

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Anthony Witherdin

Director, Key Sites and TOD Assessments

Sydney

9 June 2026

File: SSD-79307765

Application Number:

SCHEDULE 1

SSD-79307765

Applicant:

WL Developer Pty Ltd

Consent Authority:

Minister for Planning and Public Spaces

Site:

140-150 Cope Street, Waterloo (Lot 2 DP 1274225)

Development:

Concept proposal for new building envelopes and land use for the Northern Precinct and extended building envelope for the Central Precinct within the Waterloo Metro Quarter. The development comprises:

- two building envelopes (with a maximum height of up to RL 116.9) within the Northern Precinct, containing 5,688 m² non-residential floorspace and 26,829 m² residential floorspace
- revised building envelope for the Central Precinct (up to RL 104.2) containing 2,960 m² non-residential floor space (including minimum 2,000 m² community facility use) and 14,480 m² residential accommodation

(Advisory Note 1: The building envelopes approved under this consent is in conjunction with the building envelopes approved under Concept consent SSD 9393 for an over station development at the Waterloo Metro Quarter site)

CONTENTS

SCHEDULE 1	I
DEFINITIONS	III
SCHEDULE 2 – CONDITIONS OF THIS CONSENT.....	4
PART A ADMINISTRATIVE CONDITIONS.....	4
Development Description.....	4
Terms of Consent	4
Determination of Future Development Applications.....	4
Lapsing of Approval	4
Legal Notices	4
Planning Secretary as Moderator	4
Modification of SSD 9393	5
Evidence of Consultation	5
Public Benefits – Affordable Housing and Community facilities	5
Amended Design Amenity Guidelines	5
Design Excellence	5
Applicability of Guidelines	6
Consultation With Fire and Rescue NSW	6
PART B CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATIONS	7
Maximum Building Envelopes.....	7
Built Form and Urban Design	7
Design Integrity Report.....	7
Car Parking and Bicycle Parking	7
Consultation with Waterloo Congregational Church	8
Heritage Impact Assessment.....	8
Wind Impact Assessment	8
Traffic, Access and Parking Assessment.....	8
Environmental Performance / ESD	8
Security and Crime Assessment.....	9
Construction Impact Assessment	9
Noise and Vibration Assessment.....	9
Flooding and Stormwater Assessment	9
Reflectivity Assessment.....	9
Archaeological and Aboriginal Cultural Heritage Assessment	9
Operational Waste	10
Airspace Protection.....	10
SCHEDULE 3 - MODIFICATIONS TO SSD 9393.....	11
Development Consent	12
Terms of Consent	12
Determination of Future Development Applications.....	12
Planning Agreement / Binding Agreement.....	12
Design Guidelines.....	13
Design Excellence	13
Maximum Building Envelopes.....	14
Built Form and Urban Design	14
Design Integrity Report.....	14
Car Parking and Bicycle Parking	14
Wind Impact Assessment	15
Traffic Access and Parking Assessment.....	15
Environmental Performance / ESD	15
Security and Crime Assessment.....	16
Noise and Vibration Assessment.....	16
Flooding and Stormwater.....	16
Operational Waste	16
Airspace Protection.....	16
ADVISORY NOTES	18
SCHEDULE 4 – AMENDMENTS TO DESIGN AND AMENITY GUIDELINES (CONDITION A6).....	19

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	WL Developer Pty Limited, or any person carrying out any development to which this consent applies
Application	The development application and the accompanying drawings, plans and documentation described in Condition A2
Concept Proposal	A staged development application in accordance with the EP&A Act
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
Council	City of Sydney Council
CSSI approval	The Sydney Metro City and Southwest Chatswood to Sydney critical state infrastructure approval (CSSI 7400)
DCP	Development Control Plan
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in the EIS and RtS, including the works and activities comprising the Second Amending Concept Waterloo Metro Quarter over station development, as modified by the conditions of this consent
SDRP	State Design Review Panel
EIS	The Environmental Impact Statement titled Waterloo Metro Quarter Over Station Development – Second Amending Concept SSDA, prepared by Urbis Pty Ltd and dated 6 November 2025 submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
Future Development Application(s)	Subsequent development application(s) for detailed proposal(s) in accordance with the EP&A Act
Minister	NSW Minister for Planning and Public Spaces (or delegate)
OSD	Over Station Development
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
RtS	The Response to Submissions report and appendices titled Submissions Report Waterloo Metro Quarter – Second Amending Concept SSDA, prepared by Urbis Pty Ltd and dated March 2026
SDRP	State Design Review Panel
SSD	State Significant Development
Subject site / site	Land referred to in Schedule 1

SCHEDULE 2 – CONDITIONS OF THIS CONSENT

PART A ADMINISTRATIVE CONDITIONS

DEVELOPMENT DESCRIPTION

- A1. Consent is granted to the 'Development' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Response to Submissions;
 - (d) in accordance with the management and mitigation measures; and
 - (e) in accordance with the following drawings:

Architectural drawings prepared by Bates Smart			
Drawing Number	Revision	Title	Date
WMQ-SITE-BSA-UD-DRG-DA004	01	Proposed Envelope – Roof Plan	19.09.25
WMQ-SITE-BSA-UD-DRG-DA005	01	Proposed Envelope - Elevation	19.09.25
WMQ-SITE-BSA-UD-DRG-DA006	01	Proposed Envelope - Elevation	19.09.25

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), A2(d) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

DETERMINATION OF FUTURE DEVELOPMENT APPLICATIONS

- A5. In accordance with Section 4.22(4) of the EP&A Act, all development under the Concept and the subsequent stages are to be subject of future development applications.
- A6. The determination of future development applications are subject to the conditions in **Schedule 2**, and are to be generally consistent with the terms of development consent SSD 9393, as modified by the conditions described in **Schedule 3**.

