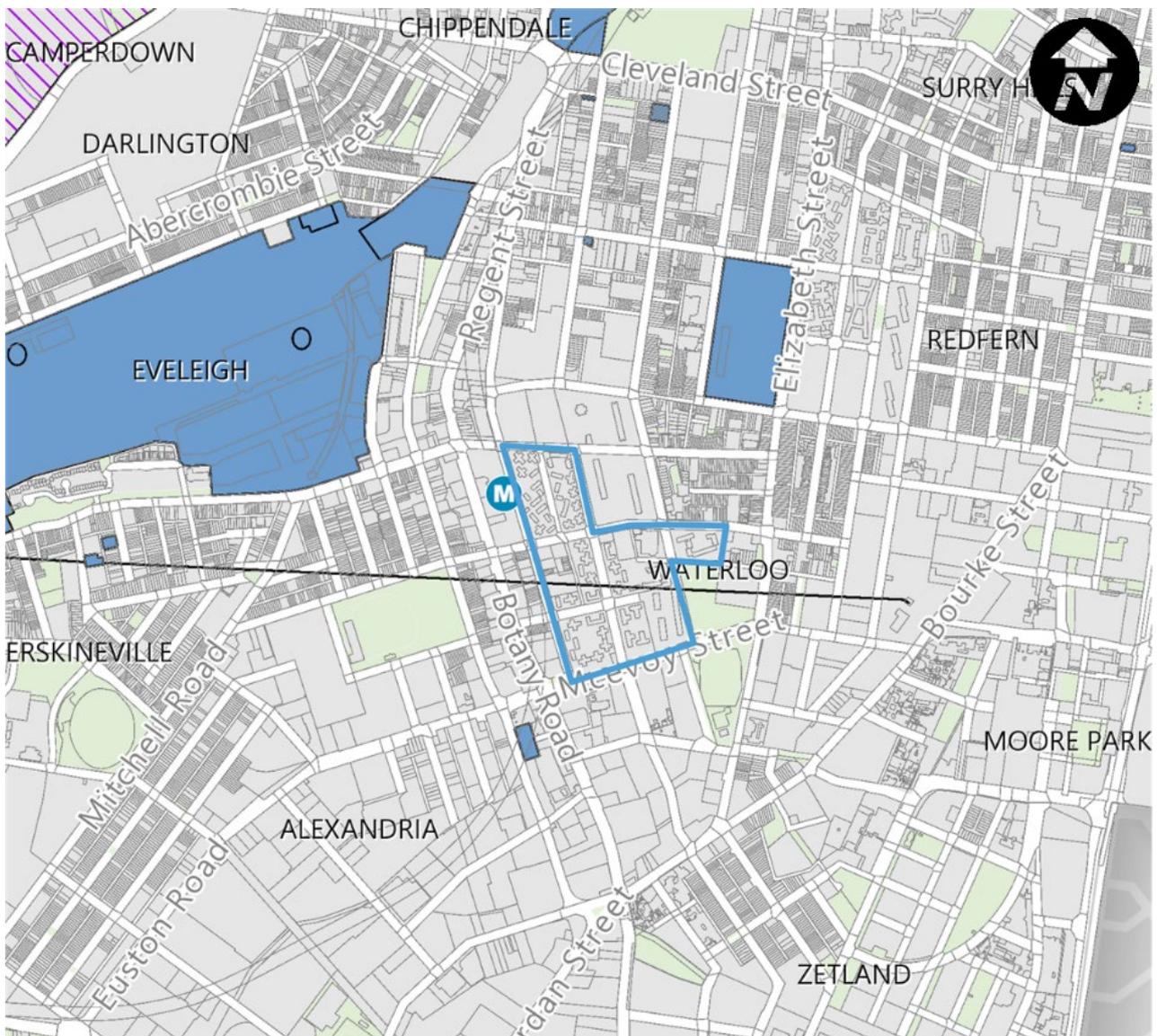


Figure 28 State Heritage Register items

3. Objectives

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

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

4. Explanation of Provisions

4.1. Proposed amendment to Sydney LEP 2012

This Planning Proposal is to:

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

The drafting instructions to amend the Sydney LEP are provided below. A more detailed justification for the proposed planning controls and further explanation of the intended outcome is provided at Part 5 – Justification of this Planning Proposal.

4.1.1. Drafting instructions

Instruction

To achieve the intended outcomes this Planning Proposal seeks to amend the South Sydney LEP 1998 and the Sydney LEP 2012 as follows:

- (1) Repeal the South Sydney LEP 1998 to the extent it applies to the land.
- (2) Amend the Land Application Map Sheet 1 as shown at Part 6 of this Planning Proposal to apply the Sydney LEP 2012 to the land.
- (3) Amend the Locality and Site Identification Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to identify the area referred to as the Waterloo Estate (South).
- (4) Amend the Land Zoning Map Sheet 10 and Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to rezone lots on either side of George Street between Wellington Street and McEvoy Street to B2 Local Centre and all remaining land on the site to B4 Mixed Use.
- (5) Amend the Floor Space Ratio Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to:
 - a. show a new FSR of 2.34:1 at 233 Cope Street, Waterloo, being Lot 12 DP 1099410;
 - b. show a new FSR of 2.61:1 at 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179;
 - c. show a new FSR of 2.69:1 at 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721;
 - d. show a new FSR of 2.67:1 at 110 Wellington Street, Waterloo, being Lot 101 DP 1044801;
 - e. maintain an FSR of 1.75:1 at 111 Cooper Street, Waterloo, being Lot 15 DP 10721;
 - f. maintain an FSR of 1.75:1 at 225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721;
 - g. maintain an FSR of 1.75:1 at 291 George Street, Waterloo, being Lot 10 DP 1238631; and
 - h. show a new FSR of 1.5:1 on all other land.

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- (6) Amend the Height of Building Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to apply the amended maximum building height.
- (7) Amend the Land Use and Transport Integration Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to categorise the subject land “Category A”.
- (8) Amend the Public Transport Accessibility Level Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to categorise the subject land “Category D”.
- (9) Amend the Heritage Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to identify heritage items in full.
- (10) Amend the Acid Sulfate Soils Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to categorise the subject land “Class 5”.
- (11) Introduce new Active Street Frontages Map Sheet 17 as shown at Part 6 of this Planning Proposal to apply active street frontage controls to the identified frontages.
- (12) Amend the Special Character Areas and Retail Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to categorise most of the subject land, except identified land fronting George Street, Waterloo, as “Restricted Retail Development”.
- (13) Amend clause 1.9 Application of SEPPs to ensure State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to the land that is the subject of this Planning Proposal. The purpose of this clause is to ensure no additional floor space bonuses, that may be sought under this SEPP, may apply to the land. It is noted this reference may be updated should the proposed Housing Diversity SEPP be introduced.
- (14) Insert a site-specific local clause for land in the Waterloo Estate (South) currently owned by the NSW Land and Housing Corporation. The proposed site-specific clause is to:
 - a. provide site specific objectives to:
 - ensure development is orderly;
 - incentivise the provision of on-site social and affordable housing to ensure a balanced mix of social and affordable housing and other housing;
 - incentivise development that is of high environmental performance;
 - ensure community facilities are provided to support the growing residential population; and
 - provide a local centre to service the local community;
 - b. identify the land to which the clause applies as the “Waterloo Estate South – Area 1” on the Locality and Site Identification Map;
 - c. ensure clause 7.13 of the Sydney LEP 2012, that requires a contribution to affordable housing, does not apply to the land;
 - d. facilitate additional FSR of 1.26 where all of the following are satisfied:
 - 30% of residential floor area proposed on land to which the clause applies is being used for social housing; and
 - 20% of residential floor area proposed on land to which the clause applies is being used for affordable housing; and
 - no less than 13,000 sqm is being used for a purpose that is not residential accommodation; and
 - no less than 5,000 sqm is being used for community facilities, health facilities and centre-based child care facilities; and
 - where BASIX-affected development exceeds the BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water; and

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- arrangement for the provision of publicly accessible open space has been made, to the satisfaction of Council.
 - e. ensure that a building demonstrating design excellence under Clause 6.21 of the Sydney LEP 2012 is only eligible for additional FSR, and not additional height;
 - f. ensure that any design excellence floor space that is achieved under Clause 6.21(7)(b) is calculated on the mapped floor space as well as additional floor space that may be achieved under d. above;
 - g. define social housing as having the same meaning as in the *Residential Tenancies Act 2010*. Note, this is consistent with the approach taken in the Sydney LEP (Glebe Affordable Housing Project) 2011;
 - h. define affordable housing as having the same meaning as in the Act and require that any affordable housing will be owned and managed by a registered community housing provider (within the meaning of the *Housing Act 2001*);
 - i. ensure floor space for community facilities can only be used for those community facilities identified as being needed;
 - j. ensure that where the Active Street Frontages Map applies, all premises that face the street on the ground floor of buildings, will be used for the purposes of business premises, retail premises, community facilities, health facilities, and centre-based child care facilities.
 - k. ensure that the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the event of any future development application;
 - l. allow rooftop solar panels to penetrate the mapped maximum building height if no additional visual and amenity impacts will result;
 - m. ensure that development on the site is guided by a development control plan (or concept development application) that identifies:
 - the allocation of floor space across blocks;
 - the location of social housing;
 - the location of affordable housing;
 - the provision and location of open space, roads and through-site links;
 - the provision and location of flood mitigation measures;
 - the provision and location of community facilities, health facilities, and centre-based child care facilities; and
 - the provision and location of other non-residential accommodation uses;
 - n. ensure that floor area available across the entirety of land in the Waterloo Estate (South) – Area 1 can be allocated to any land in the Waterloo Estate (South) – Area 1, subject to a development control plan.
- (15) Insert a site-specific local clause for land in the Waterloo Estate (South) not currently owned by the NSW Land and Housing Corporation. The proposed site-specific clause is to:
- a. provide site specific objectives to:
 - incentivise development that is of high environmental performance; and
 - require contribution to the provision of affordable housing, in addition to that required by Clause 7.13;
 - b. identify the land to which the clause applies (see proposed sub-clause 2), being:
 - 233 Cope Street, Waterloo, being Lot 12 DP 1099410;
 - 111 Cooper Street, Waterloo, being Lot 15 DP 10721;
 - 225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721;
 - 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179;
 - 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721;
 - 110 Wellington Street, Waterloo, being Lot 101 DP 1044801; and
 - 291 George Street, Waterloo, being Lot 10 DP 1238631;

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- c. facilitate additional FSR of 0.25:1 for each building where any part of the building that comprises residential floor area exceeds the BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water. For clarity, an additional 0.25:1 is available on sites that do not comprise any residential floor area;
- d. ensure that a building demonstrating design excellence in accordance with Clause 6.21 of the Sydney LEP 2012 is only eligible for additional FSR, and not additional height;
- e. ensure that any design excellence floor space that is achieved under Clause 6.21(7)(b) is calculated on the mapped floor space as well as additional floor space that may be achieved under d. above; and
- f. ensure that the objectives and provisions of the Waterloo Estate (South) Design Guide are taken into consideration in the event of any future development application.

- (16) Insert a new clause for “Planning Proposal land” and a new schedule for “Planning Proposal land”. The intent of this clause and schedule is to identify sites in Waterloo Estate (South), and other sites in the future, that have been the subject of a site-specific planning proposal and therefore require an affordable housing contribution comprising: any contribution that may apply under Clause 7.13 to floor space that was available *before* the planning proposal; and a different an additional contribution rate (to that under 7.13) to floor space that was available *because* of the planning proposal.

Some sites that are identified in the site-specific clause for Waterloo Estate (South) – Area 2 are the first sites to be identified on the new schedule. The proposed local provision is to:

- a. require that on ‘Planning Proposal land’, being land listed on the new Schedule, an affordable housing contribution requirement be applied to development where it is for:
 - i. the erection of a new building over 200 square metres
 - ii. additions to an existing building resulting in the creation of more than 200 square metres of residential floor area
 - iii. additions to an existing building resulting in the creation of more than 60 square metres of non-residential floor area, or
 - iv. a change of use to existing floor area from a non-residential purpose to a residential purpose.
- b. ensure that Clause 7.13 of the Sydney LEP only apply to floor space that was available *before* the planning proposal.
- c. enable the consent authority to levy a contribution on Planning Proposal land in accordance with the rate identified on the Schedule.
- d. require on planning proposal land a contribution as set out in the schedule,
- e. allow the contribution to be satisfied either by way of:
 - i. a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres), in accordance with the Program, with any remainder being paid as a monetary contribution to the Council, or
 - ii. an equivalent monetary contribution to the Council. See sub-clause 4.
- f. require that where an equivalent monetary contribution is made, the equivalent monetary contribution rate provided in the City of Sydney Affordable Housing Program, adopted by Council 24 August 2020, be applied.
- g. ensure all development, whether it was in existence before, or is created after the commencement of the clause, is subject to the contribution.
- h. ensure demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.

- (17) Insert a new ‘Schedule 7 – Planning Proposal land’ to list Planning Proposal land and the required affordable housing contribution rate and:
- a. identify sites in the Waterloo Estate (South) – Area 1, being those sites not currently owned by Land and Housing, on the new Schedule.

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- b. identify the total affordable housing contribution requirement on the following sites:
- i. 233 Cope Street, Waterloo, being Lot 12 DP 1099410:
 - 25 per cent of total floor area: 9 per cent contribution, plus
 - 75 per cent of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
 - ii. 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179:
 1. 33 per cent of total floor area: 9 per cent contribution, plus
 2. 67 per cent of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
 - iii. 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721:
 1. 35 per cent of total floor area: 9 per cent contribution, plus
 2. 65 per cent of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012
 - iv. 110 Wellington Street, Waterloo, being Lot 101 DP 1044801:
 1. 34 per cent of total floor area: 9 per cent contribution, plus
 2. 66 per cent of total floor area: Contribution required under clause 7.13 of Sydney LEP 2012.

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

Proposed drafting

Part 1, Preliminary

1.9 Application of SEPPs

(2A). State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to—

- (a) land at Green Square or at Ultimo-Pymont, or
- (b) southern employment land,
- (c) land at the Waterloo Metro Quarter,
- (d) land at Waterloo Estate South – Area 1, or
- (e) land at Waterloo Estate South – Area 2.

Part 6, Division 5 Site Specific Provisions

6.XX Waterloo Estate South – Area 1

- (1) The objectives of this clause are to:
 - (a) ensure development is orderly;
 - (b) incentivise the provision of on-site social and affordable housing to ensure a balanced mix of social and affordable housing and other housing;
 - (c) incentivise development that is of high environmental performance;
 - (d) ensure community facilities are provided to support the growing residential population;
 - (e) provide a local centre to service the local community.
- (2) This clause applies to land identified as the “Waterloo Estate South – Area 1” on the Locality and Site Identification Map.
- (3) Clause 7.13 does not apply to land to which this clause applies.

Planning Proposal: Waterloo Estate (South)

- (4) Despite clause 4.4, the consent authority may grant development consent to development on the subject land that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than 1.26:1 subject to all of the following being satisfied:
 - (a) no less than 30% of the total residential gross floor area being provided on the site is for social housing, and
 - (b) no less than 20% of total residential floor space being provided on the site is for affordable housing, and
 - (c) no less than 13,000 sqm of floor space being used for a use that is not residential accommodation, and
 - (d) no less than 5,000 sqm of floor space being used for the purpose of health services facilities, centre based child care facilities or community facilities and
 - (e) BASIX affected development exceeds the BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water, and
 - (f) arrangement for the provision of publicly accessible open space has been made, to the satisfaction of Council.
- (5) Clause 6.21(7)(a) does not apply to land mapped in this clause.
- (6) Despite Clause 6.21(7)(b), a building demonstrating design excellence is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of:
 - (a) the amount permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and
 - (b) any additional floor space for which the building is eligible under subclause (4) of this clause.
- (7) In this clause social housing premises has the same meaning as in the *Residential Tenancies Act 2010*.
- (8) In this clause:
 - (a) affordable housing has the same meaning as the Act, and
 - (b) affordable housing will be owned and managed by a registered community housing provider (within the meaning of the *Housing Act 2001*).
- (9) The consent authority must not consent to development on the land to which this clause applies unless it is satisfied that it has taken into consideration the objectives and provisions of the Waterloo Estate (South) Design Guide, adopted by the City of Sydney Council on XX XX XX.
- (10) The consent authority must not grant development consent to development on land to which this clause applies unless a development control plan has been prepared for the site that identifies:
 - (a) the allocation of floor space across blocks; and
 - (b) the location of social housing; and
 - (c) the location of affordable housing; and
 - (d) the provision and location of open space, roads and through -site links; and
 - (e) the provision and location of flood mitigation measures; and
 - (f) the provision and location of community facilities, health facilities, and centre-based child care facilities;
 - (g) the provision and location of other non-residential accommodation uses.
- (11) Floor area permitted by this clause may be allocated to any land that is subject to the clause, subject to a development control plan prepared for such land.
- (12) For the purposes of this clause, the provisions of "Clause 5.6 – Architectural roof features" of Sydney Local Environmental Plan 2012 applies to solar panels, except for subclause 3(a)(i)
- (13) Despite Clause 7.27(3)(a), all premises on the ground floor of buildings that face the street, where the Active Street Frontages Map applies, will be used for the purposes of business premises, retail premises, community facilities, health facilities, and centre-based child care facilities.

