

23<sup>rd</sup> June 2016

Director Transport Assessments  
Planning Services  
Department of Planning and Environment  
Application number SSI 15\_7400  
GPO Box 39  
Sydney NSW 2001

Dear Sir/Madam

**RE: SSI 15\_7400 – Sydney Metro City and Southwest – Chatswood to Sydenham:  
Environmental Impact Statement.**

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We refer to the *Sydney Metro City and Southwest – Chatswood to Sydenham Environmental Impact Statement* (EIS) that is currently on exhibition.

On behalf of our clients', we thank you for the opportunity to make a submission. Knight Frank Town Planning was engaged to prepare this submission on behalf of the following land owners and will be collectively referred to in this submission as "the subject sites":

	Owner:	Property:
1	Pemika Pty Ltd	13-21 Mandible Street (Lot 2 DP 803412) and 27-41 Hiles Street (Lot 1 DP 803412)
2	Murrays Coaches	33-39 Mandible Street (Lot 41 DP 789768) and 30 Mandible Street (Lot 1 DP 225391)
3	Rex Holdings Pty Ltd	7-11 Mandible Street (Lot 2 DP 604380)

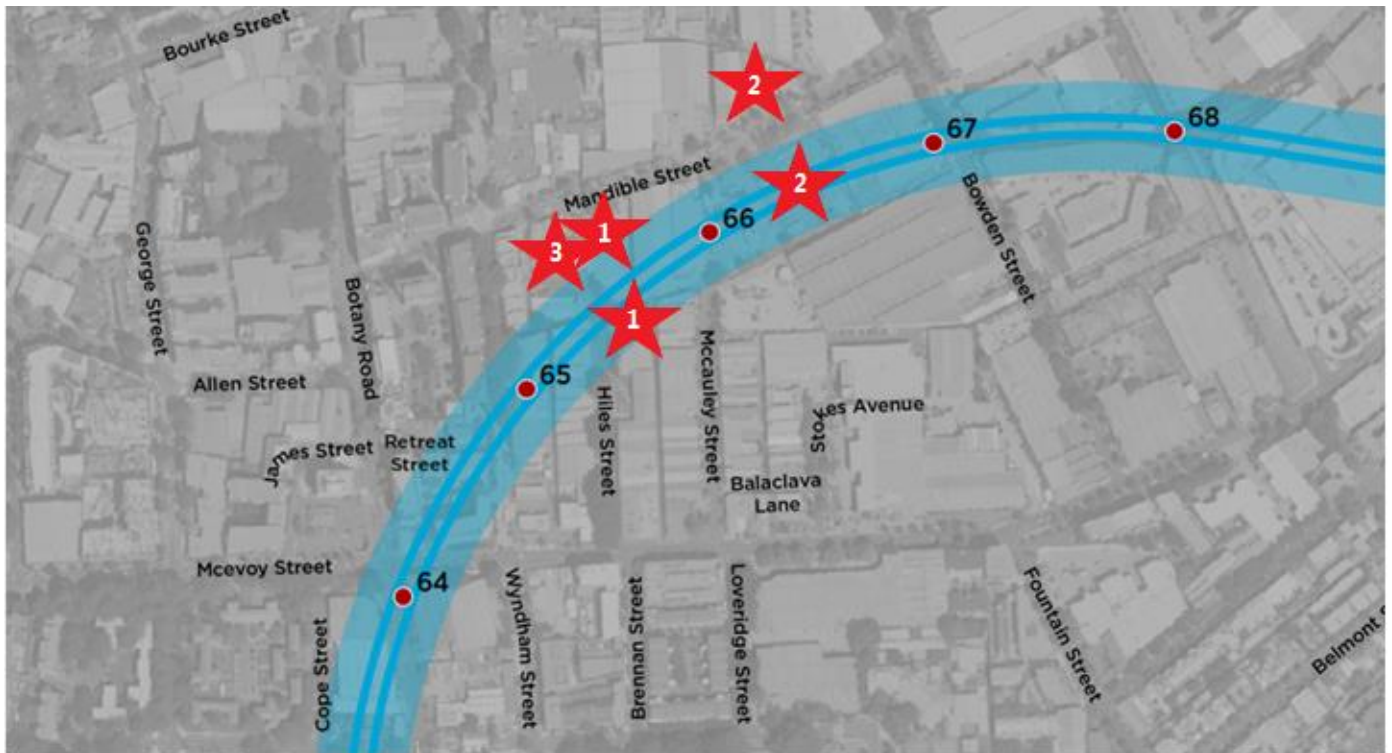
We note that our clients' offer their in principle support to the overall Sydney Metro project and the new rail station at Waterloo in particular. However, according to the EIS the subject sites' will be directly impacted by the project via the underground alignment of the tunnel between Waterloo Station and Sydenham Station. The location of the subject sites in relation to the underground tunnel alignment is illustrated in Figure 1 below.

