



Table 1 Response to TfNSW draft conditions

Matter	Draft Condition	Project response
	<p><b>TAB A – Draft Suggested Conditions Relating to ISEPP Clause 86 Concurrence Requirements</b></p>	<p>The conditions at TAB A have been reviewed and a response provided. However, we note that under 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 specifies that concurrence or consultation requirements apply to an application for SSD. Clause 86 of the ISEPP does not specify that concurrence is required in the context of SSD, therefore the provisions of clause 86 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) do not apply.</p> <p>We therefore request that DPIE review and reconsider the applicability of the suggested conditions provided by TfNSW under TAB A.</p>
General	The applicant must comply with all Altrac Light Rail Partnership (Altrac) or any subsequent operator of Sydney Light Rail (Sydney Light Rail Operator) policies, rules and procedures when working in and about the Sydney Light Rail corridor.	Noted.
	The applicant must comply with the requirements of T HR CI 12080 ST External Developments version 1.0 and Development Near Rail	Noted.



Matter	Draft Condition	Project response
	Corridors and Busy Roads- Interim Guidelines.	
	Activities of the applicant must not affect and/or restrict Sydney Light Rail operations without prior written agreement between the applicant, Transport for NSW (TfNSW), Altrac, and the Sydney Light Rail Operator, and it is a condition precedent that such written agreement must be obtained no later than two (2) months prior to the activity. Any requests for agreement are to include as a minimum the proposed duration, location, scope of works, and other information as required by the Sydney Light Rail Operator.	The Project does not envisage any impact and/or restriction to SLR operations during construction. The Project will consult with the relevant parties (TfNSW, Altrac and SLR Operator) as required.
	The applicant must apply to Altrac and the Sydney Light Rail Operator for any required network shutdowns four (4) months prior to each individual required network shutdown event. Each request for network shutdown must include as a minimum the proposed shutdown dates, duration, location, scope of works, and other information as required by the Sydney Light Rail Operator. It is likely in the first two (2) years there will not be a light rail shutdown for maintenance purposes. The Sydney Light Rail Operator may grant or refuse a request for network shutdown at its discretion.	Noted.
	TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or	Noted.



Matter	Draft Condition	Project response
	occupier of the part of the site to which access is sought.	
	All TfNSW, Altrac and Sydney Light Rail Operator's costs associated with review of plans, designs and legal must be borne by the applicant.	Noted.
Process of Endorsement of Conditions - Prior to Issue of CC or preparatory work	Consult with TfNSW, Altrac and the Sydney Light Rail Operator to ascertain requirements in relation to the protection of TfNSW's infrastructure and to confirm the timing of the each construction certificate and associated documentation and activities prior to preparation of requested documentation.	As noted above, concurrence from TfNSW under Clause 86 of the ISEPP is not required as the project is a SSD. We consider that written endorsement by TfNSW of each construction stage would be onerous and request reconsideration of the need for this condition.
	Sign Infrastructure Assess Deed Poll, Safety Interface Agreement and Works Deed with TfNSW and/or the Sydney Light Rail Operator	
	Confirm in writing with TfNSW what each Construction Certificate stage will involve.	
	<p>Submit all relevant documentation to TfNSW as requested by TfNSW and obtain its written endorsement for each construction stage. A summary report for each construction stage shall also be provided to TfNSW to demonstrate the following:</p> <ul style="list-style-type: none"> <li>o No adverse impacts to the light rail corridor and light rail operation by clearly identifying impacts and mitigation measures;</li> </ul>	

Matter	Draft Condition	Project response
	<p>and</p> <ul style="list-style-type: none"> <li>o Submitted documentation has satisfied the relevant conditions.</li> </ul>	
	<p>The Principal Certifying Authority (PCA) is not to issue the relevant Construction Certificate until received written confirmation from TfNSW that the relevant conditions have been complied with for each Construction Certificate.</p>	
<p>Review and Endorsement of Documents</p>	<p>Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the following documentation shall be provided for the review and endorsement of TfNSW:</p> <ul style="list-style-type: none"> <li>o Final geo-technical and structural report / drawings. Geotechnical reports should include any potential impact on the light rail corridor located adjacent to the subject development site, easement and substratum;</li> <li>o Final construction methodology with construction details pertaining to structural support during excavation or ground penetration;</li> <li>o Details of the vibration and movement monitoring system that will be in place before excavation commences;</li> <li>o Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail</li> </ul>	