LAPSING OF APPROVAL

- A7. This consent will lapse five (5) years from the date of consent SSD 9393, unless works associated with the development under future development applications have physically commenced.
- A8. This consent does not allow any components of the concept development application to be carried out without further approval or prior consent being granted.

LEGAL NOTICES

- A9. Any advice or notice to the consent authority must be served on the Planning Secretary.

PLANNING SECRETARY AS MODERATOR

- A10. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to this development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

MODIFICATION OF SSD 9393

- A11. The Applicant must deliver a notice of modification to the Planning Secretary that complies with Clause 67 of the EP&A Regs within three months of the date of this determination, or prior to the determination of the first subsequent development application, whichever is earlier. The notice must set out the modifications to conditions in SSD 9393 that are listed in **Schedule 3** of this consent.

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

PUBLIC BENEFITS – AFFORDABLE HOUSING AND COMMUNITY FACILITIES

- A13. At least 5% of the gross floor area used for the purposes of residential accommodation on land at the Waterloo Metro Quarter must be used for the purposes of affordable housing, and that no dwelling used for the purposes of affordable housing on land at the Waterloo Metro Quarter will have a gross floor area of less than 50 square metres. The affordable housing must be managed by a Registered Community Housing Provider as affordable housing in perpetuity in accordance with the requirements of Clause 6.45 the Sydney Local Environmental Plan 2012.

- A14. Any future Development Application for over station development made for the Northern Precinct for the purposes of residential accommodation must include affordable housing to satisfy the affordable housing requirements of Clause 6.45 the *Sydney Local Environmental Plan 2012*. The Applicant must submit an agreement with a registered community housing provider for the management of the affordable housing including specific nomination of units to be allocated and used for affordable housing.

Affordable housing means housing for very low-income households, low-income households or moderate-income households, being such households as defined by *State Environmental Planning Policy (Housing) 2021*.

- A15. At least 2,000m² of the gross floor area of buildings on land at the Waterloo Metro Quarter must be used for the purposes of community facilities in accordance with the requirements of Clause 6.45 the *Sydney Local Environmental Plan 2012*.

Community facilities mean a building or place (a) owned or controlled by a public authority or non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

- A16. Any future Development Application for over station development made for the Central Precinct must include community facilities to satisfy the community facilities requirements of Clause 6.45 the *Sydney Local Environmental Plan 2012*.

Prior to the issue of the first occupation certificate for the subsequent Central Precinct development application containing the community facilities, evidence of an executed planning agreement or a registered covenant or restriction on title, securing the final area, design and future operating model of the Community Facilities required must be provided to the Planning Secretary for approval. Any Planning Agreement prepared must be in accordance with Division 7.1 of Part 7 of the EP&A Act.

AMENDED DESIGN AMENITY GUIDELINES

- A17. The Waterloo Metro Quarter Design and Amenity Guidelines (dated February 2021) is amended by the amendments listed in **Schedule 4** of this consent.

DESIGN EXCELLENCE

- A18. The updated Design Excellence Strategy (dated 2 September 2025) as approved by the Planning Secretary on 7 October 2025 for the Waterloo Metro Quarter is applicable to the development subject to this consent. The Design Excellence Strategy as updated and endorsed requires:

- (a) independent design review process through use of the SDRP as endorsed by GANSW.
- (b) the membership of the SDRP augmented by including a member of the former Sydney Metro City and Southwest Design Review Panel to ensure consistency and continuity in design advice and expertise in integrated or over station developments.
- (c) a Design Integrity process description, prepared in consultation with GANSW, for the design development and construction documentation phases.

- A19. The updated Design Excellence Strategy in accordance with the above condition is applicable only to Waterloo Metro Quarter and is not endorsed under this consent as a Strategy which applies to other sites.

APPLICABILITY OF GUIDELINES

- A20. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A21. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

CONSULTATION WITH FIRE AND RESCUE NSW

- A22. Fire and Rescue NSW must be consulted with respect to the operational compatibility of the Precinct's proposed fire and life safety systems and their configuration at the project's preliminary and final design phases.
- A23. The pedestrian connection interfaces between the various sectors of the precinct must be appropriately assessed by fire engineering analysis with respect to emergency occupant egress, fire and smoke compartmentation, smoke hazard management and firefighting intervention.

