

NORTHERN PRECINCT STATUTORY COMPLIANCE TABLE (SSD-79307758)

Table 1 Statutory Compliance Assessment Table

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>Environmental Planning and Assessment Act 1979</i>			
Section 1.3	<i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	<p>The proposed development will promote the social and economic welfare of the community by providing high quality residential accommodation, including affordable housing, and retail and commercial uses to serve the local population.</p> <p>The proposed development will address a critical requirement for additional housing in Sydney and New South Wales.</p> <p>The proposed development will promote a better environment by facilitating the redevelopment of a highly accessible urban renewal site and will incorporate generous tree planting.</p>	Section 4, Section 5 and Section 6
	<i>To promote the supply, delivery and maintenance of housing, including affordable housing.</i>	The proposed development includes 314 residential units, including 39 affordable housing units, which will contribute to the supply and diversity of housing within the Waterloo area.	
	<i>To promote productivity through the development and management of the State and its resources</i>	The proposed development will promote the productivity through the development and management of the State and its resources by capitalising on State government investment in the Sydney Metro corridor, allowing the redevelopment of a highly accessible urban renewal site that is identified for high density development within the strategic and statutory planning framework.	

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		<p>The proposed development incorporates a significant component of non-residential floorspace, which will provide employment opportunities and contribute to the local economy and productivity. Additional non-residential floorspace is provided elsewhere within the WMQ site.</p>	
	<p><i>To protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,</i></p>	<p>The proposal involves the redevelopment of an existing urban site and will not adversely impact threatened or other species of native animals and plants, ecological communities or their habitats.</p>	
	<p><i>To promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention</i></p>	<p>The proposed development incorporates a range of ESD measures and has been designed to respond to various future flood risk scenarios, which will ensure that it is resilient to the impacts of climate change</p>	
	<p><i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i></p>	<p>The proposed development will promote the sustainable management of built and cultural heritage. The scale, massing and design of the proposed development respects local heritage items.</p>	
	<p><i>to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,</i></p>	<p>The design of the proposed development has been informed by 'Country'. Public art incorporated within the development will also celebrate Country.</p> <p>The proposed development has been informed by a rigorous state design review panel process and is considered to exhibit design excellence and a high level of amenity for future residents, workers and visitors.</p>	
		<p>A structural assessment of the proposed development has been prepared and is enclosed</p>	

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		with this SSDA. Construction impacts will be managed through the implementation of a Construction Environmental Management Plan and any recommended conditions of consent.	
	<i>To provide opportunities for participation in environmental planning and assessment,</i>	Detailed community engagement has been undertaken prior to the lodgement of this SSDA.	
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i>	The proposed development is informed by the principles of ecologically sustainable development. It incorporates a mix of uses, including commercial floorspace, residential accommodation and affordable housing, which will serve the local population. A range of sustainability initiatives are incorporated within the proposed development, including energy and water efficiency measures and generous planting.	
	<i>to promote a proportionate and risk-based approach to environmental planning and assessment,</i>	The potential impacts of the proposed development have been assessed in detail in the EIS and accompanying technical documents. It is anticipated that the consent authority will apply a proportionate and risk-based approach to their assessment of the proposed development.	
	<i>To promote the orderly and economic use and development of land</i>	The proposed development will promote the orderly development of the land as it involves the redevelopment of a highly accessible urban renewal site that is identified for high density development within the strategic and statutory planning framework.	
Section 4.15	Relevant environmental planning instruments: <ul style="list-style-type: none"> ▪ State Environmental Planning Policy (Planning Systems) 2021 ▪ State Environmental Planning Policy (Resilience and Hazards) 2021 	See detail below.	Section 4

