

Planning and Assessments
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: Sian Holmes

30 April 2026

STATE SIGNIFICANT DEVELOPMENT APPLICATION
Environmental Impact Statement Stage – SSD-88953706
Lots 4-5, 6-7 and 8 Buchan Avenue, Edmondson Park

Dear Sir/Madam,

Transport for New South Wales (TfNSW) refers to the Department's Major Project Portals' notification for the above State Significant Development application.

The Department is advised that TfNSW, via Instrument of Delegation from the Secretary of Transport and from TAM (Transport Asset Manager of NSW), has been delegated to act as the rail authority for the heavy rail corridor, electrical supply authority, and Agent on behalf of the Land Owner; and to process the review of this proposal.

TfNSW has reviewed the proposal and advise that, to protect rail land, assets, operations, and to ensure a safe and reliable rail service, the information listed in **Attachment A** must be addressed in the Response to Submissions (RTS).

If the requested information is not provided or does not adequately address TfNSW's requirements or impacts on rail land, assets and operations requirements, TfNSW (as Rail Authority) requests that the conditions outlined in **Attachment B** be imposed by the Department.

TfNSW requests that the conditions in Attachment B be imposed as written and not altered or modified without prior consultation with TfNSW.

Should additional or amended information be provided at the RTS stage, TfNSW requests that the application be re-referred for further review and comment.

TfNSW requests that the Department not determine the application until the matters in Attachment A have been addressed to the satisfaction of TfNSW, or alternatively, that the conditions in Attachment B are imposed.

For further discussion, please contact the TfNSW Town Planning Management team via email to DA_sydneytrains@transport.nsw.gov.au.

Sincerely,

Miné Kocak
Manager Town Planning
Transport for NSW

OFFICIAL

Attachment A – Request for Information

Comment:

The proposed development is located immediately adjacent to the operational rail corridor and includes Sydney Trains' access gates, which provide access to the rail corridor for maintenance and emergency vehicles. Amongst other items, TfNSW-Sydney Trains specifically raised this matter at the SEARs stage, consistent with previous DA's assessed by Council on this site (known as Site 5 on this application). The applicant's reference to DA 1398/2021 and Sydney Trains submission not addressing this access point is noted however, DA 1398/2021 did not cover 'Site 5', rather relating to development to the north of Buchan Avenue, as confirmed by Council at the time. DA 1070/2021 which appears to have proposed works on 'Site 5', including level changes that would impact on access via the subject gates, was not referred to Sydney Trains for comment.

TfNSW- Sydney Trains raised the same access issue with the proceeding development application DA 855/2022, and agreed with Council and the applicant that access would be provided as per the TfNSW-Sydney Trains conditions of consent, which required the construction of a road.

Sydney Trains stakeholders have reviewed the applicant's submission and have requested the access be maintained for a 12.5m long vehicle, that can enter and exit the corridor in a forward direction. It should be noted that TfNSW and Sydney Trains have an obligation to record corridor access locations and maintain access points to the corridor to enable critical maintenance, upgrade and emergency access.

Recommendation:

It is requested the Applicant provides the following information for TfNSW/Sydney Trains review and endorsement prior to lodgement of the Response to Submissions (RTS):

1. Drawings in Plan and Section

Drawings in Plan and Cross Sections showing the proposed development in relation to Sydney Trains' access gates (which appear to have been removed – and are required to be reinstated) demonstrating unimpeded access thereto for a minimum 12.5m rigid truck. The plans must include swept paths showing entry and exit in a forward direction and associated information on how continued access will be enabled for Sydney Trains and emergency vehicles during and post construction, including when/if the site is further subdivided under strata title (either by way of easement or dedication of public road).

This information is required to assess potential impacts on rail infrastructure and safety of commuters.

The above information is required to enable TfNSW (as Rail Authority) to fully assess the potential impacts on rail safety, infrastructure, and operations. Where the above matters cannot be demonstrated, design amendments may be required.

The final versions of the above documents need to be submitted as part of the applicant's RTS, however, TfNSW recommends that the Applicant engage with TfNSW prior to lodgement of the RTS to ensure that the above matters are appropriately addressed.

Attachment B – Recommended Conditions

Deferred Commencement Condition

This consent is not to operate until the Applicant/Developer satisfies the consent authority, within 24 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the consent authority:

- 1) The Applicant/Developer shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version items in compliance with the relevant standards including, but not limited to, TfNSW AMB Standard 'Airspace and External Developments' (<https://www.transport.nsw.gov.au/industry/asset-management-branch>):
 - a) Drawings in Plan and Cross Sections showing the proposed development in relation to Sydney Trains' access gates (location and size as per Sydney Trains records if existing gates removed) demonstrating unimpeded access thereto for a minimum 12.5m rigid truck. The plans must include swept paths demonstrating access and egress in a forward direction, as per Austroads Guide to Road Design and Transport Standard TS 02642 Supplement to Austroads Guide to Road Design.
 - b) Evidence of legal rights of continued unimpeded access during and post construction, and upon further subdivision of the site for Sydney Trains and emergency vehicles accessing the rail corridor.

Any conditions issued as part of Sydney Trains' endorsement of the above documents will also form part of the consent conditions that the Applicant/Developer is required to comply with.