END OF PART A

PART B CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATIONS

MAXIMUM BUILDING ENVELOPES

- B1. Future development applications must demonstrate that the buildings are wholly contained within the building envelopes consistent with the plans listed in Condition A2, as modified by the conditions of this consent.
- B2. Building height and gross floor area is to be measured in accordance with the definitions under *Sydney Local Environmental Plan 2012*.
- B3. The maximum achievable gross floor area (GFA) for the non-station related floor space under this consent is 49,957 m², resulting in a total maximum GFA of 68,750 m² across the SSD-9393 concept consent, as amended. This amount can only be achieved subject to demonstration of:
- (c) being wholly contained within the approved building envelopes
 - (d) compliance with the conditions of SSD 9393, as amended by Schedule 3 of this consent
 - (e) demonstration of design excellence
 - (f) consistency with the Design Guidelines, as amended by Condition A18.
- B4. The approved podium building envelopes, as identified in the approved plans in Condition A2, must be used for non-residential uses only with the exception of communal facilities associated with residential accommodation above.

BUILT FORM AND URBAN DESIGN

- B5. The detailed development applications shall address compliance with:
- (a) the Design Guidelines, as amended by Condition A17
 - (b) the Design Excellence Strategy, pursuant to Condition A18
 - (c) the conditions of SSD 9393, as amended by Schedule 3 of this consent.
- B6. The following elements are not inconsistent with the consent proposal but are subject to further assessment with the relevant detailed development application:
- (a) conceptual land uses, except for the approved minimum non-residential GFA, community facilities GFA, affordable housing rate and number of social housing dwellings approved
 - (b) indicative signage zones, following preparation of a Signage Strategy
 - (c) subdivision.

DESIGN INTEGRITY REPORT

- B7. Future development applications shall include the submission of a Design Integrity Report (DIR) to the satisfaction of the Planning Secretary that demonstrates how design excellence and design integrity will be achieved in accordance with:
- (a) the design objectives of the Concept Development Application
 - (b) consistency with the approved Design Guidelines, as amended by Condition A18
 - (c) the updated Waterloo Design Excellence Strategy, dated 2 September 2025
 - (d) the advice of the SDRP
 - (e) the conditions of this consent.
- B8. The DIR as required by Condition B7 must include a summary of feedback provided by the State Design Review Panel and responses by the Applicant to this advice. The DIR shall also include how the process will be implemented through to completion of the approved development.

CAR PARKING AND BICYCLE PARKING

- B9. Future development applications shall reduce total car parking provision to reduce private car ownership and promote use of active and public transport. Future development applications must demonstrate consistency with the maximum parking car parking rates approved under SSD 9393.
- B10. Future development applications for the Northern and Central Precincts must demonstrate compliance with:
- (a) a maximum of 117 car parking spaces to be provided for residential accommodation, inclusive of residents' spaces and residential car share spaces but excluding visitor spaces, car wash spaces and courier vehicle spaces.
 - (b) non-residential car parking to be provided in accordance with the following:
 - i. a maximum 1 space for 435m² of GFA for any commercial uses
 - ii. a maximum of 1 space for use of the Waterloo Congregational Church
 - iii. non-residential car share parking at rate of 1 space per 30 non-residential car parking spaces

- (a) Accessible car parking, motorcycle parking, bicycle parking and end-of-trip facilities shall be provided in accordance with the rates specified within the Sydney DCP 2012 for the final land use mixes proposed in the future development applications.

CONSULTATION WITH WATERLOO CONGREGATIONAL CHURCH

B11. Future development applications must demonstrate consultation with the owners and operators of Waterloo Congregational Church and project responses. Consultation is to include consideration of:

- (a) potential for Church gathering space
- (b) wedding and funeral cars
- (c) waste and servicing
- (d) building maintenance
- (e) design of the public domain around and within the Church property including safe access and passive surveillance in the setbacks.

HERITAGE IMPACT ASSESSMENT

B12. Future development applications for aboveground works shall include a detailed Heritage Impact Statement and a Heritage Interpretation Strategy for the proposed works prepared in consultation with the City of Sydney Council.

WIND IMPACT ASSESSMENT

- B13. Future development applications for aboveground works shall be accompanied by a Wind Impact Assessment including computer modelling of detailed building form and demonstrating consistency with the criteria in the Pedestrian Wind Environment Study by Windtech dated 26 September 2019, as amended by the Pedestrian Wind Environment Study by RWDI dated 24 September 2025.
- B14. The Wind Impact Assessment must consider the locations of existing and future pedestrian crossings and apply standing criteria zones to match the width of crossings and the waiting zones for crossings, including on the opposite side of streets.

TRAFFIC, ACCESS AND PARKING ASSESSMENT

- B15. Future development applications shall be accompanied by a Traffic and Transport Impact Assessment.
- B16. Future development applications shall include a Construction Traffic and Pedestrian Management Plan (CTMP) prepared in consultation with Transport for NSW and City of Sydney, and to the satisfaction of the relevant road authorities. The CTMP shall include, but not be limited to:
- (a) construction car parking strategy
 - (b) haulage movement numbers / routes including contingency routes
 - (c) detailed travel management strategy for construction vehicles including staff movements
 - (d) maintaining property accesses
 - (e) maintaining bus operations including routes and bus stops
 - (f) maintaining pedestrian and cyclist links / routes
 - (g) independent road safety audits on construction related traffic measures
 - (h) measures to account for any cumulative activities / work zones operating simultaneously.
- B17. Independent road safety audits are to be undertaken for all stages of further design development involving road operations and traffic issues and cognisant of all road users. Any issues identified by the audits will need to be closed out in consultation with Transport for NSW and/or City of Sydney to the satisfaction of the relevant roads authorities.

