

13 August 2019

The General Manager  
City of Parramatta  
Email: [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au)  
Cc: [amcdougall@cityofparramatta.nsw.gov.au](mailto:amcdougall@cityofparramatta.nsw.gov.au)

Attention: Alex McDougall

Dear Sir/Madam

**State Environmental Planning Policy (Infrastructure) 2007  
Sydney Metro Northwest – 48-54 Beecroft Rd, 49-53 Beecroft Rd and 52-54 Rawson  
St Epping  
(DA 61/2018)**

Thank you for your letter dated 19 February 2019 providing additional information in response to the Sydney Trains letter requesting further information for Development Application DA 61/2018 in accordance with Clause 86 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

Transport for NSW (TfNSW) has delegated its rail authority functions in relation to the Sydney Metro Northwest rail corridor to Sydney Metro. Therefore, Sydney Metro is the relevant rail authority for the Sydney Metro Northwest rail corridor for the purpose of the ISEPP.

Sydney Metro has reviewed the DA documents and the additional information provided in response to the request for further information from Sydney Trains that was attached to Council's letter of 19 February 2019.

Sydney Metro has assessed the development proposed by the DA in accordance with the requirements of Clause 86(4) of the ISEPP. In this regard, Sydney Metro has taken into account:

- (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.

Sydney Metro has taken the above matters into consideration and has decided to grant its concurrence to the development proposed in the DA, subject to the consent authority

imposing the conditions listed in Attachment A.

Should the consent authority determine not to impose the conditions in Attachment A in the form provided, then concurrence from Sydney Metro has not been granted to the DA. The consent authority is also advised that Sydney Metro's concurrence is not to be amended, replaced or superseded by any concurrence issued by any other authority, without further agreement from Sydney Metro.

If at any point, the DA is amended prior to the consent authority's determination, please ensure that the amended DA and any new or amended supporting documents are provided to Sydney Metro for further assessment. Any amendments to the DA may alter the impacts of the proposed development on the Sydney Metro Northwest rail corridor assessed by Sydney Metro, so Sydney Metro may need to vary (or revoke) its concurrence.

Sydney Metro would be grateful if a copy of the Notice of Determination and any conditions of consent for the DA are forwarded to Sydney Metro should the consent authority determine to grant consent to the DA.

In the event that the proposed development is the subject of a Land and Environment Court appeal, the consent authority's attention is also drawn to Section 8.12 of the *Environmental Planning and Assessment Act 1979* which requires the consent authority to give notice of that appeal to a concurrence authority.

Finally, it appears the DA may also have impacts on the existing rail corridor, which is not the responsibility of Sydney Metro. Sydney Trains is the relevant rail authority for the existing rail corridor and will respond separately with comments or concurrence, as applicable.

Sydney Metro thanks Council for its assistance.

Should you have any questions or require additional information, please contact Peter Bourke, Senior Manager, Corridor Protection on (02) 8265 6015 or Denise Thornton, Corridor Protection Co-ordinator on (02) 8265 9658 or via email [SydneyMetroCorridorProtection@transport.nsw.gov.au](mailto:SydneyMetroCorridorProtection@transport.nsw.gov.au)

