

4 March 2021

Rita Hatem
The Department of Planning, Industry and Environment
Via Email: Rita.Hatem@planning.nsw.gov.au

Dear Madam,

**State Environmental Planning Policy (Infrastructure) 2007
State Significant Development Application – SSD-10473
270 Miller Street, North Sydney
Request for additional information**

Thank you for your email dated 19 February 2021 inviting Sydney Metro to comment on State Significant Development Application SSD-10473 (SSD) submitted by Ethos Urban (Applicant) 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 insert Sydney Metro - City & Southwest rail corridor for the purpose of the ISEPP.

As this is a SSD application, 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.

Notwithstanding this, in order to ensure the appropriate management and mitigation of the proposed development's impacts on the Sydney Metro - City & Southwest rail corridor, Sydney Metro has reviewed the SSD documents that were uploaded onto the NSW Planning Portal on 23 February 2021, including having regard to the matters outlined in the ISEPP.

Following this review, Sydney Metro advises that it is not in a position to make a decision until the additional information outlined below is provided for Sydney Metro's further review:

- a) The final design of pile foundation should be provided in order to confirm the risk levels on Sydney Metro infrastructure.
(together, Additional Information).

The Department of Planning, Industry and Environment (DPIE) is requested to forward this request for the Additional Information to the Applicant and Sydney Metro recommends that the Applicant consult with Sydney Metro before submitting the Additional Information to

DPIE.

Sydney Metro requests that the Additional Information be forwarded to SydneyMetroCorridorProtection@transport.nsw.gov.au to enable Sydney Metro to undertake the required internal review as quickly as possible and within the required statutory timeframe.

Subject to the outcome of Sydney Metro's review of the Additional Information, further additional information may be required before Sydney Metro can determine whether the proposal will have any impacts on the Sydney Metro - City & Southwest rail corridor.

Sydney Metro thanks DPIE for its assistance.

Please contact Peter Bourke, Senior Manager Corridor Protection or Lauren Manias on sydneymetrocorridorprotection@transport.nsw.gov.au should you have any further enquiries on this matter.

Yours sincerely



Stephen Scott

Deputy Executive Director

Northwest Operations

270 Miller Street, North Sydney (SSD-10473)