

30 September 2020

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

Email: james.groundwater@planning.nsw.gov.au

Dear Sir,

**Response to Submissions (RtS)
Development Application – SSD-9653
Hills Showground Station Precinct Concept Proposal SSD**

Thank you for the email referral dated 22 September 2020 requesting the advice of Sydney Metro for State Significant Development (SSD) application SSD-9653 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 Northwest Line rail corridor to Sydney Metro. Therefore, Sydney Metro is the relevant rail authority for the Sydney Metro Northwest Line rail corridor for the purpose of the ISEPP.

Concurrence of Sydney Metro is not required

Sydney Metro understands that the development the subject of the DA is State Significant Development (SSD) being for development adjacent to Hills Showground Metro Station.

As this is a RtS package related to a SSD development application, the provisions of clause 86 of the State Environmental Planning Policy (Infrastructure) 2007 (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 Northwest Line rail corridor, Sydney Metro has reviewed the response to submissions package that was uploaded onto the Major Planning Portal on 22 September 2020, including having regard to the matters outlined in the ISEPP.

Based on this review, Sydney Metro is of the view that the revised development would not have an adverse impact on the Sydney Metro Northwest Line rail corridor given there are

not considerable design changes to the scheme. Furthermore, it is noted that this submission is "Response to Submissions" to agencies other than Sydney Metro and it is expected that the requirements of Sydney Metro protection guidelines will be addressed during design development and provided for review.

Conditions requested in event of approval of the DA

If the consent authority determines to grant consent to the SSD, Sydney Metro requests that the condition as detailed in our original submission (SM-19-00205348) be imposed in the event of approval for a future detailed SSD:

- 1. As part of the lodgement of any future development applications, the Applicant shall prepare and submit documentation compliant with the Sydney Metro Underground Corridor Protection Technical Guidelines and Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines (available from www.sydneymetro.info).*

Next steps

If, at any point, the DA is amended prior to the consent authority's determination, please ensure that the amended DA and any new or amended supporting documents are provided to Sydney Metro for further assessment. Any amendments to the DA may alter the impacts of the proposed development on the Sydney Metro Northwest Line rail corridor assessed by Sydney Metro, so Sydney Metro may need to vary any requested conditions.

Sydney Metro would be grateful if a copy of the Notice of Determination and any conditions of consent for the DA be forwarded to Sydney Metro should the consent authority determine to grant consent to the DA.

In the event that the proposed development is the subject of a Land and Environment Court appeal, the consent authority is requested to notify Sydney Metro.

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 should you wish to discuss this matter further.

Yours sincerely,



Stephen Scott

Deputy Executive Director
Northwest Operations