

18 January 2011

The Director-General
Department of Planning
GPO Box 39
Sydney NSW 2001

ATTENTION: Amy Watson

Dear Sir/Madam,

MAJOR PROJECT- MP 08_0195
Environmental Assessment for Concept Plan
78-90 Old Canterbury Road, Lewisham

I refer to the above matter that is currently being assessed by your Department.

RailCorp's review has identified that the Proponent has not met the items as detailed in the Director-General's Requirements issued on 16 March 2009 and as such it could be deemed that the Environmental Assessment Report is inadequate for approval.

The items which, in RailCorp's opinion, have not been adequately met are:

- Key Issue Item 11 – the proponent's Geotechnical and Structural Reports, and excavation methodology are to meet RailCorp requirements. RailCorp's review indicates that the Geotechnical Report prepared by Environmental Investigations makes no reference to compliance with RailCorp's requirements. Further, the proponent has not provided a Structural Report or excavation methodology. Cross-sectional drawings were provided in the Robert Bird Report, however, these are inadequate as they do not provide accurate measurements and fail to include the excavation for the on-site detention tank along the rail corridor boundary.
- Key Issue Item 11 - the Director-General's Requirements required the proponent to ensure that the landscaping and fencing within 20m of the rail corridor meets RailCorp's requirements. The documentation provided did not indicate that this requirement was complied with.
- Key Issue Item 13 – the proponent was required to consult with RailCorp regarding impacts on Lewisham Station and that this matter be addressed in the EA. The EA document details that widespread consultation with other agencies and groups has occurred, however, RailCorp has not been consulted on this aspect of the proposal, despite the likelihood that any walkway would involve a significant interface with RailCorp land and facilities. This may explain the inadequate demonstration of structural, social, financial and legal considerations for this proposed linkage.

However, RailCorp notes that the Proponent is only seeking Concept Plan approval, which was not evident at the time of your Department's request for key issues and assessment requirements to be included in the Director-General Requirements, to which RailCorp responded on 9 March 2009.

As such, RailCorp's requirements as detailed in the Director-General's Requirements that were issued on 16 March 2009 are items that would normally be addressed as part of a Project Application once further detailed plans had been developed.

As such, the above concerns could be addressed via a condition of consent that requires the Proponent to address RailCorp's issues prior to the lodgement of either Project Applications or Development Applications. Attachment A provides RailCorp's detailed comments and the required conditions of consent to satisfy RailCorp's concerns/issues.

RailCorp therefore advises that it can only support the approval of this Concept Plan on the proviso that the conditions of consent provided in Attachment A are imposed on the Concept Plan Approval.

In addition to the attached comments RailCorp believes that it is imperative that there is a high level of integration and compatibility between this proposal, any future development as part of Marrickville Council's McGill Street Precinct Masterplan, the Part 3A proposal for 2-32 Smith St, Summer Hill (Former Allied Mills Site), and the Light Rail and Greenway corridor proposal. As the development programs for all these proposals may over-lap there is also a need for a high level of coordination for these works so that any impacts on each other and the surrounding areas/community are minimised.

Finally, it is asked that your Department forward to RailCorp a copy of the Concept Plan Approval once issued.

Thank you for providing RailCorp the opportunity to comment and please contact me if you have any further enquires.

Yours sincerely,



Jim Tsirimiagos
Manager Land Use and Planning
RailCorp Property

Attachment A

Geotechnical and Structural Report and Excavation Methodology

Key Issue Item 11 in the Director-General's Requirements required the proponent to prepare Geotechnical and Structural Reports, and excavation methodology that are consistent with RailCorp requirements. RailCorp's review indicates that the Geotechnical Report prepared by Environmental Investigations makes no specific reference to compliance with RailCorp's requirements. RailCorp requirements, as detailed in the Robert Bird Report, were provided to the proponent to assist in the preparation of the Geotechnical Report. The Geotechnical Report by Environmental Investigations proposes rock anchors. RailCorp will not permit rock anchors within its landholding or any easements.

The documentation provided by the Proponent does not include any Structural Report or excavation methodology. The cross-section drawings as detailed in the Key Issue Item 11 require these drawings to contain specific items. The cross-section drawings as provided in Appendix E of the Robert Bird Report do not provide this information in an accurate form. Further these drawings fail to show the excavation for the on site detention tanks that will be located under the proposed roadway adjoining the rail corridor.