Part 6, Division 5 Site Specific Provisions

6.XX Waterloo Estate South – Area 2

- (1) The objectives of this clause are to:
 - (a) incentivise development that is of high environmental performance; and
 - (b) require contribution to the provision of affordable housing, in addition to that required by Clause 7.13.
- (2) This clause applies to:
 - (a) 233 Cope Street, Waterloo, being Lot 12 DP 1099410
 - (b) 111 Cooper Street, Waterloo, being Lot 15 DP 10721

- (c) 225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721
 - (d) 221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179
 - (e) 116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721
 - (f) 110 Wellington Street, Waterloo, being Lot 101 DP 1044801
 - (g) 291 George Street, Waterloo, being Lot 10 DP 1238631
- (3) Despite clause 4.4, the consent authority may grant development consent to development on the subject land that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than 0.25:1 of floor space, where any part of the building that comprises residential floor area exceeds the BASIX commitments for energy by not less than 10 points and water by 5 points.
- (4) Despite Clause 6.21(7)(b), a building demonstrating design excellence is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of:
- (c) the amount permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and
 - (d) any additional floor space for which the building is eligible under subclause (3) of this clause.
- (5) Clause 6.21(7)(b)(i) does not apply to land mapped in this clause.
- (6) The consent authority must not consent to development on the land to which this clause applies unless it is satisfied that it has taken into consideration the objectives and provisions of the Waterloo Estate (South) Design Guide, adopted by the City of Sydney Council on XX XX XX.

Part 7, Division 3 Affordable housing

7.13B Planning Proposal land

- (1) This clause applies to development on land identified in Column 1 of Schedule 7 – Planning Proposal land that results in:
- (a) the erection of a new building over 200 square metres, or
 - (b) additions to an existing building resulting in the creation of more than 200 square metres of residential floor area, or
 - (c) additions to an existing building resulting in the creation of more than 60 square metres of non-residential floor area,
 - (d) demolition of existing floor area and the subsequent creation of more than 200 square metres of new floor area for the same or new purpose or
 - (e) change of use to existing floor area from a non-residential purpose to a residential use or a tourist or visitor accommodation use.
- (2) On Planning Proposal land, Clause 7.13 applies only to the extent identified in Column 2, Schedule 7.
- (3) The consent authority may, when granting development consent on Planning Proposal land, impose a condition on development under subclause (1) requiring a contribution equivalent to the total affordable housing levy contribution, being the amount identified in Column 2, Schedule 7.
- (4) The total affordable housing levy contribution is to be satisfied either by way of:
- (a) a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres), in accordance with the Program, with any remainder being paid as a monetary contribution to the Council, or
 - (b) monetary contribution to the Council.
- (5) The rate at which a monetary contribution is to be taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the Program.

Note. The Program is made available by the Council on its website (www.cityofsydney.nsw.gov.au).

- (6) To avoid doubt:
- (a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and
 - (b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.
- (7) In this clause Program means the City of Sydney Affordable Housing Program, adopted by the Council on 24 August 2020.

Schedule 5 - Environmental Heritage

Part 1 Heritage Items

Locality	Item name	Address	Property description	Significance	Item no
Waterloo	Electricity Substation No 174 building including interiors	530 George Street	Lot 3, DP 10686	Local	I2086
Waterloo	Terrace houses including interiors	229-231 Cope Street	Lot 3, DP 10721	Local	I2078

Schedule 7 – Planning Proposal land

Planning Proposal land Contribution requirement

233 Cope Street, Waterloo, being Lot 12 DP 1099410

The total affordable housing contribution requirement is:

- (a) 9% of the residential floor space, of 25% of the floor space in the development; and
- (b) the contribution rate that applies to the development under Clause 7.13, of 75% of the floor space in the development.

221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179

The total affordable housing contribution requirement is:

- (a) 9% of the residential floor space, of 33% of the floor space in the development; and
- (b) the contribution rate that applies to the development under Clause 7.13, of 67% of the floor space in the development.

116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721

The total affordable housing contribution requirement is:

- (a) 9% of the residential floor space, of 35% of the floor space in the development; and
- (b) the contribution rate that applies to the development under Clause 7.13, of 65% of the floor space in the development.

110 Wellington Street, Waterloo, being Lot 101 DP 1044801

The total affordable housing contribution requirement is:

- (a) 9% of the residential floor space, of 34% of the floor space in the development; and
- (b) the contribution rate that applies to the development under Clause 7.13, of 66% of the floor space in the development.

4.2. Waterloo Estate (South) Design Guide (draft) and draft Sydney DCP 2012

Depending on the value of future applications, Waterloo Estate (South) is likely to be State Significant Development and assessed and determined by the NSW Government. This follows changes to the State Environmental Planning Policy (State and Regional Development) 2011 on 5 February 2021 to specify that development carried out by or on behalf of LAHC with a value of over \$100 million is State Significant Development.

Where sites are identified SSD, the Sydney Development Control Plan 2012 (Sydney DCP 2012) does not apply. To address this, the City has prepared the Waterloo Estate (South) Design Guide (draft), to provide more detailed controls to guide development on the site. The provisions proposed to be inserted into the Sydney LEP 2012 require the draft Design Guide be considered prior to granting approval of development on the site

In the event that Waterloo Estate (South) is not identified SSD, the Design Guide will be used as a development control plan.

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

5. Justification

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

- the City's assessment of the planning proposal request and various technical reports lodged by the NSW Land and Housing Corporation in May 2020;
- community consultation undertaken by the Land and Housing Corporation since 2017; and
- additional technical studies undertaken by the City of Sydney.

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

5.1. Development outcomes

5.1.1. Key Development Outcomes

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

- about 3,067 dwellings, including 920 social housing dwellings (30 per cent of all dwellings), 613 affordable dwellings (20 per cent of all dwellings) and 1,534 market dwellings (50 per cent of all dwellings) on LAHC owned sites, plus about 127 additional market dwellings on privately owned sites;
- a large park adjoining Waterloo Metro station of more than two hectares and a small park in the south of the site;
- about 249,000 sqm of floor space, including about 13,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- three towers of about 30 storeys and most other building generally around 8 stories (with some 4 stories and others up to 13 storeys where development fronts a park or George Street);
- new streets and through site links; and
- a new cycleway along Wellington Street.

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

5.1.2. Overview of Development Outcomes

Fine Grain

A fine-grain lot pattern will be re-introduced, with flexible and varied lot sizes, allowing for a variety of apartment arrangements and a flexible approach to staging and redevelopment. Variety and quality in architectural design and housing choice will cater to the diverse community of existing and future residents, providing a vibrant, attractive, environmentally sustainable and safe neighbourhood.

Design

Development will be of high quality and respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people. Varied, innovative and high-quality design is to be delivered to ensure an

environmentally sustainable, attractive and diverse neighbourhood. A flexible and varied lot pattern supports this outcome.

Housing

The redevelopment of the Waterloo Estate (South) will provide mixed tenure outcomes, with about 50 percent of housing being market housing, and 50 percent affordable and social housing. The tenure mix and dwelling types are to support households of a variety of cultural backgrounds, as well as evolving family situations and structures.

Built Form

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

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

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

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

Topography

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

Public Domain

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

The urban design strategy from the draft Design Guide, shown at Figure 29, illustrates how redevelopment the Waterloo Estate (South) will function as a cohesive precinct in itself, as well as integrate with the wider area.

Planning Proposal: Waterloo Estate (South)



Figure 29 Urban design strategy from the draft Design Guide

5.1.3. Planning and Design Principles

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

Principle – Diverse land uses to support a diverse community

- Capitalise on the proximity of Waterloo Metro station by creating a vibrant mixed-use neighbourhood that blends residential, retail, commercial, community and recreational uses.
- Provide a range of dwelling types and housing choices to accommodate mixed tenure development that support a range of households and living choices.
- Development will respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people
- Design non-residential spaces to accommodate a range of commercial and retail activities, that may change over time in response to community needs.
- Meet the objectives of the City of Sydney Local Strategic Planning Statement and Housing Strategy by ensuring that at least 20% of all floor space to be allocated as affordable housing dwellings.
- Ensure alignment with the NSW State Government’s Communities Plus policy by ensuring a minimum of 30% of all residential floor space to be allocated to social housing dwellings.
- Retail spaces and local services need to be provided which can meet the local daily shopping needs of a dense residential population.
- George Street is to become the focal point of pedestrian and commercial activity, and will have continuous ground level retail, commercial and community uses. This facilitates a main retail street environment that contributes to the identity, activation and vibrancy of the area.
- Provide additional retail opportunities in a continuous retail frontage along McEvoy Street with retail ground floor to tower buildings.

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

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

Principle – Streets prioritise pedestrians and cyclists.

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

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

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

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

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

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

5.1.4. Zoning and land use

Provisions in the Sydney LEP 2012

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

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

The proposed zoning is shown at Figure 30.

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Figure 30 Proposed land use zoning

B4 – Mixed use

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

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

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

The B4 – Mixed use zone is the predominant land use zone in the local government area. It is considered appropriate for the identified sites given the proposed density of the Waterloo Estate (South) and the range of uses that are proposed. Importantly, the B4 – Mixed use zone is

inherently flexible and will provide the best support for establishing a new centre in the hierarchy of the City's centres.

B2 – Local Centre

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

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

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

The rationale for applying the B2 – Local Centre zone to land fronting George Street is discussed in more detail in section 5.1.8 'Public infrastructure' of this Planning Proposal.

Additional requirements in the Waterloo Estate (South) Design Guide

While predominantly a residential precinct, about 18,000 sqm of non-residential uses are proposed on the site, which is to comprise mostly retail uses, but also community facility uses and commercial uses. Generally, non-residential uses are concentrated:

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

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

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The LAHC planning proposal request proposed the site be primarily zoned B4 – Mixed Use, except for the large park and the LAHC's proposed linear park along George Street which LAHC has proposed to zone RE1 - Public Recreation.

While this Planning Proposal proposes a different location for the small park in the south of the site, the City and LAHC agree that the RE1 – Public Recreation zone is the most appropriate zoning for parks once the final locations and areas are confirmed. The two parks will be re-zoned RE1 - Public Recreation following construction and potential dedication to the City.

This Planning Proposal also zones land fronting George Street B2 – Local Centre. The purpose of this zoning is discussed later in this Planning Proposal.

5.1.5. Floor space ratio

Provisions in the Sydney LEP 2012 on LAHC-owned land

This Planning Proposal maps all LAHC-owned land in the Waterloo Estate (South) as having an FSR of 1.5:1, facilitating approximately 123,029 sqm of floor area. This is a direct conversion of floor area that is currently available on the land under the South Sydney DCP 1997.

In addition to the FSR that is mapped, it is proposed that an additional FSR of 1.26 is available if all of the following requirements are satisfied:

- 30% of residential floor area is used for social housing;
- 20% of residential floor area is used for affordable housing;
- no less than 13,000 sqm is used for a non-residential purpose;
- no less than 5,000 sqm is used for community facilities, health facilities, or centre-based child-care facilities;
- BASIX commitments for water and energy are exceeded by not less than 10 points for energy and 5 points for water; and
- adequate open space is provided in the precinct, to the satisfaction of Council.

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To obtain the additional FSR of 1.26:1, development must provide for all of the abovementioned land uses and other requirements. If any one of the above is not provided, then the mapped FSR of 1.5:1 cannot be exceeded.

In addition to the above, up to 10 per cent additional FSR, calculated on all the FSR components described above, may be achieved subject to a competitive design process.

This Planning Proposal facilitates a total FSR of about up to 3:1 across the entirety of Waterloo Estate (South), including 3.04:1 on LAHC-owned land and an FSR of up to 2.47:1 on privately-owned land (including design excellence floor space). While yields are very similar to those proposed in LAHCs planning proposal request, the key difference is the way the floor area is allocated to a land use, with this Planning Proposal increasing the amount of non-residential floor area. Altogether, the total available floor area on all LAHC-owned land in the Waterloo Estate (South) is about 249,000 sqm, including about 18,000 square metres for non-residential uses and about 231,000 square metres (about 3,067 dwellings).

Table 3 shows how the FSR (and resulting floor area) is to be achieved on the site. The table is for illustrative purposes to show the breakdown of the various floor space components.

To achieve the additional FSR of 1.26:1, development must provide for all of the incentive floor space ratio components in row three of column three of the table; that is - If any one component is not provided, then the mapped FSR of 1.5:1 cannot be exceeded.

	Quantum	Explanation
Total site area on current land holdings	82,061 sqm	N/A
Total 'mapped' floor area	123,092 sqm	All land mapped with 1.5:1 FSR (this aligns with current FSR under existing controls in South Sydney DCP 1997)
Total 'Incentive' floor area	103,397 sqm	<p>The incentive floor space ratio of 1.26:1 equates to an additional 103,397 sqm of GFA that can be achieved if all of the following are provided:</p> <ul style="list-style-type: none"> • no less than 30% of the total residential GFA is used for social housing; and • no less than 20% of the total residential GFA is used for affordable housing; and • no less than 13,000 sqm of the total GFA is a non residential use; • no less than 5,000 sqm of the total GFA is used for community facilities, health services facilities or centre based childcare facilities; and • BASIX commitments for water and energy are exceeded by no less than 10 points for energy and 5 points for water; and • arrangement for the provision of publicly accessible open space has been made, to the satisfaction of Council.
Design excellence incentive floor area (calculated on mapped	22,649 sqm	Calculated on all the above (i.e. 10% x (Total mapped floor area + Total incentive floor area).

FSR and all incentive FSRs)

Total floor area proposed to be available in Sydney LEP 2012	249,138 sqm	Assumes that mapped FSR and incentive FSR is taken up.
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Table 3 Explanation of FSR provisions and resulting floor area for LAHC-owned sites

A staged development application is required to apportion floor area to development sites within the Waterloo Estate (South) prior to development. This is described in more detail later in this Planning Proposal.

Provisions in the Sydney LEP 2012 on privately owned land

This Planning Proposal maps privately-owned sites in the Waterloo Estate (South) as having various FSRs as shown at Table 4.

Privately-owned land	Proposed FSR
233 Cope Street, Waterloo, being Lot 12 DP 1099410	2.15:1
221-223 Cope Street, Waterloo, being Lot 6 DP 10721, Lot 7 DP 10721, Lot 9 DP 10721 and Lot 8 DP 1147179	2.61:1
116 Wellington Street, Waterloo, being Lot 10 DP 10721 and Lot 11 DP 10721	2.66:1
110 Wellington Street, Waterloo, being Lot 101 DP 1044801	2.32:1
111 Cooper Street, Waterloo, being Lot 15 DP 10721	1.75:1
225-227 Cope Street, Waterloo, being Lot 4 DP 10721 and Lot 5 DP 10721	1.75:1
291 George Street, Waterloo, being Lot 10 DP 1238631.	1.75:1

Table 4 Proposed FSR on privately-owned land

Of those sites with a proposed FSR of 1.75:1, this is a direct conversion of floor area that is currently available under the Sydney LEP 2012. It has been applied where sites are heritage listed, where the proposed development is less than the existing FSR (that is, the FSR has not been reduced), or where redevelopment is not envisaged as part of the redevelopment of Waterloo Estate (South).

Other privately-owned sites in the Waterloo Estate (South) have been mapped with FSRs ranging 2.15:1 to 2.66:1. These sites may redevelop over time at the initiative of the landowner but are not relied on to facilitate the wider redevelopment of the Estate.

Non-BASIX affected development and BASIX-affected development that exceeds the minimum BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water can be awarded an additional 0.25:1 FSR (being about 2,096 sqm of floor area) above the mapped FSR.

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

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

Additional requirements in the Waterloo Estate (South) Design Guide

The draft Design Guide provides additional guidance for how floor area is to be distributed across future street blocks, shown at Figure 31, on LAHC-owned land in any future staged development application.

Table 5 below shows an indicative distribution of floor area on LAHC-owned land. It is noted the below Table does not identify on what street blocks affordable and social housing is to be provided. This is a matter that is to be resolved in a future Stage 1 development application.

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Figure 31 Street blocks and building lots

Street block	Estimated street block area**	Indicative residential floor area	Indicative non-residential floor area
1	20,013 sqm***	None	401
2****	2,918 sqm	5,738	1,455
3	5,874 sqm	25,749	3,924
4	6,049 sqm	19,167	3,003

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5	3,452 sqm	15,000	0
6	3,551 sqm	14,016	0
7	6,684 sqm	24,300	0
8	10,421 sqm***	41,198	2,898
9	7,249 sqm	32,787	3,930
10	7,116 sqm	31,947	973
Total	73,327	211,718 sqm	16,584 sqm

Table 5 Indicative floor area distribution on LAHC owned land, by street block

* Floor area estimates provided assume all floor space available is being utilised but does not include additional floor area that may be achieved where the development demonstrates design excellence floor space.