ENVIRONMENTAL PERFORMANCE / ESD

- B18. Future development applications must demonstrate how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the proposal. This shall include preparation and implementation of Environmental Sustainability Strategies that incorporate low-carbon, high efficiency targets aimed at reducing emissions, optimising use of water, reducing waste and optimising carparking provision to maximise sustainability and minimise environmental impacts.
- B19. The minimum performance targets for environmental performance are:
- (a) Precinct overall:
 - (i) 6 star Green Star Communities Rating Tool
 - (b) Commercial / office uses:
 - (i) 5 Star Green Star Design and As-Built Rating Tool
 - (ii) 5.5 Star NABERS Energy

- (iii) 4.5 Star NABERS Water
- (c) Residential uses:
 - (i) 5 Star Green Star Design and As-Built Rating Tool
 - (ii) more than BASIX 40 Water
 - (iii) more than BASIX 63 Energy.

SECURITY AND CRIME ASSESSMENT

B20. Future development applications shall be accompanied by a Security and Crime Risk Assessment prepared in consultation with NSW Police having regard to Crime Prevention Through Environmental Design (CPTED) Principles and NSW Police publication "Safe Place: Vehicle Management: A comprehensive guide for owners, operators and designers". The future development is to have regard to the recommendations contained within the submission dated 29 January 2019 made by NSW Police on the Concept SSD 9393.

CONSTRUCTION IMPACT ASSESSMENT

- B21. Future development applications shall provide analysis and assessment of the impacts of construction works and include:
- (a) Construction Traffic and Pedestrian Management Plan
 - (b) Community Consultation and Engagement Plan(s)
 - (c) Noise and Vibration Impact Assessment
 - (d) Construction Waste Management Plan
 - (e) Air Quality Management Plan.
- B22. The plans above may be prepared as part of a Construction Environmental Management Plan prepared for implementation under the conditions of any consent for future development applications.

NOISE AND VIBRATION ASSESSMENT

- B23. Future development applications shall be accompanied by a Noise and Vibration Impact Assessment that demonstrates the following requirements are met:
- (a) vibration from construction activities does not exceed the vibration limits established in British Standard *BS7385-2:1993 Excavation and measurement for vibration in buildings. A guide to damage levels from groundborne vibration*.
 - (b) vibration testing is conducted before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent damage. In the event the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Applicant must review the construction methodology and, if necessary, propose additional mitigation measures.
 - (c) advice of a heritage specialist has been incorporated on methods and locations for installed equipment used for vibration movement and noise monitoring of heritage-listed structures.
- B24. The Noise and Vibration Assessment must provide a quantitative assessment of the main noise generating sources and activities during operation. Details are to be included outlining any mitigating measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the operation of the development.
- B25. The Noise and Vibration Assessment must address the conclusions and recommendations of the Concept Acoustic Assessment Report, prepared by SLR Consulting dated 9 November 2019 and as amended by the Noise and Vibration Impact Assessment prepared by Stantec dated 19 September 2025.

FLOODING AND STORMWATER ASSESSMENT

B26. Future development applications shall be accompanied by a Flood and Stormwater Impact Assessment. The Assessment must demonstrate the conclusions and recommendations of the Concept Water Quality, Flooding and Stormwater Report prepared by AECOM dated 31 October 2018 and as amended by the Flood Impact Assessment prepared by WSP dated 17 August 2025.

REFLECTIVITY ASSESSMENT

B27. Future development applications for aboveground works shall include a Reflectivity Assessment demonstrating that external treatments, materials and finishes of the development do not cause adverse or excessive glare.

ARCHAEOLOGICAL AND ABORIGINAL CULTURAL HERITAGE ASSESSMENT

- B28. Future development applications shall demonstrate the recommendations and mitigation measures of the following Sydney Metro City and Southwest (CSSI 7400) reports are to be incorporated during the construction of the SSD project:
- (a) Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Cultural Heritage Assessment

- (b) Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Heritage – Archaeological Assessment.

B29. Future development applications shall include an Archaeological Research Design (ARD) and subsequent Archaeological Method Statement (AMS), or updated/amended CSSI ARD and AMS that clearly applies to the SSD scope of works, informed by the results of the archaeological works undertaken for the CSSI works. This may include consultation with the Registered Aboriginal Parties for the project and may include further field study. The AMS must:

- (a) provide an assessment of the findings of the eastern clearance works and reporting (i.e. the CSSI works)
- (b) identify any new research questions, if required
- (c) make recommendations for any revised archaeological mitigation measures, if required
- (d) provide an assessment of benefits of completing archaeological testing, clearance and salvage and/or make a recommendation, if appropriate, that these measures are not required.

OPERATIONAL WASTE

B30. Future development applications shall include an Operational Waste Management Plan to address storage, collection and management of waste and recycling within the development.

