

9 March 2012

The Director-General  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

**ATTENTION: Jane Flanagan**

Dear Sir/Madam,

**MAJOR PROJECT- MP06\_0101 MOD & MP11\_0093  
Pemulwuy Mixed Use Development, Redfern**

I refer to the above matter that is currently being assessed by your Department.

As your Department is aware, RailCorp previously provided its formal comments on this proposal on 13 November 2008 and 29 September 2010. RailCorp also notified your Department via email on 30 September 2010 that the proponent also required RailCorp's land owner's consent as their proposal included the widening of the Lawson Street bridge over RailCorp's land.

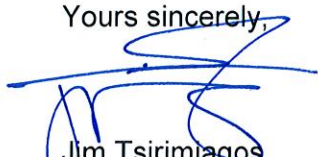
Since the lodgement of the original Concept Plan the Proponent and its consultants have had ongoing discussions regarding the construction of the bridge widening and there has been a good working relationship in addressing various issues in relation to the proposed works.

However, it is RailCorp's understanding that in order for your Department to issue the final approval to the Project Application, which still includes the bridge widening works, that the Proponent will need to furnish a copy of RailCorp's land owner's consent. As such, it is requested that your Department advise the Proponent to formally request RailCorp's land owner's consent prior to the Project Application being approved.

Once RailCorp's land owner's consent has been obtained RailCorp requests that the conditions provided in Attachment A be imposed in order to protect RailCorp's infrastructure and rail operations. RailCorp also provides comments received from RailCorp's Office of Rail Heritage in relation to the Heritage Assessment that was submitted by the Proponent. These comments are provided in Attachment B.

Thank you for providing RailCorp the opportunity to comment and please contact me if you have any further enquires.

Yours sincerely,



Jim Tsirimiagos  
Manager, Land Use and Planning  
RailCorp Property



## Attachment A

### **Survey**

- *The Proponent shall provide an accurate survey locating the Precinct 3 development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of RailCorp's representative.*
- *Prior to the commencement of Precinct 3 works, a Registered Surveyor is to peg-out the property boundary along the rail corridor alignment to ensure that no works are undertaken on RailCorp land.*

### **Services Searches**

- *Prior to the issue of a Construction Certificate the Proponent shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signaling. Should rail services be identified within the subject development site the Proponent must discuss with the RailCorp as to whether these services are to be relocated or incorporated within the development site.*

### **Dilapidation Surveys**

- *Prior to the commencement of Precinct 3 of bridge widening works, prior to the issue of the Occupation Certificate for Precinct 3 and 12 months from the completion of works at Precinct 3 and the bridge widening, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp 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 will be required unless otherwise notified by RailCorp.*

### **Noise and Vibration**

- *The Proponent must incorporate the recommendations contained in the Acoustic Assessment prepared by Koikas Acoustics dated 13/12/2011 in the Construction Drawings and Specifications. The Principle Certifying Authority shall not issue the Construction Certificate until it has confirmed that the recommended measures have been indicated on the Construction Drawings and Specifications.*



### **Stray Currents and Electrolysis from Rail Operations**

- *Prior to the issue of a Construction Certificate the Proponent is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Proponent 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.*

### **Geotechnical and Structural Stability and Integrity**

- *Prior to the issue of a Construction Certificate or excavation works commencing (which ever may occur first) for Precinct 3 or bridge widening, the Proponent shall submit the following items for RailCorp approval/certification:*
  - *A final Geotechnical and Structural report that meets RailCorp's requirements. The Geotechnical and Structural Report shall also evaluate the stability of the embankment and retaining wall from future demolition, excavation and the loading and ground deformation of future buildings.*
  - *Construction methodology with details pertaining to structural support during excavation.*
  - *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 Corridor.*
  - *And if deemed necessary by RailCorp following the review of the above matters, the following:*
    - i. *Track monitoring requirements (including instrumentation and the monitoring regime) during excavation and construction phases.*
    - ii. *A rail safety plan.*
    - iii. *Any other matter in order to protect the rail corridor.*

*The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*

- *The Proponent is to be aware that RailCorp will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*

### **Building, Balconies and Window Design**

- *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 face the rail corridor in Precinct 3, the Proponent is required to install measures (eg awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor.*



*The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*

#### **Use of Lights and Reflective Materials**

- *The design, installation and use of lights, signs and reflective materials in Precinct 3, 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 RailCorp.*

