



New South Wales

State Environmental Planning Policy Amendment (Waterloo Metro Quarter) 2019

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ROBERT STOKES, MP
Minister for Planning and Public Spaces

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Waterloo Metro Quarter) 2019*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Maps

The maps adopted by the following are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Policy—

- (a) *Sydney Local Environmental Plan 2012*,
- (b) *State Environmental Planning Policy (State and Regional Development) 2011*.

4 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5(6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of Sydney Local Environmental Plan 2012

[1] Clause 1.9 Application of SEPPs

Insert at the end of clause 1.9(2A)(b)—

, or

- (c) land at the Waterloo Metro Quarter.

[2] Clauses 6.45 and 6.46

Insert after clause 6.44—

6.45 Waterloo Metro Quarter—general

- (1) 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—
- (a) there must be at least 12,000 square metres of gross floor area at or below the podium level of buildings on land at the Waterloo Metro Quarter used for land uses other than residential accommodation or passenger transport facilities,
 - (b) at least 2,000 square metres of gross floor area of buildings on land at the Waterloo Metro Quarter must be used for the purposes of community facilities,
 - (c) at least 2,200 square metres of land at the Waterloo Metro Quarter must be used for publicly accessible open space.
- (2) The consent authority must not consent to development involving the construction of one or more dwellings on land at the Waterloo Metro Quarter unless—
- (a) it is satisfied that at least 5% of the gross floor area used for the purposes of residential accommodation on land at the Waterloo Metro Quarter will be used for the purposes of affordable housing, and
 - (b) it is satisfied 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, and
 - (c) it is satisfied that land uses other than residential accommodation or passenger transport facilities will be evenly distributed throughout the Waterloo Metro Quarter, and
 - (d) it has taken into consideration any guidelines made by the Planning Secretary relating to the design and amenity of the Waterloo Metro Quarter.
- (3) Clause 6.21(7) does not apply to development on land at the Waterloo Metro Quarter.
- (4) A provision of this clause or clause 6.46 prevails over any other provision of this Plan to the extent of any inconsistency.

6.46 Waterloo Metro Quarter—State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land wholly or partly for residential purposes, to satisfy needs

that arise from development on the land, but only if the land is developed intensively for urban purposes.

- (2) Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) on land at the Waterloo Metro Quarter that results in an increase in the number of dwellings on that land, unless the Planning Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land.
- (3) This clause does not apply to a development application to carry out development on land at the Waterloo Metro Quarter if all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act).
- (4) In this clause—
designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds—
 - (a) State and regional roads,
 - (b) bus interchanges and bus lanes,
 - (c) land required for regional open space,
 - (d) embellishments or connections to regional open space,
 - (e) social infrastructure and facilities.

[3] Dictionary

Insert in alphabetical order—

Waterloo Metro Quarter means the land identified as “Waterloo Metro Quarter” on the Locality and Site Identification Map.

Schedule 2 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

Schedule 2 State significant development—identified sites

Insert after clause 15—

16 Development at Waterloo Metro Quarter

Development carried out by or on behalf of Sydney Metro or the Planning Ministerial Corporation on land identified as being within the Waterloo Metro Quarter on the State Significant Development Sites Map if the development has a capital investment value of more than \$30 million.