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> ▪ State Environmental Planning Policy (Transport and Infrastructure) 2021 ▪ State Environmental Planning Policy (Industry and Employment) 2021 ▪ State Environmental Planning Policy (Housing) 2021 ▪ State Environmental Planning Policy (Sustainable Buildings) 2021 ▪ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ▪ Sydney Local Environmental Plan 2012 		
	Draft environmental planning instruments	Not applicable	N/A
	Relevant planning agreement or draft planning agreement	Not applicable	N/A
	Environmental Planning and Assessment Regulation 2021 – Schedule 2	This EIS has been prepared in accordance with Schedule 2 of the Regulations.	N/A
	Development control plans: <i>Sydney Development Control Plan 2012</i>	In accordance with clause 2.10 of the Planning Systems SEPP, the provisions of Sydney Development Control Plan 2012 (SDCP 2012) do not apply to this development. Accordingly, the DCP is not considered further.	N/A
	The significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development including the environmental impacts on the natural and built environments, and social an economic impact on the locality are assessed in detail within the EIS.	Section 6
	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS.	Section 7
	Any submission made	Submissions will be considered following exhibition of the application.	Section 5

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	The public interest	Section 7 of the EIS demonstrates that the proposed development is in the public interest.	Section 7
Environmental Planning and Assessment Regulation 2021			
Schedule 2	Schedule 2 of the Regulations provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.	This EIS has been prepared to address the requirements of Schedule 2 of the Regulations and SEARs.	Appendix A – SEARS Requirements Table
Biodiversity Conservation Act 2016			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.	A BDAR Waiver was issued by the NSW Government Conservation Programs, Heritage and Regulation Group on 11th September 2025 as the proposed development is unlikely to have any significant impact on biodiversity values. Accordingly, a biodiversity assessment report is not required.	Section 6.10 and Appendix EE
State Environmental Planning Policies			
<i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP)	In accordance with Clause 2.11 of the Planning Systems SEPP, subsequent detailed DAs under the Concept DA are considered SSD regardless of CIV, as follows: 2.11 Concept development applications <i>If—</i> <i>(a) development is specified in Schedule 1 or 2 to this Chapter by reference to a minimum estimated development cost, other minimum size or other aspect of the development, and</i> <i>(b) development the subject of a concept development application under Part 4 of the Act is development so specified,</i>	Noted. The Concept SSDA (SSD-9393); Amending Concept SSDA (SSD-10441); and Second Amending Concept SSDA (reference SSD-79307765) all comprised state significant development. Accordingly, the proposed development for the Northern Precinct comprises state significant development.	N/A

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	<p><i>any part of the development that is the subject of a separate development application is development specified in the relevant Schedule (whether or not that part of the development exceeds the minimum value or size or other aspect specified in the Schedule for such development).</i></p>		
<p><i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP)</i></p>	<p>Clause 4.6(1) states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.</p>	<p>Remediation works for the site have been undertaken as part of the CSSI approval to make the site suitable for a metro station.</p> <p>The Northern Precinct will be constructed above the site-wide basement. Approval for the basement has been obtained under a separate SSDA (SSD-10438). The basement SSDA addresses contamination and remediation requirements for the Northern Precinct.</p>	<p>Section 6</p>
<p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)</i></p>	<p>Section 2.48: Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—</p> <ul style="list-style-type: none"> (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and (b) take into consideration any response to the notice that is received within 21 days after the notice is given 	<p>Noted.</p>	<p>N/A</p>
	<p>Section 2.98: A consent authority must take into consideration any response from the rail authority for</p>	<p>The proposed development is on land adjacent to a rail corridor. DPHI will refer this application to the relevant rail authority for the rail corridor. As the</p>	<p>N/A</p>

