

SSD 15_7101/ D/2015/1049 – 1 Alfred Street, 19-31A Pitt Street Sydney

Matrix of Government Agency Submissions and Proponent Response

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT RESPONSE
NSW EPA	<p>Should the proponent identify that the proposal includes any Scheduled Activities under Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act), then it will need to apply to the EPA for an Environmental Protection Licence. Any licence application will need to be supported by an appropriate level of environmental assessment and confirmation that the activity has been approved as part of the planning consent (if issued). The EPA recommends that the Council clarify with the proponent if the proposal is likely to trigger any scheduled activity threshold.</p> <p>The EPA notes that in the event that the proposed cogeneration plant exceeds the threshold for metropolitan electricity works (internal combustion engines), the level of environmental assessment required to support a licence application will include:</p> <ul style="list-style-type: none"> – Preparation of an Air Quality Impact Assessment; and – Consideration of the requirements of the Protection of the Environment (Clear Air) Regulation and the EPA's Interim Nitrogen Oxide Policy for Cogeneration in Sydney and the Illawarra. 	<p>The proponent confirms that it does not anticipate that the proposal will include any scheduled activities under Schedule 1 of the POEO Act 1997, such as crushing, grinding or separating more than 150 tonnes of materials per day, or significant electricity generation, or extractive activities processing more than 30,000 tonnes per year. The proponent acknowledges that should design development of the basement and Tower B change this assumption; an Environmental Protection Licence will be required.</p> <p>Where such consent conditions exist triggering the preparation of an Environmental Protection Licence, the proponent will prepare an Air Quality Impact Assessment prior to the issue of the relevant Construction Certificate, comparable to that required within Condition 2A of D/2010/2029.</p>
Heritage Council of NSW	<p>The proposal would not have any adverse impacts on the heritage values of Sydney Opera House, Circular Quay Railway Station, Customs House or Sydney Harbour Bridge.</p> <p>Given the potential impacts the proposal may have on the extended Tank Stream curtilage, archaeological potential, and Aboriginal archaeological potential and cultural significance, the Heritage Council of NSW has made</p>	<p>Noted. No action required.</p> <p>The proponent notes the recommended conditions of consent provided by the Heritage Council of NSW.</p> <p>With regards to the third bullet point however we note that the Heritage Impact Statement</p>

	<p>recommendations for four conditions of consent, if granted.</p>	<p>(HIS), prepared by GML Heritage in support of the application, did not identify that there is Aboriginal archaeological potential in the study area. The HIS determined that there <u>may</u> be some potential, particularly within and immediately surrounding the unexcavated footprint of Rugby House, but also below the single basement level of Fairfax House but that this has not been confirmed through a Due Diligence process. As this potential has not been investigated, the HIS recommended that a full Aboriginal Due Diligence Assessment be undertaken for the area of the subject site outside the basement of Goldfield House.</p> <p>The third recommended condition provided by the Heritage Council of NSW skips this 'step' of providing an Aboriginal Due Diligence Assessment and requires instead providing a Full Aboriginal Cultural Assessment Report and Community Consultation.</p> <p>We therefore suggest that this recommendation, for a Full Aboriginal Cultural Assessment Report, is only required should the Aboriginal Due Diligence Assessment undertaken for the site does in fact confirm that there is potential for 'Aboriginal objects' on this site.</p>
Ausgrid	<p>The developer is to make a formal submission to Ausgrid by means of a duly completed Preliminary Enquiry and/or Connection Application form, to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development.</p>	<p>Noted. This application was accompanied by a Utility Service Report which confirms that the proponent has commenced initial communication with Ausgrid.</p> <p>The proponent will make a formal submission to Ausgrid with regards to the electrical supply requirements of the development. This application will confirm that the proposed works will not contravene Ausgrid's technical standards and statutory requirements.</p>
NSW Office of Environment and Heritage	<p>Acknowledgement of application provided, however OEH has made the decision not to provide comment or advice on biodiversity, natural hazards, and Aboriginal cultural heritage matters due to other priorities.</p>	<p>Noted. No action required.</p>
NSW Department of Primary Industries	<p>DPI understands that the proponent is seeking to implement a staged development process. However DPI Water notes that improved consideration of the hydrogeological of the site will be required. The hydrogeological setting is improperly understood and lacks any quantified analysis. The inclusion of the Tank Stream in the development footprint necessitates that this work be</p>	<p>Importantly, this is a Stage 1 SSD Development Application that seeks approval for a concept plan only. No physical commencement of below ground works are proposed outside of works that have previously been approved. Despite this, we understand that the NSW DPI would be interested in the hydrogeological setting of the site to understand the likely impacts of the future basement and development on the site and the development footprint. The proponent however reiterates the comments made by the</p>