**Issues of Concern:**

Our clients' have serious concerns with regards to the alignment of the tunnel and potential impacts both during the construction and operational phase of the metro line.

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**Figure 1.** Location of subject sites in relation to the proposed tunnel alignment and corridor.

Accordingly they wish to lodge their objection to the proposal as currently exhibited for the following reasons:

#### Inadequate Notification/Land Owner Engagement

1. As noted above, our clients' properties will be directly impacted by the proposed rail tunnel however they were not individually notified and only recently learnt of the EIS exhibition through Knight Frank Town Planning. Accordingly, they have had insufficient time to properly review and consider the exhibited document.

Given the scale of the proposed works and potential impacts upon the affected lands, it is of concern our clients were not notified in writing. They therefore request for an extension of time to make further submissions and for any future decisions with regards to the EIS, release of supplementary information and/or re-exhibition to be the subject of written notification.

#### Impact of Tunnel and Uncertainty Regarding Final Alignment

2. We understand that there will be a future statutory corridor for the project established under *State Environmental Planning Policy (Infrastructure) 2007* and any future development in this corridor would require referral to Transport for NSW for concurrence. The EIS indicates that the project corridor would extend 30 metres either side of the tunnel alignment. Of concern to our clients' is that the alignment is marked as indicative only and we assume therefore the alignment could vary.

It is noted that chapter 12 of the EIS documents potential impacts upon land-use and property, however this chapter is primarily focused on impacts in and around the proposed station locations, as

opposed to the remainder of the tunnel. Section 12.4.2 of the EIS states the following in relation to tunnel stratum:

*It would also be necessary to acquire stratum below the surface of properties for the construction of the project. Under the Transport Administration Act 1988, compensation is not payable where stratum is required for the development of underground infrastructure.*

*This subsurface stratum would be a stratum acquisition envelope around the tunnel, including any tunnel anchors required. The introduction of the subsurface stratum, and the tunnel itself, has the potential to limit development above the alignment. The project alignment is generally shallowest at stations and at tunnel portals (at stations tunnel depths are typically greater than 20 metres) and between stations tunnel depth increases to typically between 25 and greater than 40 metres. Based on proposed tunnel depths there would be a minor impact with respect to limiting future development potential above project infrastructure.*

*Development applications within the project corridor would be referred to Transport for NSW for concurrence and to ensure that project infrastructure is not impacted by proposed developments.*

Having regard to the above, the proposed tunnel alignment, associated corridor and stratum acquisition may directly and adversely impact and place unreasonable constraints on the identified development potential of these lands.

#### Insufficient Information Regarding Impact on Development Potential

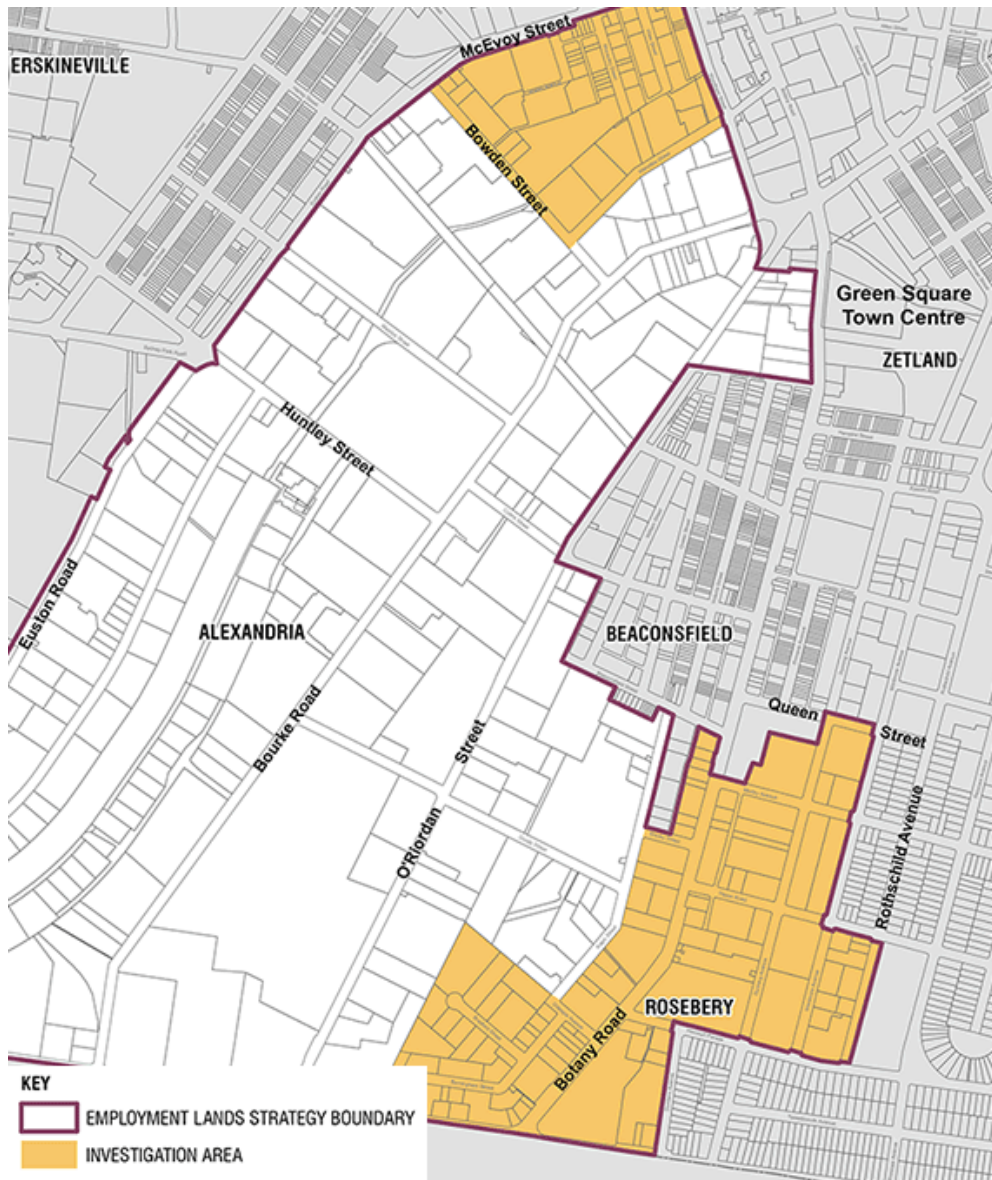
3. The subject sites are located within the southern employment lands in the City of Sydney (the City) Local Government Area (LGA). These sites are also in an area the City has identified as "investigation areas". Refer Figure 2.

