

27 January 2015

The Secretary
NSW Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

Dear Ms McNally,

Section 75W Amendment to MP10_0016 - Scottish Hospital Paddington

This letter constitutes a request to amend the Project Approval for MP10_0016 (Scottish Hospital Paddington).

Consent was granted to the Major Project in May 2012. The proponent, Presbyterian Aged Care (NSW) Property Trust, is now working with Brookfield Multiplex to deliver the development. Review of the conditions in light of project delivery has raised the need to seek amendment to three of the consent conditions, being:

- Condition A3 – Development in Accordance with Plans and Documentation,
- Condition A6 – Ecological Sustainable Development, and
- Condition E17 – Power/Telecommunications Related Works.

The Environmental Planning & Assessment (EP&A) Act 1979 was amended on 1 October 2011 to repeal the Part 3A Major Projects development assessment system. Despite this, provisions of the former Part 3A continue to apply to projects which had Director General's Requirements issued prior to 1 October 2011, including the subject project. Modification of the Project Approval is therefore to be undertaken in accordance with the former Part 3A assessment framework.

The former s75W of the Act enables a proponent to seek the Minister's modification of a Project Approval. Modification to amend MP10_0016 is therefore sought under the former s75W of the EP&A Act 1979.

Conditions to be modified

Modification is sought to three conditions of approval. Each is addressed separately below.

CONDITION A3 – DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

The amendment sought to this condition is administrative in nature, in order to

- Accurately reflect the plan references of the stamped Landscape Plans prepared by Aspect Studios in the Project Approval document. A number of stamped plans are dated September 2010 however the date has been transcribed as September 2011 in the Project Approval; and
- Include reference to one stamped plan that is not included in Condition A3.

It is requested that the table to Condition A3 be updated as follows. Text for deletion is shown ~~struck through~~. Proposed text is shown in red.

| Drawing No. | Drawing Title | Revision | Date |
|--|---|----------|---|
| Landscape Plans prepared by Aspect Studios , excluding land dedicated to Council for the extension of the Dillon Street Reserve | | | |
| 10034-SK01 | Concept Plan | 02 | September 2011 September 2010 |
| 10034-SK02 | Brown Street Frontage | 02 | September 2011 September 2010 |
| 10034-SK03 | Central Terraces & Entry Plaza | 02 | September 2011 September 2010 |
| 10034-SK04 | Parkland | 02 | September 2011 September 2010 |
| 10034-SK05 | Plants & Materials | 02 | September 2011 September 2010 |
| 10034-SK06 | Central Terraces | 02 | September 2011 September 2010 |
| 10034-SK07 | Street Views | 02 | September 2011 September 2010 |
| 10034-SK08 | WSUD Opportunities | 01 | June 2011 |
| SK01 | Location Plan with existing trees | B | May 2011 |
| SK04 | Option 3 – Infill Planting of <i>Waterhousia floribunda</i> and transplanted palms with staged removal of selected weed trees | B | May 2011 |

This modification will ensure the Project Approval document accurately reflects the title references on the stamped plans.

CONDITION A6 – ECOLOGICAL SUSTAINABLE DEVELOPMENT

The amendment sought to this condition is administrative in nature. It is requested that its wording be amended to read as follows to accurately reflect the title of the ESD report lodged with the proposal, which was prepared by Cardno ITC, rather than Cundall Associates as currently stated in the condition.

The development shall be carried out in general accordance with the sustainability report Proposed Ecologically Sustainable Design Initiatives prepared by Cardno ITC revision 4 dated 10 November 2010.

This modification will ensure that the Project Approval document accurately reflects the title reference of the approved ESD report.