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	<p>the rail corridor received within 21 days after the notice is given.</p>	<p>proposal relates to the Sydney Metro City & Southwest Corridor, it will be referred to TfNSW for comment as part of the SSDA exhibition process.</p>	
	<p>Section 2.99: The consent authority must notify the rail authority of the development application and take into consideration any response received within 21 days.</p> <p>In deciding whether to provide concurrence, the rail authority must take into account the potential effects of the proposed development on the safety or structural integrity of rail infrastructure in the rail corridor; the safe and effective operation of rail infrastructure in the rail corridor; and the measures proposed or could be taken to avoid or minimise those potential effects.</p>	<p>The Northern Precinct SSDA seeks approval for above-ground works only.</p> <p>Approval for excavation works has been secured as part of the separate basement SSDA (SSD-10438) as modified. Accordingly, this section is not strictly relevant to the proposed development.</p>	<p>N/A</p>
	<p>Section 2.100: Impact of rail noise or vibration on non-rail development.</p> <p>The consent authority must take into consideration any guidelines that are issued by the Planning Secretary.</p> <p>For residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <ul style="list-style-type: none"> (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am, (b) anywhere else in the residential accommodation (other than a garage, 	<p>An acoustic and vibration impact assessment has been prepared to assess the impacts of rail noise or vibration from the underground metro line on the proposed residential accommodation. The assessment demonstrates that compliance with the requirements of Section 2.100 are anticipated to be achieved subject to the implementation of the identified mitigation measures.</p>	<p>Section 6 and Appendix T</p>

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	kitchen, bathroom or hallway)—40 dB(A) at any time.		
	Section 2.119: Development with a frontage to a classified road requires the consent authority to be satisfied the matters listed in Section 2.119(2) have been addressed.	<p>The site has a frontage to Botany Road, which is a classified road.</p> <p>Vehicular access to the site-wide basement will be provided via Cope Street, which is not a classified road. However, access to the loading dock in the Northern Precinct will be via Botany Road.</p> <p>The vehicular access to the loading dock has been designed to ensure the safety, efficiency and ongoing operation of Botany Road will not be adversely affected by the proposed development. A Freight and Servicing Management Plan has also been prepared for the proposal and will be implemented during the operation of the development.</p> <p>Additionally, as set out within the Acoustic and Vibration Impact Assessment, the proposed development will include measures to ameliorate potential traffic noise within the site arising from Botany Road.</p>	Section 6, Appendix R and Appendix T
	Section 2.120 Impact of Road noise or vibration on non-road development: Before determining a development application for development to which the section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of the section.	The section applies to residential and other specified development on land in or adjacent to the road corridor for a road with an annual average daily traffic volume of more than 20,000 vehicles and which the consent authority considers is likely to be adversely affected by road noise or vibration	Section 6 and Appendix T
	If the development is for the purposes of residential accommodation, the consent authority must not grant	A Noise and Vibration Impact Assessment has been prepared to assess the impacts of rail noise	

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	<p>consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</p> <p>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time</p>	<p>or vibration from the underground metro line on the proposed residential floorspace. The assessment demonstrates that compliance with the requirements of Section 2.100 are anticipated to be achieved subject to the implementation of the identified mitigation measures.</p>	
	<p>Section 2.122 traffic generating development: Before determining a development application for development to which the section applies, the consent authority must give written notice of the application to TfNSW within 7 days after the application is made and take into consideration any submission received within 21 days after the notice was given as well as the accessibility of the site and any potential traffic safety, road congestion or parking implications of the development.</p>	<p>The proposal is considered traffic generating development as it includes 314 residential units.</p> <p>Accordingly, the SSDA is required to be referred to TfNSW (Roads Division) for consideration. TfNSW will be notified as an agency as part of the SSDA exhibition process.</p> <p>A Transport, Traffic and Parking Assessment has been undertaken to support the SSDA which demonstrates that the transport impacts of the proposed development are acceptable.</p>	<p>Section 6 and Appendix R</p>
<p><i>State Environmental Planning Policy (Industry and Employment) (I&E SEPP)</i></p>	<p>Section 3.6 states that a person must not display an advertisement, except with the consent of the consent authority or except as otherwise provided by this Policy.</p>	<p>No consent for signage is sought as part of this application.</p>	<p>N/A</p>
<p><i>State Environmental Planning Policy (Housing) 2021 (Housing SEPP)</i></p>	<p>Chapter 4 – Design of residential apartment development</p>	<p>Chapter 4 of the Housing SEPP applies to development for the purposes of a residential building that comprises three or more storeys.</p>	<p>Appendix F – Design Report</p>