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

*** Includes land for open space

**** Includes 368sqm of floor area for the retention of the heritage listed terraces at 229-231 Cope Street

How have FSRs been established?

The FSRs have been derived for each site based on the building envelopes established by building height (in the Sydney LEP 2012), setbacks (in the draft Design Guide), and industry accepted building efficiencies as applied to a particular land use.

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The FSRs proposed in this Planning Proposal are similar to LAHC's planning proposal request that stated an FSR of about 3.09 across the entirety of Waterloo Estate (South). This FSR was applied to both LAHC-owned land and privately-owned land.

It is noted however the FSRs proposed in LAHC's request were calculated on incorrect land area sizes. The site area calculation in the request included one lot owned by the City of Sydney and another owned Alpha Distribution Ministerial Holding Corporation. The site areas used were not verified by survey. The City has used site areas noted on surveys supplied on request after lodgement by LAHC, that do not match the areas stated in the request, and excluded land not owned by LAHC. The areas stated on the surveys have not been verified. The FSR of LAHC's request based on updated the site area in this Planning Proposal is 3.13:1.

5.1.6. Building height and form

Provisions in Sydney LEP 2012

This Planning Proposal is to amend the Height of Buildings map in Sydney LEP 2012 to allow building heights that will primarily range between 9 metres to 48 metres across the site. Most buildings will be no more than 35 metres in height, with the three tower buildings to the south of the site being between 102 metres and 110 metres in height (i.e. RL 126.4 metres).

Figure 32 shows building heights distributed across the site. Most of the building heights on the map are to be shown in metres, however the three towers at the south of the site are shown as

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Reduced Levels (RLs) due to their relationship with the maximum RLs established by Sydney Airport for Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS).



Figure 32 Proposed maximum building height map

The proposed heights in the Planning Proposal will result in a distribution of heights as shown in the cross section at Figure 33.



Figure 33 Proposed heights - cross section through south of site

Additional requirements in Waterloo Estate (South) Design Guide

The draft Design Guide provides more detailed guidance on building height in storeys and street wall heights, shown at Figure 34.

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Figure 34 Building height in storeys

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

- minimum floor-to-floor and floor-to-ceiling heights are specified for residential and non-residential uses;

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

Wind impacts

The planning proposal request prepared by LAHC contains a large number of tall buildings. Tall buildings may produce wind environments at ground level in public space, parks and streets that are not comfortable and may not be safe for people. The Pedestrian Wind Environment Study submitted with LAHC's planning proposal request showed a number of exceedances of the safety and walking comfort criteria (shown in Figure 34) with the majority of exceedances located around the perimeter of the precinct close to high rise towers. The exceedances of the safety criterion are all caused by the strong prevailing wind directions from the north-east, south and west. The wind report made some recommendations that may mitigate the wind conditions in these areas but they were not included in the planning proposal.



Figure 35 Wind impacts of LAHC's planning proposal request

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

The comfort wind conditions at majority of open areas were assessed against the walking criterion, only the north half of the Village Green was assessed against the pedestrian standing criterion. Most of the locations between buildings were close to the walking criterion and therefore would be

expected to be associated with the wind speed associated with people sitting for only about 50 per cent of the time.

The City's Planning Proposal contains three towers and these have been modelled to minimise the effects of wind down wash discharging into heavily trafficked pedestrian areas. These measures include:

- setting back the buildings above lower scale buildings from the south by a minimum of nine metres;
- rounding the corners of the towers;
- continuous awnings to retail frontages and building entries on all sides of the towers that adjoin public space, streets and walkways; and
- open floors between half and two thirds the tower height for at least the equivalent of three floors high.

To inform the built form and building layout proposed in the Planning Proposal, the City has undertaken additional wind consideration. The study shows that one point to the south west of the south western tower remains a potential concern due to its exposure to the west and the City has made some adjustment to the building layout to mitigate this.

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The LAHC planning proposal request seeks to amend building height controls to allow tower building heights of up to RL 126.40 metres to enable the development of nine towers between 20 and 32 storeys, three 15 storey buildings, and other buildings up to eight storeys. A single maximum building height is proposed to be mapped for each street block in LAHC's proposal. Maximum heights are based on the tallest building in each block under LAHC's indicative concept proposal.

LAHC's planning proposal request would result in a predominantly high-rise precinct that would have significant impact on the amenity of Waterloo Estate (South) and will be out of character with the area.

In contrast, building heights proposed by the Planning Proposal will result in substantially different building form, reducing the number of tall buildings (over 20 storeys) from nine to three, and more evenly distributing height across the precinct. The difference can be observed comparing Figure 34 above, and Figure 36 below.

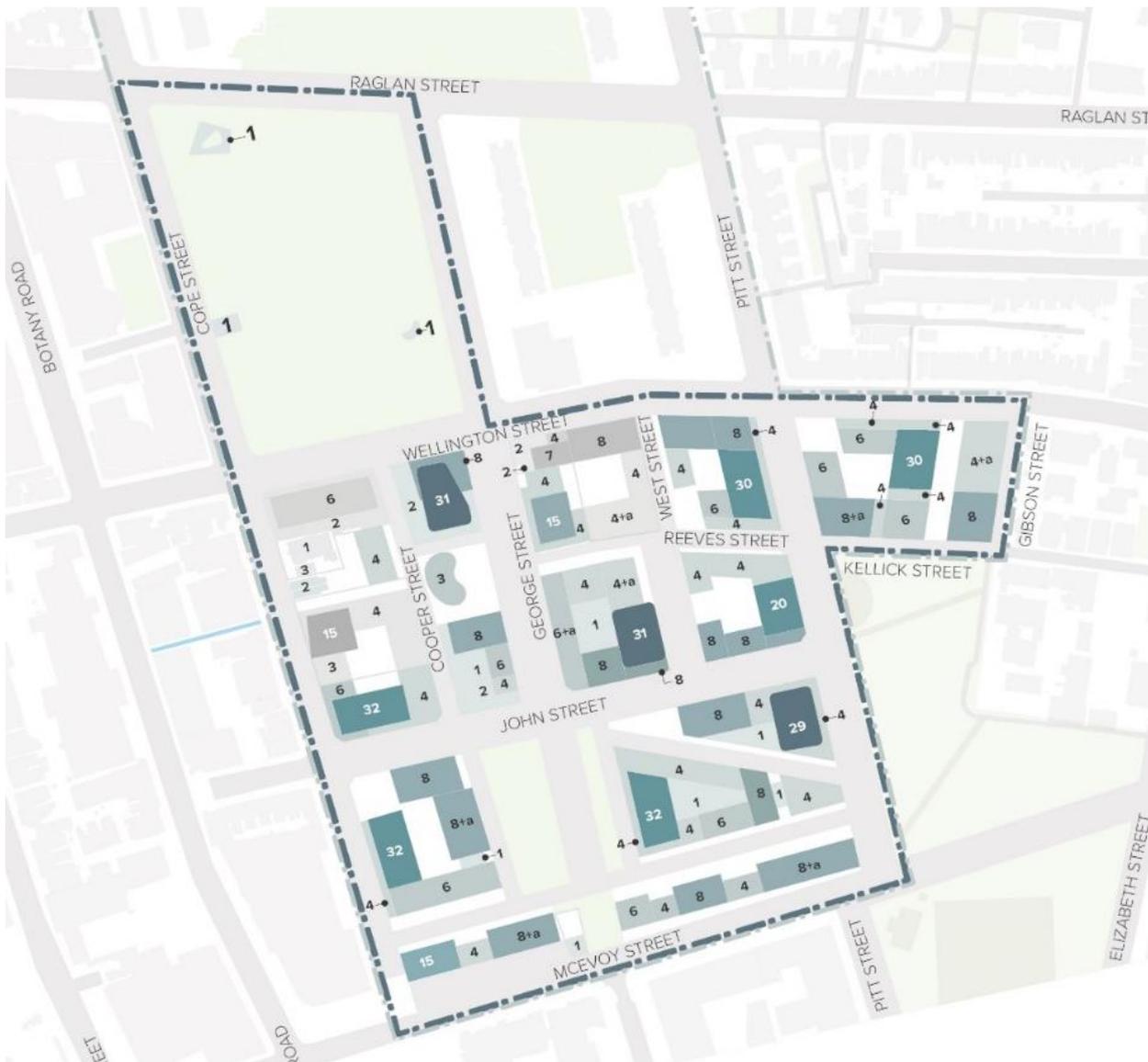


Figure 36 Building heights in storeys from LAHC's planning proposal request

The relative merits of heights proposed by LAHC and this Planning Proposal are explored in full in the Waterloo Estate (South) Urban Design Study, appended to this planning proposal. While both LAHC's planning proposal request, and the City's Planning Proposal result in a similar floor area and number of dwellings, the below summary and Figures demonstrate the relative impact the different approaches have on the urban environment.

A place for people

The below figures are based on this Planning Proposal. Figure 37 shows the view looking south along George Street. This shows the generous setback along the east side of George Street which will be filled with trees, outdoor dining and goods display. Figure 38 shows the view looking south east across the new large park. Figure 39 shows a comparative cross section of a typical street and Figure 40 demonstrates the greater level of sunlight access to streets in the City's Planning Proposal, compared to LAHC's proposal.

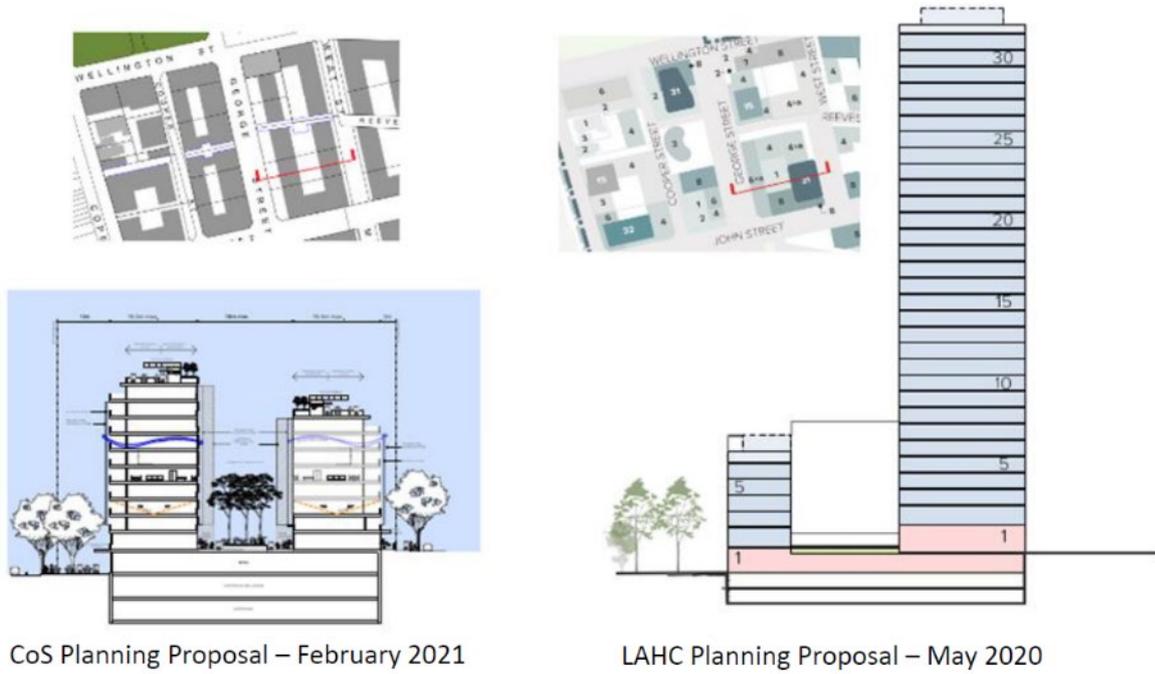


Figure 37 View looking south along George Street – Indicative outcome, City of Sydney Planning Proposal



Figure 38 View across new large park looking south-east – Indicative outcome, City of Sydney Planning Proposal

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CoS Planning Proposal – February 2021

LAHC Planning Proposal – May 2020

Figure 39 Comparative section through site

SUNLIGHT TO STREETS – June 21



City of Sydney Planning Proposal – February 2021

LaHC Planning Proposal - May 2020

Figure 40 Comparison of sunlight to streets in mid-winter

A better fit into the wider urban context

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When viewed from the main public spaces that surround Waterloo: Redfern, Alexandria and Waterloo parks and the new park; the City's Approach maintains a far greater view of the sky and fits more comfortably into the existing skyline. Figure 41 to Figure 48 below show the potential skyline and tower locations within LAHC's planning proposal request, compared with the City of Sydney's planning proposal.



Figure 41 View from Redfern Park looking south west (LAHC request)



Figure 42 View from Redfern Park looking south west (the Planning Proposal)



Figure 43 View from Alexandria Park looking east (LAHC's request)



Figure 44 View from Alexandria Park looking east (the Planning Proposal)



Figure 45 View from Waterloo Park South looking north west (LAHC's request)

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Figure 46 View from Waterloo Park South looking north west (the Planning Proposal)



Figure 47 View from large park looking south (LHC's request)



Figure 48 View from large park looking south (the Planning Proposal)

A better distribution of floor area

The Planning Proposal results in a relatively even height so development intensity is more evenly spread without peaks of density. LAHC proposes an uneven spread of development, causing peaks in density adjacent to significantly less dense lots. This is rarely seen in a residential community and is comparable to development intensity in parts of central Sydney.

5.1.7. Apartment Design Guide – Performance

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

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

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

How does this Planning Proposal differ from the planning proposal request made by LAHC?

LAHC's urban design approach in the urban design report submitted with its planning proposal request does not meet objectives and design criteria of the ADG.

Part 2 of the ADG, which supports strategic planning process and the preparation of planning controls, has not been followed because:

- site specific building envelopes are not included;
- building heights in stories are not adjusted for the topography;
- secondary height controls to transition built form are not included where necessary;
- net floor areas for development parcels are not defined;
- floor area controls for each different use are not included;
- building envelopes for the noise effected part of the site facing McEvoy Street are not developed or illustrated;
- building depth controls are not set;
- minimum separation distances for buildings are not set and the illustrated design does not meet the ADG requirements;
- at zone boundary changes along Gibson Street setbacks are not provided;
- setbacks for street widening where inadequate footpaths exist are not provided; and
- setbacks for deep soil zones are not provided.

Parts 3 and 4 of the ADG has not been followed because:

- a park proposed next to George Street in the south of the precinct does not respond to the existing neighbourhood pattern, would be unsafe and disrupt the intended main street character of George Street;
- new east-west streets and a proposed diagonal walkway do not respond to the existing pattern of the neighbourhood;
- building siting and layout along McEvoy Street will not address noise impacts; and

- the building strategy in LAHC's urban design study for a typical building lot is inadequate because:
 - deep soil zones will not support healthy plant and tree growth;
 - there is inadequate building separation;
 - solar access to apartments is not optimised;
 - natural cross ventilation is not maximised; and
 - common circulation spaces serve too many apartments.

5.1.8. Public infrastructure

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

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

Should Waterloo Estate (South) be identified as SSD, contributions will be paid to Infrastructure NSW under the Redfern Waterloo Authority Contributions Plan 2006 (currently one per cent of development costs). In 2019 the City requested the Department repeal the Plan as it is outdated and no longer provides for the community's infrastructure needs.

It is estimated the City may receive about \$30 million in contributions from Waterloo Estate (South) under the City of Sydney Development Contributions Plan 2015, if it applies, with further contributions payable in later stages of the Estate's redevelopment. However, the costs of the essential infrastructure arising from Waterloo Estate (South) are expected to exceed contributions received and the City's long-term financial plan and capital works plan does not currently incorporate infrastructure delivery costs associated with the population growth generated by the Waterloo Estate (South) proposal.

Before progressing with the redevelopment of the site, negotiation with the NSW Government is required to ensure it is delivered in a timely manner, provided to a suitable standard to support the future population and does not place unreasonable financial burden on the City.

On 27 January 2021, the City received a letter of offer from LAHC to enter into a voluntary planning agreement for the delivery of public benefits (public infrastructure) in conjunction with the redevelopment of Waterloo Estate (South). The letter of offer is provided at Attachment E.

The letter of offer proposes a number of public benefits, with a total of \$147.5 million of land and works to be offset against future development contributions, including:

- the 'dedication' and embellishment of land for public open space within the Waterloo Estate (South) site, to be offset to the value of \$128.5 million against future development contributions (including \$103 million for land and \$25.7 million for embellishment);
- the construction and the dedication of new public roads to Council, and the upgrade of all existing roads within the development area to be provided as part of the development at no cost to Council;
- the provision of up to 6,700 square metres of community facilities, to be offset to the value of \$19 million against future development contributions; and
- some sustainability commitments.