AIRSPACE PROTECTION

B31. Future development applications for aboveground works must ensure future development complies with the following requirements:

- (a) buildings must not exceed a maximum height of RL 116.9 (Building 1A), RL 107.5 (Building 1B) and RL 104.2 (Building 2) metres AHD. This includes all lift over-runs, vents, chimneys, aerials, antennas, and rooftop garden plantings, exhaust flues, etc.
- (b) the tallest building at the site (proposed Building 1A) must be obstacle lit by medium intensity steady red lighting during hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MSO Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 13A.
- (c) the Applicant must ensure that the obstacle lighting has a built-in alarm system that will provide remote monitoring to notify the person responsible for the maintenance of the buildings obstacle lighting. The designated person must be available 24 hours per day, 7 days per week. Immediate action must be taken to repair the obstacle lighting and notify Sydney Airport of any outage. Contact details for the person responsible for the obstacle lighting must be provided to Sydney Airport prior to the completion of the building construction and kept up to date.
- (d) the Applicant must advise Airservices Australia at least 3 business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YSSY-CA-146.
- (e) as soon as construction commences, the Proponent must complete the Vertical Obstacle Notification Form for tall structures and submit the completed form to AirServices Australia.
- (f) separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any construction equipment (i.e. cranes) required to construct the future buildings. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct. Cranes that infringe PANS-OPS surfaces for more than 3 months will not be approved.
- (g) within 7 days of completion of each building, the Proponent must provide the airfield design manager at Sydney Airport with a written report from a registered surveyor on the finished height of the building.

SCHEDULE 3 - MODIFICATIONS TO SSD 9393

Schedule 1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

SCHEDULE 1

Application Number:	SSD 9393
Applicant:	Sydney Metro
Consent Authority:	Minister for Planning and Public Spaces
Site:	136B Raglan Street (Lot 4 DP 215751), 59 Botany Road (Lot 5 DP 215751), 65 Botany Road (Lot 1 DP 814205), 67 Botany Road (Lot 1 DP 228641), 124-128 Cope Street (Lot 2 DP 228641), 69-83 Botany Road (Lot 1, DP 1084919), 130-134 Cope Street (Lot 12 DP 399757), 136-144 Cope Street (Lots A-E DP 108312), 85 Botany Road (Lot 1 DP 27454), 87 Botany Road (Lot 2 DP 27454), 89-91 Botany Road (Lot 1 DP 996765), 93-101 Botany Road (Lot 1 DP 433969 and Lot 1 DP 738891), 119 Botany Road (Lot 1 DP 205942 and Lot 1 DP 436831), 156-160 Cope Street (Lot 31 DP 805384), 107-117A Botany Road (Lot 32 DP 805384 and Lot A DP 408116) and 170-174 Cope Street (Lot 2 DP 205942), <u>140-150 Cope Street (Lot 2 DP 1274225)</u>
Development:	Concept Development Application for Waterloo Metro Quarter precinct comprising a mixed use development over and adjacent to the approved Waterloo Metro Station including: • maximum building envelopes for podium, mid-rise and tower buildings • a maximum gross floor area of 68,750m² excluding station floor space • conceptual land use for non-residential and residential floor space, including but not limited to office premises, student housing, social housing, retail premises, business premises, and residential flat buildings <u>accommodation</u> • minimum 42,000m² <u>10,631m²</u> of non-residential gross floor area • a minimum 2,000m² of community facilities • minimum 5% residential gross floor area as affordable housing dwellings • 70 social housing dwellings • basement car parking, motorcycle parking, bicycle parking and service vehicle spaces.

- A. Attachment A of the SSD-9393 consolidated consent is deleted.
- B. Schedule 4 of SSD-79307765 is added/attached to SSD-9393 to be read in conjunction with Condition A17.
- C. Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as it pertains to the following conditions of consent:

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

DEVELOPMENT CONSENT

- A1. Consent is granted to the 'Development' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions and supplementary information, the conditions contained in this development consent, and Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions, and conditions contained in development consent ~~SSD-10441~~ **SSD-79307765**.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS, Response to Submissions and supplementary information;
 - (d) in accordance with the management and mitigation measures;
 - ~~(e) in accordance with State significant development application SSD-10441 Environmental Impact Statement titled Waterloo Metro Quarter Over Station Development Amending Concept SSDA prepared by Urbis dated 26 October 2020 and Response to Submissions prepared by Urbis dated 23 March 2021~~
 - (e) in accordance with State significant development application SSD-79307765 Environmental Impact Statement titled Waterloo Metro Quarter Over Station Development Second Amending Concept SSDA prepared by Urbis dated 6 November 2025 and Response to Submissions prepared by Urbis dated March 2026**
 - (f) in accordance with the following drawings:

Amending Concept Drawings prepared by Hassell			
Drawing Number	Drawing Name	Revision	Date
DA-001	Proposed Envelope Diagram	5	01/09/20
DA-002	Proposed Envelope Diagram	5	01/09/20
DA-003	Proposed Envelope Diagram	4	01/09/20

as amended by:

Amending Concept Drawings prepared by Bates Smart			
<u>Drawing Number</u>	<u>Drawing Name</u>	<u>Revision</u>	<u>Date</u>
<u>WMQ-SITE-BSA-UD-DRG-DA004</u>	<u>Proposed Envelope – Roof Plan</u>	<u>01</u>	<u>19.09.25</u>
<u>WMQ-SITE-BSA-UD-DRG-DA005</u>	<u>Proposed Envelope - Elevation</u>	<u>01</u>	<u>19.09.25</u>
<u>WMQ-SITE-BSA-UD-DRG-DA006</u>	<u>Proposed Envelope - Elevation</u>	<u>01</u>	<u>19.09.25</u>

DETERMINATION OF FUTURE DEVELOPMENT APPLICATIONS

- A6. The determination of future development applications are to be generally consistent with the terms of development consent SSD 9393 as described in Schedule 1 and subject to the conditions in ~~Part B~~, Schedule 2.