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<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	The Sustainable Buildings SEPP aims to encourage the design and delivery of sustainable buildings and to ensure consistent assessment of the sustainability of buildings.	An assessment against the provisions of the Apartment Design Guides can be found in the Design Report. An ESD and BASIX Report accompanies the proposal which demonstrates how a high level of energy efficiency and environmental sustainability are achieved in the proposed development, with a strong emphasis placed on the passive efficiency of the building, including passive heating, cooling, natural lighting and natural ventilation. The proposal meets the relevant BASIX targets. An Embodied Emissions Report also accompanies the ESD and BASIX Report which quantifies the amounts of key materials used in the construction of the proposed development.	Appendix Q – ESD Report
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (B&C SEPP)</i>	Clause 2.9: A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.	The proposed development does not involve any tree removal.	N/A
Draft Environmental Planning Instruments			
N/A			
Sydney Local Environmental Plan 2012			
Zoning and Land Use	The site is zoned MU1 Mixed Use.	The proposal will comprise retail, commercial and residential uses. These uses are permitted with consent in the MU1 Zone and are fully consistent with the objectives of the zone, which include “to integrate suitable business, office, residential, retail and other land uses in accessible locations	Section 4

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4.3 Height of Buildings	Maximum height of building: RL 116.9m	<i>that maximise public transport patronage and encourage walking and cycling</i> ". The Northern Precinct complies with the maximum building height control with the following heights proposed: <ul style="list-style-type: none"> ▪ Building 1A: 27 residential storeys (top of plant approx. RL116.9) ▪ Building 1B: 24 residential storeys (top of plant approx. RL 107.5). 	Appendix E
Clause 4.4 Floor Space Ratio (FSR)	Maximum FSR: 6:1	The Northern Precinct forms part of the wider WMQ development. The FSR for the WMQ development will not exceed 6:1	Appendix E
5.10 Heritage Conservation	<p>Development consent is required to</p> <p><i>(a) demolish or move any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p> <p>A heritage management document may be required to be prepared for land that is within the vicinity of a heritage item. The document is to assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item.</p>	A Heritage Impact Statement has been prepared by Urbis and concludes that the proposed development is acceptable from a heritage perspective.	Appendix Y
6.21D Design Excellence	Development consent must not be granted to the following development to which this clause applies	Complies	Section 6, Appendix B and Appendix C

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	<p>unless a competitive design process has been held in relation to the proposed development—</p> <p>(a) development in respect of a building that has, or will have, a height above ground level (existing) greater than—</p> <p style="padding-left: 20px;">(i) 55 metres on land in Central Sydney, or</p> <p style="padding-left: 20px;">(ii) 25 metres on any other land,</p> <p>(b) development having a capital investment value of more than \$100,000,000,</p> <p>(c) development in respect of which a development control plan is required to be prepared under clause 7.20,</p> <p>(d) development for which the applicant has chosen such a process</p>	<p>In accordance with clause 6.21D(2) an alternative design excellence process was established in accordance with the Sydney Metro Design Excellence Strategy which considered the concept design and the detailed applications.</p> <p>The Design Integrity Report at Appendix C confirms that the detailed SSDA meets the design excellence requirements established for the site, in accordance with the Updated Design Excellence Strategy at Appendix B and has received feedback from the State Design Review Panel. Further discussion of design excellence has been addressed in Section 6.</p>	
<p>6.45 Waterloo Metro Quarter - General</p>	<p>The consent authority must not consent to development on land at the Waterloo Metro Quarter unless it is satisfied that the development is consistent with the following objectives:</p> <ul style="list-style-type: none"> ▪ At least 12,000 sqm of GFA below podium for land uses other than residential accommodation or passenger transport facilities. ▪ At least 2,000 sqm of GFA for the purpose of community facilities. ▪ At least 2,200 sqm of land for publicly accessible open space. <p>Further, the consent authority must not consent to the construction of one or more dwellings on land at the Waterloo Metro Quarter unless:</p> <ul style="list-style-type: none"> ▪ It is satisfied that at least 5% of the GFA used affordable housing 	<p>In accordance with Clause 6.45, the consent authority must not consent to development on land at the Waterloo Metro Quarter unless it is satisfied that the development is consistent with the following objectives:</p> <ul style="list-style-type: none"> ▪ 12,000 sqm of GFA below podium for land uses other than residential accommodation or passenger transport facilities. ▪ 2,000 sqm of GFA for the purpose of community facilities. ▪ 2,200 sqm of land for publicly accessible open space. <p>For the purposes of calculating GFA and satisfying Clause 6.45, a ‘whole of precinct’ approach has been adopted whereby consideration has been given to the provision of the above land uses across the northern precinct, southern precinct and central precinct.</p>	<p>Section 4 Appendix MM</p>

