



Planning &
Infrastructure

***MODIFICATION REQUEST:
08_0075 MOD2 Belmore Park Substation,
Sydney (MP08_0075 MOD2)***

***Revised architectural design, additional
basement level, and stratum subdivision.***



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

March 2013

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EXECUTIVE SUMMARY

Ausgrid proposes to amend the architectural design of the commercial office building approved as part of the new zone substation at Belmore Park, under Part 3A of the *Environmental Planning and Assessment Act, 1979* (MP08_0075).

The proposed redesign is within the same envelope as that previously approved. The key changes proposed with the modification request include new external materials and finishes, vehicular access, building atrium, landscaped roof terraces, an additional basement level, and stratum subdivision. The design has been developed in consultation with the City of Sydney Council’s Design Review Panel.

The Department notified the modification to adjacent landowners, transport and rail infrastructure authorities (due to proximity to rail tunnels) and to the City of Sydney Council. One submission was received from the Council, which did not object to the modification and recommended conditions to be placed on the consent.

The Department’s assessment of the modified project is detailed in **Section 5** of this report and finds that the modified project can be undertaken within acceptable design and amenity standards. The Department’s assessment also finds that the predicted level of impact is substantially the same as that predicted for the originally approved project, and that the revised design is an improvement on the currently approved design.

The Department has formed key recommendations for the carrying out of the modified project. The existing conditions are considered adequate to ensure impacts are managed to an acceptable level.

The Department has assessed the modification and considers it to be acceptable. The Department is satisfied that this modification application falls within the scope of Section 75W of the *Environmental Planning and Assessment Act, 1979*. It is therefore recommended that the application be approved, subject to the modified conditions.

1. BACKGROUND

On 20 September 2009, the then Minister for Planning, granted Concept Plan approval for the upgrade of the electricity supply infrastructure that services the Sydney Central Business District, collectively referred to as the Sydney CityGrid Project.

The Concept Plan reflected the staged delivery of the upgrade works to ensure that there is a reliable electricity supply to meet existing and future demand. The Concept Plan included two stages:

- Stage 1 relates to the development at Belmore Park; and
- Stage 2 relates to a number of other sites around central Sydney.

When approving the Concept Plan, the then Minister also granted concurrent project approval for Stage 1 of the Sydney CityGrid Project.

Stage 1 of the project was further broken down into two sub stages, being:

- Stage 1A - construction and operation of the Belmore Park Zone substation building and stub tunnel connection from the existing City South Cable Tunnel to the substation; and,
- Stage 1B - integration of the substation (Stage 1A) with commercial/retail development located on the corner of Pitt, Campbell and Hay Streets.

Stage 1B is the subject of this modification:

The Concept Plan approval was modified on 4 November 2010 and 13 July 2011 in relation to Condition 3.2 to ensure that a design review process applied to building envelope and built form. Conditions 2.1 – 2.3 of the Project Approval for Stage 1 also include a requirement that the proponent submit more detailed plans developed in consultation with Council's Design Review Panel.

The project approval for Stage 1 was modified on 14 December 2012 so as to allow the Belmore Park Zone Substation to include a through-site link along the eastern boundary, enabling pedestrian access between Campbell and Hay Streets.

The Belmore Park zone substation building (Stage 1A) is currently being constructed and is scheduled for completion in 2013.

The timing of the commercial section of the substation (Stage 1B) is yet to be determined by Ausgrid.

Stage 2 of the project contains a number of sub-stages:

- Stage 2A - construction and operation of the City East Zone Substation, in the vicinity of Phillip, Bent, Bligh and O'Connell Streets;
- Stage 2B - refurbishment of the existing Dalley Street Zone Substation, or construction of a new substation building adjacent to the existing site;
- Stage 2C - construction and operation of a sub-transmission switching station (STSS) at Riley Street;
- Stage 2D - construction and operation of the City East Cable Tunnel, between the STSS and the City North Zone Substation, with connections to the proposed City East and existing Dalley Street zone substations, and a potential services control room adjacent to the Riley Street STSS; and

- Stage 2E - extension to the City South Cable Tunnel from Wade Place to Riley Street, Surry Hills.

Project approval has been granted for part of Stage 2A on 13 July 2011 (for demolition of existing buildings and was modified on 2 July 2012 to clarify that works on neighbouring land would not be carried out until legal access to that land has been obtained). The project application for the remaining works for Stage 2A (construction and operation of the City East Zone Substation and Integrated Commercial Tower) was approved on 11 December, 2012. The project application for Stage 2D (construction and operation of the City East Cable Tunnel, between the STSS and the City North Zone Substation) was approved on 18 July 2011.

The project location is shown in Figure 1.

Figure 1: Project Location



The proposed modification is required in order for Ausgrid to better achieve Stage 1B of the development with a revised and refined architectural scheme addressing property development issues, providing greater detail regarding the final design, addressing certain conditions of the Project Approval and providing for the stratum subdivision of the commercial/retail and substation buildings. Refer to **Figure 2** for the approved project perspective.