PLANNING AGREEMENT / BINDING AGREEMENT

- A12. Prior to the determination of the first Future Development Application, the Applicant or its successors must enter into a Planning Agreement and/or other legally binding agreement to the satisfaction of the Planning Secretary securing the provision of the following public benefits of the Concept:

- ~~(a) a minimum 5% of approved residential gross floor area dedicated or transferred to a Registered Community Housing Provider as affordable housing~~
- (b) 70 social housing dwellings dedicated or transferred as agreed by NSW Land and Housing Corporation
- (c) publicly accessible open space provision of minimum 2,200m² across the Metro Quarter site including its final area, design and ongoing management, noting partial provision of this publicly accessible open space may also be delivered under the CSSI Approval.
- ~~(b) community facilities gross floor area of a minimum 2,000m². Community facilities are as defined in the Sydney Local Environmental Plan 2012.~~

A12(a) ~~Prior to the determination of the first Future development application, the Applicant must lodge a subsequent Application to seek development consent for the community facilities required under Condition A12(d) including the area and design of the community facilities. Prior to the issue of the first occupation certificate for the subsequent application containing the community facilities, evidence of an executed planning agreement or a registered covenant or restriction on title, securing the final area, design and future operating model of the Community Facilities required under Condition A12(d) must be provided to the Planning Secretary for approval.~~ **At least 5% of the gross floor area used for the purposes of residential accommodation on land at the Waterloo Metro Quarter must be used for the purposes of affordable housing, and that no dwelling used for the purposes of affordable housing on land at the Waterloo Metro Quarter will have a gross floor area of less than 50 square metres. The affordable housing must be managed by a Registered Community Housing Provider as affordable housing in perpetuity in accordance with the requirements of Clause 6.45 the Sydney Local Environmental Plan 2012.**

A12(b) Any future Development Application for over station development made for the Northern Precinct for the purposes of residential accommodation must include affordable housing to satisfy the affordable housing requirements of Clause 6.45 the Sydney Local Environmental Plan 2012.

The Applicant must submit an agreement with a Registered Community Housing Provider for the management of the affordable housing and specifically nominating those units to be allocated and used for affordable housing.

Affordable housing means housing for very low-income households, low-income households or moderate-income households, being such households as defined by State Environmental Planning Policy (Housing) 2021.

A12(c) At least 2,000m² of the gross floor area of buildings on land at the Waterloo Metro Quarter must be used for the purposes of community facilities in accordance with the requirements of Clause 6.45 the Sydney Local Environmental Plan 2012.

Community facilities mean a building or place (a) owned or controlled by a public authority or non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

A12(d) Any future Development Application for over station development made for the Central Precinct must include community facilities to satisfy the community facilities requirements of Clause 6.45 the Sydney Local Environmental Plan 2012.

Prior to the issue of the first occupation certificate for the subsequent Central Precinct Development Application containing the community facilities, evidence of an executed planning agreement or a registered covenant or restriction on title, securing the final area, design and future operating model of the Community Facilities required must be provided to the Planning Secretary for approval. Any Planning Agreement prepared must be in accordance with Division 7.1 of Part 7 of the EP&A Act.

DESIGN GUIDELINES

- A14. ~~Prior to the lodgement of the first future development application, the Applicant shall revise t~~The Waterloo Metro Quarter Design and Amenity Guidelines **is amended by changes** ~~(dated 20 November 2019), to the satisfaction of the Planning Secretary, as set out in Attachment A Schedule 4 of SSD 79307765.~~

DESIGN EXCELLENCE

- A15. ~~Prior to the lodgement of future development applications, t~~The Applicant shall submit an updated Design Excellence Strategy **(dated 2 September 2025) as approved by** ~~to the satisfaction of the Planning Secretary~~ **on 7 October 2025 for the Waterloo Metro Quarter is applicable to future development applications subject to this consent. The updated Design Excellence Strategy requires** addressing the following:

- (a) independent design review process through use of the State Design Review Panel (SDRP) as ~~or an alternative~~ endorsed by GANSW.
- (b) The membership of the SDRP ~~or alternative~~ ~~DRP is to be~~ augmented by including a member of the Sydney Metro DRP to ensure consistency and continuity in design advice and expertise in integrated station developments.
- (c) ~~include~~ a Design Integrity process description, prepared in consultation with GANSW, for the design development and construction documentation phases. Refer to Condition B7 in this regard.
- ~~(c) deletion of the following Disclaimer on Page 4: Disclaimer: The processes described in this document are indicative only and are based on a generic tendering process. Aspects of the process described may change.~~

SCHEDULE 2

PART B CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATION(S)

MAXIMUM BUILDING ENVELOPES

- B1. Future development applications must demonstrate that the buildings are wholly contained within the building envelopes consistent with the plans listed in Condition A2, as modified by the conditions of this consent.