CONDITION E17 – POWER/TELECOMMUNICATIONS RELATED WORKS

It is requested that this condition be amended to require the bundling of overhead cables in the vicinity of the site, where not already undertaken, for the following reasons:

- Assessment officers within the NSW Department of Planning & Environment have confirmed that the condition was not imposed on the approval to address a particular issue or concern. Its inclusion was not requested by Woollahra Council.
- In a phone call with Cathy Edwards-Davis, Manager of Engineering at Woollahra Council on 28 November 2014, it was confirmed that Council does not have an identified program for the undergrounding of cables in Paddington in the immediate future. Council generally does not underground cables in residential areas and if it does underground cables, it would more likely to be in retail areas.
- Discussions held between the proponent and Ausgrid in October 2014 confirmed that there is no plan by Ausgrid to underground cabling in the area. Ausgrid has recently undertaken bundling of cabling infrastructure along the site's Brown Street frontage and part of its Stephen Street frontage. Relocating the overhead aerial assets to underground would offer no benefit to the network and would not augment Ausgrid's network capabilities. As a result, Ausgrid are impartial and have no objection to the removal of the condition.
- Should the condition remain it is considered that there will be significant impacts to the streetscape of Stephen Street, Cooper Street and Brown Street which are located within a Heritage Conservation Area. The accompanying advice prepared by EMF Griffiths demonstrates that the works required to fulfil the condition will involve installation of highly visible low voltage network pillars within the footpath alignment, 400mm from the property boundary, every one to three houses. This will restrict pedestrian accessibility along the already narrow footpaths, potentially affect root zones of street trees, and require significant disruption to the front gardens/lawns of private property to facilitate connections to the new underground electricity service. Refer to the EMF Griffiths report for pillar location requirements.
- Removal of overhead aerial cabling will require the removal of the redundant poles. This would require installation of additional new dedicated street lighting poles on either side of the streets.
- EMF Griffiths recommends that a preferred outcome would be the bundling of overhead power lines, in a manner consistent with that already undertaken in the area by Ausgrid. It is noted that all telecommunications services are already undergrounded so any bundling would be for power lines only.

It is considered that aerial bundling of the overhead power cabling would result in a more discrete and visually appealing outcome for the streetscape, and is consistent with the approach already undertaken by Ausgrid along the Brown Street and part Stephen Street site frontages. Amending the condition to remove the requirement for undergrounding of the cables will minimise disruption to neighbours, both during installation works and resulting from the requirement to locate pillars in the middle of the footpaths and pillars or poles within each of the residential properties. Bundling of the overhead cables will minimise their visual intrusion within the conservation area and is considered to be a preferable outcome given the character of the surrounding streets.

It is therefore requested that condition E17 be amended to read as follows:

The proponent shall meet the full cost of bundling the overhead power lines located along the Brown Street, Cooper Street and Stephen Street frontages of the development site (where works of this nature have not already been undertaken). The Proponent shall liaise directly with the relevant service utility authorities to organise for the wires/cables to be bundled. All wires/cables must be bundled to the satisfaction of the relevant service utility authority prior to the issuing of an Occupation Certificate for the development.

Impact of Proposed Condition Amendments on the overall Project

The proposed condition amendments will not affect the delivery of a high quality seniors living development, as originally approved by the Minister. They will, however, ensure that:

- The instrument of approval is consistent with the stamped plans and approved specialist reports, and
- The impact on the streetscape of Brown Street, Cooper Street and Stephen Street is minimised through sympathetic cable bundling rather than undergrounding, which will result in a preferable outcome for local residents and will preserve the integrity of the Paddington Heritage Conservation Area.

Conclusion

Should the Department require any further information or wish to discuss this application further, please contact me on 8233 9969.

Yours sincerely,



Jacqueline Parker
Associate Director

Encl.



December 15 2014
s214682e-jtl

Brookfield Multiplex Constructions Pty Ltd
Level 22
135 King Street
SYDNEY NSW 2000

Attention: Mr Chris Adamson

Dear Chris

**Re: Presbyterian Aged Care, Paddington
Planning Assessment Condition E17
Overhead Electrical / Telecommunication Services to be Located Underground**

In relation to the Planning Assessment Condition E17 for the undergrounding of Ausgrid assets, EMF Griffiths have reviewed the associated extent of works and have found that this would result in significant adverse impacts on the streetscape within the conservation area and disruption to the residents.

As an alternative, we recommend that it would be more appropriate to alter the existing overhead bare cabling to less intrusive bundled aerial cabling.