The City cannot support the offer, primarily because it is contingent on LAHC's unacceptable planning proposal request being progressed, rather than the planning controls in this Planning

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Proposal. The City cannot agree with the unreasonable open space valuation and needs clarity on the delivery of some infrastructure items.

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

Open space

The draft Design Guide identifies land to be dedicated by LAHC to the City for a large park adjacent to the future Waterloo Metro station, and a small park in the south of the site. The total amount of land proposed to be dedicated for open space is about 21,000 square metres. The proposed dedication areas are shown Figure 49.

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Figure 49 Dedications and easements

Streets and through site links

The draft Design Guide identifies land to be dedicated by LAHC to the City for new streets, totalling about 9,028 sqm dedication land. The proposed dedication areas are shown at Figure 49 above.

Figure 49 Dedications and easements also shows through-site links where an easement for public access is to be provided.

Community facilities, childcare and healthcare

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

The LAHC reports identify the extra demand arising from the Planning Proposal. They are not intended to identify the wider demand for community facilities and services in the area, nor do they take into consideration the community services and facilities that may arise from other large redevelopment sites in the area, or the remainder of Waterloo Estate.

The City of Sydney commissioned a peer review of LAHCs reports by CRED Consultants. The peer review was to test LAHC's reports and make recommendations, if required, for addressing the identified demand for community facilities and services. It takes into account existing facilities and services in the wider area, as well as the opportunities offered by the redevelopment of the Estate, such as possible locations for facilities.

LAHC's reports and the peer review found that generally the Estate has reasonable access to community facilities and services, but there are some impediments to access, existing gaps and increased demand arising from the proposed redevelopment of the Estate.

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

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

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

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

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

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

While LAHC's planning proposal request included 6,700 sqm for community facilities in Waterloo Estate (South), the City's Planning Proposal reduces this to 5,000 sqm because:

- the peer review recommends an alternate approach for some elements;
- some items, such as communal rooms, are not defined as 'community facilities', but are still required to be provided as part of the development in the draft Design Guide; and

- an assessment of how the requirement can be accommodated be physically accommodated in the proposed built form.

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

Schools

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

Water recycling facility

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

The City's draft Design Guide includes requirements that all buildings are constructed to be capable of providing a dual reticulation water system for water services which connect to a non-potable recycled water network, and configured to supply all toilets, washing machine taps, car wash bays, cooling towers and irrigation usage.

LAHC have not committed to on-site water recycling, however the City is investigating options for how this may be realised.

5.1.9. The hierarchy of centres and retail

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

A retail strategy has been prepared for Waterloo Estate (South) by the City of Sydney to support this Planning Proposal and is appended. It establishes four key principles for retail planning on the site, being:

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

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

Provisions in the Sydney LEP 2012

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

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

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

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- retail premises on multiple lots along a high activity corridor,
- retail fronting the street to enable access to pedestrians,
- flexible business premises for creative industries and offices,
- side streets, through-site links and laneways providing overflow and affordable retail and employment space, and
- space on the ground floor of larger lots for accessible ground-level shopping centres.

This Planning Proposal maps the site on the Retail Premises Map, in line with Sydney LEP 2012 controls. As shown in Figure 50, the George Street corridor is excluded from the Restricted Retail Premises provision, while the remainder of the site is subject to this provision. In accordance with Sydney LEP 2012 clause 7.23 'Large retail development outside of Green Square Town Centre and other planned centres', larger retail premises (such as larger supermarkets) will be allowed along George Street but elsewhere shops and markets are limited to 1,000 sqm.

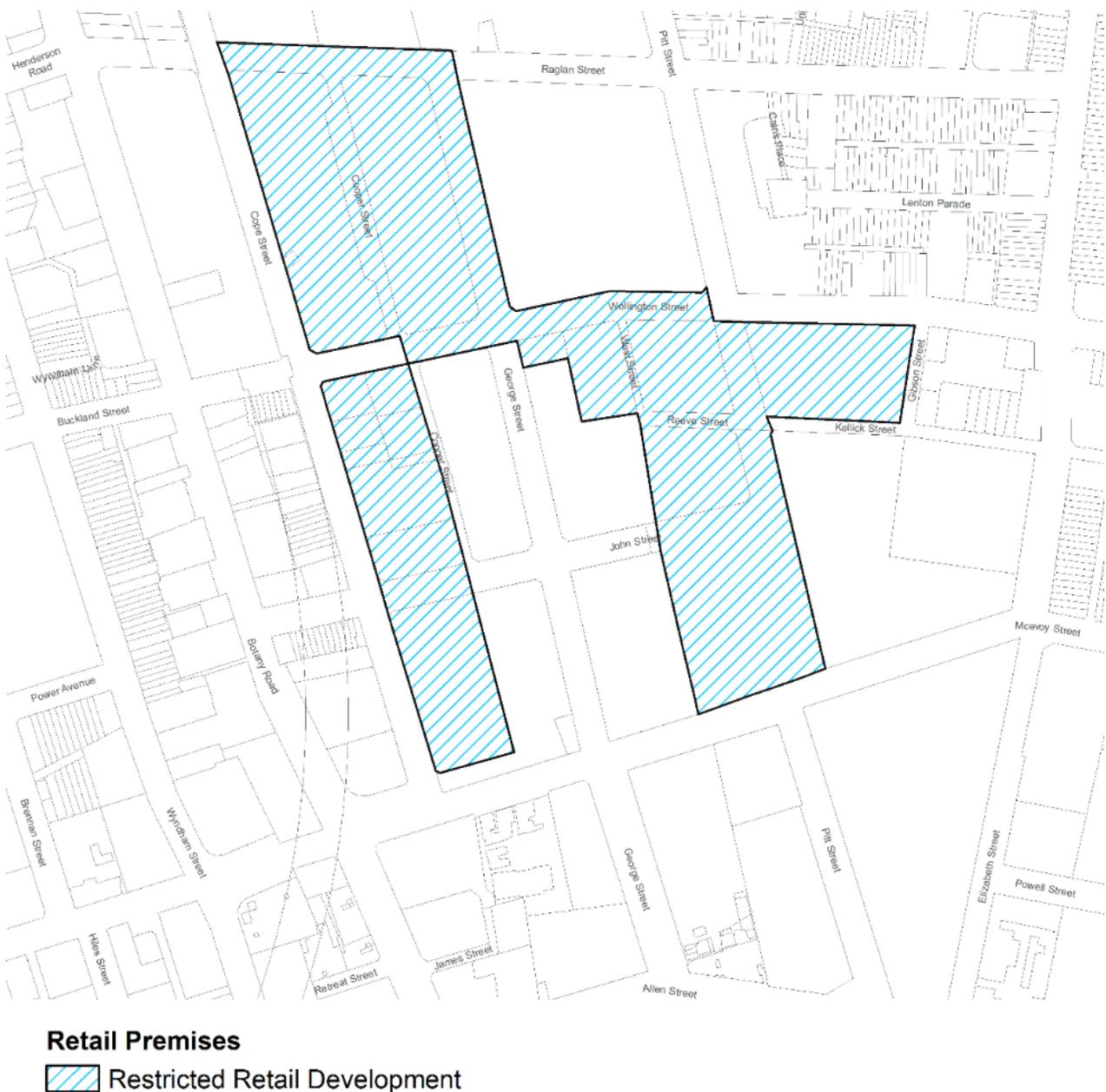


Figure 50 Proposed restricted retail development map

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

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

This Planning Proposal also maps Active Street Frontages in Sydney LEP 2012, as shown in Figure 51, along the extent of George Street and on corners and laneways extending off the sides of George Street. This mapping is used by clause 7.27 'Active street frontages' and requires all premises on the ground floor of identified buildings to be used for the purposes of business premises or retail premises, and for those premises to have an active street frontage. This Planning Proposal expands the requirement to include all of the following uses on the ground floor of identified buildings in Waterloo Estate (South): business premises, retail premises, community facilities, health facilities, and centre-based childcare facilities.

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

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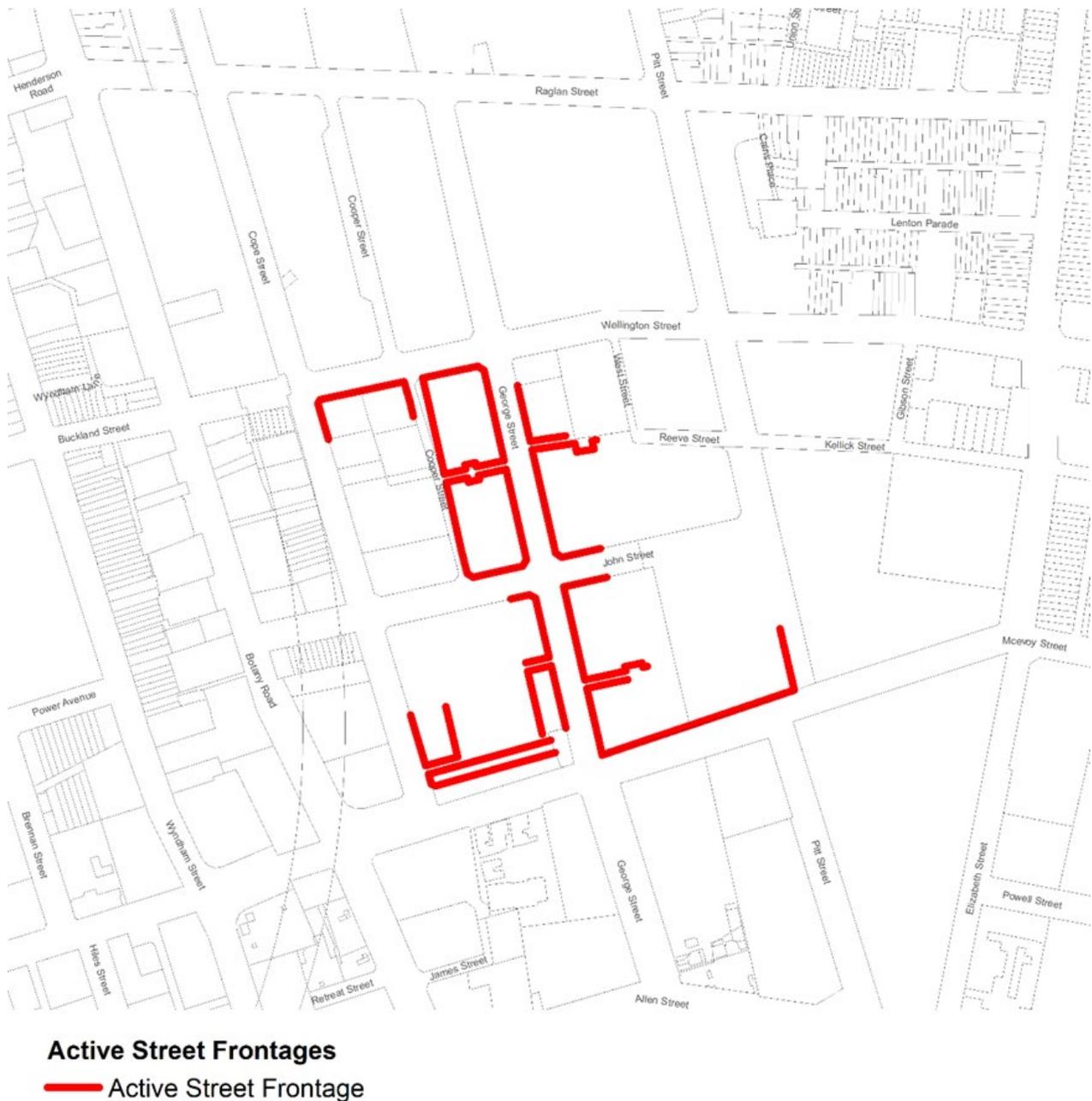


Figure 51 Proposed Active Street Frontages Map

Additional requirements in the Waterloo Estate (South) Design Guide

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

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

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- the 'Hierarchy of centres and retail in City South' in the Sydney DCP 2012 is to be read in conjunction with the draft Design Guide.

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The planning proposal request made by LAHC takes a fundamentally different approach to the provision of retail in Waterloo Estate (South). Retail and community uses are distributed in small lots across the site, with a large retail block located at the corner of George Street and John Street. The urban design report submitted in support of the LAHC planning proposal request proposes accommodating additional retail in first floors and basements, as well as in additional distributed lots on the ground floor across the site. The proposed location of retail in LAHC's request is shown at Figure 52 below.

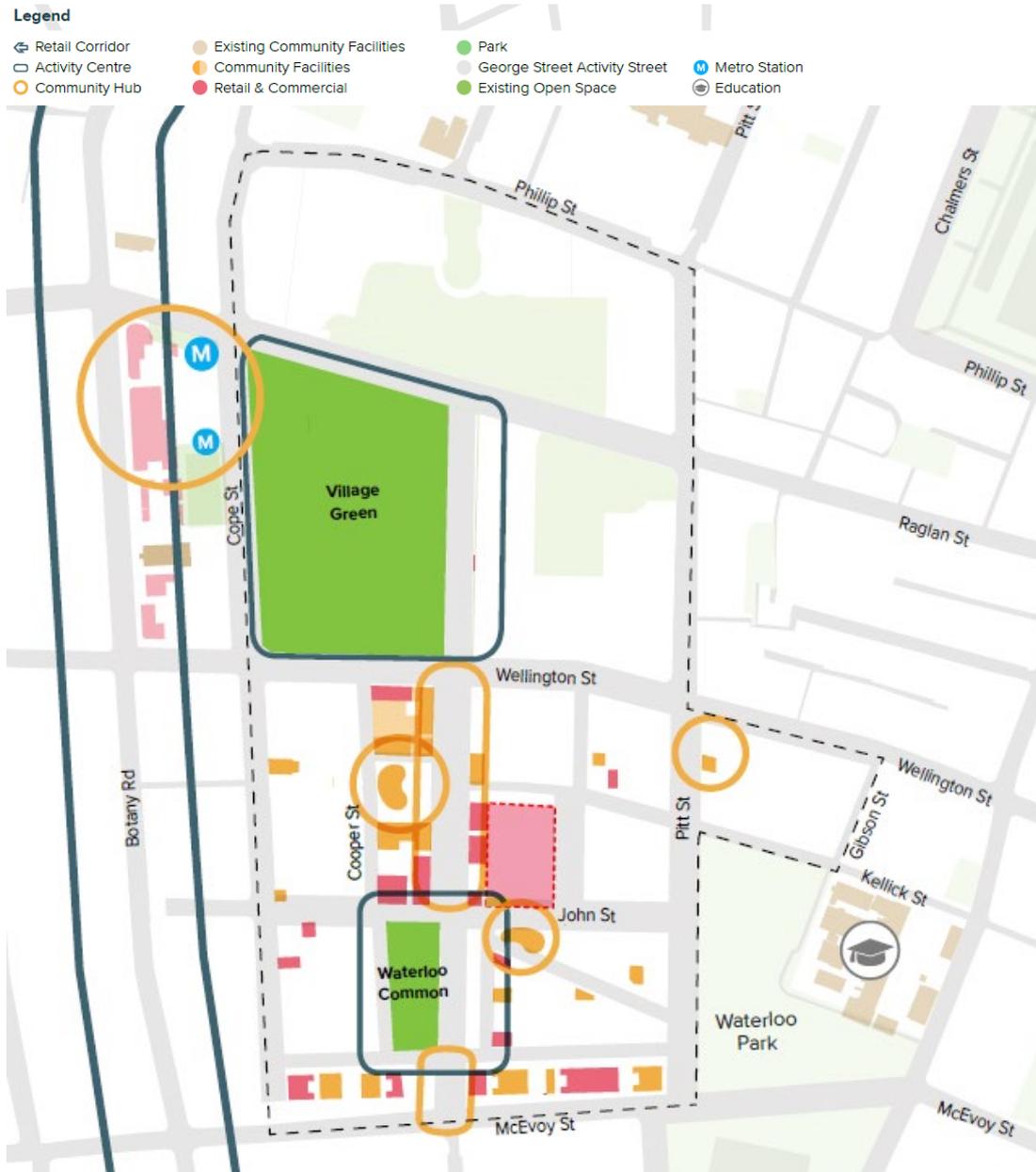


Figure 52 Locations of retail identified in LAHC planning proposal request

Supporting this distributed approach is a blanket B4 Mixed Use zoning and the Restricted Retail Premises map layer is only applied to the privately-owned sites and none of the LAHC-owned sites.

Overall, the approach to planning retail in the LAHC request is characterised by a central, privatised retail space within a single lot on George Street and John Street, and very small ground floor locations in apartment buildings across the site. This approach is not capable of achieving the four key principles for retail planning in the City's retail strategy for Waterloo Estate, nor is it compatible with the City's retail planning framework in the Sydney DCP 2012 and Retail Action Plan.

