

Date of report	20 December 2022	
Address	277-291 Anzac Parade, Kingsford	
Applicant's name	Bates Smart	
Date of meeting	12 December 2022	
Panel members	Alex Koll, Jonathan Knapp, Tom Rivard	
Council staff	Ferdinando Macri, Terry Papaioannou, Scott Cox	
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#### INTRODUCTION

Attached is a copy of the minutes relating to this Design Excellence Advisory Panel meeting.

The Panel's comments are intended to assist Council in their design consideration of an application against the SEPP 65 or/and Design Excellence principles. The absence of a comment under a head of consideration does not imply that particular matter to be satisfactorily addressed, more likely the changes are suggested elsewhere to generate a desirable change.

#### Note:

The Design Excellence Advisory Panel is appointed by Randwick Council. The Panel's written and verbal comments are their professional opinions and constitute expert design quality advice to Randwick Council, the architect and the applicant.

- 1. To address the Panel's comments, the applicant may need to submit amended plans. **Prior to preparing any amended plans or attending additional Panel presentations, the applicant** <u>MUST</u> discuss the Panel's comments and any other matter that may require amendment with Council's assessing Planning Officer.
- 2. When addressing the Panel's comments by way of amendments, if the applicant does not propose to address all or the bulk of the Panel's comments, and wishes to make minor amendments only, then it should be taken that the Panel considers the proposal does not meet the SEPP 65 requirements or Design Excellence Principles. In these instances, it is unlikely the scheme will be referred back to the Panel for further review.



# **PANEL Comments**

[NB. The panel has previously reviewed this project and provided written comments. Administrative error on the proponent team resulted in the architects not receiving the written feedback; as a consequence, they did not directly respond to the most significant of the prior comments. Most of the comments offered below restate those in the previous report.]

The subject site is located on Anzac Parade, at the corner of Strachan Street, in the Kensington to Kingsford RDCP. The third street frontage is Houston Lane to the west. The proposal is for an 18-storey tower integrated into a three-storey podium that incorporates a fragment of the original brick and tile façade of the existing buildings on the site. A single basement level contains service spaces for retail and housing, and storage for the housing component. Programmatically, the ground floor and part of the first floor are dedicated to retail or commercial space and servicing; the remainder of the building comprises student housing, with associated communal spaces and facilities.

# 1. Context and Neighbourhood Character

Active frontages are required to Anzac Parade, Strachan Street and preferred at Houston Lane. This has been achieved for the most part, but the treatment to Houston Lane and the corner of Houston and Strachan Street remains problematic. This street face is made up of plant room spaces, loading dock entry, fire stair, substation and a tiny planter area within a recess that is not a viable location for live planting.

Given the prominence of this corner, and its relationship to the common spaces of the complex directly above, a visible connection from ground level to the public spaces of the student housing should be explored. Any planting would be better incorporated into an open corner with visible circulation or program.

# 2. Built Form and Scale

The height and bulk of the built form are generally acceptable, as discussed above.

# 3. Density

The proposal results in an increase in residential density for this well-serviced area.

#### 4. Sustainability

Given the total site coverage, all rainwater falling on the site should be harvested, stored, treated and actively re-used. As per previous comments, and given the attention and detail dedicated to façade design and development by the design team, the main façade fronting the internal courtyard should be developed as a vertical rain collector, feeding water into the gardens and planting elements within the courtyard.

#### 5. Landscape

The landscape plan attached to the proposal is not of the same quality as the architectural package presented – a much more developed design submission needs to accompany the proposal. Beyond the documentation, a much more progressive approach to landscape should be adopted, which considers the artificiality of the level one space, and the



verticality possible in this building type and its designated envelope. The publicly inaccessible rooftop areas on levels three and eighteen do not contribute to the environmental performance of the project nor do they add to the amenity or activation of what are expected to be highly-used common areas throughout the project. They are simply included as "green" spaces on plan to achieve the semblance of compliance with landscape requirements – they will be neither viable landscapes nor contribute to the amenity of the building's spaces, private or public.

