

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

Attention: Michelle Niles

23 May 2025

STATE SIGNIFICANT DEVELOPMENT APPLICATION
Environmental Impact Statement Stage - SSD-77260958
2-4 Burleigh Street and 20-24 Railway Parade, Burwood
“Mixed use development with infill affordable housing”

Dear Sir/Madam,

I refer 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.

We have reviewed the proposal and advise that in order to protect rail land, assets, operations, and to ensure a safe and reliable rail service, it is requested that the Department consider imposing the conditions as listed in Attachment A. It is requested that these conditions remain as worded and are not amended without consultation with TfNSW (as Rail Authority).

Where additional information is provided, including as part of any Response to Submissions or where any amendments are made to the proposal, we request notification from the Department in the event these changes may impact the outcome of this letter.

Please contact the TfNSW Town Planning Management team via email to DA_sydneytrains@transport.nsw.gov.au should you wish to discuss this matter. Finally, it is requested that when the Determination is issued, notification is provided by the Department.

Sincerely,

Maddison Pooley
Senior Project Officer
Transport for NSW

ATTACHMENT A

ST1. Prior to the issuing of a Construction Certificate, the Applicant shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version rail specific items in compliance with the relevant AMB Standards (<https://www.transport.nsw.gov.au/industry/asset-management-branch>):

- i. Geotechnical Engineering Report;
- ii. Structural report/drawings;
- iii. Cross sectional drawings (architectural and structural) showing the proposed basement excavation and/or structural design of sub ground support, ground surface, property boundary and/or easement, nearest rail tracks and infrastructure. All measurements are to be verified by a Registered Surveyor; and
- iv. Detailed Survey Plan showing the relationship of the proposed 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.

The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

ST2. Prior to the issuing of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review, comment, and written endorsement:

- i. Machinery to be used during excavation/construction.
- ii. Demolition, excavation, and construction methodology and staging.

The Certifier is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

ST3. 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 Certifier is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

ST4. 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 Certifier with the application for a Construction Certificate. The Certifier 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.

- ST5.** 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.
- ST6.** 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 Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- ST7.** 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 Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- ST8.** If required by Sydney Trains, 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. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- ST9.** If required by Sydney Trains, 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. 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.
- ST10.** If required by Sydney Trains, 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. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- ST11.** Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), a report must be prepared and submitted to the Certifying Authority and Council certifying that the completed development meets the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines" as set down in the subject condition of this consent. Such a report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development, and that internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.
- ST12.** During all stages of the development, the Applicant must take extreme care to prevent any form of pollution 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.
- ST13.** Sydney Trains or Transport for NSW, and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- ST14.** Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager of NSW, formerly TAHE) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
- ST15.** 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 **Central Interface**, and they can be contacted via email on **Central_Interface@transport.nsw.gov.au**.
- ST16.** 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.

ST17. 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.

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