A single, privately controlled shopping centre location does not deliver on providing affordable and flexible retail floor area, a key consideration for retail planning in the area to support a diversity of retail uses to serve the unique community of the main trade area. It does not provide fast and easy access to retail and services, another key consideration to support the convenience focus of retail in this centre, given that destination and leisure retail is well served elsewhere. Most of all, it does not provide an inclusive, civic and public space for residents to gather and engage in a diversity of activities, as does high street envisaged in the Planning Proposal, with a generous 10 metre wide setback connected to a large park and metro station.

Additional retail on upper floors and basements does not provide easy and convenient access and does not provide a viable space for retailers and businesses to inhabit outside some specific use cases.

This Planning Proposal's approach to providing more affordable overflow retail floor area in laneways and side streets better contributes to achieving, and capturing the beneficial effects of, a critical mass of foot traffic and retail activity.

Distributed, isolated retail sites throughout the site has the advantage of providing some additional convenience, however these small ground floor retail spaces in residential buildings do not provide a viable space for retailers and businesses. Without the economic agglomeration effects of concentrating and clustering retail, these isolated retail locations have limited scope for diversity of business uses and often remain vacant. Additionally, they do not make best use of public and private investment in centres, such as public transport, parks and public realm upgrades, and cannot be captured by economic development programs such as temporary events and marketing.

This Planning Proposal's approach to create a shopping street environment along the extent of George Street will provide the appropriate balance of convenient access for residents and the benefits of concentrating retail in centres.

The approach in the LAHC request of zoning B4 Mixed Use across the site, and not applying the Restricted Retail Development map to any of the LAHC sites, encourages disparate retail development and fails to account for the beneficial effects of clustering and concentrating retail, which creates competition and specialisation leading to improved services for the community. It is also inconsistent with the approach taken by the City for planning urban renewal sites across the City South, where B4 zoning is combined with restricted retail mapping to concentrate key anchors in designated and planned centres.

This Planning Proposal extends the City's longstanding approach to retail planning to Waterloo Estate (South).

5.1.10. Public domain

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

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

The draft Design Guide aims to establish:

- a consistent and high-quality design approach for public space;
- a large park to accommodate a range of active and passive activities;
- a small park for passive recreation;

- a street layout oriented to maximise solar access, sustainable travel behaviours, safety and all abilities access; and
- an active and level main street on George Street as the social and economic focus of the precinct.

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

5.1.11. Social and affordable housing

Provisions in the Sydney LEP 2012 on LAHC-owned land

While the FSR that is currently available on LAHC-owned sites under the South Sydney DCP 1997 is maintained by this Planning Proposal and mapped on the FSR map, it is proposed additional floor area be available to facilitate the redevelopment of the site by incentivising a range of development outcomes and ensure the delivery of social and affordable housing regardless of who owns the land.

This Planning Proposal includes a clause in the Sydney LEP 2012 for LAHC-owned land that facilitates an additional incentive FSR of 1.26 if 20 per cent of all residential floor area is provided as affordable housing and 30 per cent as social housing - noting that other requirements must also be met (such as the provision of community facilities, sustainability measures, provision of community facilities and open space etc.) to achieve this incentive FSR of 1.26.

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

It is estimated that about 920 social housing dwellings (171 additional) and 613 affordable housing dwellings (all additional) will result from the redevelopment of Waterloo Estate (South).

Provisions in the Sydney LEP 2012 on privately-owned land

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

The new clause and schedule were first proposed in the City's *Planning Proposal: Affordable Housing Review*, that was adopted by Council and the Central Sydney Planning Committee on 17 September 2018 and 13 September 2018 respectively. However, while providing in principle support, the Department advised the new schedule could not be included until such time that a site was proposed to be identified on it. Therefore, it is the Waterloo Estate (South) Planning Proposal, that is the subject of this report, that will implement the new clause and schedule.

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

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

The new clause in the Sydney LEP 2012 will refer to the City of Sydney Affordable Housing Program, adopted by Council on 24 August 2020, for how the contribution will be applied and administered. The Program provides a standardised approach to establishing the affordable

housing contribution rate that will be applied to planning proposal land. The total contribution to affordable housing that applies on each site will depend on the amount of new floor area that has been created on the site as a result of this Planning Proposal. Different rates will apply to floor area that was available before the planning proposal and to floor area that was available because of the planning proposal.

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

- 9 per cent of new floor area, being floor area created as a result of the Planning Proposal; and
- 3 per cent of existing residential floor area; and
- 1 per cent of existing non-residential floor area.

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

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

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

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

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

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

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

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

The LAHC planning proposal request makes no explicit provision for additional housing for Aboriginal and Torres Strait Islander households, it is noted however that current residents of the Waterloo Estate (South), who will be rehoused during the redevelopment, have a right of return into the new housing.

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The LAHC planning proposal request proposes an inclusionary zoning mechanism in the Sydney LEP 2012 requiring a minimum of 5 per cent of the total residential floor area on the site be provided as affordable housing, about 150 affordable housing dwellings. The request by LAHC indicates a target of up to 30 per cent of dwellings on the site be provided as social housing. However, no mechanism was identified to secure social housing in the Sydney LEP 2012. Considerably less than 30 per cent could be provided depending on the outcomes of LAHC's delivery process.

Aligning with City of Sydney and NSW State Government housing policy

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

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

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

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

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

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

To that end, this Planning Proposal requires 30 per cent of residential floor area be provided as social housing and 20 per cent as affordable housing. The redevelopment of Waterloo Estate (South) provides a once in a generation opportunity to substantially increase the quantum of affordable housing in one of the least affordable areas of Australia.

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

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

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

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

In absence of a holistic LAHC strategy for the delivery of new and replacement social and affordable housing across the City of Sydney, the City and the NSW Government need to capitalise on opportunities to increase the provision of affordable housing in order to contribute to the NSW Premier's Priority, 2025 target and the Communities Plus commitment.

5.1.12. Design excellence

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

This Planning Proposal includes provision to ensure that a building demonstrating design excellence under Clause 6.21 of the Sydney LEP 2012 is only eligible for additional FSR, and not additional height.

A competitive design process will need to be undertaken for each 'competitive design site' identified within in the draft Design Guide. Once the process is completed, an additional 10 per cent of the permissible floor area for that site in Sydney LEP 2012 may be allowed.

The building heights proposed by this Planning Proposal allow for an additional 10% of FSR to be achieved across the site where a competitive process is undertaken.

Additional requirements in the Waterloo Estate (South) Design Guide

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

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

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

How does this Planning Proposal differ from the planning proposal request made by LAHC?

LAHC's planning proposal request requires that a competitive design process is held for all buildings over 55 metres in height; that is - in accordance with Clause 6.21(5)(a)(i) of Sydney LEP 2012. LAHC's approach assumes that tower buildings will be the predominant building form in Waterloo Estate (South), noting that existing Clause 6.21(5)(a)(i) relates to land in Central Sydney only, where most new buildings will most likely exceed 55 metres in height. The design excellence approach in this Planning Proposal fits with the proposed building heights; where building heights primarily will range between 9 metres to 48 metres.

LAHC's planning proposal request also keeps the provision in Sydney LEP 2012, which allows a 10 per cent bonus for both Floor Space Ratio and Height if a building demonstrates design excellence. This is considered unnecessary because building heights in this Planning Proposal have been determined via thorough design analysis which allows for building forms that can accommodate up to 10 per cent additional Gross Floor Area. It is noted that an increase in building

heights above the maximums specified in this Planning Proposal will likely result in unacceptable amenity impacts, particularly in relation to wind and sunlight.

5.1.13. Sustainability

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

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

This Planning Proposal provides that all buildings comprising residential development in the Waterloo Estate (South) may achieve additional FSR above the mapped FSR, if the building exceeds BASIX scores by not less than 10 points for energy and 5 points for water.

Table 6 shows the BASIX targets in this Planning Proposal compared to existing targets for energy and water in the BASIX SEPP. These are based on building height (low-rise, mid-rise, high-rise) under BASIX.

Building height type	BASIX Energy target (current requirement)	LEP BASIX Energy target (incentive in LEP)	BASIX Water target (current requirement)	LEP BASIX Water target (incentive in LEP)
Low-rise (3 storey units)	45	55	40	45
Mid-rise (4-5 storey units)	35	45	40	45
High-rise (6 storey units and above)	25	35	40	45

Table 6 Minimum and LEP incentive BASIX targets

Additional requirements in the Waterloo Estate (South) Design Guide

The draft Design Guide also includes additional sustainability ratings as follows:

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

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

How does this Planning Proposal differ from the planning proposal request made by LAHC?

The Ecologically Sustainable Development (ESD) Study prepared by AECOM on behalf of LAHC, makes several observations and recommendations to support the sustainable redevelopment of Waterloo Estate (South).

Multiple references are made to the opportunity for, and benefits of, using recycled water in the consultant studies. This includes to explore options to use of decentralised technologies including

micro-grids and recycled water networks identified to reduce energy use and potable water demand, and recommendations in ESD to install a third pipe system to plumb toilets and laundries with recycled water, to provide resilience if a recycled water network is installed at a future date.

Notwithstanding the above, the planning proposal request submitted by LAHC does not propose sustainability performance measures, and only limited measures are proposed in LAHC's draft development control plan.

This Planning Proposal and the draft Design Guide establishes a range of sustainability benchmarks that respond to the City's strategic objectives and actions provided in the City's Local Strategic Planning Statement, as well LAHC's ESD report.

5.1.14. Transport, traffic and parking

Provisions in the Sydney LEP 2012

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

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

Parking rates in Sydney LEP 2012 identify the maximum number of car parking spaces that may be provided to service particular land uses and seek to minimise the amount of vehicular traffic generated by new development. Based on these rates, the future redevelopment of Waterloo Estate (South) could result in approximately 1,790 residential and 114 commercial parking spaces.

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

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

Additional requirements in the Waterloo Estate (South) Design Guide

Additional provisions in the draft Design Guide provide guidance on:

- basement car parking;
- pedestrian walkways and ramps;
- cycle ways through and surrounding Waterloo Estate (South) (existing and future);

Planning Proposal: Waterloo Estate (South)

- the location, layout and function of streets and laneways;
- road closures and access points into Waterloo (South);
- vehicular entry points for car parking;
- street speeds;
- intersections; and
- shared driveways

Figure 53 shows the City's plan for pedestrian, bicycle and vehicular movement within and around Waterloo Estate (South). General transport and parking provisions contained within the Sydney DCP 2012 will apply to future development to manage other transport and parking matters not addressed in the draft Design Guide.

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Figure 53 Waterloo Estate Access and Circulation

How does this Planning Proposal differ from the planning proposal request made by LAHC?

A transport study prepared by Jacobs has been provided in support of the planning proposal request submitted by LAHC. The traffic and transport assessment in the study considers future travel mode shares, parking and demand management and vehicular access throughout Waterloo (South) and found that the overall transport network will be sufficient to cater for all demands generated by Waterloo Estate (South), assuming the following interventions:

- bus service improvements;
- the delivery a fine grain urban grid with improved pedestrian permeability, through-site links and the transformation of George Street into an activity street;
- the provision of safe and dedicated cycling routes along Wellington Street and George Street;
- the extension of Pitt Street southwards to connect to McEvoy Street with a signalised intersection; and
- traffic calming measures.

Other than bus service improvements, which the City of Sydney may only influence through advocacy to state agencies, the measures in this Planning Proposal and the draft Design Guide do not derogate the opportunity to meet other interventions listed above.

Overall, this Planning Proposal improves on LAHC's request because it will better reduce through traffic, and through better design encourage priority access for pedestrians and cyclist instead of vehicles. Key features of the future circulation network include:

- Pitt and Wellington streets connect to the surrounding area to provide access, while George and Cope streets remain closed to traffic from McEvoy Street;
- John Street closed to Pitt Street is preferred as will reduce through traffic using this street;
- John street contains the majority of carpark entries and connects to most of the other streets and is the main internal circulation street;
- There are no car park entries directly off Wellington, Cope, Cooper, West, Mead and Pitt streets which reduces potential conflicts between vehicles and pedestrians and cyclists;
- Cooper, West and Mead streets have slow traffic speeds and are quiet residential streets;
- Cooper and Mead streets do not connect to McEvoy Street.

5.1.15. Heritage

Provisions in the Sydney LEP 2012

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

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

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

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

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

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

In summary, it is proposed that that the heritage schedule and map in Sydney LEP 2012 is updated to include the heritage items with full curtilage from the South Sydney plan for the Electricity substation No. 174 and Cope Street terrace houses. The item numbers are as shown currently in the Sydney LEP 2012 heritage map. The recommended heritage item entry is to be adjusted to the current Sydney LEP 2012 plan conventions and standard instrument direction as shown in **Table 7**.

Locality	Item name	Address	Property description	Significance	Item no
Waterloo	Electricity Substation No 174 building including interiors	530 George Street	Lot 3, DP 10686	Local	I2086
Waterloo	Terrace houses including interiors	229-231 Cope Street	Lot 3, DP 10721	Local	I2078

Table 7 Proposed amendments to heritage schedule

The Sydney LEP 2012 heritage map for the terrace houses is correct. For the substation, the heritage map should be updated to shade the full land parcel of Lot 3 DP 10686. The proposed updated heritage mapping is shown at Figure 54.

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Figure 54 Proposed heritage mapping showing corrected curtilages

How does this Planning Proposal differ from the planning proposal request made by LAHC?

Existing heritage item curtilage, former Waterloo pre-school (item 12077)

LAHC recommends extending the boundary of the mapped item to the south to include Lot 4 DP 10721. While it is agreed that the building to the south of the Victorian pre-school/religious building forms part of the complex at the same address, it is not clear that it has the same history or is part of the assessed significance of the pre-school site.

This building may be a more recent addition to the complex, designed in a sympathetic manner. Lot 4 and a second building is not identified in schedule 5 for this listing in Sydney Local Environmental Plan 2012. The existing mapped curtilage for this item is considered appropriate, with no need to amend the local environmental plan, because the map reflects the location of the building described in schedule 5 and assessed in the supporting inventory.

5.2. Need for the Planning Proposal

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

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

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

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

This Planning Proposal is the result of an assessment of a planning proposal request made by LAHC, the majority land owner in the site. It makes a number of changes to LAHC's request to facilitate improved urban outcomes on the site. The changes are discussed in detail in part 5.1 of this planning proposal – Development Outcomes.

5.3. Relationship to the strategic planning framework

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

Greater Sydney Region Plan

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

The overarching aspirations of this strategy are:

- Liveability
- Productivity
- Sustainability
- Infrastructure and collaboration

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

- Objective 1: Infrastructure supports the three cities – Sydney Metro City and Southwest is a city-shaping transport infrastructure project that creates an opportunity for the renewal of the Waterloo Estate (South);
- Objective 7: Communities are healthy, resilient and socially connected – this Planning Proposal will create a walkable place at a human scale with active street life and opportunities for cycling and use of public transport;
- Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods - the significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part of placemaking.
- Objective 10: Greater housing supply – this Planning Proposal increases the number of dwellings in the local area, including social and affordable housing;
- Objective 11: Housing is more diverse and affordable – this Planning Proposal will deliver 30% social housing and 20% affordable housing, and is supported by the draft Design which requires that no less than 10% of the affordable housing provided in Waterloo Estate (South) is to be provided for Aboriginal and Torres Strait Islander housing.
- Objective 12: Great places that bring people together – Waterloo Estate (South) will be a connected and walkable place with open space, community facilities and a vibrant high street;
- Objective 13: Environmental heritage is identified, conserved and enhanced – the built form outlined in this Planning Proposal will be sensitive to, conserve and enhance the heritage items and adjoining conservation areas;
- Objective 14: Integrated land use and transport creates walkable and 30-minute cities – Waterloo Estate (South) is an opportunity to locate new dwellings in a well-connected precinct supported by a public transport, walking and cycling network;
- Objective 30: Urban tree canopy cover is increased – This Planning Proposal protects existing trees and creates opportunities for tree planting and tree canopy growth;
- Objective 31. Public open space is accessible, protected and enhanced – This Planning Proposal provides two parks, a main park adjoining Waterloo metro and a small park for passive recreation and small-scale community events.

- Objective 33. A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change – This Planning Proposal includes sustainability measures to improve the environmental performance of the precinct;
- Objective 34: Energy and water flows are captured, used and re-used – The City is exploring opportunities to provide a precinct wide water recycling facility plant.; and
- Objective 38: Heatwaves and extreme heat are managed – This Planning Proposal provides opportunity for increased tree canopy cover and green roofs to mitigate the urban heat island effect.

Eastern City District Plan

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

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

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

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

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

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

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

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

The site is an appropriate location for increased housing supply, being a 15-minute walk to Redfern and Green Square stations, and directly adjacent to the future Waterloo Station on

the Sydney Metro line, which will open in 2024. These rail lines provide access to employment, able to access Martin Place station or the Domestic Airport station in under 10 minutes.

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

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

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

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

This Planning Proposal will deliver approximately 18,000 sqm of non-residential floor space for retail, commercial and community facilities. As outlined in the draft Design Guide, George Street is to become the main street of the community, with continuous ground floor retail frontage and awnings. It is to have a generous 10 metre setback on its eastern side to receive the afternoon sunlight and the built form is to reinforce the pedestrian scale.

