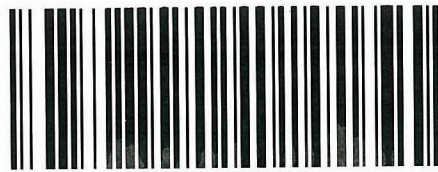




Transport



17 August 2010

Mr Neville Osborne
Manager – Water and Energy Infrastructure Projects
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Kate Masters

Ref: IN10/05570



Dear Mr Osborne,

Sydney Metro Stage 1 – MP 10_0071 Stage 2A(i) City East Substation at Kindersley House

I refer to the project application for a substation at Kindersley House, O'Connor Street, Sydney referred to Sydney Metro for its review on 19 July 2010.

Previously Sydney Metro had been in discussion with Energy Australia in regard to the interface between the City Grid Project and Sydney Metro project. These discussions included a near complete interface deed which ensured the structural integrity of the Sydney Metro Network Stage 1 (SMN Stage 1) at Kindersley House. As you may be aware the SMN Stage 1 project was approved by the Minister for Planning on 1 January 2010. Government resolved in February 2010 to protect the Metro Corridor.

In order to ensure that the proposed developments will not have an adverse impact on the viability of Sydney Metro Stage 1 (SMN Stage 1), Transport NSW has considered the likely effect of the proposed developments on:

1. the practicability and cost of carrying out development for the purposes of SMN Stage 1 on the relevant land in the future
2. the structural integrity or safety of, or ability to operate, SMN Stage 1
3. the land acquisition costs and the cost of the construction, operation or maintenance of SMN Stage 1.

There are concerns about the potential impacts of the proposed development on the future construction, operation and maintenance of the SMN Stage 1, as the proposed development is located adjacent and above the proposed alignment for the SMN Stage 1. The placing of any foundations, other structures and building loads in or near the proposed rail alignment may affect the practicability of the SMN Stage 1, its construction cost and the capacity to design it to meet metro railway operational needs.

Sydney Metro, Energy Australia and their respective technical advisers have explored the possibility of achieving an acceptable design solution that involves a bridging slab structure. In addition, there have been discussions between Transport NSW and Energy Australia about the technical issues that need to be addressed in the design, construction and maintenance of the proposed development.

Transport NSW requests the Department of Planning only approve the development subject to the attached conditions being included in any such development consent. In particular Transport NSW considers it very important that conditions of approval require the proponent to enter into an agreement with Transport NSW to ensure the proposal is designed, excavated and constructed in a manner that does not impact on the future structural integrity, operations or constructability of SMN Stage 1. For this reason it is requested the attached conditions be applied to this approval.

Please contact Brendon Baker or Ben Hendriks on 8238 2700, should you wish to discuss this submission.

Sincerely



Rodd Staples
A/ Deputy Director General
Infrastructure Division

Attachment: Proposed Conditions – relating to MP 10_0071

Proposed Conditions – MP 10_0071

1. *The owners of the site of the approved development must enter into an Agreement with **Transport NSW** that addresses the potential impacts of the approved development on the Metro Line 1 corridor, prior to the issue of a construction certificate and the commencement of any excavation below the existing ground level.*

2. *The owners of the site of the approved development must:*

a. *Allow in the design, construction and maintenance of the approved development for the future operations of metro railway tunnels in the vicinity of the approved development, especially in relation to noise, vibration, stray currents and electromagnetic fields.*

b. *Prior to the issue of any occupancy certificate, provide Transport NSW with drawings, reports and other information related to the design, construction and maintenance of the approved development to allow Sydney Metro to fully understand the interaction between the approved development and the Sydney Metro Line 1.*