	<p>undertaken with diligence.</p> <p>DPI Water notes that a detailed groundwater assessment has not been undertaken, however has no objection to the proposed staged assessment for this project on provision that a comprehensive hydrogeological review and assessment under the Aquifer Interference Policy be undertaken at the earliest time in the process and water licensing requirements are fulfilled.</p>	<p>NSW DPI that the required groundwater and hydrogeological testing is to be undertaken on the site at the Stage 2 DA for a new basement on the site, rather than this Stage 1 SSD Application.</p> <p>The proponent has however commenced geotechnical investigations on the site and Coffey has prepared a geotechnical investigation report, based on the drilling of six boreholes within and around the building footprint. The proponent would support a condition which required further geological and hydrogeological investigations on the site within any Stage 2 Development Applications for below ground works on the site or prior to the relevant Construction Certificate.</p> <p>The proponent further commits to interact with NSW DPI is as early as practicable within the Stage 2 DA for bulk excavation works to gain permission for a drained structure where possible.</p>
<p>Transport for NSW</p>	<p>There are concerns about the potential impacts of the proposed development on the structural integrity and the safe, effective operation and maintenance of the future CBD Rail Link (CBDRL). The placing of any foundations, other structures and building loads in or near the proposed rail alignment would affect the structural integrity and operation of the CBDRL. TfNSW requests that the City of Sydney imposes Conditions of Consent as requested by Sydney Trains in its submission to the City of Sydney.</p> <p>The cumulative increase in construction vehicle movements from the site and surrounding projects could have the potential to impact on traffic operations on Pitt Street, bus services in the CBD, and the safety of pedestrians and cyclists within the Circular Quay and Wynyard Precincts, particularly during commuter peak periods.</p> <p>TfNSW requests that the proponent prepare a detailed Construction Pedestrian and Traffic Management Plan (CPTMP) prior to the commencement of construction, which takes into account other construction projects (including CSELR and AMP Quay Quarter projects) in the Circular Quay and Wynyard precincts.</p>	<p>At the time of writing, Sydney Trains had not lodged a submission to the City of Sydney with regards to the structural integrity and operation of the CBDRL. As such, we request that prior to the determination of this application, the proponent is provided the opportunity to review such recommended conditions.</p> <p>The proponent acknowledges that the construction of the proposed development will likely cause increased construction vehicles within the CBD. The construction of the project will also likely occur concurrently with the CSELR project and surrounding developments such as the redevelopment of the Bridge and Loftus Street blocks by AMP. As such the proponent commits to preparing a detailed construction pedestrian and traffic management plan prior to the issue of 'a' construction certificate, in consultation with the CBD Coordination Body. This construction pedestrian and traffic management plan will outline management strategies for the various stages of the proposed development, including CSELR milestones identified by TfNSW.</p>