As such, it is RailCorp position that the Concept Plan does not adequately meet the Director-General's Requirements. However, as approval is only being sought for a Concept Plan, compliance with the above items can be deferred to the Project Application stage. As such, RailCorp can only support the approval of this Concept Plan subject to the imposition of the following conditions of consent:

- *Prior to the lodgement of any future Project Application or Development Application that will involve excavation or other ground penetration (piles/footings) of greater than 2m and within 25m of the rail corridor (including excavation for the on-site detention tank under the proposed roadway), the proponent is to prepare the following items for endorsement by RailCorp:*
 - *a Geotechnical and Structural Report, and Excavation and Construction methodology that meets RailCorp's requirements*
 - *detailed 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. All distances from the rail corridor and infrastructure are to be confirmed as accurate by a Registered Surveyor.*

Removal of encroachments

The adjoining rail corridor currently has a number of encroachments that formed part of the previous use of the site. RailCorp will require the removal of these items as part of

the development of the site. As such, RailCorp requests the imposition of the following condition of consent.

- *The proponent will be required to include as part of the first Project Application or Development Application, works associated with the removal of all encroachment with the adjoining rail corridor as deemed necessary by RailCorp and to obtain RailCorp's land owner's consent for these works.*

On-site detention tank

The Stormwater Services Layout prepared by Cardno ITC dated October 2010 indicates that there will be a large on-site detention tank located under the proposed roadway along the common boundary with the rail corridor. From the plans it seems that excavation will occur directly on the boundary with RailCorp's property. RailCorp is concerned that the depth of the excavation may impact on the stability of the rail corridor. Further, there is no detail as to how the rail corridor will be shored-up during the excavation for this tank, especially as RailCorp will not permit any rock anchors to be located within the rail corridor. In addition, given the impact of electrolysis from the rail corridor the design and location of the on-site detention tank needs further consideration.

As such, RailCorp requests that the following condition be imposed:

- *Prior to the lodgement of a Project Application or Development Application for the construction of the on-site detention tank, the proponent is to comply with the requirements in relation to excavation detailed in the above condition. The proponent will also be required to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the on-site detention tank from stray currents from the proposed light rail. The Proponent must incorporate in the on-site detention tank all the measures recommended in the report to control that risk. A copy of the report is to be provided with the Project Application or Development Application.*

Landscaping and Fencing

Key Issue Item 11 in the Director-General's Requirements required the proponent to ensure that the landscaping and fencing within 20m of the rail corridor meets RailCorp's requirements. The documentation provided did not indicate that this requirement was complied with.

As such, it is RailCorp's position that the Concept Plan does not adequately meet the Director-General's Requirements. However, as approval is only being sought for a Concept Plan, compliance with the above items can be deferred to the Project Application stage. As such, RailCorp can only support the approval of this Concept Plan subject to the imposition of the following conditions of consent:

- *Prior to the lodgement of any future Project Application or Development Application that will involve the installation of fencing or landscaping within 20m of the rail corridor the Proponent is to obtain endorsement from RailCorp as to the*

proposed method of fencing along the rail corridor and obtain species details from RailCorp's Biodiversity Specialist and have these details incorporated in the Project Application/Development Application when lodged.

Proposed linkages with Lewisham Station

RailCorp supports efforts to improve interchange between the existing Lewisham and Summer Hill stations and new light rail stations in the vicinity. RailCorp notes the Environmental Assessment Report considers a direct linkage with the station via 'a new access path extending from Lewisham Station towards the north on RTA land parallel to the rail line' (Section 4.2.3). This description does not appear to be viable given that any pathway parallel to the rail line would run to the west of the station. It is suggested that this proposal be more extensively developed.

It is assumed that the linkage structure proposed is similar to prior designs proposed by EcoTransit (Attachment A). These involved a bridge over Longport St, then a pedestrian path/bridge structure parallel and adjacent to the rail corridor, linking to the end of Platform 2 at Lewisham Station and providing subterranean platform interchange via a subway.

