

28 September 2020

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Jim Betts
Secretary
Department of Planning, Industry and Environment
12 Darcy Street
Parramatta NSW 2150

Attention: Russell Hand (Principal Planning Officer – Key Sites Assessment)

Dear Russell,

**RE: RESPONSE TO SUBMISSIONS
SYDNEY METRO MARTIN PLACE STATION PRECINCT – SOUTH SITE (SSD 9326) MOD 1**

This letter has been prepared by Ethos Urban on behalf of the proponent, Macquarie Corporate Holdings Pty Ltd, in relation to the Section 4.55(1A) Modification Application to State Significant Development Consent SSD 9326 known as MOD 1, which seeks to modify the consent to align the circumstances within which out-of-hours construction works may be undertaken with the Metro Station Critical State Significant Infrastructure (CSSI) approval (SSI 15_7400) on the South Site.

The application was publicly exhibited for a period of 14 days inclusive between 16 April 2020 and 29 April 2020. During the exhibition period, a total of three submissions were received, from the City of Sydney Council, TfNSW Sydney Coordination Office (SCO), and one member of the public. The submissions generally raised the following points:

- recommendation that high-risk construction activities be undertaken during approved construction hours;
- commentary on the process of obtaining agreement from residents of nearby residential buildings for works occurring outside approved construction hours;
- the need for the Construction Pedestrian and Traffic Management Plan (CPTMP) to be updated in consultation with the Sydney Coordination Office to incorporate any change to construction works as a result of the proposed modification; and
- issues associated with construction noise for nearby residents at 1 Hosking Place.

As the primary construction contractor for both the SSD and CSSI works, Lendlease have considered all issues raised in the submissions and have prepared a detailed response which can be found in **Attachment A**. In summary, the response outlines the following:

- The proposal to conduct high risk works outside of approved construction hours will mitigate safety risks to the public, and also limit interference and impact to public thoroughfares where the level of risk for the identified activities is deemed too high to be undertaken during the day as a result of greater pedestrian activity (such as during the daytime hours on weekdays and during special events within the Martin Place precinct). Works that are to be completed out of standard hours will be by exception, in accordance with AS/NZS ISO 31000:2009 “Risk Management”, to ensure public safety is protected and adequately managed at all times and impacts to the CBD operations are minimised.
- All impacted receivers, including residents, will be contacted and given the opportunity to provide comment on any community negotiated agreements. It is not considered reasonable for approval from each residential owner/occupier to be obtained for a community agreement to be applied. To align with the current Sydney Metro approach and ensure a representative community decision is made, it is proposed that a significant majority community approval be required for a community negotiated agreement to be applied. The CSSI 15-7400 condition E44(e) states that agreement with a ‘substantial majority’ is required

to implement a community negotiated agreement. The Sydney Metro Out of Hours Work Protocol (approved by DPIE under CSSI 15_7400 condition E47) states that 65% of receivers (as a substantial majority) are required to agree to proposed amended working hours under a community negotiated agreement. The CSSI definition of 'substantial majority' should equally apply to the SSD aspects of the project to ensure consistency across this integrated project. It will also ensure a level of consistency for sensitive receivers Macquarie and Lendlease will need to consult and engage with.

- The recommendation to update the CPTMP is considered acceptable under C19(b) only. Macquarie and Lendlease would not object to a condition being imposed on the Section 4.55 modification reinforcing this position, if considered necessary.
- The Sydney Metro Martin Place ISD project team proactively monitor noisy activities via real-time and attended monitoring to ensure applicable criteria set by the Department of Planning, Industry and Environment are not exceeded. No project related noise exceedances have been identified to date, with noise and vibration monitoring reports developed in consultation with, and endorsed by, an independent Acoustics Advisor. Further to the above, residents of 1 Hosking Place are always considered in project construction planning and corresponding noise and vibration impact assessments.

We trust that the information attached to this letter in **Attachment A** is sufficient to enable the determination of the proposed modification.

Yours sincerely,



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