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	<ul style="list-style-type: none"> ▪ It is satisfied that no dwelling used for the purposes of affordable housing will have a GFA less than 50 square metres ▪ It is satisfied that land uses other than residential accommodation or passenger transport facilities will be evenly distributed throughout the Waterloo Metro Quarter, and ▪ It has taken into consideration any guidelines made by the Planning Secretary relating to the design and amenity of the Waterloo Metro Quarter. 	<p>Further, the consent authority must not consent to the construction of one or more dwellings on land at the Waterloo Metro Quarter unless:</p> <ul style="list-style-type: none"> ▪ It is satisfied that at least 5% of the residential GFA will be used as affordable housing. ▪ It is satisfied that no dwelling used for the purposes of affordable housing will have a GFA less than 50 square metres. ▪ It is satisfied that land uses other than residential accommodation or passenger transport facilities will be evenly distributed throughout. <p>Non-residential GFA (Clause 6.45 (1) (a)) Across the overall Site, including the approved southern precinct, the total amount of non-residential GFA at or below the podium is 10,631 sqm, this represents a shortfall of 1,369 sqm and 11.4% departure.</p> <p>The underlying purpose of Clause 6.45(1)(a) was to secure a significant quantum of non-residential GFA in the WMQ to support activation and employment. However, the control was introduced in 2019, prior to the COVID-19 pandemic, and was based on market assumptions that have since shifted materially. As demonstrated in the Economic Impact Assessment (Appendix KK), the scale of commercial office previously contemplated is no longer viable in this location, with modelling showing only 4,940sqm of office demand in the WMQ likely by FY35.</p> <p>Accordingly, the standard was implemented at a time when there was a much stronger demand for commercial office floor space.</p>	

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		<p>In this context, the strict application of the control has become effectively redundant: it seeks an outcome that cannot be reasonably delivered or sustained by the market.</p>	
		<p>The amended scheme (primarily due to the change of land use within the northern precinct) ensures that the broader mixed-use and activation objectives of the zone are still met through a balanced combination of retail, community, childcare and commercial space, alongside significant housing outcomes.</p>	
		<p>A clause 4.6 variation request has been prepared to justify the shortfall.</p>	
		<p>The northern precinct proposal maintains 817sqm of retail floorspace and 4,871sqm of commercial floorspace on the ground floor and podium which is further supported by 529 sqm of retail floorspace, 61sqm of community use floor space and 2,251sqm of childcare in the central precinct. These non-residential uses will ensure a broad mix of employment-generating activities within the precinct. These non-residential uses will ensure a broad mix of employment-generating activities within the precinct.</p>	
		<p>Community facilities (Clause 6.45 (1) (b)) Approximately 2,251 sqm of GFA for community facilities (including the childcare GFA) is proposed within the Central Precinct (Building 2), which exceeds the minimum required by Clause 6.45(2)(b).</p>	

