



DOC18/868383
Your ref: SSD9579

Annie Leung
Team Leader – Key Sites Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

By email: annie.leung@planning.nsw.gov.au

Dear Ms Leung,

**REQUEST FOR EPA INPUT ON STATE SIGNIFICANT DEVELOPMENT – CROWS NEST, OVER
STATION DEVELOPMENT (SSD9579)**

I refer to your letter dated 12 November 2018 requesting EPA input on the above-mentioned State Significant Development.

Based on the information provided, the over station development (OSD) proposal does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act). At this stage, the EPA does not consider that the proposal will require an Environment Protection Licence (EPL) under the POEO Act.

While Sydney Metro (SM) is the proponent for the concept approval application, EPA notes that should the concept SSD application be approved, SM will likely release the site to market where the successful purchaser of the development rights will be responsible for submitting a detailed SSD application (or applications) for design and construction of the OSD in accordance with the concept approval. Accordingly, the activity is unlikely to be undertaken by or on behalf of a NSW public authority. Under these circumstances the EPA would not be the appropriate regulatory authority under the POEO Act for the environmental performance of the OSD project.

As an advisory note only, the development will be located above tunnels containing operational rail lines, for which EPA has a regulatory responsibility. The consent should include acceptable vibration and ground borne noise limits for spaces within the development drawn from the EPA's *Rail Infrastructure Guideline* (EPA, 2013) and *Assessing Vibration: a technical guideline* (DECC, 2006).

Please contact Gordon Downey on (02) 9995 5783 or gordon.downey@epa.nsw.gov.au for any questions or comments in relation to this matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Claire Miles'.

12.12.2018

CLAIRE MILES
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