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

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

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

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

Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute City - This Planning Proposal and draft Design Guide will deliver over 3,000 dwellings, comprising private market housing, social housing and affordable housing and 18,000 sqm of non-residential floor space for retail, commercial and community facilities, all within walking distance of the Sydney Metro City and South West. As outlined above, the site is also within a 15-minute walk of Redfern and Green Square train stations.

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

The draft Design Guide ensures that new streets will be designed to prioritise pedestrians and cyclists and slow traffic speeds. The City's regional bike network will be maintained and expanded, maintaining the north-south connection along George Street and implementing a new east-west connection along Wellington Street.

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

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

- *Planning Priority E18: Delivering high quality open space* - This Planning Proposal facilitates a new large park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site increasing the provision of public open space. The parks will be re-zoned RE1 - Public Recreation following construction and dedication to the City.

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

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

- *Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently* - This Planning Proposal and associated draft Design Guide will encourage new developments to use energy, water and waste efficiently; including that buildings should be capable of providing a dual reticulation water system for water services. The Sydney LEP 2012 is to include incentive above the mapped FSR to all BASIX-affected development that exceeds commitments for water and energy.

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

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

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

Sustainable Sydney 2030

Sustainable Sydney 2030 is the visions for sustainable development of the City of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of the City. The plan outlines the City's vision for a green, global and connected city and sets targets, objectives and actions to

achieve this vision. This Planning Proposal is aligned with the following relevant strategic directions and objectives:

- *A leading environmental performer*, including:
 - 2.1 Greenhouse gas emissions are reduced across the city Sydney in 2030
 - 2.2 Waste from the city is managed as a valuable resource and the environmental impacts of its generation and disposal are minimised
 - 2.3 Across the city, potable water use is reduced through efficiency and recycling and gross pollutant loads to waterways are reduced
 - 2.6 The extent and quality of urban canopy cover, landscaping and city greening is maximised
- *Integrated transport for a connected City*, including:
 - 3.1 Investment in public transport and walking and cycling infrastructure encourages more people to use these forms of transport to travel to, from and within the city
 - 3.2 Transport infrastructure is aligned with city growth
 - 3.3 The amenity of the city centre and villages is enhanced through the careful management and integration of transport
 - 3.4 Public transport, walking and cycling are the first choice transport modes within the city
 - 3.5 Transport services and infrastructure are accessible
- *A city for walking and cycling*, including:
 - 4.1 The city and neighbouring areas have a network of accessible, safe, connected pedestrian and cycling paths integrated with green spaces
 - 4.3 The number of people who choose to walk and cycle continues to increase
- *Resilient and inclusive local communities*, including:
 - 6.1 Our city comprises many unique places – a ‘city of villages’ – for communities to live, meet, shop, study, create, play, discover, learn and work
 - 6.2 Our city is a place where people are welcomed, included and connected.
 - 6.3 Local economies are resilient, meet the needs of their community, and provide opportunities for people to realise their potential
 - 6.4 There is equitable access to community facilities and places, parks and recreational facilities to support wellbeing in daily life
- *A cultural and creative City*, including:
 - 7.1 Creativity is a consistent and visible feature of the public domain and there are distinctive cultural precincts in the city and its villages
 - 7.4 The continuous living cultures of Aboriginal and Torres Strait Islander communities is visible and celebrated in our city
- *Housing for a diverse community*, including:
 - 8.1 The supply of market housing in the city meets the needs of a diverse and growing population
 - 8.2 The supply of affordable housing supports a diverse and sustainable community and economy
 - 8.3 The supply of safe and sustainable social housing in the inner city is available for those who need it
- *Sustainable development, renewal and design*, including:

- 9.1 The City of Sydney leads by example to facilitate great places
- 9.2 The city is beautiful, sustainable and functions well
- 9.3 There are great public buildings, streets, squares and parks for everyone to use and enjoy
- 9.5 The urban environment promotes health and wellbeing
- *Implementation through effective governance and partnerships*, including:
 - 10.5 The community is engaged and active in shaping the future of the city
 - 10.6 Strategic partners and collaborators support the delivery of Sustainable Sydney 2030

City Plan 2036 - Local Strategic Planning Statement

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

This Planning Proposal gives effect to the following planning priorities of the planning statement:

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

This Planning Proposal is also consistent with the site-specific principles for growth outlined in the LSPS, as demonstrated in Table 8 below.

Site-specific principles for growth	Comment
Proposals must locate development within reasonable walking distance of public transport that has capacity (assuming development capacity will be delivered) and is frequent and reliable.	Consistent. Waterloo Estate (South) is within reasonable walking distance of both Redfern Station and Green Square station and will be directly adjoining the new Waterloo Metro station where services are scheduled to commence in 2024.
Proposals must meet high sustainability standards and mitigate negative externalities.	Consistent. This Planning Proposal and associated draft Design Guide will encourage new developments to use energy, water and waste efficiently through an FSR bonus for developments that exceed BASIX commitments for water and energy. The draft Design Guide includes provisions that aim to mitigate the effects of climate change.
Proposals must include an amount and type of non-residential floor space appropriate to the site’s strategic location	Consistent. This Planning Proposal will deliver 18,000 sqm of non-residential floor space for retail, commercial and community facilities. This includes a new local centre to be zoned B2 to service the population of Waterloo Estate (South). George Street is to become

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and proximity to or location within a centre or activity street.

the main street of the community, with continuous ground floor retail frontage and a range of community facilities.

Proposals must create public benefit.

Consistent. This Planning Proposal and associated draft Design Guide will facilitate the delivery of numerous public benefits, including the following:

- the renewal of social housing with 161 additional social housing dwellings;
- increased supply of affordable housing, comprising 20% of all new dwellings (estimated 613 additional affordable dwellings);
- increased supply and diversity of new private dwellings to help meet projected demand from population growth;
- public space, including public open space, roads and footpaths, through site links and cycleways;
- community serving facilities and services, such as health care and childcare; and
- development that achieves high levels of water, energy and waste efficiency.

Proposals must be supported by an infrastructure assessment and demonstrate any demand for infrastructure it generates can be satisfied, assuming existing development capacity in the area will be delivered.

Consistent. Council has undertaken an analysis of the public infrastructure required in conjunction with Waterloo Estate (South). A range of public infrastructure has been identified, including:

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

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

Proposals must make a positive contribution to the built environment and result in an overall better urban design outcome than existing planning controls.

Consistent. The redevelopment of the Waterloo Estate will result in the replacement of aged housing stock with a new fit-for-purpose, master planned built form appropriate for the site. Large public open spaces and a range of community facilities and spaces will be provided through this Planning Proposal. This Planning Proposal and associated draft Design Guide also introduces new streets, pedestrian through site links and cycleways, improving connectivity and accessibility throughout the site.

Proposals must result in high amenity for occupants or users.

Consistent. This Planning Proposal provides for a high amenity precinct for both future residents and visitors. The built form modelling of the proposed controls undertaken by the City ensures that the amenity standards of the Apartment Design Guide will be met. This is shown in the City's urban design study that is

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appended to this Planning Proposal. The tower buildings are located and separated in the southern part of Waterloo Estate (South) to limit impacts on the amenity of public places. In addition, a competitive design process will ensure new development contributes high quality design to the public domain and delivers high levels of amenity.

Proposals must optimise the provision and improvement of public space and public connections.

Consistent. This Planning Proposal facilitates a large park adjoining Waterloo metro station of more than two hectares and a small park in the south of the site. The parks will be re-zoned RE1 - Public Recreation following construction and dedication to the City.

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

Table 8 Consistency with the LSPS site-specific principles for growth

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

This Planning Proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 9.

State Environmental Planning Policy	Comment
SEPP No 1—Development Standards	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 33—Hazardous and Offensive Development	Not applicable.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 55—Remediation of Land	Not applicable
SEPP No 64—Advertising and Signage	Consistent - This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent - The built form proposed is able to comply with the minimum amenity standards of the Apartment Design Guide. This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent – To incentivise social and affordable housing, this Planning Proposal includes a floor space ratio bonus if at least 30% of the

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residential floor space is used for the purposes of social housing and at least 20% of the residential floor space is used for the purposes of affordable housing.

SEPP (Aboriginal Land) 2019	Not applicable
SEPP (Affordable Rental Housing) 2009	This Planning Proposal is to exclude the Waterloo Estate (South) from the SEPP (Affordable Rental Housing) 2009. This is consistent with elsewhere in the City where specific provision is made by other means for the delivery of social housing.
SEPP (Building Sustainability Index: BASIX) 2004	This Planning Proposal provides an incentive for increased BASIX targets, consistent with the BASIX SEPP.
SEPP (Coastal Management) 2018	Not applicable
SEPP (Concurrences) 2018	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent – This Planning proposal will not contradict or hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Gosford City Centre) 2018	Not applicable.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP
SEPP (Infrastructure) 2007	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Koala Habitat Protection) 2019	Not applicable.
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	Not applicable.
SEPP (Kurnell Peninsula) 1989	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
SEPP (Primary Production and Rural Development) 2019	Not applicable.
SEPP (State and Regional Development) 2011	Consistent – This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (State Significant Precincts) 2005	Consistent -This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.

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SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Three Ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Consistent - This Planning Proposal will not contradict or hinder application of this SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.

Table 9 Consistency with State Environmental Planning Policies (SEPPs)

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

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

This Planning Proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in **Table 10**.

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	The objectives of this direction are to encourage employment growth, protect employment land, and support the viability of identified centres. This Planning Proposal is consistent with this direction because it encourages employment growth in a suitable location and identifies a new local centre to provide for the local services needs of the community.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Management	Not applicable
2.3 Heritage Conservation	The objective this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Planning Proposal: Waterloo Estate (South)

	<p>This Planning Proposal is consistent with this direction because it facilitates the conservation of items, buildings and places of significance to the area. This planning proposal amends the Heritage Map Sheets 10 and 17 as shown at Part 6 of this Planning Proposal to identify heritage items in full.</p> <p>Development will respond appropriately to the form and setting of heritage items in the neighbourhood. To ensure an appropriate setting for heritage items, heights are limited to two storeys between Cope and Cooper Streets.</p> <p>The draft Design Guide contains a principle that the significant Aboriginal culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part to placemaking. Development must be of high quality and respond to the existing surrounding local character and its history, particularly its significance as an urban meeting place for Aboriginal and Torres Strait Islander people.</p>
2.4 Recreation Vehicle Areas	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
2.6 Remediation of Contaminated Land	Consistent – A Preliminary Site Investigation provided by LAHC identifies potential sources of contamination, receptors and exposure pathways and presents a range of contamination recommendations which can be addressed at development application stage.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>This Planning Proposal is consistent with the objectives of the direction given it:</p> <ul style="list-style-type: none"> Encourages a variety and choice of housing types through its varied built form and by providing a floor space ratio bonus if at least 30% of the residential floor space is used for the purposes of social housing and at least 20% of the residential floor space is used for the purposes of affordable housing. Ensures new housing will have appropriate access to infrastructure and services, particularly the Waterloo Metro Station. The Planning Proposal also offers a floor space bonus for the provision of community facilities.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Consistent. This Planning Proposal does not contain provisions that contradict or would hinder application of this direction.
3.4 Integrating Land Use and Transport	Consistent. The objectives of s9.1 direction 3.4 are to improve accessibility, increase transport options, reduce travel demand and dependence on cars, support public transport, and provide for efficient movement of freight.

Planning Proposal: Waterloo Estate (South)

3.5 Development Near Regulated Airports and Defence Airfields

This direction applies to this Planning Proposal because the Planning Proposal “will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.”

This Planning Proposal is to amend the Height of Buildings map in Sydney LEP 2012 to allow building heights that will primarily range between 9 metres to 48 metres across the site. Most buildings will be no more than 35 metres in height, with the three tower buildings to the south of the site being between 102 metres and 110 metres in height (i.e. RL 126.4 metres).

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

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

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

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

The Planning Proposal is consistent with the above

3.6 Shooting Ranges

Not applicable

3.7 Reduction in non-hosted short term rental accommodation period

Not applicable

4. Hazard and Risk

4.1 Acid Sulfate Soils

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

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

Planning Proposal: Waterloo Estate (South)

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

4.2 Mine Subsidence and Unstable Land Not applicable

4.3 Flood Prone Land

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

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

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

4.4 Planning for Bushfire Protection Not applicable

5. Regional Planning

5.2 Sydney Drinking Water Catchments Not applicable

5.3 Farmland of State and Regional Significance on the NSW Far North Coast Not applicable

5.4 Commercial and Retail Development along the Pacific Highway, North Coast Not applicable

5.9 North West Rail Link Corridor Strategy Not applicable

5.10 Implementation of Regional Plans The Planning Proposal is consistent with the Region Plan, as discussed in detail under question 3 (above) of the Planning Proposal.

5.11 Development of Aboriginal Land Council land Not applicable

6. Local Plan Making

6.1 Approval and Referral Requirements Consistent. The Planning Proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.

6.2 Reserving Land for Public Purposes Not applicable

6.3 Site Specific Provisions Inconsistent. The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.

Planning Proposal: Waterloo Estate (South)

This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

The planning proposal is inconsistent with this Direction as it proposes site specific controls to allow a particular development to be carried out. Division 5 of the LEP contains site-specific provisions for various sites across the City.

This planning proposal involves introducing site-specific controls into the LEP to facilitate the redevelopment of the site for social, affordable and market housing and ensure an appropriate tenure mix on the site consistent with NSW Government policy and to give effect to the local strategic planning statement. In this instance, the inconsistency is of minor significance.

7. Metropolitan Planning

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

Table 10

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	<p>The objectives of this direction are to encourage employment growth, protect employment land, and support the viability of identified centres.</p> <p>This Planning Proposal is consistent with this direction because it encourages employment growth in a suitable location and identifies a new local centre to provide for the local services needs of the community.</p>
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2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
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Planning Proposal: Waterloo Estate (South)

exposure pathways and presents a range of contamination recommendations which can be addressed at development application stage.

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones

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- Ensures new housing will have appropriate access to infrastructure and services, particularly the Waterloo Metro Station. The Planning Proposal also offers a floor space bonus for the provision of community facilities.

3.2 Caravan Parks and Manufactured Home Estates

Not applicable

3.3 Home Occupations

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

3.4 Integrating Land Use and Transport

Consistent. The objectives of s9.1 direction 3.4 are to improve accessibility, increase transport options, reduce travel demand and dependence on cars, support public transport, and provide for efficient movement of freight.

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Planning Proposal: Waterloo Estate (South)

(b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,

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3.7 Reduction in non-hosted short term rental accommodation period

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

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

4.4 Planning for Bushfire Protection

Not applicable

5. Regional Planning

5.2 Sydney Drinking Water Catchments

Not applicable

Planning Proposal: Waterloo Estate (South)

5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
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6.3 Site Specific Provisions	<p>Inconsistent. The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p> <p>The planning proposal is inconsistent with this Direction as it proposes site specific controls to allow a particular development to be carried out. Division 5 of the LEP contains site-specific provisions for various sites across the City.</p> <p>This planning proposal involves introducing site-specific controls into the LEP to facilitate the redevelopment of the site for social, affordable and market housing and ensure an appropriate tenure mix on the site consistent with NSW Government policy and to give effect to the local strategic planning statement. In this instance, the inconsistency is of minor significance.</p>
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7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable

Table 10 Consistency with Ministerial Directions

5.4. Environmental, social and economic impact

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

No. it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this Planning Proposal. Notwithstanding this, the draft Design Guide includes provisions to mitigate impacts, promote greening and ecological communities.

A Flora and Fauna Study prepared by EcoLogical Australia was provided as documentation with LAHC’s planning proposal.

A site inspection for the study found:

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

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

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

No.

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

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

5.5. State and Commonwealth Interests

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

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

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

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

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

To be determined in further consultation with public authorities following Gateway determination.