Instead, the Panel feels that the required areas should be deployed productively, and creatively, to enhance the quality, atmosphere and interactivity of the common spaces in the building. Consideration should be given to vertical planting, green screens and inhabitable productive gardens integrated into the architecture of the building and incorporated within its habitable spaces. The scheme is resolutely one of built form, suggesting that the internal space is a courtyard garden denies the potential robust urbanity of what this central space could become.

# 6. Amenity

The principal opportunity for improvement in this design is on the ground floor [refer to Context and Neighbourhood Character above], and the under-performing roof-planes [refer to Landscape above].

With such a high population and density proposed, it is crucial that the communal areas, including the ground floor lobby, circulation areas and associated service spaces are spacious and inviting. The rubbish room occupies valuable ground floor space directly adjacent to the entry foyer, while all bicycle parking is confined to the basement, requiring access to and from this area via the passenger lifts. The bicycle parking should not be considered as inaccessible storage, but rather a dynamic and active part of the public spaces – part of this could take the place of the rubbish room, and be open directly to the lobby, making cycling movement as integral as pedestrian movement. Though challenging when aiming for such intensive site coverage, some provision should be made for undercover visitor bike parking at street level.

# 7. Safety

No safety issues identified.

# 8. Housing Diversity and Social Interaction

The network of common spaces allows ample opportunity for activation and interaction. The operational connection between student housing and the space noted as a potential gym is not clear, though this may be a product of leasing uncertainties.

# 9. Aesthetics Architectural Design, Materials and Detailing

The scheme overall is skillfully managed and composed. As much design attention needs to be paid to the internal facades of the upper-level courtyard, incorporating more viable landscapes beyond ground level planters.



## SUMMARY AND RECOMMENDATIONS

As discussed, the Panel feels that there is some opportunity to be had in de-emphasising ground floor servicing, and instead focusing on the transparency and activation of the building, including the ground floor, its connection to light and air and the central space, and this space's extension and connection to the upper levels of the building. The upper-level common spaces could be reinforced by innovative landscape and planting solutions - These changes would celebrate the dense vertical urbanity of this building type, and reinforce its density, verticality interactivity and potential urban dynamism.



TELEPHONE: 13 13 65 EMAIL: development@ausgrid.com.au

# This letter is Ausgrid's response under clause45(2) of the State Environmental Planning Policy (Infrastructure) 2007.

Ausgrid does not object to the proposed development.

The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets.

# Ausgrid Underground Cables are in the vicinity of the development

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD).

In addition to DBYD the proponent should refer to the following documents to support safety in design and construction:

SafeWork Australia – Excavation Code of Practice.

Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

The following points should also be taken into consideration.

Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

24-28 Campbell St Sydney NSW 2000 All mail to GPO Box 4009 Sydney NSW 2001 T +61 2 13 13 65 ausgrid.com.au

# Ausgrid Overhead Powerlines are in the vicinity of the development

The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

Should you have any enquiries, please contact Ausgrid at development@ausgrid.com.au

Regards, Ausgrid Development Team



# **Australian Government**

# Department of Infrastructure, Transport, Regional Development, Communications and the Arts

#### *File reference: F22/1157-20*

ТО	CC	FROM
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#### **DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996**

Proposed Activity:	Construction of a building	
Location:	277-291 Anzac Parade, Kingsford NSW	
Coordinates:	E 336046; N 6245166.919 (MGA 94)	
Proponent:	Strategic Airspace for Iglu No. 215 Pty Ltd ATF Iglu Property Trust No. 215	

I refer to the application from Strategic Airspace for Iglu No. 215 Pty Ltd ATF Iglu Property Trust No. 215 (the Proponent), received by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) on 9 September 2022 from Sydney Airport Corporation Limited (SACL). This application (SACL Ref: 22/0669) sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 277-291 Anzac Parade, Kingsford NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Sydney Airport.

Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport'.