The proposed Presbyterian Aged Care development is in Paddington, bounded by Brown St, Cooper St and Stephen St with the surrounding residential neighbourhood comprising predominately Victorian terraces with heritage conservation status. The existing Ausgrid overhead aerial network serves the Presbyterian Aged Care site and neighbouring heritage terraces and comprises both bare aerial and bundled aerial cabling arrangement, as illustrated in the attached site plan.

To address Planning Assessment Condition E17, the required ramification works would adversely affect the streetscape within the conservation area. In addition these undergrounding works are likely to result in lengthy disruptions and an unfavourable outcome to surrounding residents when compared to the suggested alternative of replacement with bundled aerial cabling. The adverse impacts would include the following:

Street Impact

- The introduction of highly visible Ausgrid network pillars, as indicated in Figure 2, located within the narrow footpath creating adverse impacts to the streetscape within the conservation area. Each Ausgrid network pillar would serve between one and three residential properties.
- The introduction of the Ausgrid network underground LV distributor cabling serving the network pillars is most likely to disrupt the tree root protection zone.

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Residential Property Impact

- Restricted opportunities for locating the Ausgrid network pillars within the narrow footpath in a favourable position for each of the residents due to the limitations involved with coordinating the existing in-ground services, particularly communication pits, and avoiding damage to tree roots.
- Pedestrian accessibility limitations are inherent with the existing narrow footpath width and are further restricted by the existing residential steps, tree and landscaped areas and poles (lighting and power) located within the pavement areas. An additional further reduction of the pathway width would be imposed by the planning assessment condition in the order of 650mm as indicated in Figure 3, illustrating the low voltage network pillar resulting in an unfavourable outcome to pedestrians.
- Surface mounted conduits would be provided at residential retaining walls from the network pillars. Access would be required to each property. Locating the required resident aerial pole or another service pillar within the residential property is likely to be unfavourable to the residents.
- Unavoidable disruption to each of the terrace front lawn and/or garden areas to accommodate underground works required to connect to the proposed underground network.
- Inconvenience to residents due to barricades and safety obstructions to all road and pavement openings and partial road closures limiting vehicular traffic and pedestrian access for extended periods of time.
- Noisy works with heavy machinery required for trenching and cutting road and pavement openings for a period of time in the order of a year.
- Interruptions to power supply for the duration of the works.

In meeting with Ausgrid on the 17th October 2014 and in liaison with Dave Tomlin of Ausgrid to review, clarify and confirm the associated requirements in undergrounding the aerial cabling, we find that:

- Locating the overhead aerial assets to underground would offer no benefit to the network and would not augment Ausgrid's network capabilities. As a result, Ausgrid are impartial and have no objection to the removal of the condition from the planning assessment.
- Pits are not permitted so the introduction of highly visible low voltage network pillars would be required 400mm from the resident property boundary in accordance with Ausgrid network standards. In addition, the Ausgrid network pillars would occupy a pavement width in the order of 650mm from the resident boundary as illustrated in Figure 3.
- Altering overhead bare aerial to bundled aerial cabling has already taken place throughout the Paddington area. This aerial cabling alteration is evident along Brown St and Stephen St. The extent of the existing overhead bare cabling with respect to the overhead bundled cabling is illustrated on the attached site plan drawing Figure 1.
- There are no prior examples within Paddington of required undergrounding on the scale called up by the planning condition. This is due to the narrow footpath limitations to accommodate the network pillars and associated adverse impact to the streetscape of the heritage conservation area.
- The undergrounding of overhead aerial cabling would result in removal of redundant poles. This would require additional new dedicated street lighting poles on either side of the streets.

Existing telecommunication assets are currently underground. We confirm that there is no existing overhead telecommunication cabling to be undergrounded.

The planning assessment condition was likely to be intended for the benefit of residents. However, the adverse impacts imposed on the streetscape and residents due to the associated works are likely to be a significant nuisance and inconvenience.

As a more favourable alternative, EMF Griffiths are recommending that the existing bare aerial cabling is replaced with aerial bundled cabling. This is a much more discrete, unobtrusive and visually appealing outcome where the four existing bare cables are replaced with a single bundled cable. This is consistent with Ausgrid network upgrade works that have already taken place in the vicinity, as indicated in Figure 1.

