

14 August 2018

The General Manager
Waverley Council
PO Box 9
Bondi Junction NSW 1355

Attention: Beth Matlawski

Dear Sir/Madam,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007
DEVELOPMENT APPLICATION – 482/2017
59-75 Grafton Street, Bondi Junction**

I refer to Council's letter dated requesting RailCorp's concurrence for the above development application in accordance with clause 86(1) of the above SEPP.

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.

As such, Sydney Trains now advises that the proposed development has been more fully assessed with all the submissions received in response to development application 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 decided to grant its concurrence to the development proposed in development application 482/2017 subject to Council imposing the conditions listed in Attachment A.

Should Council choose not to impose the conditions provided in Attachment A (as written), then concurrence from Sydney Trains has not been granted to the proposed development.

In the event that this development proposal is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. Sydney Trains therefore requests that Council comply with this requirements should such an event occur.

Please contact Mr Jim Tsirimiagos on 8575 0780 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,

Dana Stankovic
A/Executive Manager
Commercial Property

Attachment A

A1. *Prior to the issuing of a Construction Certificate the Applicant shall prepare and provide to Sydney Trains for approval/certification the following items:*

- *Final Geotechnical and Structural report/drawings that meet Sydney Trains requirements, as follows (but not limited to):*
 - *Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.*
 - *Cross sectional drawings showing the tunnel easement, tunnel location, 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. These drawings shall also show the rain tunnel and the stratum lot located within Hegarty Lane.*
 - *Drawings to include 1st and 2nd tunnel protection zones especially on all section drawings.*
- *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, easements or stratum lots (including the stratum lot located within Hegarty Lane).*
- *Demolition plans including ground vibrations that are required to ensure that there are no adverse effects on rail tunnels, its operation and associated structures.*
- *Dilapidation survey report of the existing tunnel condition.*
- *Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement/stratum lot and tunnel location.*
- *Clarification as to reasons why the analysis has been carried out using elastic parameters as elastic material will not fail and show yielding if occurring because of additional pressure due to ten storey building load.*
- *Provision of justification and reference of using 32.8 MPa modulus to simulate lining behaviour. Considering the age of rail tunnels that are about 45 years, Sydney Trains considers that long term modulus including creep effect should be used.*
- *Clarification as to whether numerical modelling has accounted for existing conditions of tunnel lining including defects such as crack, drainage conditions and support conditions determined by dilapidation survey as per cl 8.2 of ASA standard T HR CI 12051 ST.*

- *Provision of sensitivity analysis as per cl 8.3.2 of ASA standard T HR CI 12051 ST to ensure the predictions are not adversely affected by reasonable variations in input parameters and different conditions that can occur during all stages of construction activities.*
- *Numerical modelling to be revised to include geological features like bedding plane and typical joints used for Sydney sandstone to verify if the estimated predictions are not under estimated.*
- *The ESP drawings show rock bolts are present around the shoulder but have not been incorporated in the model as displacements are around 6mm. Clarification is required as to what happens if using lower bound parameters for sensitivity checks and displacements exceeds 10mm where rock bolts are present as per cl 9.1.3 of ASA standard T HR CL 12051 ST*
- *Vibration monitoring plan is to be provided that includes instrumentation and monitoring drawings including trigger levels, action plans and remedial measures.*
- *Details of all craneage and other aerial operations (and their anticipated loadings on the rail tunnels) for the development. These must comply with all Sydney Trains requirements.*

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

- A2. *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 Sydney Trains property, easements or stratum lot. 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*
- A3. *Prior to the issue of a Construction Certificate the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group 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.*

- A4. *Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group 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.*
- A5. *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.*
- A6. *No rock anchors/bolts are to be installed into RailCorp's property or stratum lot within Hegarty Lane.*
- A7. *Extreme care is to be undertaken during excavation and construction to prevent water from collecting on or adjacent to tunnels and to ensure that the water proofing of the tunnels is not damaged.*
- A8. *Unless advised by Sydney Trains in writing, the effect of construction induced settlement due to groundwater drawdown (potentially leading to track settlement) is to be avoided at all times.*
- A9. *The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:*
- *Machinery to be used during excavation/construction.*
 - *If required by Sydney Trains, a rail safety plan including instrumentation and the monitoring regime.*

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.

- A10. *Prior to the issuing of a Construction Certificate or the commencement of works (whichever occurs first) the Applicant shall liaise with Sydney Trains to ascertain the need to enter into an Agreement for the proposed works with Sydney Trains and RailCorp. If deemed necessary by Sydney Trains the Applicant is to bear all Sydney Trains' and RailCorp's costs of entry into any Agreement required by these conditions. 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.*

- A11. Sydney Trains, Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled 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 these conditions of 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.
- A12. Prior to the commencement of works and 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 submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
- A13. Prior to the commencement of works, the Applicant shall peg-out the common boundary with the rail corridor and/or rail easement/stratum lot to ensure that there is no encroachment. This work is to be undertaken by a registered surveyor.
- A14. 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". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
- A15. 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.
- A16. 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 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.

A17. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.

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