Figure 2: Approved Project Perspective



2. PROPOSED MODIFICATION

2.1 Modification Description

The modification seeks approval for a revised architectural design for the commercial office component within the approved building envelope, including changed architectural treatments, vehicular access, building atrium, landscaped roof terraces, an additional basement level, and stratum subdivision.

The proposed modified layout is shown in **Figure 3**. The key aspects of the proposed modification are listed in **Table 1**.

Figure 3: Proposed Modified Perspective



Table 1: Key Proposed Modifications

Aspect	Description
<i>Vehicular Access</i>	Removal of the single combined entry / exit driveway onto Campbell Street and the provision of four driveways, with two accessing Campbell Street and two accessing Hay Street. The Campbell Street driveways will both operate as entry-only and will separately serve the basement car parking and the Ground Floor loading area. The two Hay Street driveways will operate as exit only and will also serve the basement car parking and the Ground Floor loading area.
<i>External Materials and Finishes</i>	Change to external materials and finishes. The proposed finishes are: <ul style="list-style-type: none"> - Northern façade full height glass with external horizontal copper coloured Zinc louvre blades; - Western façade: Copper coloured Zinc blade walls with recessed joints.
<i>Basement Excavation</i>	Change in level of lowest basement level from FFL -2.600 to -7.300, with proposed addition of extra basement level.
<i>Plant and Equipment</i>	Changes to location of plant equipment.
<i>Internal Layout</i>	The atrium now commences from level 3 and extends up to level 10, with bridge shown across the atrium from levels 5 to 9 (whereas the approved scheme showed the atrium from ground level to level 13). Reconfiguration of office floorplates layout in terms of location of lifts and amenities.
<i>Building Articulation</i>	Building recessed in at northern and southern ends at the location of the north-south vehicular access to create the external appearance of two separate building volumes. Removal of external vertical aluminium louvres from levels 02 to 14 to the western façade and replacement with recessed windows at each level. Introduction of windows to the building's eastern façade to each level. Introduction of terraces to the angled roof that have timber decking and planters. The terraces are located on levels 7 to 12 and are separated by glazing.
<i>Landscaping</i>	Changes to landscaping.
<i>Subdivision</i>	Stratum subdivision of the site.
<i>Conditions</i>	Changes to conditions of approval which relate to the above and in particular Conditions 1.6, 2.1-2.3, and 3.29.

A full description of the changes contained within the modification compared to the original approval is given in **Appendix A** to the Proponent's Environmental Assessment Report.

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

Part 3A of the Environmental Planning and Assessment Act, 1979 (EP&A Act) as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the EP&A Act, continues to apply to transitional Part 3A projects. In accordance with clause 3 of Schedule 6A of the EP&A Act, Section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Though the proposed modifications to the project approval substantially change the external appearance of the commercial office component of the building, these changes are generally within the already approved envelope for the building with the exception of a deeper excavation in the basement, and are considered not to give rise to any additional impacts.

Accordingly it is considered that the proposed change is substantially the same to that originally approved and can be dealt with as a modification under Section 75W.

3.2 Delegated Authority

On 28 September 2011, the Minister for Planning and Infrastructure delegated his powers and functions under Section 75W of the EP&A Act to the Director of Metropolitan and Regional Projects where the relevant local council has not made an objection to the proposal, where there are fewer than 10 submissions in the nature of objections in respect of the application, and a political disclosure statement has not been made in relation to the application.

The Director of Metropolitan and Regional Projects South is to note:

- The City of Sydney Council does not object to the proposal;
- No public submissions were made on the application; and
- A reportable political donation has not been made in relation to the original application, previous modification applications and/or the current modification application.

On the 27 February 2013, the Minister for Planning and Infrastructure issued new delegations for Departmental staff. The primary purpose of the new delegations was to update the staff position titles described in the delegations, to reflect the new titles given following a restructure. The new delegations do not revoke or effect the delegations of the 28 September 2011. Accordingly the application is able to be determined by the Director-General, under delegation.

In accordance with the Minister's delegation, the Directory Metropolitan and Regional Projects South may determine this modification under delegation authority.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75X(2)(f) of the EP&A Act, the Director-General is required to make the modification request publicly available. The Department:

- Publicly exhibited it from 1 February 2013 until 15 February 2013 (14 days) on the Department's website; and
- Notified adjacent landholders, and relevant State and local government authorities in writing.

The Department received one submission during the exhibition of the modification request from the City of Sydney Council. Council did not object to the modification but proposed conditions to be placed on the consent relating to driveways over the footpaths and subdivision. These have been incorporated into the revised notice of determination.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be:

- Additional excavation; and
- Aesthetics and design

5.1 Additional Excavation

The modification proposes to excavate a further 4.7m in depth to create a new basement level. This will increase the depth of the lowest basement level and the extent of excavation required.

