

20 December 2019

The General Manager
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

ATTENTION: ANDY NIXEY

Dear Sir/Madam,

**STATE SIGNIFICANT DEVELOPMENT APPLICATION – SSD 9194
13-23 Gibbons Street, Redfern**

I refer to the Department's notification for the above State Significant Development application Environmental Impact Statement.

Sydney Trains has reviewed the proposal and advises that the proposed development has been assessed in accordance with the requirements of the SEPP (*Infrastructure*) 2007 Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:
 - i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and
 - ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

In this regard, Sydney Trains has taken the above matters into consideration and in order to protect the rail assets and operations, requests the Department impose the conditions as listed in Attachment A. Sydney Trains requests that these conditions as worded are not amended without further consultation.

Please contact the Sydney Trains Town Planning Unit via email to DA_sydneytrains@transport.nsw.gov.au should you wish to discuss this matter.



Yours sincerely,

Sarah Anderson
Town Planning Officer
Sydney Trains

Attachment A

A1. Prior to the issue of a construction certificate the Applicant shall prepare and provide to Sydney Trains for approval/certification the following **final version** items in compliance with the ASA Development Near Rail Tunnels (<https://www.transport.nsw.gov.au/industry/asset-standards-authority>):

- a. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.*
- b. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*
- c. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.*
- d. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.*
- e. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*
- f. If required by Sydney Trains, a Monitoring Plan.*

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

A2. Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.

A3. The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".

- A4.** No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed into RailCorp/Sydney Trains property or easements. 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.
- A5.** Prior to the issuing of a Construction Certificate, the following rail specific items are to be submitted to Sydney Trains for review and endorsement:
- a. Machinery to be used during excavation/construction.
 - b. Demolition, excavation and construction methodology, and staging

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

- A6.** 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.
- A7.** Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains Engineering & Maintenance Interface to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

- A8.** If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
- A9.** 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.
- A10.** 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 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.
- A11.** 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 RailCorp property or easements, unless agreed to be RailCorp. 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
- A12.** 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.

- A13.** 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.
- A14.** Sydney Trains or Transport for NSW (TfNSW), 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.
- A15.** The Applicant must give Sydney Trains written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor land:
- a. site investigations;
 - b. foundation, pile and anchor set out;
 - c. set out of any other structures below ground surface level or structures which will transfer any load or bearing;
 - d. foundation, pile and anchor excavation;
 - e. other excavation;
 - f. surveying of foundation, pile and anchor excavation and surveying of as-built excavations;
 - g. other concreting; or
 - h. any other event that Sydney Trains has notified to the Applicant.
- A16.** 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.

- A17.** The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- a. oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - b. acts as the authorised representative of the Applicant; and
 - c. 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.
- A18.** 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 party interface 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.