Yours sincerely



**Stuart Hodgson**

A/Director Environment Sustainability and Planning

## Attachment A

### 1 Prior to issue of a Construction Certificate

#### Engineering

- 1.1 All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:
- (a) Report on Numerical Modelling and Impact Assessment Proposed High-Rise Development 48-54 Beecroft Road and 52-54 Rawson Street, Epping Revision 0 prepared by Douglas Partners dated 12 February 2019
  - (b) Report on Geotechnical Investigation, Proposed Residential Development 48 to 54 Beecroft Road and 52 to 54 Rawson St Epping Revision 0 prepared by Douglas Partners dated 6 July 2018.
  - (c) Engineering Report for the proposed Epping Tower located at 48-54 Beecroft Road prepared by Bornhorst + Ward Consulting Engineers dated July 2019.
  - (d) Shoring Early Works Sheet 1 – SK-S0151 Revision G prepared by Bornhorst + Ward Consulting Engineers dated 12 July 2019.
  - (e) Shoring Early Works Sheet 2 – SK-S0152 Revision E prepared by Bornhorst + Ward Consulting Engineers dated 12 June 2019.
  - (f) Shoring Early Works Sheet 3 – SK-S0153 Revision A prepared by Bornhorst + Ward Consulting Engineers dated 12 June 2019.
  - (g) Shoring Early Works Sheet 4 – SK-S0154 Revision A prepared by Bornhorst + Ward Consulting Engineers dated 12 June 2019.
  - (h) Shoring Early Works Sheet 5 – SK-S0155 Revision A prepared by Bornhorst + Ward Consulting Engineers dated 12 June 2019.
  - (i) Side walls shear reactions calculations prepared by Bornhorst + Ward Consulting Engineers dated 5 August 2019.
  - (j) Survey Plan Version H – Plan showing railway property location Lots 1&2 in DP541808, Lots 3 & 4 in DP541960, Lot 1 DP592094, Lot A DP325036 and Lot 2 DP592094: 52-54 Rawson and 48-54 Beecroft Rd Epping – prepared by RHCO Richard Hogan and Co Surveying and Development Consultants.
  - (k) Memo – Response to Sydney Metro re modelling consistency with final shoring design prepared by Douglas Partners dated 31 July 2019.
  - (l) Memo – Response to Sydney Metro re bedding planes 48-52 Beecroft Road and 52-54 Rawson St Epping prepared by Douglas Partners dated 25 March 2019.
- subject to any amendments to those documents required by Sydney Metro in accordance with this consent.
- 1.2 The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from the Certifier confirming which

documents (including the versions of those documents) apply to the development and the Certifier has confirmed that the construction drawings and specifications comply with those documents.

- 1.3 The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro and Sydney Metro has provided written approval of the following items:
- (a) A Final Excavation Staging Plan.
  - (b) Final construction drawings for the Construction Certificate.
  - (c) Monitoring plan addressing the following:
    - (i) The location of monitoring equipment
    - (ii) a hold point shall be added for the review of survey results and proposed action levels by the Civil Maintenance Engineer prior to commencement of works; and
    - (iii) nomination of a competent track person.

#### **Rail Corridor**

- 1.4 All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Sydney Metro Northwest rail corridor or rail operations. Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Sydney Metro Northwest rail corridor or rail operations, that part of the development must have a minimum design life of 120 years.

#### **Survey**

- 1.5 Prior to the issue of a Construction Certificate, the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.

#### **Noise & Vibration**

- 1.6 The development must:
- (a) *comply with State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Technical Guidelines (available from [www.sydneymetro.info](http://www.sydneymetro.info));*
  - (b) *be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne*

*noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and*

- (c) *not have any noise or vibration impacts on the rail corridor or rail infrastructure.*

1.7 The Applicant must:

- (a) *prepare a noise and vibration (acoustic) assessment report which confirms compliance with each of the matters outlined in condition 1.4; and*
- (b) *incorporate as part of the development all the measures recommended in the noise and vibration (acoustic) assessment report.*

A copy of the noise and vibration (acoustic) assessment report is to be provided to the Certifier and Council prior to a Construction Certificate being issued by the Certifier. The Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development.

### **Electrolysis**

- 1.8 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 electrolysis report to control that risk. A copy of the electrolysis report is to be provided to the Certifier with the application for a Construction Certificate. Prior to issuing a Construction Certificate for the development, the Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation.

### **Construction**

- 1.9 No work is permitted within the rail corridor, or any easements which benefit Sydney Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 1.10 No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, earthing or lightning protection rods are to be installed in the rail corridor, Sydney Metro property or easements, unless the Applicant has obtained prior written consent from Sydney Metro. The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.
- 1.11 Prior to the issuing of a Construction Certificate, the following information must be submitted to Sydney Metro for review and endorsement:
  - (a) Machinery to be used during excavation/construction.
  - (b) Demolition, excavation and construction methodology and staging.

The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.

