

15 June 2018

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

ATTENTION: MATTHEW ROSEL

Dear Sir,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007
DEVELOPMENT APPLICATION – MP06_0101 MOD 2 & SSD 8135
PEMULWUY, THE BLOCK, REDFERN**

I refer to the Department's letter requesting Sydney Trains comments for the above proposed development, for the modification proposed to the Concept Approval and the SSD Development Consent.

As of 1 July 2014 the property functions of RailCorp have been transferred to Sydney Trains. Whilst RailCorp still exists as the legal land owner of the rail corridor, its concurrence function under the above SEPP has been delegated to Sydney Trains.

Whilst Concurrence does not apply, Sydney Trains has reviewed the proposed development in accordance with the requirements of 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 consulted with and reviewed documentation provided by the Applicant, taking the above matters into consideration, as required in relation to the conditions C11 – RailCorp as imposed on MP06_0101 MOD 1. Sydney Trains confirms that they have no objection to the proposed modifications and the Concept Approval can be modified (MP06_0101 MOD 2) to delete the



conditions C11 – RailCorp on the provision that the conditions listed in Attachment A are imposed on the SSD 8135 development consent.

In the event that this development proposal is the subject of a Land and Environment Court appeal, your Department is requested to notify Sydney Trains of this appeal.

Please contact Miss Sarah Anderson on 8575 0237 should you wish to discuss this matter. Finally, Sydney Trains requests that a copy of the Notice of Determination and conditions of consent be forwarded to Sydney Trains.

Yours sincerely,

Sarah Anderson
Assistant Town Planner
Sydney Trains – Property

1. Corridor Protection

Prior to the issue of a Construction Certificate for Precinct 3 and any works within 25m of the rail corridor includes 2 meters or more of ground penetration or excavation, the following are to be prepared in accordance with Sydney Train's requirements and provided to Sydney Trains for review and written endorsement:

- a. A Geotechnical and Structural Report that meet Sydney Train's requirements. Sydney Trains will not permit any rock anchors or bolts (temporary or permanent) with its land or easements.
- b. An Excavation and Construction Methodology that meet Sydney Train's requirements.
- c. Cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation. Structural design of the sub ground support adjacent to the Rail Corridor, all RL depths and horizontal distance as determined by a registered surveyor of the proposed basement to the nearest platform, track, and any overhead structures.
- d. A Detailed survey of the proposed development in relation to the Rail Corridor, as undertaken and provided by a registered surveyor to the satisfaction of Sydney Trains.
- e. Track Monitoring Plan including instrumentation and monitoring regime for the duration of the excavation and construction of the development that meet Sydney Train's requirements.

2. Derailment Protection

Prior to the issue of a Construction Certificate for Precinct 3, a derailment protection risk assessment in accordance with Australian Standard AS5100 must be prepared and provided to Sydney Trains for review and written endorsement. Where the risk assessment has identified a need for derailment protection, or where required by the Australian Standard, the applicant is to incorporate those measures into the design and engineering details of the building.

3. **Drainage**

Prior to the issue of a Construction Certificate for Precinct 3, a final drainage solution should be developed in consultation with Sydney Trains addressing the following matters for review and written endorsement by Sydney Trains:

- a. Demonstrate that drainage and stormwater within the site can be managed without any adverse impact on, or entering into, the rail corridor in accordance with the Transport Asset Standard Authority (ASA) Standards.
- b. That stormwater runoff from all impervious surfaces on the property is collected and conveyed to a point suitable for integration with the constructed stormwater drainage system.
- c. Details of the future care and control of the drainage system.

4. **Noise and Vibration**

Prior to the issue of a Construction Certificate for Precinct 3, an Acoustic Assessment must be prepared identifying any noise mitigation measures to be incorporated into the design for the proposed building appropriate to its intended use and demonstrate how the development will comply with the Department of Planning & Environment's document titled *"Development Near Rail Corridors and Busy Roads – Interim Guidelines"*.

5. **Balconies and Windows**

Prior to the issue of a Construction Certificate for Precinct 3, any proposed balcony or window that is within 20m of the rail corridor is to incorporate adequate measures that prevent the throwing of objects onto the rail corridor into the design of the buildings to Sydney Trains written endorsement.