Matter	Draft Condition	Project response
	<p>Corridor located adjacent to the subject development site. Cross sectional drawings should also include the accurate RL depths and horizontal distances from assets (tracks, overhead lines, structures and cables) to the nearest point of excavation or ground penetration works. All measurements are to be verified by a Registered Surveyor; and</p> <p>o Detailed survey plan with location of services.</p>	
Pre-construction work dilapidation report	<p>A pre-construction work Dilapidation Report of the Sydney Light Rail and its assets shall be prepared by a qualified structural engineer. The dilapidation survey shall be undertaken via a joint site inspection by the representatives of the Sydney Light Rail Operator, TfNSW and the applicant. These dilapidation surveys will establish the extent of existing damage and enable any deterioration during construction to be observed.</p>	<p>Noted. Dilapidation reports will be undertaken by the head contractor prior to commencement of works. The dilapidation report will be undertaken only for areas of the SLR bounded by the Project's site boundary.</p>
Acoustic Assessment	<p>Prior to the issue of the relevant Construction Certificate, the final acoustic assessment is to be submitted to the PCA demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads-Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.</p>	<p>Noted. The Project will comply with all relevant standards.</p>
Electrolysis Analysis	<p>Prior to the issue of the relevant Construction Certificate, the applicant is to engage an Electrolysis Consultant to prepare a</p>	<p>Noted. An Electrolysis Analysis Report will be prepared by an Electrolysis Consultant.</p>

Matter	Draft Condition	Project response
	<p>report on the Electrolysis Risk to the development from stray currents. The applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the PCA with the application for the relevant Construction Certificate.</p>	
Reflectivity Report	<p>Prior to the issue of the relevant Construction Certificate, the applicant shall design lighting, signs and surfaces with reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor limiting glare and reflectivity to the satisfaction of Altrac, TfNSW and the Sydney Light Rail Operator. Prior to the issue of the relevant Construction Certificate, a detailed regime is to be prepared for consultation with and approval by TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.</p>	<p>The Project will achieve compliance with the PCA, BCA and all relevant standards. The project will review and carefully consider during Design Development the use of lighting, signs and surfaces with reflective materials, whether permanent or temporary. The Project requests that TfNSW provide any requirements/ specification for review by the Project Design Team.</p>
Balconies and windows	<p>Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20 metres of, and face, the rail corridor, the development must have measures installed, to the satisfaction of TfNSW (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority is not to issue the Construction</p>	<p>The Project will comply with all relevant standards.</p>



Matter	Draft Condition	Project response
	Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.	
Consultation Regime	Prior to the issue of the relevant Construction Certificate, a detailed regime is to be prepared for consultation with and approval by TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.	The Project will comply with relevant standards. The project will consult with TfNSW and provide information and documentation detailing the proposed excavation and construction regime.
Insurance requirements	Prior to the issue of the relevant Construction Certificate, the applicant must hold current public liability insurance cover for a sum acceptable to TfNSW. TfNSW's standard public liability insurance requirement for this type of development adjacent to a rail corridor is minimum of \$250M. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The applicant is to contact TfNSW to obtain the level of insurance required for this particular proposal. Prior to issuing the relevant Construction Certificate the PCA must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.	The Applicant notes that the head contractor undertaking works will hold an appropriate level of insurance cover in line with the construction scope of works.
Works Deed/ Agreements	Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, if required by TfNSW, Works Deed (s) between the applicant, TfNSW and/or Altrac and the Sydney Light Rail Operator must be agreed and executed by the parties. These agreements may deal with matters	The Project does not envisage any impact and/or restriction to SLR operations during construction. The project will consult with the relevant parties (TfNSW, Altrac and SLR Operator) as required.