- 1.12 If required by Sydney Metro, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 1.13 If required by Sydney Metro, a tunnel monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Metro for review and endorsement prior to the issuing of a Construction Certificate. The Certifier must not issue a Construction Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 1.14 Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements. If required by Sydney Metro the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Metro requirements. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied.
- 1.15 Prior to the issue of a Construction Certificate, the Applicant must prepare and provide to Sydney Metro for review and endorsement a hydrologic assessment report demonstrating that any dewatering during construction will not have any adverse settlement impacts on the rail corridor. The Certifier must not issue a Construction Certificate until this report has been endorsed by Sydney Metro in writing.

### **Drainage**

- 1.16 The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the railway corridor unless prior written approval has been obtained from Sydney Metro. The Certifier must not issue a Construction Certificate or Occupation Certificate for the development unless this condition has been satisfied.

### **Documentation**

- 1.17 Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Construction Certificate.

## **2 During construction**

### **Supervision**

- 2.1 Unless advised by Sydney Metro 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.

### **Consultation**

- 2.2 The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro 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 Metro;*
  - (b) *acts as the authorised representative of the Applicant; and*
  - (c) *is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.*
- 2.3 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 Metro 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 Metro in relation to the works.
- 2.4 Where a condition of consent requires consultation with Sydney Metro, the Applicant shall forward all requests and/or documentation to the relevant Sydney Metro corridor protection team which can be contacted via email at [SydneyMetroCorridorProtection@transport.nsw.gov.au](mailto:SydneyMetroCorridorProtection@transport.nsw.gov.au)

### **Contamination**

Prior to the issue of a Construction Certificate, the Applicant shall provide a Contamination Assessment Report to Sydney Metro for review. Any contamination identified which is migrating (or at risk of migration) from the development site into the rail corridor shall be remediated by the Applicant to the satisfaction of Sydney Metro prior to the construction of the project and a Validation Report provided to Sydney Metro for endorsement following any remediation works. The Certifier must not issue an Occupation Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

### **Drainage**

- 2.5 The Applicant must not allow any person to do any act or thing which allows stormwater, surface run off or drainage to pass over, through or under the development site onto the railway corridor.
- 2.6 The Applicant must ensure that all existing and future drainage works on the development site will be directed into the appropriate local council or approved drainage system.
- 2.7 The Applicant must ensure that during works no water collects on or near the railway corridor. Should water be allowed to pond adjacent to rail infrastructure



facilities and service is interrupted, the Applicant shall be liable for any Sydney Metro expenditure involved with restoring or maintaining alternative services.

- 2.8 Rainwater from the roof of the development must not be projected and/or fall into the rail corridor and must be piped down the face of the building which faces the rail corridor.

### **Inspections**

- 2.9 If required by Sydney Metro the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:
- (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 Metro has notified to the Applicant in writing*
- so that Sydney Metro may inspect the carrying out or completion of those works on the development site.*
- 2.10 If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.

## **3 Prior to the issue of an Occupation Certificate**

### **Noise and Vibration**

- 3.1 Prior to the issue of an Occupation Certificate, a noise and vibration (acoustic) assessment report must be prepared and submitted to the Certifying Authority, Council and Sydney Metro certifying that the completed development meets the requirements of:
- (a) State Environmental Planning Policy (Infrastructure) 2007;



- (b) the Department of Planning, Infrastructure and Environment's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines"; and
- (c) any other noise and vibration requirements imposed by this consent.

The acoustic report must demonstrate testing of external and internal noise levels for the completed development and ensure that external noise levels are representative of the typical maximum levels that may occur at the development and internal noise levels meet the required dB(A) levels. The report must also detail any works and corrective measures that were required to be undertaken to comply with this condition.

### **Documentation**

- 3.2 Prior to the issue of an Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The Certifier must not issue an Occupation Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 3.3 Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of an Occupation Certificate.

### **Inspections**

- 3.4 If required by Sydney Metro, prior to the issue of an Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey will establish the extent of any existing damage and enable any deterioration during operation of the development to be observed. The Certifier is not to issue an Occupation Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 3.5 At any time during the use and occupation of the development, Sydney Metro may also require a joint inspection of the rail infrastructure and property in the vicinity of the development by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. Any such dilapidation survey will establish the extent of any damage or deterioration during operation of the development to be observed and rectified at the Applicant's cost.

## **4 General**

### **Other**

- 4.1 Any conditions or other requirements imposed by Sydney Metro as part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with

by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).

- 4.2 Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not 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 by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.