If you wish to discuss the above any further, please contact the undersigned.

Yours faithfully



Jacob Theodorou

- Encl. Figure 1 – Site Plan indicating existing extent of bare cabling and bundled aerial cabling
 Figure 2 – Ausgrid LV Network Pillar
 Figure 3 - Schematic of Ausgrid Network Pillar locating pillar from property alignment
 Figure 4 - Narrow Width of Pavement restricted with tree area and residential steps on Cooper Street
 Figure 5 – Aerial cabling and bundled cabling example on the corner of Stephen Street and Cooper Street.

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**Figure 1: Site Plan indicating existing extent of bare cabling and bundled aerial cabling
(following page)**

LEGEND

A

B

C

D

E

F

G

EXISTING BARE AERIAL CABLING TO REMAIN

EXISTING BUNDLED AERIAL CABLING TO REMAIN

EXISTING BARE AERIAL CABLING TO BE REPLACED WITH BUNDLED CABLING

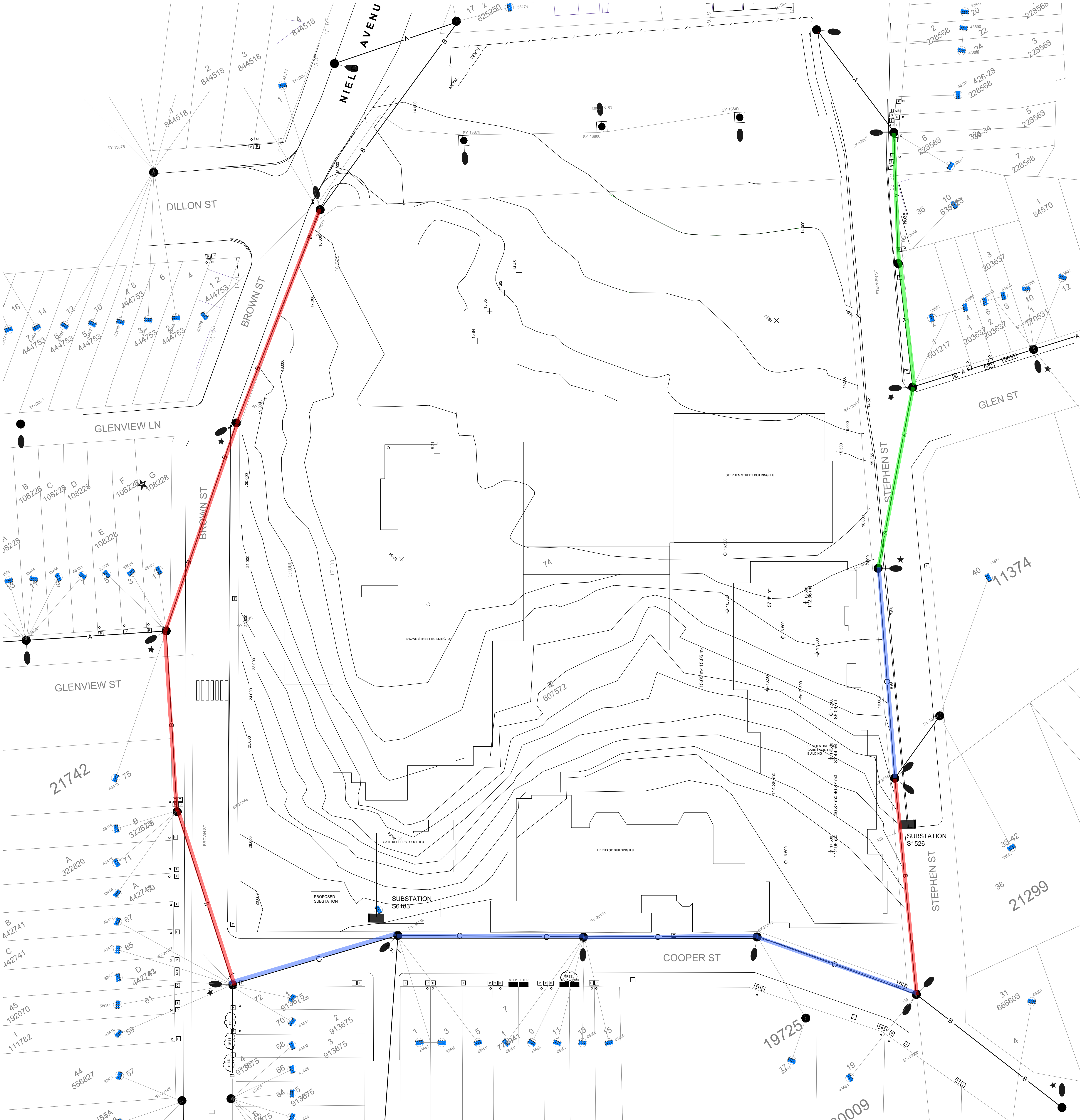
TELSTRA PIT

INDICATIVE LOCATION FOR AUSGRID NETWORK PILLAR FOR UNDERGROUND POWER SUPPLY

OPTICAL FIBRE PIT

