



Service Manager  
Development Assessment Services  
City of Parramatta  
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PARRAMATTA NSW 2124

Email: council@cityofparramatta.nsw.gov.au

**Attention:** Claire Stephens

Dear Sir/Madam

**Development Application - 163-165 George Street, Parramatta (DA/469/2018)**

I am writing to you concerning the above development application referred to Transport for NSW (TfNSW) on the 11 April 2019. The application is referred pursuant to the provisions of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP).

The proposed development is located within 25m of the Parramatta Light Rail and includes excavation deeper than 2m, which requires concurrence from TfNSW in accordance with Clause 86 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP). Clause 86 of the ISEPP requires TfNSW to take into consideration:

- (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

TfNSW has undertaken an assessment of the information provided in accordance with the provisions outlined in the ISEPP and has decided to grant concurrence to the subject development. This concurrence is subject to Council imposing the operational conditions provided in **TAB A**.

Should Council choose not to impose the conditions provided in **TAB A**, then concurrence from TfNSW has not been granted to the proposed development.

Council is also advised that the TfNSW concurrence is not to be amended, replaced or superseded by any concurrence issued by any other rail authority, without further agreement from TfNSW.

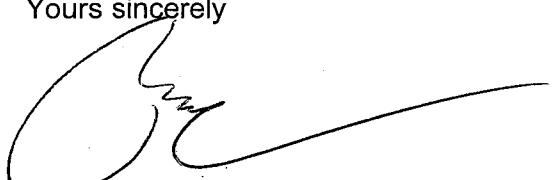
If at any point the DA is amended prior to Council's determination, Council should consider whether the amended DA and any new or amended supporting documents should be referred to TfNSW again for further assessment.

TfNSW requests that a copy of the Notice of Determination and any conditions of consent for the DA be forwarded to TfNSW should Council determine to grant consent to the DA

In the event that the proposed development is the subject of a Land and Environment Court appeal, Council's attention is also 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.

If you have any further questions, Mr Lee Farrell, Corridor Coordinator, would be pleased to take your call on (02) 8922 0877. I hope this has been of assistance.

Yours sincerely



Geoff Cahill  
Director 21/10/19  
Corridor Preservation

Objective Reference: CD19/03169

## **TAB A – Operational Conditions of Consent for DA/469/2018**

### **General Conditions**

- 1) The applicant must comply with all Parramatta Light Rail or any subsequent operator of Parramatta Light Rail (Parramatta Light Rail Operator) policies, rules and procedures when working in and about the Parramatta Light Rail corridor;
- 2) The applicant must comply with the requirements of T HR CI 12080 ST External Developments version 1.0 and *Development Near Rail Corridors and Busy Roads - Interim Guidelines*;
- 3) Activities of the applicant must not affect and/or restrict Parramatta Light Rail operations without prior written agreement between the applicant, Transport for NSW (TfNSW), and the Parramatta Light Rail Operator, and it is a condition precedent that such written agreement must be obtained no later than two (2) months prior to the activity. Any requests for agreement are to include as a minimum the proposed duration, location, scope of works, and other information as required by the Parramatta Light Rail Operator;
- 4) The applicant must apply to Parramatta Light Rail Operator for any required network shutdowns four (4) months prior to each individual required network shutdown event. Each request for network shutdown must include as a minimum the proposed shutdown dates, duration, location, scope of works, and other information as required by the Parramatta Light Rail Operator. It is likely in the first two (2) years there will not be a light rail shutdown for maintenance purposes. The Parramatta Light Rail Operator may grant or refuse a request for network shutdown at its discretion;
- 5) The applicant shall provide safe and unimpeded access for Parramatta Light Rail patrons traversing to and from the Parramatta Light Rail stops at all times;
- 6) TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought;
- 7) All TfNSW and Parramatta Light Rail Operator's costs associated with review of plans, designs and legal must be borne by the applicant; and

### **Construction Certificate**

The Principal Certifying Authority (PCA) shall not issue the relevant Construction Certificate until written confirmation has been received from TfNSW confirming that the following conditions have been satisfied.

### Acoustic Assessment

- 8) The final acoustic assessment is to be submitted to the PCA prior to the issue of the relevant Construction Certificate demonstrating how the proposed development, if applicable, will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.

## Electrolysis Assessment

- 9) Prior to any works commencing or the issuing of any 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 PCA with the application for the relevant Construction Certificate.

## Lighting

- 10) 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 TfNSW. The PCA shall not issue the relevant Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

## Insurance

- 11) Prior to the issuing of any Construction Certificates or any works commencing, the applicant must hold current public liability insurance cover for a sum to be determined by TfNSW. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The applicant is to contact TfNSW to obtain the level of insurance required for this particular proposal. Prior to issuing the relevant Construction Certificate the PCA must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.

## Interference with Rail Operations

- 12) Prior to any works commencing or any Construction Certificate being issued, the applicant shall enter into an Interface Agreement(s) with the appropriate rail authority (TfNSW, and if appropriate, the light rail operator). The Interface Agreement(s) shall address any applicable matters including, but not limited to:
  - a. Pre and post construction dilapidation reports;
  - b. TfNSW costs associated with review of plans and designs;
  - c. The need for track possessions;
  - d. Review of the machinery to be used during excavation/ground penetration / construction works;
  - e. The need for track monitoring;
  - f. Design and installation of lights, signs and reflective material;
  - g. Access by representatives of TfNSW to the site of the approved development and all structures on that site;
  - h. Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);
  - i. Endorsement of plans regarding proposed craneage and other aerial operations;
  - j. Erection of scaffolding/hoarding;
  - k. Light Rail Operator's rules and procedures;
  - l. Alteration of rail assets such as the OHW along track and associated hoarding demarcation system, if undertaken by the applicant; and
  - m. Details of balconies/window openings.

The PCA is not to issue the relevant Construction Certificate until written confirmation from TfNSW has been received confirming that this condition has been complied with.

### Consultation Regime

- 13) Prior to any excavation or the issuing of any Construction Certificate, a detailed regime is to be prepared for consultation with and approval by, TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.

### Protection of TfNSW Infrastructure

- 14) Prior to the issuing of any Construction Certificate, the applicant is to liaise with TfNSW to ascertain its requirements in relation to the protection of TfNSW's infrastructure. The applicant is to submit to TfNSW all relevant documentation as requested by TfNSW and obtain TfNSW's written endorsement.

### **General Conditions**

#### Relocation of TfNSW Services/Infrastructure

- 15) The relocation of any TfNSW services or infrastructure is to be at the applicants cost and to TfNSW Requirements and Standards.

