

7 October 2020

James Groundwater  
Director, Key Sites and Industry Assessments  
Department of Planning, Industry and Environment

Email: [james.groundwater@planning.nsw.gov.au](mailto:james.groundwater@planning.nsw.gov.au)

Dear Sir,

**Response to Submissions (RtS)  
SSD-10376 and SSD-8876-MOD-2 –  
Pitt Street South Over Station Development**

Thank you for the email referral dated 28 September 2020 requesting the advice of Sydney Metro for State Significant Development (SSD) application SSD-10376 and Modification Application SSD-8876-MOD-2 in accordance with Clause 86 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

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

**Concurrence of Sydney Metro is not required**

Sydney Metro understands that the subject DA is State Significant Development (SSD) being for the construction of a build-to-rent residential tower and retail premises above the Sydney Metro Pitt Street South station – otherwise known as the Pitt Street South station OSD. While the Modification Application proposes to amend the concept approval related to the development.

As these are SSD applications, the provisions of Clause 86 of the ISEPP 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 clause 86 of the ISEPP does not require concurrence to be provided in the context of a development application for SSD, concurrence is not required for the DA.

Furthermore, as the proposal is for an Integrated Station Development which incorporates all the station and metro infrastructure and over station development in an integrated design, Sydney Metro has no comments to make on the application.

Sydney Metro thanks the DPIE for its assistance.

Please contact Peter Bourke, Senior Manager Corridor Protection or Lauren McMahon at email: [sydneymetrocorridorprotection@transport.nsw.gov.au](mailto:sydneymetrocorridorprotection@transport.nsw.gov.au) should you wish to discuss this matter further.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Scott', written in a cursive style.

**Stephen Scott**  
Deputy Executive Director  
Northwest Operations