Matter	Draft Condition	Project response
	<p>including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sydney Light Rail Operational requirements;</li> <li><input type="checkbox"/> Sydney Light Rail access requirements;</li> <li><input type="checkbox"/> Altrac and Sydney Light Rail Operator policies, rules and procedures compliance requirements;</li> <li><input type="checkbox"/> Indemnities and releases;</li> <li><input type="checkbox"/> Security of costs;</li> <li><input type="checkbox"/> Insurance requirements and conditions;</li> <li><input type="checkbox"/> TfNSW, Altrac and the Sydney Light Rail Operator's recovery of costs from the applicant for costs incurred by these parties in relation to the development (e.g. review of designs and reports, legal, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;</li> <li><input type="checkbox"/> Interface coordination between the Sydney Light Rail Operator and the subject development construction works, including safety interface;</li> </ul> <p>o Infrastructure Assess Deed Poll and Safety Interface Agreement between the applicant and the Sydney Light Rail Operator must be agreed and executed by the parties. This agreement may deal with matters including, but not limited to, the following:</p>	



Matter	Draft Condition	Project response
	<ul style="list-style-type: none"> <li><input type="checkbox"/> Pre and post construction dilapidation reports;</li> <li><input type="checkbox"/> The need for track possessions;</li> <li><input type="checkbox"/> Review of the machinery to be used during excavation/ground penetration / construction works;</li> <li><input type="checkbox"/> The need for track monitoring;</li> <li><input type="checkbox"/> Design and installation of lights, signs and reflective material;</li> <li><input type="checkbox"/> Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);</li> <li><input type="checkbox"/> Endorsement of plans regarding proposed craneage and other aerial operations;</li> <li><input type="checkbox"/> Erection of scaffolding/hoarding;</li> <li><input type="checkbox"/> Light Rail Operator's rules and procedures; and</li> <li><input type="checkbox"/> Alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the applicant.</li> </ul>	
During construction	Construction vehicles shall not be stopped or parked on High Street adjacent to the development at any time without prior approval of TfNSW.	Noted. All construction vehicles will abide by road regulations and local parking restrictions.
	All piling and excavation works are to be supervised by a	Noted.

Matter	Draft Condition	Project response
	geotechnical engineer experienced with such excavation projects.	
	No rock anchors/bolts (temporary or permanent) are to be installed into the light rail corridor without approval from TfNSW.	The Project is working through the technical details and will liaise with TfNSW with respect to the use of any/ all rock bolts. MB has prepared a statement ( <b>Appendix J</b> ) considering the proximity of the light rail to the proposed basement excavation of the SCH1/CCCC. The light rail is located approximately 16.75m away from the basement of the SCH1/CCC basement and outside the zone of influence for the proposed excavation. Additionally, it is not anticipated that the light rail will be affected by the proposed excavation for the project.
	No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation.	Noted.
	During all stages of the development extreme care shall be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the applicant;	Noted. The appointed contractor will abide by all relevant regulations and ensure pollution risks to the light rail corridor are appropriately mitigated.
	The applicant must mitigate all noise and vibration to the extent possible and provide vibration monitoring equipment and provide	The Project does not envisage any exceedances of stipulated noise and vibration levels. Please

Matter	Draft Condition	Project response
	the results to the Sydney Light Rail Operator at intervals required by TfNSW and the Sydney Light Rail Operator, and immediately implement corrective actions in the event that the noise or vibration exceeds acceptable limits;	refer to the Acoustic Assessment report prepared by Pulse Acoustics and submitted with the EIS. The Project welcomes consultation with TfNSW to develop appropriate mitigation measures and monitoring intervals/requirements.
	Rainwater from the roof must not be projected and/or falling into the rail corridor/assets and must be piped down the face of the building which faces the rail corridor. Given the site's location next to the rail property, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from TfNSW and the Sydney Light Rail Operator (or the delegated authority);	Noted.
	No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Sydney Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.	Noted. The appointed contractor will ensure the use of all scaffolding will abide by the necessary regulations and approval processes.
Prior to the Issue of the Occupation	Post - construction Dilapidation Report  Prior to the Issue of the Occupation Certificate, a post-construction	Noted. The dilapidation report will be undertaken only for areas of the SLR bounded by the Project's