The Project Application had Basement 03 level at FFL -2.600. Sections of the Architectus scheme drawings show new Basement 04 at -7.300. This means the depth of the lower-most basement level has increased by 4.7 metres, with the addition of a new basement level. Excavation will therefore be required to a depth of at least 14.4 metres.

It should be noted that the extent of proposed excavation as part of the Section 75W is not changing horizontally, however it is changing vertically (to a greater depth), compared with the Project Approval.

There will be construction impacts in terms of increased duration of construction noise and truck movements arising out of the increased excavation. There are also potential impacts on groundwater, vibration and shoring. Essentially, these impacts are within the scope of what was considered in the original approval. The additional impacts are considered to be acceptable and manageable within the conditions required as part of the original approval.

The potential for impact on corridors identified in the State Environmental Planning Policy (Infrastructure) 2007 arising out of the increased depth of excavation is considered low. Notwithstanding, Railcorp and Transport for NSW were notified of the application and did not make a submission. As Ausgrid is the proponent of the modification, as well as the local electricity distribution authority notification in relation to electricity transmission corridors was not required. It is considered that the existing conditions of the Project Approval (3.31 to 3.37) adequately address the management of impacts resulting from the increased excavation.

The Department is satisfied that the impacts of the proposed additional excavation are broadly similar to those arising out of the existing Project Approval, are adequately addressed by existing conditions in the existing project approval and are acceptable.

5.2 Aesthetics and Design

The modification proposes an entirely new architectural design for the commercial building. The Department considers that the architectural scheme and the design presentation of the proposed building have been improved considerably compared with the architectural concept that formed the Project Approval. The Department agrees with the proponent's comments that substantial improvements have occurred in relation to:

- Proposed landscaping to terraces of the southern façade which perforates the façade and provides greater relationship with the adjacent park;
- Proposed high quality materials, finishes and detailing;
- Greater sensitivity of proposed development with adjacent heritage buildings in terms of materials and finishes (use of zinc to reflect colour of sandstone of adjacent heritage buildings) and architectural detailing (for example, recessed windows which reflect the rhythm of the windows of the adjacent heritage buildings); and,
- Reduction in the visual bulk of the building, achieved by using a recessed glass atrium to present two separate volumes.

In particular, the Department notes the involvement of the City of Sydney Council Design Review Panel in advising on the revised architectural scheme and its endorsement of the design. Relevant minutes of the Design Panel are included at **Attachment F** of the modification application. Accordingly it is considered that the proponent has addressed the

requirements of conditions 2.2 and 2.3 which require consultation with the design review panel in relation to the detailed design plans for Stage 1 of the project.

The Department is therefore satisfied that the impacts of the aesthetics and visual design of proposed modification are acceptable and represent an improvement and refinement compared to the current approval.

6. CONCLUSION

The Belmore Park Zone Substation project, including a Project Approval for a commercial office building together with the development of the substation, was approved by the then Minister for Planning on 20 September 2009. The Proponent now proposes to replace the approved architectural design for this commercial building with a new design within the same building envelope. The key changes include new external materials and finishes, vehicular access, building atrium, landscaped roof terraces, an additional basement level, and stratum subdivision.

The Department has reviewed the information attached to the Proponent's modification application, including its letter of 18 December 2012 providing an Environmental Assessment Report, and its attachments including separate reports on the key changes proposed, a Building Design Report (including revised architectural plans, landscape plans and engineering plans), Updated Traffic Report, Heritage Impact Statement, ESD Consultant Advice, Minutes of the Design Review Panel, Shadow Diagrams and Stratum Subdivision Plan.

The Department considers the key issues for the proposed modification are the impacts arising from the increased depth of excavations, and aesthetic and design issues.

In relation to excavations, the Department considers that the predicted level of impact would be substantially the same as that predicted for the originally approved project with relatively minor increases in the duration and extent of some impacts during construction. The Department considers that these are adequately managed through existing conditions applying to the consent.

In relation to the aesthetic and design, the Department considers that the proposed modifications are an improvement compared to the approved development, and the predicted level of impact would be substantially the same or less than that currently approved.

The Department therefore recommends the modification be approved, subject to the recommended modifying conditions.

7. RECOMMENDATION

It is recommended that the Director Metropolitan and Regional Projects South, as delegate for the Minister for Planning and Infrastructure:


- (A) **consider** the recommendations of this report;
- (B) **approve** the modification to MP08_0075 subject to conditions, under Section 75W of the Environmental Planning and Assessment Act, 1979; and
- (C) **sign** the attached Instrument of Modification.

Endorsed By:



Mark Schofield
Team Leader
Metropolitan & Regional Projects South

Approved By:



Karen Jones 11/3/13
Director
Metropolitan & Regional Projects South

APPENDIX A MODIFICATION REQUEST

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5757

APPENDIX B RECOMMENDED MODIFYING INSTRUMENT