These "investigation areas" are not currently zoned for market housing however the City has indicated (by way of site specific planning guidelines) that they will consider planning proposal requests to rezone sites and allow mixed used (residential) development in these areas at significantly increased densities. In short, the subject sites are considered to have significant residential redevelopment potential.

Based on the information provided in the EIS, and in particular Section 12.4.2, the extent of impact upon future development potential is not quantified and remains uncertain. It states for example 'The introduction of the subsurface stratum, and the tunnel itself, has the potential to limit development above the alignment'. And also, 'based on proposed tunnel depths there would be a minor impact with respect to limiting future development potential above project infrastructure' (our underlining). There appears to be no discussion with regards to the impact upon future excavation, foundations, piercing depths and density of development that could be supported above the tunnel alignment/corridor.

There is also no proposed mitigation to limit any such impacts, nor adequate compensatory measures to account for any reduction in future development potential.

This lack of information is considered a serious omission from a document that purports to determine environmental impacts upon existing and future land use. Further clarification of these likely constraints and impact on development potential is requested to be made available for further comment prior to the finalisation and endorsement of the EIS.



**Figure 2.** Extract from City of Sydney's *Guideline to Preparing Site Specific Planning Proposal Requests in the City of Sydney Employment Lands Investigation Areas 2015*

#### Request for Proponent to Realign Tunnel

4. On behalf of our clients', we request the proponent also realign the tunnel and associated corridor between Waterloo Station and Sydenham Station away from the "investigation areas" and the subject sites to ensure the future development potential of their site is not unreasonably impacted. In our view, the tunnel alignment and corridor would be better located under properties outside of the

"investigation areas" in the southern employment lands where rezoning of land to allow for a wider range of uses including residential is unlikely to occur. Alternatively, the alignment of the tunnel should (as far as practicable) align with existing road reserves.

Recommended Actions:

In summary, our clients have serious concerns with regards to the current alignment and potential impacts not only in terms of vibration and noise during the construction and operational phase, but also in terms of future development potential.

Impacts and limitations on future development is not quantified by the EIS and remains uncertain. Compensation for any such impacts also is not documented. They request for this additional information to be provided, for affected landowners to be individually notified and given sufficient time to properly review and consider the information.

Further they also request that proponent realigns the tunnel between Waterloo and Sydenham away from the subject sites.

Thank you again for the opportunity to comment and we trust that careful consideration will be given the comments made. Alternatively our clients would be pleased to discuss these matters in more detail with the proponent.

It would be appreciated if our clients' were notified of the proponent's response to the matters raised in this submission prior to finalisation of the EIS.

Please note we have not made any reportable political donations in the previous two years.

Should you have any queries or require any additional information regarding this submission please do not hesitate to contact me.

Yours sincerely,



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