6. Mapping

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

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

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

Locality and Site Identification Map
Foreshore Building Line Map
- Sheet CL_1_010

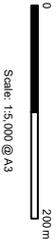
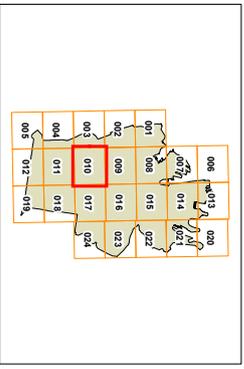
Locality and Site Identification Map

Waterloo Estate (South) - Area 1

Cadastre

Cadastre 30/11/2020 © City of Sydney

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Projection: GDA 1984
Zone 56
Map identification number:
7200_C001_CL_1_010_005_20201130



Locality and Site Identification Map
Foreshore Building Line Map
- Sheet CL_1_017

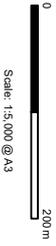
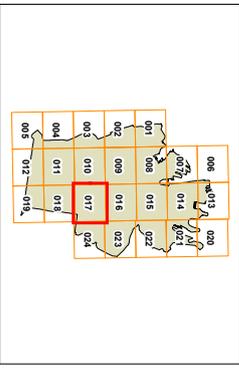
Locality and Site Identification Map

Waterloo Estate (South) - Area 1

Cadastre

Cadastre 30/11/2020 © City of Sydney

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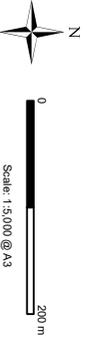
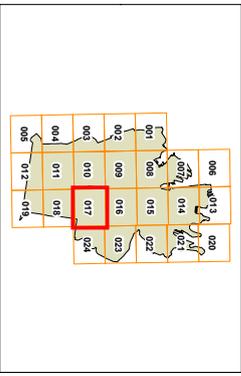


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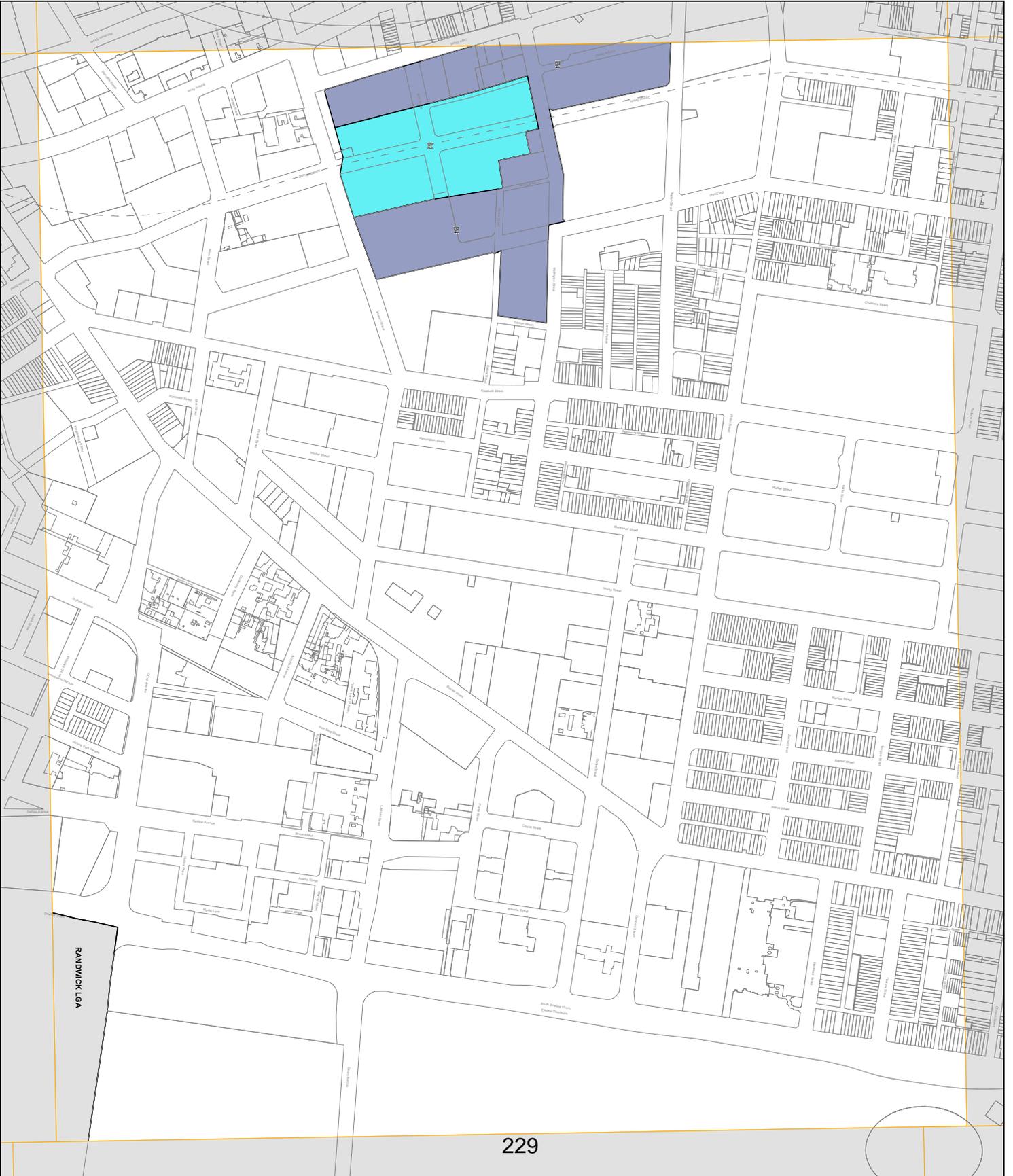
- Zone**
- B2 Local Centre
 - B4 Mixed Use
- Cadastre**
- Cadastre 20/11/2020 © City of Sydney

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Projection: GDA 1984
Zone 56

Map identification number: 1503_Sydney_LZN_017_005_20201110



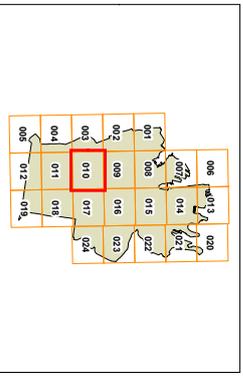
Floor Space Ratio Map -
Sheet FSR_010

Maximum Floor Space Ratio (m²:1)

- S1 1.5
- S2 1.75
- T2 2.15
- T3 2.32
- U1-1 2.61
- U1-2 2.66

Cadastre
Cadastre 20/11/2020 © City of Sydney

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Projection: GDA 1984
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Map identification number:
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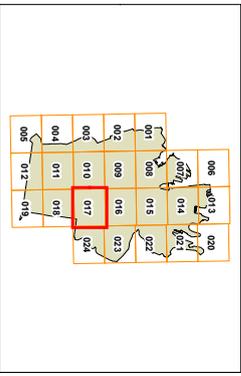


Maximum Floor Space Ratio (m²:1)

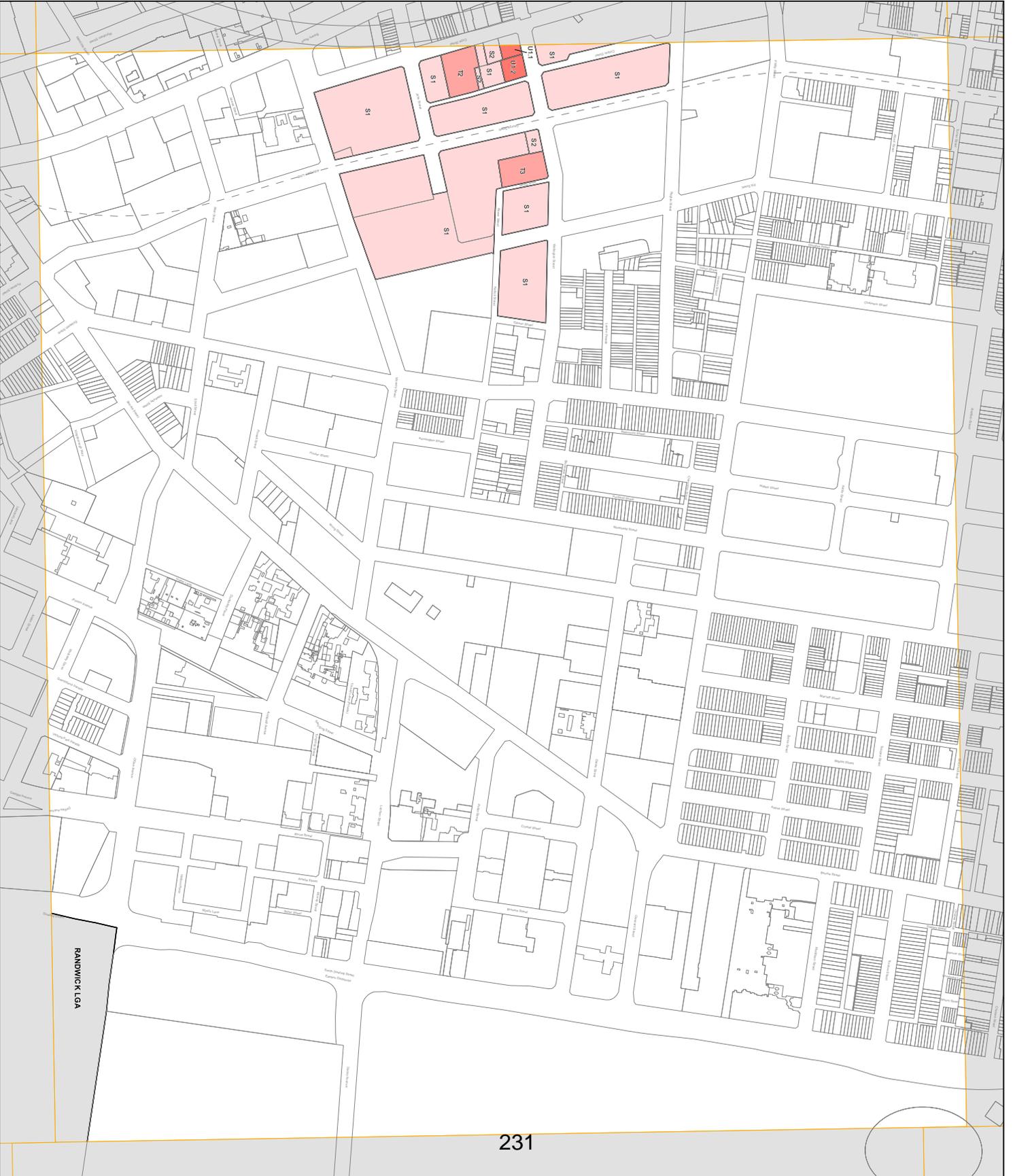
- S1 1.5
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- Cadastre
- Cadastre 20/11/2020 © City of Sydney

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Projection: GDA 1984
Zone 56
Map identification number:
2200_CDM_FSR_017_005_20201120



Height of Buildings Map
- Sheet HOB_010

Maximum Building Height (m)

- A 3
- E 6
- J 9
- G 15
- P 18
- G 20
- R 22
- S 24
- T 28
- U 30
- U 33
- V 35
- W 40
- W 42
- X 47

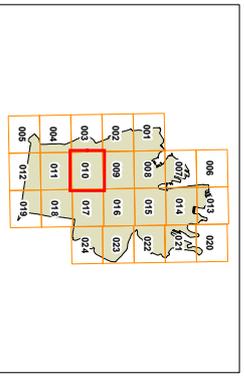
Maximum Building Height (m)
Heights shown on map in RL (m)

120 - 130

Cadastral

Cadastral 03/02/2020 © City of Sydney

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Projection: GDA 1984
Zone 56

Map identification numbers:
2200_C001_H08_010_065_20210303



232

Height of Buildings Map
- Sheet HOB_017

Maximum Building Height (m)

- A 3
- E 6
- J 9
- G 15
- P 18
- O 20
- R 22
- S 24
- T 28
- U 30
- V 33
- W 35
- X 40
- Y 42
- Z 47

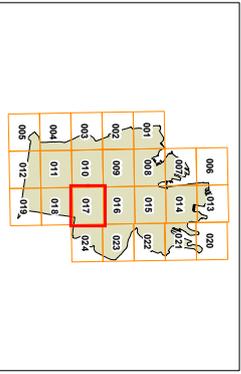
Maximum Building Height (m)
Heights shown on map in RL (m)

- 120 - 130

Cadastre

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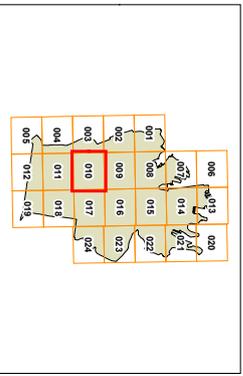
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Zone 56



Land Use and Transport Integration Map - Sheet LUT_010

- Land Use and Transport Integration
- Category A
- Cadastral
- Cadastral 19/10/2020 © City of Sydney

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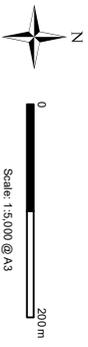
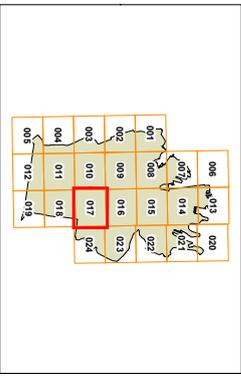
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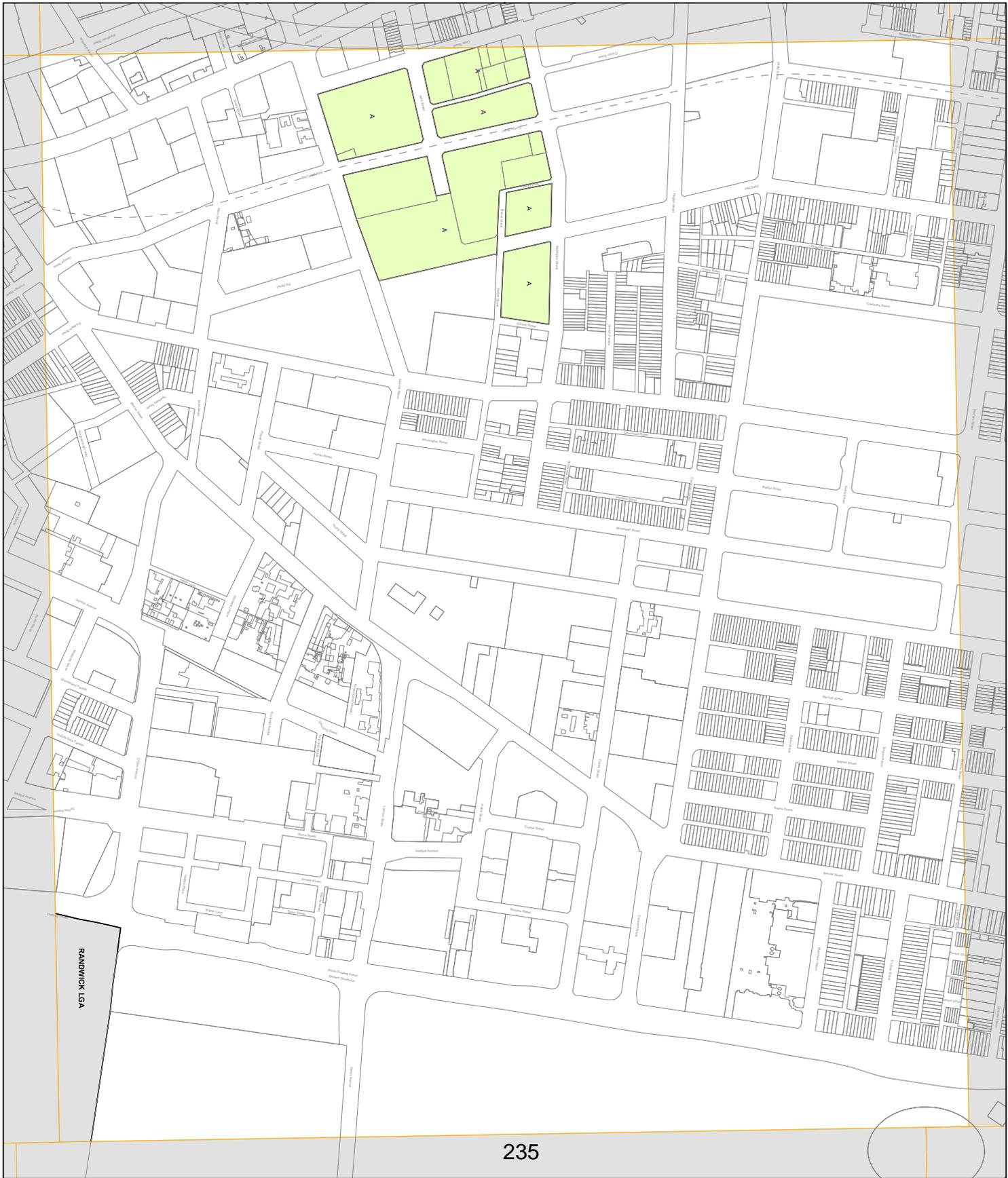
Land Use and Transport Integration
Map - Sheet LUT_017

- Land Use and Transport Integration
- Category A
- Cadastral
- Cadastral 19/10/2020 © City of Sydney

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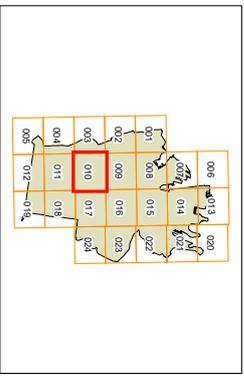


Projection: GDA 1984
Zone: 55
Map identifier: 22000 CAD LUT_017 095 2020(1)09



- Heritage**
- Item - General
- Cadastre**
- Cadastre 23/10/2020 © City of Sydney