~~Notwithstanding the approved plans referenced in Condition A2, the following may penetrate the maximum height of Building G envelopes by no more than the following limits:~~

- ~~(a) Parapet height by no more than 200mm~~
- ~~(b) Installation of a skylight window by no more than 300mm~~
- ~~(c) Rooftop plant enclosure by no more than 1,840mm.~~

BUILT FORM AND URBAN DESIGN

- B4. The approved podium building envelopes, as identified ~~with green shading~~ in the approved plans in Condition A2, must be used for non-residential uses only, with the exception of communal facilities associated with residential accommodation above.

DESIGN INTEGRITY REPORT

- B7. Future development applications shall ~~address~~ include the following:
- (a) ~~Botany Road setback of 6.5m is to be extended to the north as identified in Response to Submissions (Figure 10, Page 139). The extended setback is to be incorporated into revised Building Envelope Plans to the satisfaction of the Planning Secretary prior to the lodgement of any future development application.~~
 - ~~(a)~~ submission of a Design Integrity Report (DIR) to the satisfaction of the Planning Secretary that demonstrates how design excellence and design integrity will be achieved in accordance with:
 - the design objectives of the Concept Development Application
 - consistency with the approved Design Guidelines as amended by Condition A14
 - the ~~DEEP's Design Excellence Report~~ updated Design Excellence Strategy dated 2 September 2025
 - the advice of the SDRP (or approved alternative under Condition A15)
 - the conditions of this consent.
 - (b) the ~~Design Integrity Report (DIR)~~ as required by Condition B7 ~~(b)~~ (a) must include a summary of feedback provided by the SDRP ~~(or alternative approved in accordance with Condition A15)~~ and responses by the Applicant to this advice. The DIR shall also include how the process will be implemented through to completion of the approved development.
 - ~~(c) Detailed design of the building(s) within the Northern Precinct must include an internal void or voids to break up building floorplate bulk and massing and provide occupant daylight amenity.~~

CAR PARKING AND BICYCLE PARKING

- B8. Future development applications shall reduce total car parking provision to reduce private car ownership and promote use of active and public transport. Future development applications must demonstrate compliance with:

- (a) ~~the a~~ maximum number of car spaces to be provided for all residential accommodation within the development is limited to 170 **125 car spaces provided for all residential accommodation development subject to this consent, allocated in accordance with the following:** including residents' spaces and residential car share spaces but excluding visitor spaces, ~~car wash bay~~ and service ~~courier~~ vehicle spaces.
- (i) **no more than 117 car parking spaces provided for residential accommodation within the Northern and Central Precinct**
- (ii) **no more than 8 car parking spaces provided for residential accommodation within the Southern Precinct**
- This maximum is inclusive of residents' spaces and residential car share spaces but excluding visitor spaces, car wash bay and service courier vehicle spaces.**
- (b) the allocation of residential car parking spaces, ~~up to the maximum of 170 spaces~~ must not exceed the following maximum rates:
- (i) 0.1 space per studio dwelling
- (ii) 0.3 parking spaces per 1 bedroom dwelling
- (iii) 0.7 parking spaces per 2 bedroom dwelling
- (iv) 1 parking space per 3 bedroom or more dwelling
- (v) residential car share parking rate of 1 space per 50 residential car parking spaces provided.
- (c) non-residential car parking to be provided in accordance with the following:
- (i) a maximum of 1 space for 435m² of GFA for any commercial uses
- (ii) a maximum of ~~2~~ **1** spaces for use of the Waterloo Congregational Church
- (iii) non-residential car share parking at rate of 1 space per 30 non-residential car parking spaces.
- B9. ~~Future development applications must include a Car Parking Strategy and Management Plan adopting the maximum residential parking cap and allocation rates above and demonstrating compliance with the following:~~
- (a) ~~accessible car parking spaces provided as per Sydney DCP 2012 rates, unless the following applies:~~
- (i) ~~if the total maximum number of car parking spaces provided for all residential accommodation permitted under Condition B8 is not delivered within the development, then the amount of accessible car parking spaces required by Sydney DCP 2012 is permitted to be reduced by the same proportion of total car parking spaces as proposed for standard residential spaces.~~
- (b) ~~motorcycle parking spaces provided as per Sydney DCP 2012 rates~~
- B10. **Accessible car parking, motorcycle parking, bicycle parking and end-of-trip facilities for the OSD shall be in accordance with the rates specified within the Sydney DCP 2012 for the final land use mixes proposed in the future development applications, with the following exception:**
- (a) ~~a minimum of 78 class 3 bicycle parking spaces must be available to visitors to the approved development. This must include no less than 24 visitor bicycle parking spaces to be provided for the commercial office floorspace within the Northern Precinct.~~

WIND IMPACT ASSESSMENT

- B13. Future development applications for aboveground works shall be accompanied by a Wind Impact Assessment including computer modelling of detailed building form and demonstrating ~~compliance~~ **consistency** with the criteria in ~~the~~ Pedestrian Wind Environment Study by Windtech dated 26 September 2019 **and as amended by the Pedestrian Wind Environment Study by RWDI dated 24 September 2025.**

TRAFFIC ACCESS AND PARKING ASSESSMENT

- B17. Independent road safety audits are to be undertaken for all stages of further design development involving road operations and traffic issues and cognisant of all road users. Any issues identified by the audits will need to be closed out in consultation with ~~RMS~~ **Transport for NSW** and/or City of Sydney to the satisfaction of the relevant roads authorities.