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		<p>Publicly accessible open space (Clause 6.45 (1) (c)) In accordance with Clause 6.45, 2,200sqm of land is to be used for publicly accessible open space across the broader WMQ site. Cope Street Plaza which will be delivered under the approved southern precinct SSD comprises approximately 1,341sqm of the total publicly accessible open space. The balance of the public open space will be located within Raglan Street as proposed under the northern precinct, and the new Grit Square, Church Square and extension of Cope Street Plaza as proposed under the central precinct SSDA. The total area of publicly accessible open space will be greater than 2,200sqm.</p>	
		<p>Affordable Housing (Clause 6.45 (2) (a), (b)) The consent authority must not consent to the construction of one or more dwellings on land at the Waterloo Metro Quarter unless:</p> <ul style="list-style-type: none"> ▪ It is satisfied that at least 5% of the residential GFA is used to provide affordable housing. ▪ It is satisfied that no dwelling used for the purposes of affordable housing will have a GFA less than 50 square metres. <p>Approximately 2,943 sqm of affordable housing, or 39 affordable housing dwellings will be delivered in the northern precinct as part of this application. All affordable housing apartments will have a GFA greater than 50sqm. The approved southern precinct development has delivered 70 social housing apartments, which will positively</p>	

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		<p>contribute to the diversity of housing stock across the WMQ.</p> <p>Distribution of Non-residential land uses (Clause 6.45 (2) (c)) The broader WMQ development satisfies Clause 6.45(2)(c) by delivering a diverse mix of non-residential uses across the precinct to activate public domain areas whilst integrating with Waterloo Station.</p> <p>The proposed development contributes to this mix by delivering a non-residential podium, with ground floor retail and commercial uses on levels 1-3. These uses have been located at ground level to activate the precinct throughout the day and evening whilst also managing impacts from potential noise from Botany Road and a highly trafficked public domain.</p>	
<p>7.3 Car parking not to exceed maximum set out in this Division</p>	<p>Development consent must not be granted to development that includes car parking spaces in connection with a proposed use of land if the total number of car parking spaces (including existing car parking spaces) provided on the site would be greater than the maximum set out in this Division.</p> <p>If the maximum number of car parking spaces under this Division is not a whole number, the number is to be rounded to the nearest whole number.</p>	<p>The proposed development does not include any car parking.</p> <p>Car parking for the WMQ development will be provided within the basement, which has been approved via a separate SSDA (reference SSD-10438).</p> <p>However, for completeness the proposed parking provision is summarised below:</p> <ul style="list-style-type: none"> ▪ 115 car parking spaces comprising: <ul style="list-style-type: none"> – Residential: 102 parking spaces (16 of which will be accessible) – Commercial: 10 parking spaces (two accessible spaces and one small car space) 	<p>Section 6 and Appendix R</p>

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		<ul style="list-style-type: none"> - Car share spaces: 2 spaces - Car wash bay: 1 bay ▪ 10 motorcycle spaces, comprising: <ul style="list-style-type: none"> - Residential: 5 spaces - Commercial: 5 spaces <p>The proposed car parking is below the maximum permissible under the Sydney LEP 2012 and the conditions of consent for the concept approval. This reduced provision is supported by the accessibility of the site and proximity to the Waterloo Metro Station, which offers frequent and reliable public transport services.</p>	
<p>Clause 7.13 Contribution for purpose of affordable housing</p>	<p>The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution not exceeding the applicable affordable housing levy contribution for the development provided for in subclause (2A) or (2C).</p>	<p>The City of Sydney Affordable Housing Program 2023 (AH Program) provides the requirements and operational detail for various affordable housing contribution provisions in local environmental plans operating in the City of Sydney local area.</p> <p>The site sits within the “residual land” area under the AH Program, which is subject to the following affordable housing levy contribution:</p> <ul style="list-style-type: none"> ▪ 3% of the total floor area of the development that is intended to be used for residential purposes, and ▪ 1% of the total floor area of the development that is not intended to be used for residential purposes. <p>However, the site is subject to clause 6.45 2(a) and (b) of the LEP, which already requires 5% of residential GFA to be provided as affordable housing. This site specific provision formed part of the rezoning for the Waterloo Metro Quarter site, which predates the application of the AH Programme 2023. Accordingly, the site specific</p>	<p>N/A</p>