The Inner Horizontal Surface of the OLS above this site is at a height of 51 metres AHD and hence prescribed airspace above the site commences at 51 metres AHD. At a maximum height of 87.95 metres AHD, the building will penetrate the OLS by 36.95 metres AHD.

Accordingly, the construction of the building constitutes a 'controlled activity' under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1. Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Sydney Airport.

Activity	Coordinates (MGA 94)	Maximum height	Penetration of
		(AHD)	prescribed airspace
Building	E 336046; N 6245166.919	87.95 metres	36.95 metres

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary's Delegate for the purposes of the Regulations.

#### Decision

As you may be aware, the Secretary is required under regulation 15(1AB) of the Regulations to make a decision about the proposal within 28 days of receiving the application. Due to the time taken to receive the opinion of Airservices Australia, whose advice is relevant under the Regulations, a decision was not made within this timeframe. Therefore, under regulation 15(2) this proposal was taken to have been refused. However, as this information has now been received and the Department has now considered the application in full, I have re-made the decision.

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 277-291 Anzac Parade, Kingsford NSW into prescribed airspace for Sydney Airport to a **maximum height of 87.95 metres AHD**.

In making my decision, I have taken into consideration the opinions of the proponent, the Civil Aviation Safety Authority, Airservices Australia (advice number YSSY-CA-677), airlines and SACL.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

- 1. The building **must not exceed** a maximum height of **87.95 metres AHD**, **including all** lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
- 2. The building **must be obstacle lit** by low intensity steady red lighting during the hours of darkness and periods of low visibility at the highest point. Obstacle lights are to be arranged as per section 9.31 of the Civil Aviation Safety Regulations 1998 Part 139 (Aerodromes) Manual of Standards (the MOS). Characteristics for low intensity steady red are stated in subsection 9.32 of MOS.

- 3. The Proponent **must advise** the Airport at least two business days prior to the constructed height of the building reaching 51 metres AHD. From this date, the Proponent must ensure the obstacle lighting has remote monitoring capability. For detailed requirements for the monitoring of obstacle lights within the aerodrome's OLS refer to section 9.36 of the MOS. In addition, the following lighting conditions **must be met** at all times:
  - The proposed obstacle lighting system **must incorporate** an alarm system that will provide remote monitoring to notify the designated person responsible for the maintenance of the obstacle lighting.
  - The designated person **must be available** 24 hours per day, 7 days per week.
  - In the event of the obstacle lighting being inoperable, the designated person **must immediately** contact the Sydney Airport Airfield Operations Supervisor on 0419 278 208 or 02 9667 9824 to advise of the outage.
  - Action **must be taken** to repair the obstacle lighting within 12 hours of the light not being operational.
  - The contact details of the person responsible for the monitoring of the obstacle lighting **must be sent** to Sydney Airport prior to commencement of the obstacle lighting becoming operational and **must be kept** up to date.
  - Once the obstacle lighting is working again, the person responsible for the maintenance of the obstacle lighting **must notify** the Sydney Airport Airfield Operations Supervisor.
- 4. The Proponent **must ensure** obstacle lighting is maintained in serviceable condition and any outage immediately notified to SACL.
- 5. Separate approval **must be sought** under the Regulations for any equipment (e.g. cranes, concrete pumps) required to construct the building. Construction cranes or concrete pumps may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (e.g. cranes, concrete pumps) be obtained prior to any commitment to construct.
- 6. The proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing <u>ifp@airservicesaustralia.com</u> and quoting YSSY-CA-677.
- 7. Following completion of the building, the Proponent must advise SACL, in writing:
  - a) that the future owner(s)/manager(s) of the building **have been informed** of their **obligation to maintain** the obstacle lighting in accordance with conditions of this approval; and
  - b) the contact details of the person/position **responsible for the maintenance** of the obstacle lighting. These details **must be reviewed regularly** and kept up to date.
- 8. On completion of construction of the building, the Proponent **must provide** SACL with a written report from a certified surveyor on the finished height of the building.
- 9. A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.