ENVIRONMENTAL PERFORMANCE / ESD

- B19. The minimum performance targets for environmental performance are:

- (a) Precinct overall:
 - (i) 6 star Green Star Communities Rating Tool
 - ~~(ii) Endorsed under One Living Planet framework~~
- (b) Commercial / office uses:
 - (i) 5 Star Green Star Design and As-Built Rating Tool
 - (ii) 5.5 Star NABERS Energy
 - (iii) 4.5 Star NABERS Water
 - ~~(iv) 'Gold Certification: Shell and Core' under WELL Building Standard~~
- (c) Residential uses:
 - (i) 5 Star Green Star Design and As-Built Rating Tool
 - (ii) more than BASIX 40 Water
 - (iii) **more than** BASIX 30 **63** Energy

SECURITY AND CRIME ASSESSMENT

- B20. Future development applications shall be accompanied by a Security and Crime Risk Assessment prepared in consultation with NSW Police having regard to Crime Prevention Through Environmental Design (CPTED) Principles and NSW Police publication "Safe Place: Vehicle Management: A comprehensive guide for owners, operators and designers". The future development is to have regard to the recommendations contained within the submission **dated 29 January 2019 made** by NSW Police on the Concept SSD **9393**.

NOISE AND VIBRATION ASSESSMENT

- B25. The Noise and Vibration Assessment must address the conclusions and recommendations of the Concept Acoustic Assessment Report, prepared by SLR Consulting dated 9 November 2019 **and as amended by the Noise and Vibration Impact Assessment prepared by Stantec dated 19 September 2025**.

FLOODING AND STORMWATER

- B26. Future development applications shall be accompanied by a Flood and Stormwater Impact Assessment. The Assessment must demonstrate the conclusions and recommendations of the Concept Water Quality, Flooding and Stormwater Report prepared by AECOM dated 31 October 2018 **and as amended by the Flood Impact Assessment prepared by WSP dated 17 August 2025**.

OPERATIONAL WASTE

- B30. Future development applications shall include an Operational Waste Management Plan to address storage, collection and management of waste and recycling within the development.**

AIRSPACE PROTECTION

B30

- B31.** Future detailed development applications for aboveground works must comply with the following requirements:
- (a) buildings must not exceed a maximum height of 116.9 metres AHD. This includes all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, and roof top garden plantings, exhaust flues, etc.
 - (b) **the tallest building at the site (proposed Building 1A) must be obstacle lit by medium intensity steady red lighting during hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MSO Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 13A.**
 - (c) **the Applicant must ensure that the obstacle lighting has a built-in alarm system that will provide remote monitoring to notify the person responsible for the maintenance of the buildings obstacle lighting. The designated person must be available 24 hours per day, 7 days per week. Immediate action must be taken to repair the obstacle lighting and notify Sydney Airport of any outage. Contact details for the person responsible for the obstacle lighting must be provided to Sydney Airport prior to the completion of the building construction and kept up to date**

- (d) the proponent must advise Airservices Australia at least 3 business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YSSY-CA-146.
- (e) as soon as construction commences, the Proponent must complete the Vertical Obstacle Notification Form for tall structures and submit the completed form to AirServices Australia.
- (f) separate approval must be sought under the *Airports (Protection of Airspace) Regulations 1996* for any construction equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.
Cranes that infringe PANS-OPS surfaces for more than 3 months will not be approved.
- (g) within 7 days of completion of each building, the Proponent must provide the airfield design manager at Sydney Airport with a written report from a registered surveyor on the finished height of the building.

ADVISORY NOTES

- AN1. The building envelopes approved under this consent are in conjunction with the building envelopes approved under Concept consent SSD-9393 for an over station development at the Waterloo Metro Quarter.
- AN2. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.
- AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

SCHEDULE 4 – AMENDMENTS TO DESIGN AND AMENITY GUIDELINES (CONDITION A17)

- a) Removal all yellow highlighting throughout the document
- b) In Part 2, Section 2B “Statutory planning controls”, delete part of first dot point “three towers” and replace with “**all towers**”
- c) In Part 2, Section 3D “Waterloo Metro Station”, replace existing imagery with revised diagrams to reflect the amended concept envelopes proposed
- d) In Part 3, Section 3C “Public Domain” replace Figure 6, Figure 8 and Figure 10 with revised diagrams to reflect the amended ground floor plane to include new Raglan Walk and Grit Square
- e) In Part 3, Section 3G “Wind”, Figure 20 should be deleted and introduce new Design Criteria 2 “**Ensure adequate levels of wind comfort standards are achieved in the public domain for intended use, including applying a sitting criteria for any outdoor dining and casual seating areas and a standing criteria for any waiting areas**”
- f) In Part 3, Section 3K “Podium and streetwall”:
 - (i) delete reference to “three tower buildings” and replace with “**all tower buildings**”
 - (ii) replace Figure 20 with revised diagram.
- g) In Part 3, Section 3N “Pedestrian and cycle network”, insert new control 7: **Provide on-site bicycle parking for co-living accommodation at a minimum rate of 1 space per 10 rooms.**