

Brad Roeleven
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2001

Dear Mr. Roeleven

**Development Application for 85-97 Macquarie Street, Parramatta
(DA/638/2019)**

Thank you for requesting Transport for NSW (TfNSW) review and comment on the subject matter via NSW Planning Portal (CNR-2542) on 8 May 2020. It is noted that TfNSW has provided a submission (Our Reference: SYD19/01471/4) to the subject application in accordance with Clause 101 of the *State Environmental Planning Policy (Infrastructure) 2007* and concurrence under Section 138 of the *Roads Act, 1993*.

TfNSW raised a request for additional information on 15 November 2019. It is noted that additional information has been uploaded to the NSW Planning Portal on 14 May 2020 in response to the request. Further information has also been provided by the applicant via email correspondences on 16 and 19 June 2020.

Protection of Parramatta Light Rail

The proposed works involve penetration of ground to a depth of at least 2m below ground level (existing) on land within 25m from Macquarie Street where the PLR will operate in the future. In light of the above, it is considered that concurrence from TfNSW is required 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 by the applicant in accordance with the provisions outlined in the ISEPP and has decided to grant concurrence to the development proposed in development application DA/638/2019, subject to Council imposing the 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 (DA/638/2019).

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. TfNSW therefore requests that Council comply with these requirements should such an event occur.

If you require further clarification regarding this matter, please don't hesitate to contact Mark Ozinga, Principal Manager Land Use Planning and Development on 0439 489 298.

Yours sincerely



Geoff Cahill
Director, Corridor Preservation
Customer Strategy and Technology 1/7/20

CD19/09042

TAB A – Required Conditions of Consent – Protection of TfNSW Infrastructure and Light Rail Operations

General Conditions

- The applicant must comply with all the operator of Parramatta Light Rail policies, rules and procedures when working in and about the Parramatta Light Rail corridor;
- 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;
- 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;
- The applicant must apply to the 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. Parramatta Light Rail Operator and TfNSW may grant or refuse a request for network shutdown at its discretion;
- 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;
- The relocation of any TfNSW services or infrastructure must only be undertaken with prior consent from TfNSW and to TfNSW Requirements and Standards. The works must be designed and undertaken by Authorised Engineering Organisations (AEO) at the applicant's cost;
- All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW;
- 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; and
- All TfNSW and Parramatta Light Rail Operator's costs associated with review of plans, designs and legal must be borne by the applicant.

Prior to the issue of the Construction Certificate

- Prior to the issue of any construction certificate involving works of penetration of ground to a depth of at least 2m below ground level (existing) on land in, above or adjacent to (within 25m measured horizontally) the relevant rail corridor, the applicant shall consult with TfNSW regarding the relevant documentation to be submitted to TfNSW and obtain written endorsement from TfNSW for the relevant construction stage. A summary report for the relevant construction stage shall also be provided to TfNSW to demonstrate that the submitted documentation has satisfied the relevant conditions.

The Principal Certifying Authority (PCA) is not to issue the relevant Construction Certificate

until receiving written confirmation from TfNSW that the relevant conditions have been complied with.

- Prior to issue of the first construction certificate, the applicant shall provide the following to TfNSW for review and endorsement:
 - Final geotechnical and structural report / drawings. Geotechnical reports should include any potential impact on the light rail corridor easement and substratum, and include consideration for a Finite Element analysis and any potential dewatering;
 - Final construction methodology, including any staging of the works, with construction details pertaining to structural support during excavation or ground penetration;
 - 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. Cross sectional drawings should also include the accurate RL depths and horizontal distances from assets (tracks, overhead lines, structures and cables) to the nearest point of excavation or ground penetration works. All measurements are to be verified by a Registered Surveyor;
 - Details of the vibration and movement monitoring system that will be in place before excavation commences; and
 - Detailed survey plan.
- Prior to the issue of the relevant Construction Certificate, the applicant shall 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.
- Prior to the issue of the relevant 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 an impact on rail services and signalling. In the event rail services are identified within the subject development site or within close proximity to the development site, the applicant must discuss with TfNSW as to whether these services could be affected by the works proposed or if they are to be relocated or incorporated within the site.
- Prior to the issue of the relevant Construction Certificate, the applicant shall provide an engineering drawing which illustrates the delineation of the Parramatta Light Rail Corridor located adjacent to the subject development site in relation to the work site;
- Prior to the issue of the relevant Construction Certificate, a pre-construction work Dilapidation Report of the Parramatta Light Rail and its assets shall be prepared by qualified engineers. The dilapidation survey shall be undertaken via a joint site inspection by the representatives of the Parramatta Light Rail Operator, TfNSW and the applicant. These dilapidation surveys will establish the extent of existing damage and enable any deterioration during construction to be observed;
- Prior to the issue of the relevant Construction Certificate, the final acoustic assessment is to be submitted to the PCA demonstrating how the proposed development 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;
- Prior to the issue of the relevant Construction Certificate, the applicant is to engage an Electrolysis Consultant 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;

- Prior to the issue of the relevant Construction Certificate, the applicant shall design lighting, signs and surfaces with reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor limiting glare and reflectivity to the satisfaction of TfNSW and the Parramatta Light Rail Operator;
- Prior to the issue of the relevant 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; and
- Prior to the issue of the relevant Construction Certificate, the applicant must hold current public liability insurance cover for a sum acceptable to 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.

During Construction

- All piling and excavation works are to be supervised by a geotechnical engineer experienced with such excavation projects;
- No rock anchors/bolts (temporary or permanent) are to be installed into TfNSW's property or easements and the light rail corridor without prior written consent;
- No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation;
- Rainwater from the roof must not be projected and/or falling into the rail corridor/assets and must be piped down the face of the building which faces the rail corridor. Given the site's location next to the rail property, 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 TfNSW and the Parramatta Light Rail Operator (or the delegated authority); and
- No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Parramatta Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the applicant 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.

Prior to the issue of the Occupation Certificate

- The final dilapidation survey shall be undertaken via a joint inspection with representatives from TfNSW, the Parramatta Light Rail Operator and the applicant. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. 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 to TfNSW and the Parramatta Light Rail Operator will be required unless otherwise notified by TfNSW. The final occupation certificate shall not be issued until written

confirmation has been received from TfNSW confirming their satisfaction with the dilapidation survey and/or rectification of any damage; and

- Prior to the issue of the Occupation Certificate, the applicant shall demonstrate that lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor were installed limiting glare and reflectivity to the satisfaction of TfNSW and the Parramatta Light Rail Operator.