Matter	Draft Condition	Project response
Certificate	<p>dilapidation survey shall be undertaken via a joint inspection with representatives from TfNSW, Altrac, the Sydney Light Rail Operator and the applicant. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report to TfNSW and the Sydney Light Rail Operator will be required unless otherwise notified by TfNSW. The applicant needs to undertake rectification of any damage to the satisfaction of TfNSW and the Sydney Light Rail Operator and if applicable the local council.</p>	<p>site boundary.</p>
	<p><b>Reflectivity Report</b></p> <p>Prior to the Issue of the Occupation Certificate, the applicant shall demonstrate that lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor were installed limiting glare and reflectivity to the satisfaction of TfNSW, Altrac and the Sydney Light Rail Operator.</p>	<p>The project will achieve compliance with the PCA, BCA and all relevant standards. The project will review and carefully consider during Design Development the use of lighting, signs and surfaces with reflective materials, whether permanent or temporary.</p> <p>The applicant requests that TfNSW provide any requirements/ specification for review by the Project Design Team during the design phase.</p>

Matter	Draft Condition	Project response
	<b>TAB B – Draft Suggested Conditions of Consent – Non - ISEPP Concurrence</b>	
Travel Demand Management	<p>Prior to the issue of the Occupation Certificate, the applicant shall update the Green Travel Plan (GTP) in consultation TfNSW. The GTP needs to consider:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> More ambitious modal shift targets; and</li> <li><input type="checkbox"/> Site specific issue of travel to hospital facilities for children;</li> </ul> <p>This Plan needs to include, but not limited to, the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Updated bus network</li> <li><input type="checkbox"/> A communication strategy and a Travel Access Guide</li> <li><input type="checkbox"/> Funding, a delivery strategy and appropriate human resourcing for delivery of those actions for which Health Infrastructure and Sydney Children Hospital (SCH) have responsibility; and</li> <li><input type="checkbox"/> Details of cycling permeability and casual bike parking locations of the Randwick Hospital Campus including the new developments.</li> </ul> <p>The applicant shall submit a copy of the final plan via <a href="mailto:development.sco@transport.nsw.gov.au">development.sco@transport.nsw.gov.au</a> for TfNSW, prior to the issue of the occupation certificate.</p> <p>The GTP must be implemented and updated annually to ensure</p>	<p>Noted. As detailed in the Traffic and Transport Assessment Report prepared by Arup, the Project has investigated multiple scenarios providing for a mode shift of up to 2.2%.</p> <p>The mode shift targets within the GTP will be updated appropriately to align with the project traffic and transport assessment.</p>

Matter	Draft Condition	Project response
	<p>sustainable transport outcomes and achieve the overall strategic planning objectives in the Future Transport 2056. The plan shall be reviewed and updated annually in consultation with the aforementioned stakeholders and provide an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes.</p> <p>The plan (as reviewed and updated annually) shall be implemented by the applicant for the life of the development.</p>	
Construction Pedestrian and Traffic Management	<p>Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant shall:</p> <ul style="list-style-type: none"> <li>□ Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW and the Sydney Light Rail Operator. The CPTMP needs to specify matters including, but not limited to, the following: <ul style="list-style-type: none"> <li>o A description of the development;</li> <li>o Location of any proposed work zone(s)</li> <li>o Details of crane arrangements including location of any crane(s);</li> <li>o Haulage routes;</li> <li>o Proposed construction hours;</li> <li>o Predicted number of construction vehicle movements and detail</li> </ul> </li> </ul>	Noted. The Project Contractor will develop an appropriate CPTMP prior to the commencement of construction works.

Matter	Draft Condition	Project response
	<p>of vehicle types, noting that vehicle movements are to be minimised during peak periods;</p> <ul style="list-style-type: none"> <li>o Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on High Street or Botany Street;</li> <li>o Details of the monitoring regime for maintaining the simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site;</li> <li>o Pedestrian and traffic management measures;</li> <li>o Construction program and construction methodology;</li> <li>o A detailed plan of any proposed hoarding and/or scaffolding;</li> <li>o Measures to avoid construction worker vehicle movements within the Randwick Precinct;</li> <li>o Consultation strategy for liaison with surrounding stakeholders, including other developments under construction;</li> <li>o Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;</li> <li>o Cumulative construction impacts of projects within the Randwick Health and UNSW precinct. Existing CPTMPs for developments</li> </ul>	

Matter	Draft Condition	Project response
	<p>within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and</p> <p>o Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.</p> <p>Submit a copy of the final plan to development.sco@transport.nsw.gov.au for TfNSW endorsement; and</p> <p><input type="checkbox"/> Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (via development.sco@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.</p>	