	<p>The final CPTMP should be endorsed by the CBD Coordination Office within TfNSW prior to the issue of any Construction Certificates.</p>	
<p>Sydney Water Corporation</p>	<p>The proponent is required to respond to the SEARs with regards to Water, Drainage, Stormwater and Groundwater.</p>	<p>Importantly, this is a Stage 1 SSD Development Application that seeks approval for a concept plan only. No physical commencement of below ground works are proposed outside of works that have previously been approved. Further, this application does not seek to amend the stormwater and drainage requirements and civil works within the Tower A curtilage that was approved within D/2012/2029.</p> <p>The EIS has addressed all of the SEARS, particularly with regards to Water, Drainage, Stormwater and Groundwater. Where a particularly study is not feasible within the concept phase (Stage 1) of this development, or is outside of the approved scope of D/2012/2029 it is proposed that this requirement is conditioned to the relevant Stage 2 Development Application. This will relate to peak groundwater seepage inflow rates into the revised basement, and hence peak rates of discharge into the stormwater system, acceptable to Sydney Water. These inflow rates will drive the detailed design of the shoring systems for the revised basement, the lowest basement level hydrostatic slab system design, and the basement hydraulic drainage system design.</p>
	<p>Sydney Water strongly prefers that there be 3m between the development and the edge of the Tank Stream SWC. The proponent is required to prepare a statement of heritage impact which identifies what impact the proposed works will have on the heritage significance of the Tank Stream as well as detailed mitigation measures to offset potential impact on heritage values. Under no circumstances will permission be given for any new stormwater connection to the Tank Stream SWC. The proponent may use the existing stormwater connections provided that no modifications are proposed to the existing connection in the Tank Stream SWC.</p>	<p>The EIS lodged with this application included a HIS which assessed the potential impact of the proposed development on the Tank Stream. The HIS concluded that:</p> <p><i>"The proposed redevelopment (and any excavation or other works associated with it) would have no adverse impacts on the Tank Stream, as long as an appropriate construction methodology is utilized to minimize vibration and instability risks to the Tank Stream."</i></p> <p>Further it is highlighted that the existing basements of Goldfields House and Fairfax House are currently located within then 3m curtilage of the Tank Stream. The HIS further notes that <i>"The excavation and construction works involved in the 1965-1966 Gold Fields House development do not appear to have adversely affected the Tank Stream, despite its proximity to the subject site"</i>. This application does not propose to change the existing relationship between the Tank Stream and basement structures on the site. Further it is acknowledged that as part of the conditions of consent for any Stage 2 development</p>

No building or permanent structure is to be constructed within 1m from the outside wall of the stormwater assets.

The submitted concept plan is to be revised to ensure that the proposed buildings and permanent structures are 1m away from the outside face of the Sydney Water's stormwater assets.

Stormwater run-off from the site should be of appropriate quality before discharged into a Sydney Water asset or system.

application involving a new basement on the site the proponent will be required to ensure a suitably qualified engineer will monitor the installation of the proposed basement retaining system to ensure the work is carried out in accordance with the methodology to be outlined within the Stage 2 development application.

The basement has been amended with the intention to provide 1m clearance from all Sydney Water Stormwater assets, as illustrated in the image below:



As part of the detailed design development application for the basement, further investigation will be performed prior (including considering additional survey data and Sydney Water line potholing information) to demonstrate that the required clearances are maintained.

Importantly, this is a Stage 1 SSD Development Application that seeks approval for a concept plan only. Further, this application does not seek to amend the stormwater run-off arrangement within the Tower A curtilage that was approved within D/2012/2029.

Despite the above, we note that advice from ARUP confirms that in their experience the Pollutant load reduction objectives listed can be achieved across the site. For Buildings such as this with the building occupying a significant portion of the block, or which the

ground plane runoff is only a modest component of the total water usage and discharge, the stormwater system will remain as approved within D/2012/2029

The proponent commits to completing MUSIC modelling based on the recycling, collection, rejection, filtration, etc, to confirm the pollutant load reduction objectives within the Stage 2 Development Application for Tower B as this will detail any changes to the site beyond that approved under D/2012/2029. During that application the proponent also intends to request the opportunity to also present a rational evaluation of the pollutant discharge with Sydney Water once the MUSIC modelling is complete as a percentage reduction can be an unnecessary space and cost burden for what may amount to minor traces of some pollutants for such a CBD site.