Operational Conditions

Rail Access

- 1) All plans/documentation(s) provided and endorsed by Sydney Trains as part of the Sydney Trains Deferred Commencement Conditions will form part of this Consent, unless said plans/documentation(s) are otherwise superseded and confirmed in writing by Sydney Trains as a result of compliance with any Sydney Trains related conditions of consent. All recommendations, final findings, and subsequent requirements (including where specified in the written endorsement letter from Sydney Trains) of such plans/documentation(s) are to be reflected in the Construction Certificate construction plans/documentation(s) where relevant, and compliance with those plans/documentation(s) must be certified prior to the issue of any Occupation Certificate.
- 2) Prior to the issue of a Construction Certificate, any rail access gates along the common boundary must be reinstated as per the original location and opening size, to Sydney Trains satisfaction. The person acting upon this consent shall provide double padlocking, or an agreed to alternative, to the benefit of Sydney Trains access associated with any gates within and surrounding the rail access path/licenced area. Sydney Trains approval must be in place prior to any dividing fence/gates works commencing.
- 3) Prior to the issue of any Construction Certificate, the Person acting on this consent shall enter into a temporary licence agreement with TAM (Transport Asset Manager NSW), for temporary access arrangement during construction and prior to a new road to the rail access gates being constructed to Sydney Trains' satisfaction.
- 4) Prior to the issue of a Construction Certificate, the Applicant is to submit the final Landscape Plan for Sydney Trains' review, comment and written endorsement demonstrating that there shall be no overhanging trees over the property boundary or that would obstruct the path of travel leading into the access gate that provides access to the rail corridor. The Certifier is not to issue any Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 5) Prior to the issue of any Occupation Certificate, the person acting upon this consent must submit to Sydney Trains certification from a suitably qualified engineer that the internal road providing access for a minimum 12.5m long truck to and from the rail access gates located on the southern boundary of the site has been constructed in accordance with the approved design and to Austroads Guide to Road Design and Transport Standard TS 02642 Supplement to Austroads Guide to Road Design requirements to Sydney Trains' satisfaction.
- 6) Prior to the issue of any Occupation Certificate, the Person acting on this consent must submit to Sydney Trains final as built plans prepared by a registered surveyor confirming the location of the of the new internal access road and Sydney Trains access gates, aligning with the agreed legal right of access for Sydney Trains. The Certifier must not issue any Occupation Certificate until written confirmation from Council confirming that this condition has been satisfied and Sydney Trains is to be notified in writing when this has been completed.
- 7) At no point is the persons acting upon this consent allowed to modify or remove the rail access gates at the southern boundary of the development site.

General Rail

- 8) The Applicant/Developer shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version items in compliance with the relevant standards including, but not limited to, TfNSW AMB Standard 'Airspace and External Developments' (<https://www.transport.nsw.gov.au/industry/asset-management-branch>):
- a) Geotechnical and Structural report/drawings including rail specific potential impacts.
 - b) Construction methodology with details pertaining to structural support during excavation, construction and .
 - c) Cross sectional drawings (both architectural and structural) showing ground surface, nearest rail tracks & infrastructure, property boundary and/or easement, sub-soil profile, proposed development and associated demolition and basement excavation and structural design of sub-ground support (i.e., footings/piles etc.) adjacent to the rail corridor. The measured distance between the proposed development, property boundary and rail asset(s) at the closest point must be shown. All horizontal, RL and vertical measurements are to be verified by a Registered Surveyor.
 - d) Drainage/civil drawings and details.
 - e) Drawings/details showing anti-throw mechanisms for openings (windows, balconies, terraces, and the like) within 20m and facing the rail corridor
- 9) Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.
- 10) Prior to the commencement of any works a Registered Surveyor shall peg-out the common property boundary between the development site and TAM (Transport Asset Manager NSW) land and easements. A copy of the survey report indicating the location of pegs must be provided to Sydney Trains prior to the commencement of works.
- 11) Prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant, if required by Sydney Trains. 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 will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.
- 12) Prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant, if required by Sydney Trains. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 13) The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior

to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

- 14)** Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a 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 Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- 15)** The Applicant shall provide a Geotechnical Engineering report to Sydney Trains for review by Sydney Trains' Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by Sydney Trains. The report shall include the potential impact of demolition and excavation, and demolition- and excavation-induced vibration in rail facilities, and loadings imposed on Sydney Trains Facilities by the development.
- 16)** Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows, and other external features (e.g., 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 Sydney Trains (e.g., 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 Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 17)** A risk analysis, which shall determine the required level of derailment protection (if any), shall be carried out in consultation with Sydney Trains. This risk analysis will determine the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100 that needs to be complied with. The risk assessment is to be prepared in accordance with the Sydney Trains Safety Management System. The Principal Certifying Authority shall not issue the Construction Certificate until it has received written confirmation from Sydney Trains that the risk analysis has been prepared and the Principal Certifying Authority has also confirmed that the measures recommended in this risk analysis have been indicated on the Construction Drawings.
- 18)** The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 19)** Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor, if required by Sydney Trains. The Principal Certifying Authority is not to issue the

Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- 20)** No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- 21)** Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- 22)** During all stages of the development the Applicant must take extreme care to prevent any form of pollution (including dust) entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- 23)** Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.
- 24)** Prior to the issue of a Construction Certificate the Applicant must submit hydraulic plans demonstrating that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.
- 25)** There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Trains. No construction certificate can be issued until written confirmation has been received from Sydney Trains confirming that this condition has been complied with.
- 26)** Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- 27)** The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- 28)** The Applicant/Developer shall not at any stage block any corridor access gates and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities.
- 29)** No scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. 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. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.

- 30)** Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into TAM (Transport Asset Manager NSW) property or easements, unless agreed to by TAM (Transport Asset Manager NSW). The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 31)** Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager NSW) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
- 32)** Any conditions issued as part of Sydney Trains' approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
- 33)** Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.
- 34)** The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- 35)** Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- 36)** Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is West Interface and they can be contacted via email on West_Interface@transport.nsw.gov.au.