**Breaches of approval conditions are subject to significant penalties** under Sections 185 and 187 of the Act.

Yours sincerely

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Phil McClure Assistant Secretary Domestic Aviation & Reform

21 October 2022

# **Transport for NSW**



Mr Ferdinando Macri Planning Officer Randwick City Council 30 Frances Street Randwick NSW 2031

Dear Mr Macri

#### Development Application for 277 - 291 Anzac Parade, Kingsford (DA/477/2022) Concurrence Letter

Thank you for your correspondence via the ePlanning portal (ref: CNR-48784) on 25 November 2022, requesting Transport for NSW (TfNSW) to review and comment on the above.

#### Protection of Sydney Light Rail (SLR) Corridor

The proposed development is located within 25m of the Sydney Light Rail corridor and includes ground penetration deeper than 2m, which requires concurrence from TfNSW in accordance with Clause 2.99 of the State Environmental Planning Policy (Transport and Infrastructure) 2007 (T&ISEPP). Clause 2.99 of the T&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 development proposed in development application DA/477/2022. This concurrence is subject to Council imposing the conditions provided in **TAB A**.

Should Council choose not to impose the conditions provided in **TAB A** (as written), then concurrence from TfNSW 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. TfNSW therefore requests that Council comply with this requirement should such an event occur.

Transport for NSW

20-44 Ennis Road, Milson Point NSW 2061 | PO Box K659, Haymarket NSW 1240 **T** 02 8202 2200 | **F** 02 8202 2209 | **W** transport.nsw.gov.au | ABN 18 804 239 602

## Design of Outdoor Terrace, Balconies, External Windows

#### Comment

The information provided in the development application does not specify whether the outdoor terrace area, balconies and external windows facing Anzac Parade have openings that face the light rail corridor and Anzac Parade. Measures are needed to prevent objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20 metres of, and face, the rail corridor.

#### **Recommendation**

The applicant must design outdoor terraces, balconies, external windows and other external features that face onto the light rail corridor and Anzac Parade in accordance with Section 5.4 of the ASA standard T HR CI 12090 ST Airspace and External Developments version 1.0. This would potentially avoid any modification application associated with compliance of condition in relation to balconies and windows included in this letter.

#### Non - Concurrence Items

#### <u>Comments</u>

It is noted that:

- Several construction projects are likely to occur in the Kingsford Precinct at the same time as this development. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and public transport operation within the Kingsford precinct, as well as the safety of pedestrians and cyclists particularly during commuter peak periods; and
- A Green Travel Plan and a Construction Traffic Management Plan have been prepared as part of the development application.

It is advised that a Transport Access Guide needs to be prepared as part of the Green Travel Plan and the Construction Traffic Management Plan needs to be updated in consultation with TfNSW.

#### Recommendation

It is requested that the applicant be conditioned to update the Construction Pedestrian and Traffic Management Plan and the Green Travel Plan. Suggested Conditions of Consent for non-concurrence items are included in **TAB B**.

Thank you again for the opportunity of providing advice for the above development application. 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

14/12/2022

**David Hartmann** Director, Corridor & Network Protection Customer Strategy and Technology

Objective Reference CD22/06867

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

# General

- The applicant must comply with all Altrac Light Rail Partnership (Altrac) or any subsequent operator of Sydney Light Rail (Sydney Light Rail Operator) policies, rules and procedures when working in and about the Sydney Light Rail corridor;
- The applicant must comply with the requirements of ASA standards T HR CI 12090 ST Airspace and 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 Sydney Light Rail operations without prior written agreement between the applicant, Transport for NSW (TfNSW), Altrac, and the Sydney 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 Sydney Light Rail Operator;
- The applicant must apply to Altrac and the Sydney 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 Sydney Light Rail Operator. It is likely in the first two (2) years there will not be a light rail shutdown for maintenance purposes. The Sydney Light Rail Operator may grant or refuse a request for network shutdown at its discretion;
- The applicant shall provide safe and unimpeded access for Sydney Light Rail patrons traversing to and from the Sydney Light Rail stops at all times;
- 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, Altrac and Sydney 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

