

30 JUL 2010

MARRICKVILLE
council

OUR REF: DA201000115
YOUR REF: 2010 SYE 019

2010 SYE 019

27 July 2010

Panel Secretariat
GPO Box 3415
SYDNEY NSW 2001

Dear Sir,

**359 ILLAWARRA ROAD, MARRICKVILLE
DEVELOPMENT PROPOSAL OF REGIONAL SIGNIFICANCE**

Development application (DA201000115) to demolish the existing improvements and erect a mixed use development containing approximately 663sqm of retail floor space along the Illawarra Road frontage, 17 studio units, 73 one bedroom dwellings and 90 two bedroom dwellings and two basement levels accommodating 171 vehicles, 39 bicycle spaces, ancillary storage and garbage storage rooms.

Please find enclosed revised Railcorp concurrence issued in a letter, dated 22 July 2010. The revised Railcorp concurrence deletes and amends various conditions referred to in the previous Railcorp concurrence issued in a letter, dated 8 June 2010.

Also, please note the unit number descriptions referred to in Image 32 and Image 33 on pages 60 and 61 of the assessment report are incorrect. Image 32 and Image 33 should read as follows:

- *Image 32: View montage from balcony of Unit 2/8-10 Schwebel Street, Marrickville*
- *Image 33: View montage from balcony of Unit 5/8-10 Schwebel Street, Marrickville*

If you wish to discuss the matter please contact Harjeet Atwal on 9335 2247 from Council's Development and Environmental Services Division.

Yours faithfully

J Clark

Judy Clark *JW*

Manager Development Assessment

Encl.

TRIM doc. 45829.10

Phone 02 9335 2222
Fax 02 9335 2029
TTY 02 9335 2025 (hearing impaired)
Email council@marrickville.nsw.gov.au
Website www.marrickville.nsw.gov.au

ENGLISH

IMPORTANT

This letter contains important information. If you do not understand it, please ask a relative or friend to translate it or come to Council and discuss the letter with Council's staff using the Telephone Interpreter Service.

GREEK

ΣΗΜΑΝΤΙΚΟ

Αυτή η επιστολή περιέχει σημαντικές πληροφορίες. Αν δεν τις καταλαβαίνετε, παρακαλείστε να ζητήσετε από ένα συγγενή ή φίλο να σας τις μεταφράσει ή να έλθετε στα γραφεία της Δημαρχίας και να συζητήσετε την επιστολή με προσωπικό της Δημαρχίας χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

PORTUGUESE

IMPORTANTE

Este carta contém informação importante. Se não o compreender peça a uma pessoa de família ou a um/a amigo/a para o traduzir ou venha até à Câmara Municipal (Council) para discutir o assunto através do Serviço de Intérpretes pelo Telefone (Telephone Interpreter Service).

ARABIC

هَامَّ
تحتوي هذه الرسالة معلومات هامة. فإذا لم تستوعبها يرجى أن تطلبوا من أحد أقربائكم أو أصدقائكم شرحها لكم، أو تفضلوا إلى البلدية واجلبوا الرسالة معكم لكي تناقشوها مع أحد موظفي البلدية من خلال الإستعانة بخدمة الترجمة الهاتفية.

VIETNAMESE

THÔNG TIN QUAN TRỌNG

Nội dung thư này gồm có các thông tin quan trọng. Nếu đọc không hiểu, xin quý vị nhờ thân nhân hay bạn bè dịch giúp hoặc đem đến Hội đồng Thành phố để thảo luận với nhân viên qua trung gian Dịch vụ Thông dịch qua Điện thoại.

MANDARIN

重要资料

本信写有重要资料。如果不明白，请亲友为您翻译，或到市政府来，通过电话传译服务，与市政府工作人员讨论此信。



RailCorp

RailCorp Property
PO Box K349
Haymarket NSW 1238
Tel: (02) 8922 1987
Email: jim.tsirimiagos@railcorp.nsw.gov.au

22 July 2010

The General Manager
Marrickville Council
PO Box 14
Petersham NSW 2049

ATTENTION: Harjeet Atwal

Dear Sir/Madam,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007
DEVELOPMENT APPLICATION – DA201000115
359 Illawarra Road, Marrickville**

I refer to RailCorp's letter dated 8 June 2010 granting deferred commencement concurrence for the above matter.