Provision of a direct, elevated linkage between the proposed development and the end of Platform 2 at Lewisham Station would require:

- creation of a new access point and associated facilities at the station
- potential upgrade of the entire station to meet legislative access requirements under the *Disability Discrimination Act 1992*
- construction of new elevated structures to achieve RailCorp's minimum clearance requirements between track and pedestrian linkages
- bridge and path ownership and access easement considerations
- need for possessions to allow construction, noting that the proposed path appears to run parallel to an existing elevated railway line
- consideration of safety and security for patrons wishing to access the station by this link
- full detailed assessment of development and construction costs associated with the development
- effects of a development of this size effectively bypassing the existing Lewisham retail precinct on Victoria St
- consideration of any additional ongoing costs envisaged during the bridge/path operational life span, including lighting, CCTV, maintenance and ongoing risk monitoring and assessment.

It must be noted that there are no current plans to upgrade Lewisham Station at this time. As the need to upgrade the station would appear to be driven by local development in this instance, RailCorp would expect contributions from the developer to upgrade the station to the standards required under existing legislation.

RailCorp notes that the developer may potentially cede some land to allow for a bridge landing on the southern side of Longport St. It is unclear as to whether this would also effectively constitute a handover of the maintenance responsibilities associated with any linkage to either Council or State Government.

RailCorp proposes that an investigation of improving the existing pedestrian path network between the development and Lewisham Station will be more economically justifiable given the pedestrian usage expected. Investigation of such improvements has the potential to yield improved linkages between the development and the existing Lewisham Town Centre, improve pedestrian permeability to the proposed Greenway and Light Rail stop, and contribute to the development of a walkable and sustainable village centre.

The Environmental Assessment Report does not contemplate pedestrian movements or access to Summer Hill Station, as specified in the Director-General's Requirements.

It is also prudent to note that, despite apparent widespread consultation with other agencies and groups, RailCorp has not been consulted on this aspect of the proposal as required in Key Issue Item 13 of the Director-General's Requirements. This is of particular concern to RailCorp given the likelihood that any walkway would involve a significant interface with RailCorp land and facilities. This may explain the inadequate demonstration of structural, social, financial and legal considerations for this proposed linkage.

As such, it is RailCorp's position that the Concept Plan does not adequately meet the Director-General's Requirements. However, as approval is only being sought for a Concept Plan, compliance with the above items can be deferred to the Project Application stage. As such, RailCorp can only support the approval of this Concept Plan subject to the imposition of the following conditions of consent:

- *Prior to the lodgement of the first Project Application or Development Application for the construction of buildings, the Proponent is to liaise and obtain RailCorp's requirements regarding the need to upgrade the nearby Lewisham station to cater for the likely increased patronage as a result of this development*

Traffic Report

P7, 15

The Traffic Report indicates that the development is 'only 140m from the site'. It is believed this was measured from the closest point of the development, and to the end of Platform 2 at Lewisham Station, which does not constitute an accurate assessment of this distance. From the closest point of the development to the entrance of Lewisham Station is approximately 280m. This should be reflected in the report.

The report identifies the use of the pedestrian path on the southern side of Railway Terrace for access to and from Lewisham Station. This appears to be in contrast with the proposal outlined in the Environmental Assessment Report. This pedestrian path is currently narrow and has low pedestrian amenity owing to the condition of the footpath and the level of traffic on Railway Terrace. RailCorp considers further investigation of this linkage as more justifiable than previous suggestions; however, considerable treatment of this path will be required. This should be discussed further with Marrickville Council.

P15

The Traffic Report recommends adoption of 'a marked foot crossing in Railway Terrace, directly opposite the railway station main access'. It should be noted that direct access to

the station on this side is already provided under Railway Terrace by a subway, and the station itself has no interface with the road. This renders the pedestrian crossing unnecessary.

The Traffic Report does not contemplate pedestrian movements or access to Summer Hill Station, as specified in the Director-General's Requirements.

Car Parking

RailCorp supports a restrained approach to parking provision in areas well serviced by public transport. The development is located within close proximity to Lewisham Station and parking rates should reflect this.

The provision of 400 residential car spaces may be appropriate and should be determined based on the eventual land use ratio and mix of apartment sizes. This rate may be justified in the case of a high proportion of two to three bedroom apartments. A low proportion of two to three bedroom apartments will dictate a reduced parking rate

The current proposal for 100 visitor parking spaces is viewed as excessive. The provision of visitor parking should be significantly restrained given the proximity of the development to Lewisham and Summer Hill stations. RailCorp believes that more sustainable modes of public transport will provide sufficient access to the site for visitors.

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