

Dave Auster
Department of Planning, Housing and Infrastructure
NSW Major Projects Portal

State Environmental Planning Policy (Transport and Infrastructure) 2021

29 January 2026

Development Application – SSD-81434988

221-235 Luddenham Road, Orchard Hills

Dear Dave,

Sydney Metro refers to Development Application SSD-81434988 (DA) submitted by HB+B Property (Applicant) that has been referred to Sydney Metro via the NSW Major Projects Portal on 10 December 2025 in accordance with section 2.98 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&ISEPP).

Transport for NSW (TfNSW) has delegated its rail authority functions in relation to the Sydney Metro Western Sydney Airport rail corridor to Sydney Metro. Therefore, Sydney Metro is the relevant rail authority for the Western Sydney Airport rail corridor for the purpose of the T&ISEPP.

Concurrence of Sydney Metro is not required

Sydney Metro understands that the subject of the DA is State Significant Development (SSD) being construction and operation of a new storage and distribution warehouse.

As this is a SSD development application, the provisions of section 2.98 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* do not apply.

Section 4.13(2A) of the *Environmental Planning and Assessment Act 1979* excludes concurrence or consultation requirements from applying to development applications for SSD, unless an environmental planning instrument requires concurrence or consultation to SSD. As section 2.98 of the T&ISEPP does not require concurrence to be provided in the context of a development application for SSD, concurrence is not required for the DA.

Notwithstanding this, to ensure the appropriate management and mitigation of the proposed development's impacts on the Sydney Metro Western Sydney Airport rail corridor, Sydney Metro has reviewed the DA documents that were uploaded onto the NSW Major Projects Portal on 15/12/2025, including having regard to the matters outlined in the T&ISEPP.

Based on this review, Sydney Metro is of the view that the proposed development would have an adverse impact on the operation of the Sydney Metro Western Sydney Airport rail corridor unless conditions are imposed on the development, should development consent be granted.

Conditions requested in event of approval of the DA

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If the Department of Planning, Housing and Infrastructure determines to grant consent to the DA, Sydney Metro requests that the conditions in **Attachment A** be imposed on the development consent.

Department of Planning, Housing and Infrastructure is also advised that Sydney Metro's conditions are not to be amended, replaced or superseded without further agreement from Sydney Metro.

Additionally, Sydney Metro provides comments in **Attachment B** for DPHI's consideration in the determination of the proposal.

Sydney Metro thanks DPHI for its assistance.

Please contact Peter Bourke Senior Manager Corridor Protection or Prisha Singh at email sydneymetrocorridorprotection@transport.nsw.gov.au should you have any further enquiries on this matter.

Yours sincerely



Peter Kalton

Executive Director

Operations

SSD-81434988 – 221-235 Luddenham Road, Orchard Hills

Attachment A

1 Prior to issue of a Construction Certificate

Engineering

1.1 All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:

- (a) Survey Plan (Plan of Subdivision of Lot 10 in DP271602) prepared by LTS Surveyors, Draft dated 20 November 2025.
- (b) Response to Submissions Report prepared by Urbis Ltd, dated 10 December 2025
- (c) Noise and Vibration Impact Assessment prepared by EMM Consulting Pty Ltd, dated November 2025.

subject to any amendments to those documents required by Sydney Metro in accordance with this consent.

The Certifier must not issue a Construction Certificate for the development until the Certifier has confirmed which documents (including the versions of those documents) apply to the development and the Certifier has confirmed in writing to Sydney Metro that the construction drawings and specifications comply with those documents. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

Rail Corridor:

1.2 All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Western Sydney Airport rail corridor or rail operations. Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Western Sydney Airport rail corridor or rail operations, that part of the development must have a minimum design life of 100 years.

Noise & Vibration

1.3 The development must:

- (a) comply with State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro At-Grade Corridor Protection Guidelines (available from www.sydneymetro.info);
- (b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and
- (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.

2 Other

- 2.1 Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).
- 2.2 Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.
- 2.3 All reasonable Sydney Metro costs associated with review of plans, designs and legal must be borne by the applicant.

Attachment B

Construction Traffic Management Plan

- 1.1 **Figure 3.5** – Given the assumed timeframe for the construction of this development is scheduled for late 2026 into 2027, more detail is required as to how access and egress will be managed while Patons Lane is being upgraded, noting that access to Patons Lane must be always maintained for Sydney Metro construction vehicles as a priority. Primary access is currently shown as being via Patons Lane, however this route will be a construction site with periods of partial closures and limited access while the intersection is being upgraded. Sydney Metro requests that more information is provided on the anticipated closures or changes to Patons Lane and Patons Lane/Luddenham Road, including the dates and duration of these closures, intersection configuration during the construction period for this SSDA and how these activities will be managed/modified during these closures.
- 1.2 **Section 4.2.2** – Estimated timeframe for OSOM deliveries stated within CTMP for 2025 is not current. The dates for the OSOM deliveries are proposed to take place in May 2026.g
- 1.3 **General** – Sydney Metro reminds the applicant that if traffic impacts during AIBP's initial construction activities are worse than what is forecasts in the CTMP, Sydney Metro will request additional mitigation/management measures outside of the Metro peaks (i.e. expanding the hours of no-access to Patons Lane for AIBP vehicles).

Traffic Impact Assessment

- 1.4 **Section 5.5** – The operational traffic model does not include BINGO's current modified HV volumes (MOD 3 updated information submitted to DPHI January 2026). The volumes should be considered as this is a potential risk.
- 1.5 **Section 6** – Sydney Metro understands the additional parking allows for flexibility and additional capacity and notes the lack of available public transport modes. Sydney Metro will raise concerns with DPHI for their consideration. If DPHI raise no issues with the proposed parking volumes, Sydney Metro provides no further objection to these rates, so as the operational traffic impact analysis accounts for any additional vehicular movements expected at AIBP, if expected to be higher than any case studies or assumptions used.
- 1.6 **Occupation Certificate** - Sydney Metro's requests DPHI to impose a condition of approval for this SSDA so that warehouse operations must not commence until the Patons Lane/Luddenham Road upgrade is complete and the proposed traffic signals are commissioned. This request is consistent with the terms of the Voluntary Planning Agreement with the planning proposal for the ALSPEC Business Park site at 221 Luddenham Road, Orchard Hills.