Following the submittal of a development application for the demolition of stairwell within RailCorp land and its approval by Council on 15 July 2010 (DA 201000248), and the submittal of revised drawing DA-1101 - Issue C (Job No.5389) on 24 June 2010, which removes the originally proposed boundary adjustment, RailCorp has re-assessed the proposal.

RailCorp now provides a revised concurrence with only one deferred commencement condition. Should Council choose to not impose the deferred commencement condition, then RailCorp's concurrence has not been granted to the proposed development.

Deferred Commencement Condition

This consent is not to operate until the Applicant has met the following conditions, within 12 months of the date of this consent, and that it has provided evidence of this compliance to both Council and RailCorp.

A1

RailCorp's current easements encumbering the development site are either to be extinguished or adjusted to RailCorp's satisfaction.

Should agreement be reached with RailCorp for either the extinguishment or adjustment of the easements then the Applicant is to submit to Council written correspondence from RailCorp of its agreement and evidence that the easements has been removed or adjusted on title in order to satisfy this condition.

RailCorp also grants its concurrence subject to the imposition of the standard conditions provided in Attachment A that will need to be complied with upon satisfaction of the above Deferred Commencement Condition.

Should you wish to discuss this matter please contact Jim Tsirimiagos on 8922 1987.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Sykes', with a stylized flourish at the end.

Kevin Sykes
General Manager Property

Attachment A

- All excavation and construction works are to be undertaken in accordance with the methodology and recommendations detailed in the Geotechnical Report prepared by Jeffery and Katauskas Pty Ltd dated 18 June 2009 and Rail Risk Assessment by Connell Wagner dated 4 August 2009 and in accordance with the submitted development application plans, subject to the following amendments.

That,

1. that the sheet pile wall option is adopted during the construction of the permanent reinforced concrete retaining wall
 2. all excavation works along rail corridor shall be supervised by an experienced geotechnical engineer.
 3. a Construction Certificate is not issued until the measures detailed in the Jeffery Katauskas and Connell Wagner reports, and RailCorp's amendments have been incorporated into the construction drawings and specifications. Prior to the commencement of works the Principle Certifying Authority shall provide verification to RailCorp that this condition has been complied with.
- 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 RailCorp's representative.
 - Prior to the issue of a Construction Certificate the applicant 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 Applicant must discuss with RailCorp as to whether these services are to be relocated or incorporated within the development site.
 - A Construction Certificate must not be issued until the demolition of the adjoining concrete stairwell approved under DA201000248 has been completed to the satisfaction of RailCorp, unless alternate arrangements have been agreed to, in writing, by RailCorp.
 - Prior to the commencement of works and prior to the issue of the Occupation Certificate, 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 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 unless otherwise notified by RailCorp.
 - An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
 - 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.

- 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, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor. The Principle Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.
- Prior to the issue of a Construction Certificate the Applicant is to provide RailCorp with a report from a qualified structural engineer demonstrating that the structural design of the development satisfies the requirements of AS5100. The Principle Certifying Authority shall not issue the Construction Certificate until it has received written confirmation from RailCorp that it has received this report and the Principle Certifying Authority has also confirmed that the measures recommended in engineers report have been indicated on the Construction Drawings.
- The Developer appears to need track possessions (the stopping of trains running on adjacent tracks) and/or power outages (shutting of power to RailCorp's facilities) to be able to undertake the proposed construction and installation work. This will require the Developer to enter into a Deed with RailCorp, enabling his work to be planned and to proceed in a safe and controlled manner. In this regard the Developer should be referred to the Rail Corridor Management Group (RCMG) for further details
- 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 RailCorp.

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

- 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 RailCorp for review and comment on the impacts on 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.
- 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.
- Prior to the issuing of a Construction Certificate the Applicant 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 Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

- *During all stages of the development, environmental legislation and regulations will be complied with.*
- *During all stages of the development extreme care shall be taken to prevent environmental harm within railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *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.*
- *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 Applicant proposes to enter the rail corridor, the Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.

- *To improve the comfort of future occupants, the landscaping and fencing in the plan should be designed to screen views of the rail tracks and reduce exposure to passing trains. Landscaping and fencing along the rail corridor shall meet RailCorp's satisfaction.*
- *The developer must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to RailCorp prior to the issuing of the Occupancy Certificate. The Principle 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.*
- *The Applicant shall provide details of any intended encroachment into RailCorp's easement or RailCorp owned lands, for review and approval by RailCorp.*