*The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*

#### **Demolition, Excavation and Construction Impacts**

- *Prior to the issue of a Construction Certificate for Precinct 3 or bridge widening works a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*
- *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.*

#### **Crane and Other Aerial Operations**

- *Prior to the issuing of a Construction Certificate the Proponent is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*

#### **Drainage**

- *Given the site's location next to the rail corridor, 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 RailCorp.*
- *Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor.*



### **Physical Access to RailCorp's Facilities**

- *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 RailCorp.*

*Where the Proponent proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.*

### **Graffiti, Screening and Landscaping**

- *To ensure that graffiti can be easily removed, the Proponent is to ensure that fencing and buildings along the rail corridor is coated with anti-graffiti paint or other coating.*

### **Fencing**

- *Prior to the commencement of works appropriate fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor. Details of the type of fencing and the method of erection are to be to RailCorp's satisfaction prior to the fencing work being undertaken. RailCorp may provide supervision, at the developer's cost, for the erection of the new fencing.*

### **Adjacent Heritage Structures**

- *As the proposed development is located in close proximity of railway a 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 item in order to conserve heritage values.*

### **Scaffolding**

- *No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from RailCorp. To obtain approval the Proponent 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.*

### **Maintenance of Development**

- *The Proponent must provide a plan of how future maintenance of the Precinct 3 development and bridge widening is to be undertaken. The maintenance plan is to be submitted to RailCorp prior to the issuing of the Occupancy Certificate. The Principal Certifying Authority shall not issue an Occupation Certificate until written confirmation has been received from RailCorp advising that the maintenance plan has been prepared to its satisfaction.*



### **Requirement for the Proponent to enter into an Agreement with RailCorp**

- *Prior to the issuing of a Construction Certificate for Precinct 3 or bridge widening works the Proponent is required to enter into an Agreement with RailCorp defining the controls to be implemented in managing the access required and/or the potential impacts of the development on RailCorp, and the involvement of RailCorp staff in ensuring appropriate the appropriate safety and technical standards are complied with throughout the development.*

*The Proponent is advised that a separate Interface Agreement may also be required for the proposed bridge widening works and if required such an Agreement must be entered into either prior to the Construction Certificate or on completion of works, as advised by RailCorp.*

*The Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp advising that an Agreement has been entered into.*

### **Track Possessions and Power Outages**

- *The proposed demolition, excavation and construction works that directly abut the rail corridor need to be undertaken in a safe and controlled manner to avoid any impacts on the rail corridor or train services. As such track possessions (the stopping of trains running on adjacent tracks) and/or power outages (shutting of power to RailCorp's facilities) may be required to undertake the proposed works. The Proponent is therefore required to obtain RailCorp's written advice as to the need for track possessions and/or power outages and to comply with RailCorp's requirements that may involve, but not limited to:*
  - *The need to enter into an Agreement to enable this work to be planned and to proceed in a safe and controlled manner.*
  - *cost of supervision, design checks, meetings, approvals and service searches is to be borne by the Proponent.*
  - *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.*
  - *Appropriate level of insurance.*

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**Office of Rail Heritage Comments**

- *The overbridge is listed on the RailCorp Section 170 Register and State Heritage Register. If any changes are proposed, a Section 60 approval will be required (or minor works as an exemption).*
- *The assessment attributes 'moderate' significance to the overbridge, which is generally concur with as an element of the overall 'State' significance of Redfern Station. The structure has been altered previously, is in moderate condition, and is a 'representative' structure. It does however contribute to the existing setting of the station and the murals on this structure are noted as having social/aesthetic values - and as such its conservation should be sought as part of any proposal.*
- *The adjacent retaining walls and concrete block above are not currently on the Section 170 Register - but as the consultant notes they make the edge of the City of Sydney conservation area. The concrete block walls would appear to contribute to aesthetic/social values of place. In relation to the assessment regarding the side brick retaining wall - there are kms of this across the network, and the consultant provides no clear justification as to why this section is more significant than any other retaining wall of the period - and attributes no level of significance to it (State/Local) - only 'high' which is a methodology not used by the NSW Heritage Branch.*
- *The consultant assesses the concrete block walls as follows:  
'The murals painted on the Eveleigh Street concrete block wall and the Lawson Street Overbridge north wall were painted by the Aboriginal community as a marker to signify the entrance to The Block, an area of considerable significance to the Aboriginal people and local community. The AHC has stated the murals would be retained.'*

*However, the consultant then concludes that these parts of the wall could be removed. This issue needs further consideration or clarification.*

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