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		<p>provision under the LEP provides a higher affordable housing contribution than the AH Program, which the proposed development satisfies.</p> <p>Therefore, the proposed development satisfies the volume of affordable housing contribution under the AH program and clause 6.45 2(a) and (b) through the delivery of 5% of residential GFA being provided as affordable housing.</p>	
7.14 Acid Sulfate Soils	Ensure development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The proposed development does not involve below ground works. Below ground works including the potential impact on sulfate soils has been considered as part of the approved basement SSDA (SSD-10438).	N/A
7.16 Airspace Operations	Provide for the effective and on-going operation of the Sydney (Kingsford Smith) Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport.	<p>Approval has been granted by the Department of Infrastructure, Regional Development and Cities as part of the Concept DA, for the controlled activity and intrusion into prescribed airspace for Sydney Airport to a maximum height of RL 116.9 metres AHD.</p> <p>The proposed northern precinct towers comply with the maximum height control and therefore the previous airspace approval remains relevant to the site.</p>	Section 6
Clause 7.20 Development requiring or authorising preparation of a development control plan	A DCP is required for sites outside of Central Sydney if the site area is more than 5,000 sqm or if the development will result in a building with a height greater than 25m above existing ground level. However, this obligation can be satisfied by the approval of a staged development application for the site.	<p>Section 4.23 of the Environmental Planning and Assessment Act 1979 stipulates that an obligation to prepare a DCP may be satisfied by the making and approval of a concept development application.</p> <p>A staged concept development application has been approved for the site (SSD-9393) and</p>	N/A

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<p>amended by SSD-10441. A seconding amending concept SSDA (SSD-79307765) has been submitted concurrently with this application. As part of the Concept Approval, the Waterloo Design and Amenity Guideline has been prepared and approved which operates as a site-specific DCP.</p> <p>Accordingly, clause 7.20 has been satisfied.</p>	
7.26 Public Art	<p>Consent must not be granted for public art unless the consent authority is satisfied that the development—</p> <p>(a) will not involve the display of an advertisement, and</p> <p>(b) will not increase the gross floor area of any building, and</p> <p>(c) will not have a significant adverse impact on any heritage conservation area, heritage item or other object or place of heritage significance, and</p> <p>(d) will not have a significant adverse impact on the amenity of the public domain, including by overshadowing, wind or noise impacts, and</p> <p>(e) if it is to be carried out on land to which a plan of management (within the meaning of the Local Government Act 1993) applies, will be in accordance with the plan of management.</p>	<p>Public art will be incorporated within Raglan Walk in the public domain of the northern precinct. The proposed public art will satisfy the provisions of Clause 7.26 and will not result in any adverse impacts on the public domain.</p> <p>A heritage impact assessment has been prepared as part of this SSDA and concludes that the heritage impacts of the proposed development are acceptable.</p>	Section 6 and Appendix F
7.27 Active Street Frontages	<p>Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that, after its erection or change of use—</p>	<p>The Active Frontages Map shows that an active frontage is required along Botany Road frontage of the site.</p> <p>All premises on the ground floor of the northern precinct that will face Botany Road will comprise retail premises and have active street frontages.</p>	Section 6 and Appendix E

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>(a) all premises on the ground floor of the building that face the street will be used for the purposes of business premises or retail premises, and</p> <p>(b) those premises will have active street frontages</p>		
<hr/> <p>Waterloo Madero Quarter Design and Amenity Guide</p> <hr/>			
<p>An assessment of the proposed development's consistency with the objectives of the Waterloo Metro Quarter Design and Amenity Guideline is set out in the accompanying Design Report prepared by Woods Bagot (Appendix F).</p> <hr/>			
<p>Sydney Development Control Plan 2012</p> <hr/>			
<p>In accordance with clause 2.10 of the Planning Systems SEPP, the provisions of Sydney Development Control Plan 2012 (SDCP 2012) do not apply to this development.</p> <hr/>			