

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Annie Leung  
**Team Leader**  
**Key Sites Assessments**

Sydney: 1 June 2021

## SCHEDULE 1

**Development consent:** **SSD 9393** granted by the Minister for Planning and Public Spaces on 10 December 2019

**For the following:** Concept Development Application for Waterloo Metro Quarter precinct comprising a mixed used development over and adjacent to the approved Waterloo Metro Station, including:

- Construction maximum building envelopes for podium, mid-rise and tower buildings a maximum gross floor area of 68,750m<sup>2</sup> excluding station floor space
- conceptual land use for non-residential and residential floor space
- minimum 12,000m<sup>2</sup> of non-residential gross floor area including a minimum 2,000m<sup>2</sup> 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

**Applicant:** Sydney Metro

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** 1368 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-EDP 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).

**Modification:** **SSD 9393 MOD 2:** Modify Condition A12 to enable future detailed design development applications to be determined ahead of submitting final plans and operational details for the community facilities public benefit.

## SCHEDULE 2

The consent (SSD 9393) is modified as follows:

1. Part A – Administrative Conditions – Condition A2 is amended by the deletion of ~~struck out~~ words and the insertion of **bold and underlined** words as follows:
  - 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 2,200m<sup>2</sup> across the Waterloo 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
    - (d) community facilities gross floor area of a minimum 2,000m<sup>2</sup> ~~including its final area, design and future operating model~~. 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.**

**End of modification  
(SSD 9393 MOD 2)**