#### Process of Endorsement of Conditions

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever occurs first, the applicant shall:

- Consult with TfNSW, Altrac and the Sydney Light Rail Operator to ascertain requirements in relation to the protection of TfNSW's infrastructure and to confirm the timing of the each construction certificate and associated documentation and activities prior to preparation of requested documentation;
- Sign Infrastructure Assess Deed Poll, Safety Interface Agreement and Works Deed with TfNSW and/or the Sydney Light Rail Operator;
- Confirm in writing with TfNSW what each Construction Certificate stage will involve; and
- Submit all relevant documentation to TfNSW as requested by TfNSW and obtain its written endorsement for each construction stage. A summary report for each construction stage shall also be provided to TfNSW to demonstrate the following:
  - No adverse impacts to the light rail corridor and light rail operation by clearly identifying impacts and mitigation measures; and
  - Submitted documentation has satisfied the relevant conditions.

The Principal Certifying Authority (PCA) is not to issue the relevant Construction Certificate until they have received written confirmation from TfNSW that the relevant conditions have been complied with for each Construction Certificate.

#### Review and Endorsement of Documents

- Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever occurs first, the following documentation shall be provided for the review and endorsement of TfNSW:
  - Final geo-technical and structural report / drawings. Geotechnical reports should include any potential impact on the light rail corridor located adjacent to the subject development site, easement and substratum;
  - Final construction methodology with construction details pertaining to structural support during excavation or ground penetration. Any temporary components, for example, shoring systems, formwork and falsework, that are located such that their failure has the potential to affect rail infrastructure facilities or operations shall have a minimum service life of 10 years;
  - Details of the vibration and movement monitoring system that will be in place before excavation commences;
  - 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 located adjacent to the subject development site. 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; and
  - Detailed survey plan with location of services.

# Pre-construction Work Dilapidation Report

A pre-construction work Dilapidation Report of the Sydney Light Rail and its assets shall be prepared by a qualified structural engineer. The dilapidation survey shall be undertaken via a joint site inspection by the representatives of the Sydney 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.

#### Acoustic Assessment

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.

#### Electrolysis Analysis

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.

#### Reflectivity Report

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 Altrac, TfNSW and the Sydney Light Rail Operator.

#### **Balconies and Windows**

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 are within 20 metres of, and face, the rail corridor, the development must have measures installed, to the satisfaction of TfNSW (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

#### Consultation Regime

Prior to the issue of the relevant Construction Certificate, if required by TfNSW, 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.

#### Insurance Requirements

Prior to the issue of the relevant Construction Certificate, the applicant must hold current public liability insurance cover for a sum acceptable to TfNSW. TfNSW's standard public liability insurance requirement for this type of development adjacent to a rail corridor is minimum of \$250M. 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.

## Works Deed / Agreements

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever occurs first, if required by TfNSW, Works Deed (s) between the applicant, TfNSW and/or Altrac and the Sydney Light Rail Operator must be agreed and executed by the parties. These agreements may deal with matters including, but not limited to, the following:

- Sydney Light Rail Operational requirements;
- Sydney Light Rail access requirements;
- Altrac and Sydney Light Rail Operator policies, rules and procedures compliance requirements;
- Indemnities and releases;
- Security of costs;
- Insurance requirements and conditions;
- TfNSW, Altrac and the Sydney Light Rail Operator's recovery of costs from the applicant for costs incurred by these parties in relation to the development (e.g. review of designs and reports, legal, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;
- Interface coordination between the Sydney Light Rail Operator and the subject development construction works, including safety interface;
  - Infrastructure Assess Deed Poll and Safety Interface Agreement between the applicant and the Sydney Light Rail Operator must be agreed and executed by the parties. This agreement may deal with matters including, but not limited to, the following:
    - Pre and post construction dilapidation reports;
    - The need for track possessions;
    - Review of the machinery to be used during excavation/ground penetration / construction works;
    - The need for track monitoring;
    - Design and installation of lights, signs and reflective material;
    - Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);
    - Endorsement of plans regarding proposed craneage and other aerial operations;
    - Erection of scaffolding/hoarding;
    - Light Rail Operator's rules and procedures; and
    - Alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the applicant.
- Altrac and the Sydney Light Rail Operator's reviews and impact assessment of the applicant's proposal, engineering design and construction works methodology on Sydney Light Rail Operations and assets;
- Attendance and participation in the construction works risk assessment of construction activities to be performed in, above, about, and/or below the Sydney Light Rail Corridor;
- Arrangements for shutdowns and Sydney Light Rail restricted operations related costs attributed to the applicant; and

