

26 August 2015

Mr Michael Yiend
Senior Development Manager
Qube Holdings Limited
Level 22
44 Market Street
SYDNEY NSW 2000

Dear Mr Yiend,

RE: LAND OWNER'S CONSENT FOR THE LODGEMENT OF THE STATE SIGNIFICANT DEVELOPMENT CONCEPT PLAN MODIFICATION (MP10_0193 MOD 1) AND PROJECT APPLICATION (SSD 14-6766) – SIMTA INTERMODAL TERMINAL FACILITY (STAGE 1) AT MOOREBANK.

I refer to your request for RailCorp's consent to lodge State Significant Development (SSD) applications for the SIMTA Intermodal Terminal Facility (Stage 1). RailCorp's land, being Lot 1 DP825352, Lot 4 DP1186349, Lot 101 DP1143827, Lot 102 DP1143827 and Lot 1 DP1130937, form part of the land to which development is proposed under these SSD applications.

RailCorp and its agent Sydney Trains have reviewed your development proposal and RailCorp is prepared to consent to the lodgment of these applications, subject to the conditions listed in Attachment A. RailCorp's land owner's consent is limited to the SSD Application (SSD 14-6766) and Concept Plan Modification (MP10_0193 MOD 1) only.

Please note that the submittal of this letter with an application to the Consent Authority will be considered as your acceptance of the conditions listed in Attachment A and your agreement to obtain further approval and to provide the required documentation at the intervals specified.

Further, this consent is linked to you obtaining approval from the Australian Rail Track Corporation (ARTC) as per Condition 4 in Attachment A of this letter. Should ARTC refuse to grant its approval then RailCorp's land owner's consent is null and void. You are requested to obtain approval from ARTC prior to submitting this consent with the Consent Authority.

RailCorp advises that it and its agent Sydney Trains reserve the right to review and comment on the applications if and when placed on public exhibition and may request the attachment of certain conditions of consent on any approval. In addition, this consent does not give you the right to commence work on RailCorp land without obtaining further approval from RailCorp and/or Sydney Trains.



Should you have any enquiries relating to RailCorp issues please do not hesitate to contact Jim Tsirimiagos on 8575 0780.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kevin Sykes".

Kevin Sykes
General Manager Property
Sydney Trains

as agent for RailCorp

Attachment A

1. *Land owner's consent is provided subject to the lodgement of the following plans:*
 - *Rail Design Cover Sheet and Drawing list – Drawing No. SKR400 – Issue 1, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design General Arrangement Plan – Drawing No. SKR401 – Issue 1, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Setout Plan Sheet 1 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Setout Plan Sheet 2 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Setout Plan Sheet 3 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Design Rail Setout Plan Sheet 7 – Drawing No. SKR411 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design Rail Setout Plan Sheet 8 – Drawing No. SKR412 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design Rail Setout Plan Sheet 10 – Drawing No. SKR414 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Land Ownership Plan – Drawing No. SKR111 - Issue 01, dated 17/08/15, prepared by Hyder Consulting Pty Ltd.*
2. *No amendments will be made to the proposed works as shown in the above documents without RailCorp's prior written consent which RailCorp may, in its absolute discretion, withhold or in respect of which RailCorp may impose conditions.*
3. *This consent does not constitute agreement by RailCorp, Sydney Trains or Transport for NSW (TfNSW) to the commencement of works within the rail corridor, or the granting, or terms of, any easements or rights of carriageway that SIMTA may seek to obtain in respect of RailCorp land.*
4. *That approval be obtained from the Australian Rail Track Corporation (ARTC) in relation to work proposed within the Southern Sydney Freight Line (SSFL) corridor prior to the lodgement of this letter with the Consent Authority, and to comply with any of the ARTC requirements.*
5. *The ability to undertake maintenance and emergency activities by RailCorp, Sydney Trains, or Transport for NSW, or any entity authorised by RailCorp, Sydney Trains or TfNSW, shall not be hindered.*
6. *No work is permitted within the rail corridor at any time unless prior approval and/or an Agreement and/or Licence has been entered into with RailCorp and Sydney Trains, and if located within Southern Sydney Freight Line (SSFL) corridor, approval from ARTC.*

7. *Prior to the commencement of works and on completion of works a joint inspection with representatives of Sydney Trains of the rail infrastructure and property in the vicinity of the project is to be carried out. 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.*
8. *Detailed work methodology, construction documentation/drawings, a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) are to be submitted to Sydney Trains for review and comment prior to any works commencing on or within 25m of RailCorp land or easement. It should be noted that Sydney Trains representatives may impose conditions on the methods to be used and require the provision of on-site Safe Working supervision for certain aspects of the works.*
9. *A plan showing all craneage and other aerial operations that have the potential to come within close proximity of the rail corridor or Sydney Trains transmission lines shall be submitted to Sydney Trains for approval.*
10. *Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp land and easements. This work is to be undertaken by a registered surveyor.*
11. *Drainage from the proposed works must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.*
12. *Sydney Trains and 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.*
13. *Sydney Trains approval shall be obtained for any level crossing and/or access points over the proposed SIMTA freight line required to facilitate access to the Sydney Trains rail corridor by Sydney Trains or TfNSW (or persons authorised by those entities) prior to the installation of that level crossing/access point.*
14. *It is noted that the development will require access under the East Hills line via the Glenfield Tip underpass during the construction of the SIMTA freight connection over the Tip lands. The underpass road is currently unsealed and considered unsuitable to service a development of this extent as currently maintained. The proponent and/or the owner of the SIMTA freight line will be required to enter into a licence or any other Agreement stipulated by Sydney Trains for access through the underpass land and to upgrade the underpass to provide a sealed road with adequate headroom and drainage provisions. This condition shall be complied with prior to the use of the underpass.*

Filename: SIMTA Land Owner's Consent Letter (3).doc
Directory: C:\Program Files\Microsoft Office\Office14
Template: K:\PropertyServices\LandUse&Planning\Templates\SEP
P Concurrence letter template.dot
Title: Rail Estate
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Keywords:
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Change Number: 3
Last Saved On: 26/08/2015 10:06:00 PM
Last Saved By: jimandjenny
Total Editing Time: 32 Minutes
Last Printed On: 27/08/2015 3:04:00 PM
As of Last Complete Printing
Number of Pages: 4
Number of Words: 1,160 (approx.)
Number of Characters: 6,613 (approx.)