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Projection: GDA 1984
Zone 56
Map identifier number:
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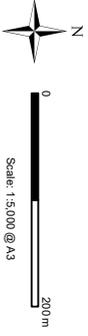
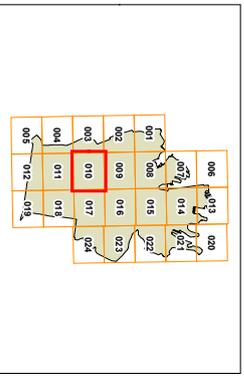


Sydney Local Environmental Plan 2012

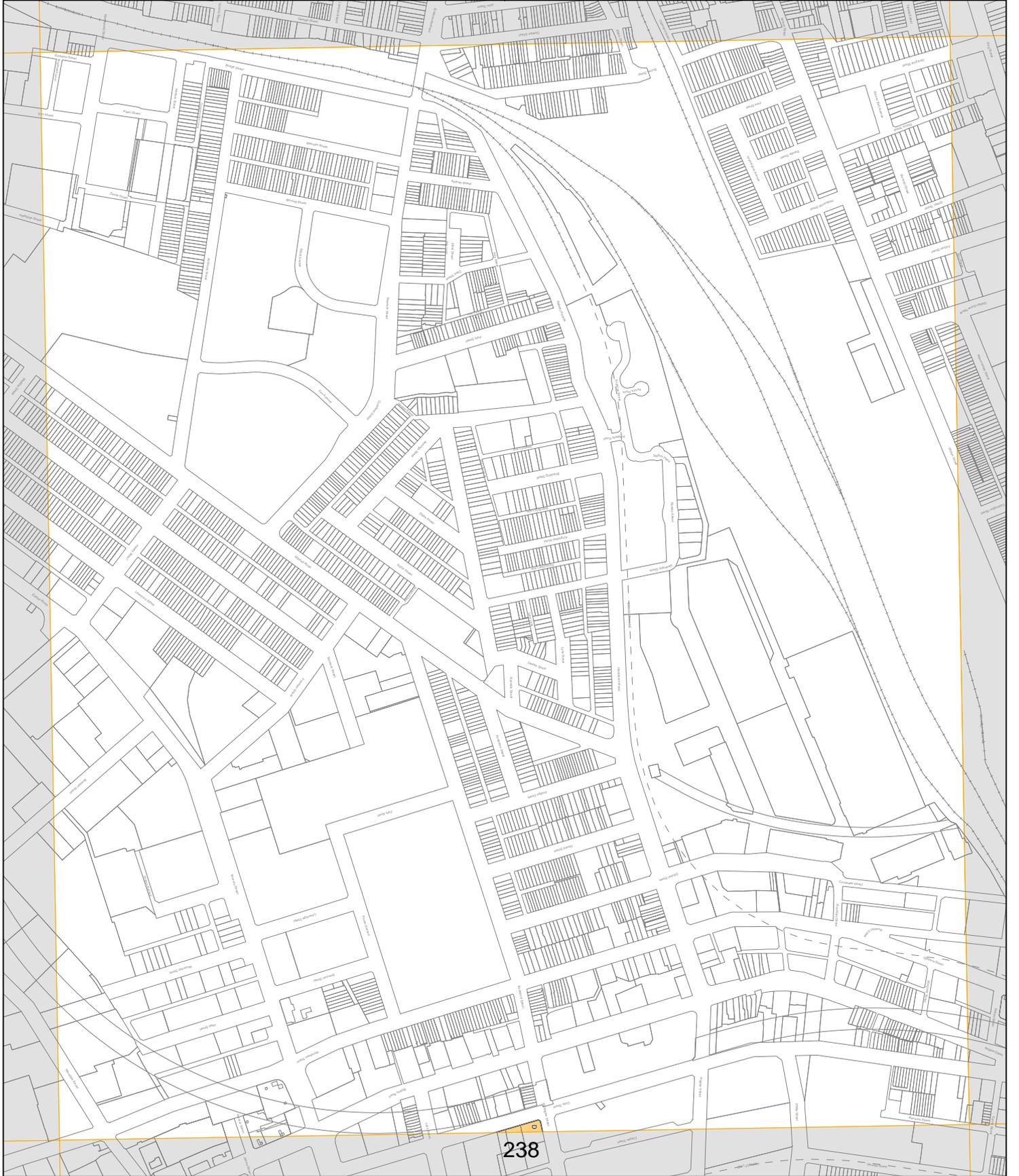
Public Transport Accessibility Level Map - Sheet TAL_010

- Public Transport Accessibility Level**
- D** Category D
- Cadastral**
- Cadastral 20/10/2020 © City of Sydney

Pre-Exhibition



Map identification numbers:
2020_CAD TAL_010_05_20201020

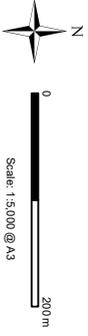
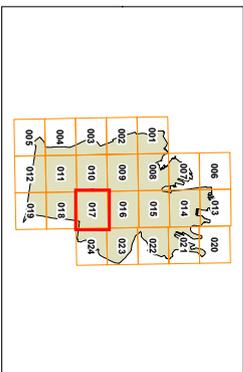


Sydney Local Environmental Plan 2012

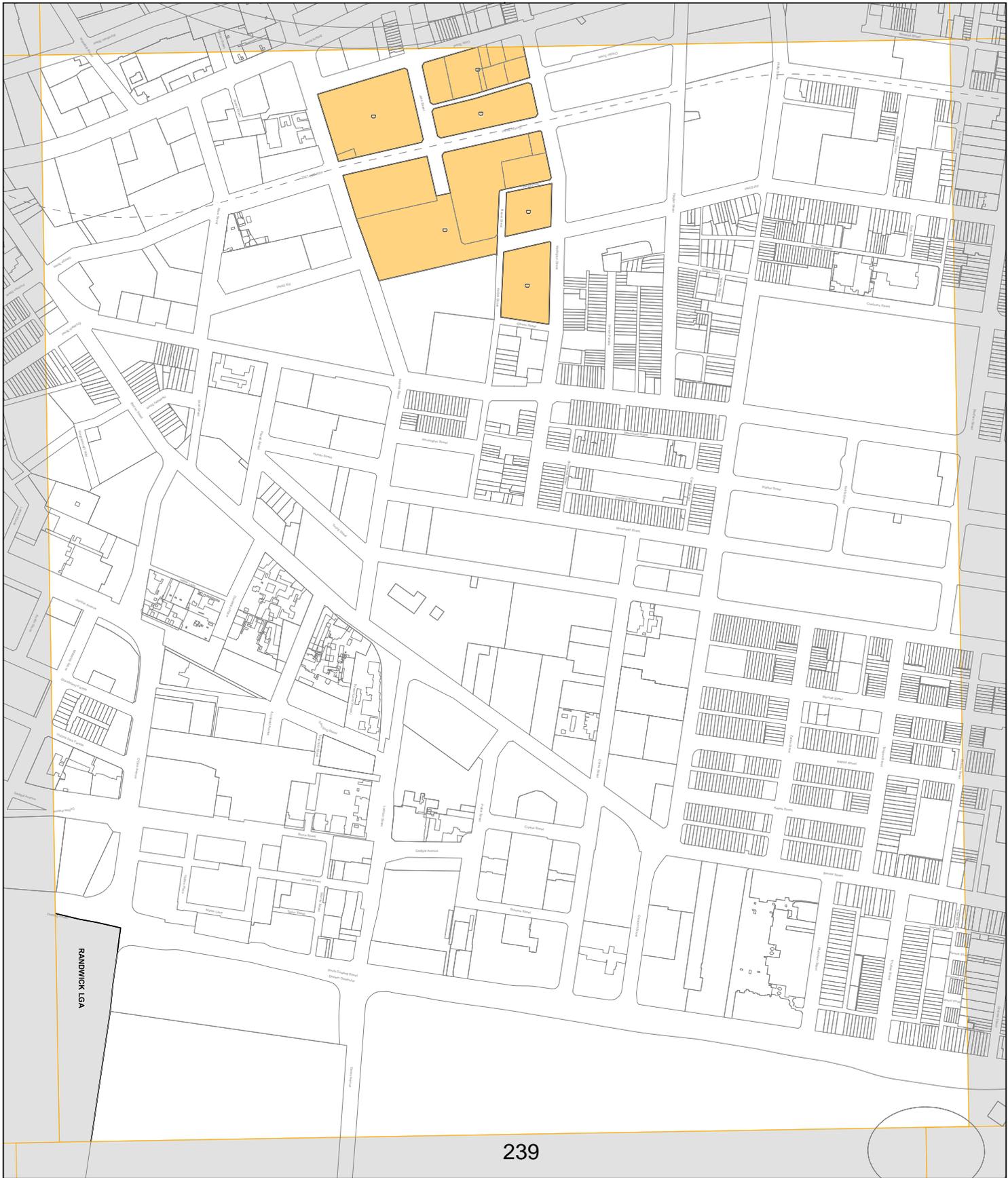
Public Transport Accessibility Level Map - Sheet TAL_017

- Public Transport Accessibility Level**
- D** Category D
- Cadastral**
- Cadastral 19/10/2020 © City of Sydney

Pre-Exhibition



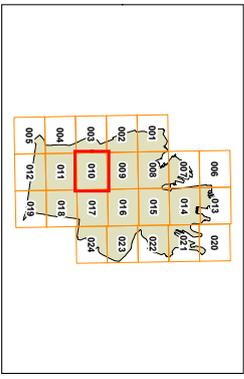
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Acid Sulfate Soils Map
- Sheet ASS_010

- Acid Sulfate Soils
- 5 Class 5
- Cadastre
- Cadastre 23/10/2020 © City of Sydney

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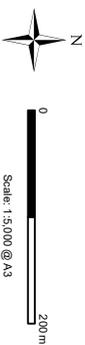
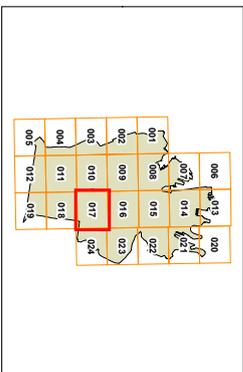
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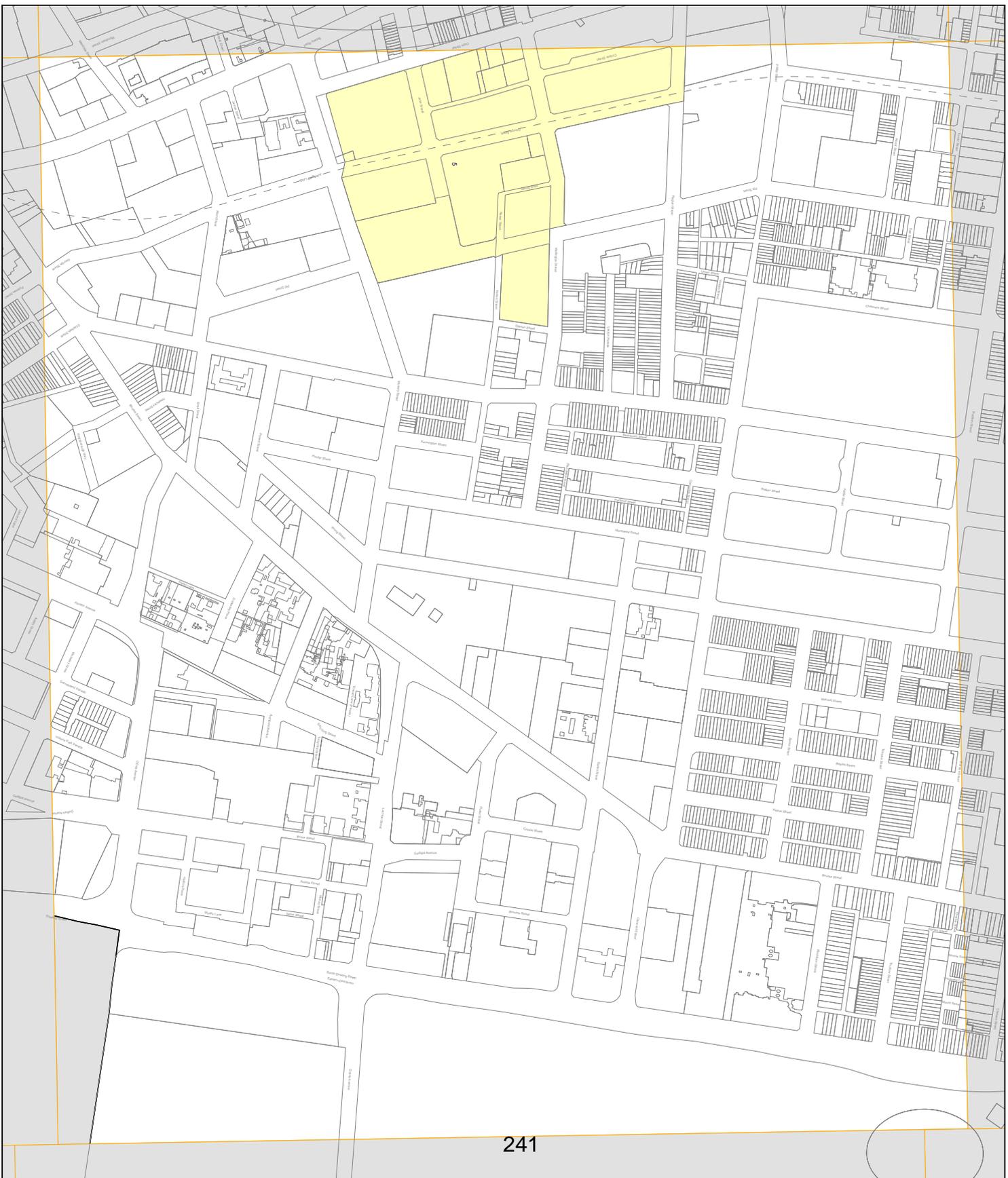
Acid Sulfate Soils Map
- Sheet ASS_017

- Acid Sulfate Soils
- 5 Class 5
- Cadastre
- Cadastre 23/10/2020 © City of Sydney

Pre-Exhibition



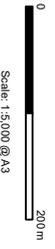
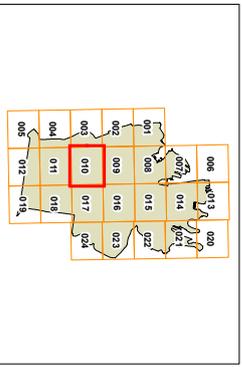
Map identification number:
23/10/2020 ASS_017_005_202011023



Special Character Areas Map
Retail Premises Map
- Sheet CL2_010

-  Retail Premises
 -  Restricted Retail Development
 -  Cadastre
- Cadastre 23/10/2020 © City of Sydney

Pre-Exhibition

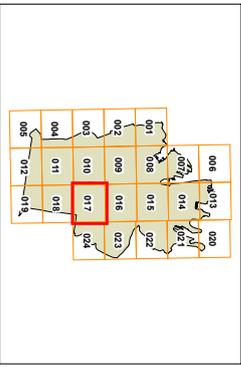


Map identification number:
7200_C001_CL2_010_005_20201023



-  Retail Premises
 -  Restricted Retail Development
 -  Cadastre
- Cadastre 23/10/2020 © City of Sydney

Pre-Exhibition



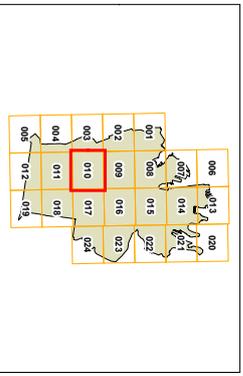
Projection: GDA 1984
Zone 56
Map identification number:
Z200_C001_CL2_017_005_20201119



Active Street Frontages
- Sheet ASF_010

- Active Street Frontages
- Active Street Frontage
- Cadastre
- Cadastre 30/11/2020 © City of Sydney

Pre-Exhibition



Projection: GDA 1984
Zone 56
Map identification number:
2200_CDM_ASF_010_000_20201130



7. Community consultation

The Planning Proposal is to be exhibited in accordance with the gateway determination once issued by the Department of Planning, Industry and Environment.

It is anticipated the gateway determination will require public exhibition for a period of not less than 60 days. The extended consultation process is at the request of Council and it is intended to allow the community an opportunity to understand the proposal in full and make the necessary submissions.

The public consultation will be undertaken in accordance with the City's Community Participation Plan and the principles in the City's Community Engagement Strategy.

Notification of the public exhibition will be via the City of Sydney website.

Exhibition material will be made available on the City of Sydney website and at Town Hall House at 456 Kent Street, Sydney.

Consultation with relevant NSW agencies, authorities and other relevant organisations will be undertaken in accordance with the Gateway determination.

8. Project timeline

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

Stage	Timeframe
Gateway determination	April 2021
Public exhibition and government agency consultation	May 2021 - June 2021
Consideration of submissions	July 2021 – September 2021
Post exhibition consideration of proposal	October 2022
Drafting of LEP provisions	March 2022
Finalisation of LEP and DCP and forwarding to Department of Planning, Industry and Environment for notification	April 2022