• Sydney Light Rail site works access approval and access permit to work.

# **During Construction**

- Construction vehicles shall not be stopped or parked on Anzac Parade at any time without prior approval of TfNSW;
- 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 the light rail corridor without approval from TfNSW;
- 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;
- During all stages of the development extreme care shall be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the applicant;
- The applicant must mitigate all noise and vibration to the extent possible and provide vibration monitoring equipment and provide the results to the Sydney Light Rail Operator at intervals required by TfNSW and the Sydney Light Rail Operator, and immediately implement corrective actions in the event that the noise or vibration exceeds acceptable limits;
- 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 Sydney 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 Sydney 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

#### Post - construction Dilapidation Report

Prior to the Issue of the Occupation Certificate, a post-construction dilapidation survey shall be undertaken via a joint inspection with representatives from TfNSW, Altrac, the Sydney 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 Sydney Light Rail Operator will be required unless otherwise notified by TfNSW. The applicant needs to undertake rectification of any damage to the satisfaction of TfNSW and the Sydney Light Rail Operator and if applicable the local council.

#### Reflectivity Report

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, Altrac and the Sydney Light Rail Operator.

## TAB B – Suggested Conditions of Consent – Non-Concurrence Items

#### Prior to the Issue of the Construction Certificate

#### Construction Pedestrian and Traffic Management

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant shall:

- Update the Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW and the Sydney Light Rail Operator. The CPTMP needs to specify matters including, but not limited to, the following:
  - A description of the development;
  - Location of any proposed work zone(s), noting that Anzac Parade is not a suitable location;
  - Details of crane arrangements including location of any crane(s) and crane movement plan if there will be cranes on the light rail side of the building;
  - Haulage routes;
  - Construction vehicle access arrangements including vehicle access/crane access and in or around the light rail;
  - Proposed construction hours;
  - Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;
  - Construction program and construction methodology/crane installation methodology;
  - A detailed plan of any proposed hoarding and/or scaffolding, including adequate clearance for pedestrian movement alongside light rail vehicles;
  - Consultation strategy for liaison with surrounding stakeholders, including other developments under construction and the Sydney Light Rail Operator;
  - Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
  - Cumulative construction impacts of projects within Kingsford Precinct. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the CBD road network; and
  - Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
- Submit a copy of the final plan to <u>development.sco@transport.nsw.gov.au</u> for TfNSW endorsement; and
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (<u>development.sco@transport.nsw.gov.au</u> to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

#### **During Construction**

Construction vehicles shall not be stopped or parked on Anzac Parade at any time without prior approval of Transport for NSW.

#### Prior to the Issue of the Occupation Certificate

#### Green Travel Plan

The applicant shall update the Green Travel Plan to include a Travel Access Guide (TAG). The TAG shall include the following:

- Information about cycling, walking and public transport initiatives to encourage the use of sustainable transport journeys by staff and students.
- Promotion of end of trip (EoT) facilities, including any new cycling infrastructure available, and update number and location of bicycle.
- Information on car share, and bicycle share.
- For further helpful information please check 'How to Create a Travel Access Guide'.

The applicant shall submit a copy of the updated Green Travel Plan for the endorsement of Transport for NSW, prior to the issue of the Occupation Certificate.