6. **Reflective material**

Future structures located along the rail corridor are to minimise the use of reflective material such as mirrored glass and metal finishes, and prior to the issue of a Construction Certificate for Precinct 3 in consultation with Sydney Trains adequate measures to limit glare and reflectivity must be incorporated into the design of the buildings for Sydney Trains review and written endorsement.

7. Fencing and Landscaping

Prior to the issue of a Construction Certificate for Precinct 3, design guidelines are to be prepared regarding the fencing to be used/constructed along the entire common boundary with the rail corridor. The fencing guidelines and specifications are to be developed in consultation with and for Sydney Trains review and written endorsement.

8. Services Search

Prior to the issue of a Construction Certificate for Precinct 3, a services search must be undertaken to establish the existence and location of any rail services located within and adjacent to the site. Persons performing the services search shall use equipment that will not have any impact on rail services and signalling. Should rail infrastructure be identified within the subject development site, any relocation or incorporation of these services are to be agreed upon in consultation with Sydney Trains, with written approval prior to the issue of the Construction Certificate.

9. Electrolysis

Prior to the issue of a Construction Certificate for Precinct 3, an Electrolysis Report prepared by an Electrolysis Expert detailing any potential risk and recommended protection measures to control any risk to the development from stray currents must be prepared. Where a risk has been identified requiring protection, or where protection is required by relevant Australian Standards, the applicant is to incorporate those measures into the design and engineering details of the building.

10. Adjacent Heritage Structure

As the proposed development is located in close proximity of railway heritage items, the Proponent is required to retain the services of a heritage expert/architect to supervise works that are in close proximity to the heritage items in order to conserve heritage values.

11. Dilapidation Surveys

Prior to the commencement of Precinct 3 works, prior to the issue of the Occupation Certificate for Precinct 3 and 12 months from the completion of works at Precinct 3, 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 Proponent. 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 at each of the afore mentioned stages will be required unless otherwise notified by Sydney Trains.

12. Future Maintenance of Development

Prior to the issue of an Occupancy Certificate for Precinct 3, the Proponent must provide a plan of how future maintenance of the Precinct 3 development is to be undertaken to Sydney Trains for review and written endorsement.

13. Track possession and power outages

Track possessions (the stopping of trains running on adjacent tracks) and/or power outages (shutting of power to Sydney Train's facilities) may be required to undertake the proposed works. Prior to the issue of a Construction Certificate for Precinct 3, consultation with Sydney Trains for written approval and advice is to be sought for the proposed demolition, excavation and construction works that directly adjoin the rail corridor, which need to be undertaken in a safe and controlled manner to avoid any impacts on the rail corridor or train services and to comply with Sydney Train's requirements that may involve, but not limited to:

- a. The need to enter into an Agreement to enable works to be planned and to proceed in a safe and controlled manner
- b. Cost of supervision, design checks, meetings, approvals and service searches is to be borne by the Proponent
- c. In the event that the Proponent requires access to the rail corridor prior to entering into an Agreement, the entering into a Release & Indemnity agreement, which will cover all railway parties from any possible claims whilst the Proponent is carrying out any work within or adjacent to the railway corridor.
- d. Appropriate level of insurance.

14. Risk Assessment & Operations

Prior to the issue of a Construction Certificate for Precinct 3 a Risk Assessment / Construction Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works on any potential impacts on rail corridor is to be prepare for Sydney Trains review and written endorsement. The following matters, but not limited to, should be addressed in consultation with Sydney Trains and included within the Risk Assessment / Construction Management Plan:

- a. Maximum potential swing of any craneage and aerial operations
- b. Potential impact from operational machinery
- c. 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 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor
- d. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains
- e. Dust and pollution mitigation
- f. No scaffolding or hoarding is to be used facing or within 6m of the rail corridor without written approval from Sydney Trains.

15. As Built Drawings

Prior to the issue of an Occupancy Certificate for Precinct 3, as-built drawings endorsed by a registered surveyor are to be provided to Sydney Trains for review and written endorsement showing there has been no encroachment into RailCorp Property or easements (excluding any previously approved by Sydney Trains).

16. If in the event an agreement is required, both parties to the abovementioned consultation shall act reasonably and Sydney Trains is not to unreasonably prevent a resolution / agreement from being reached. In the event that a resolution / agreement is unable to be reached within 3 months, the matter is to be referred to the Director General for determination. All areas of disagreement and the position of each party are to be clearly stated to enable this determination to be made.

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