INDICATIVE LOCATION FOR RESIDENTIAL AERIAL POST OR RESIDENTIAL LV PILLAR

SERVICES PIT



| | | | | |
|-----|-------------------|-----|-----|----------|
| C | PRELIMINARY ISSUE | J.S | J.T | 09.12.14 |
| B | PRELIMINARY ISSUE | J.S | J.T | 07.10.14 |
| A | PRELIMINARY ISSUE | J.S | J.T | 04.10.14 |
| REV | DESCRIPTION | DN | CHK | DATE |

| | |
|--------------------|----------|
| DRAWING REFERENCES | |
| TYPE | REVISION |
| | |
| | |
| | |

CLIENT

Brookfield MULTIPLEX

BM

Built to outperform.

ARCHITECT

emfgriffiths

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PROJECT

PRESBYTERIAN AGED CARE

DRAWING

ELECTRICAL SERVICES
EXTERNAL SITE PLAN

| | | | |
|------------|------------|------------|---------|
| SCALE | 1:250 @ A0 | DATE | OCT '14 |
| DRAWN | J.S | CHECKED | |
| PROJECT NO | 214682 | DRAWING NO | E000 |
| REV | | REF | |



Figure 2: Ausgrid LV Network Pillar

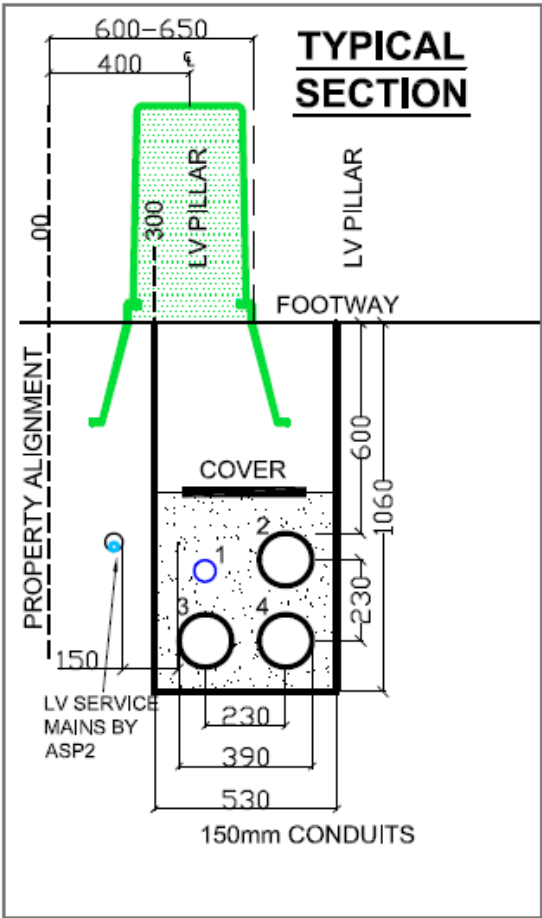


Figure 3: Schematic of Ausgrid Network Pillar locating pillar from property alignment



Figure 4: Narrow Width of Pavement restricted with tree area and residential steps

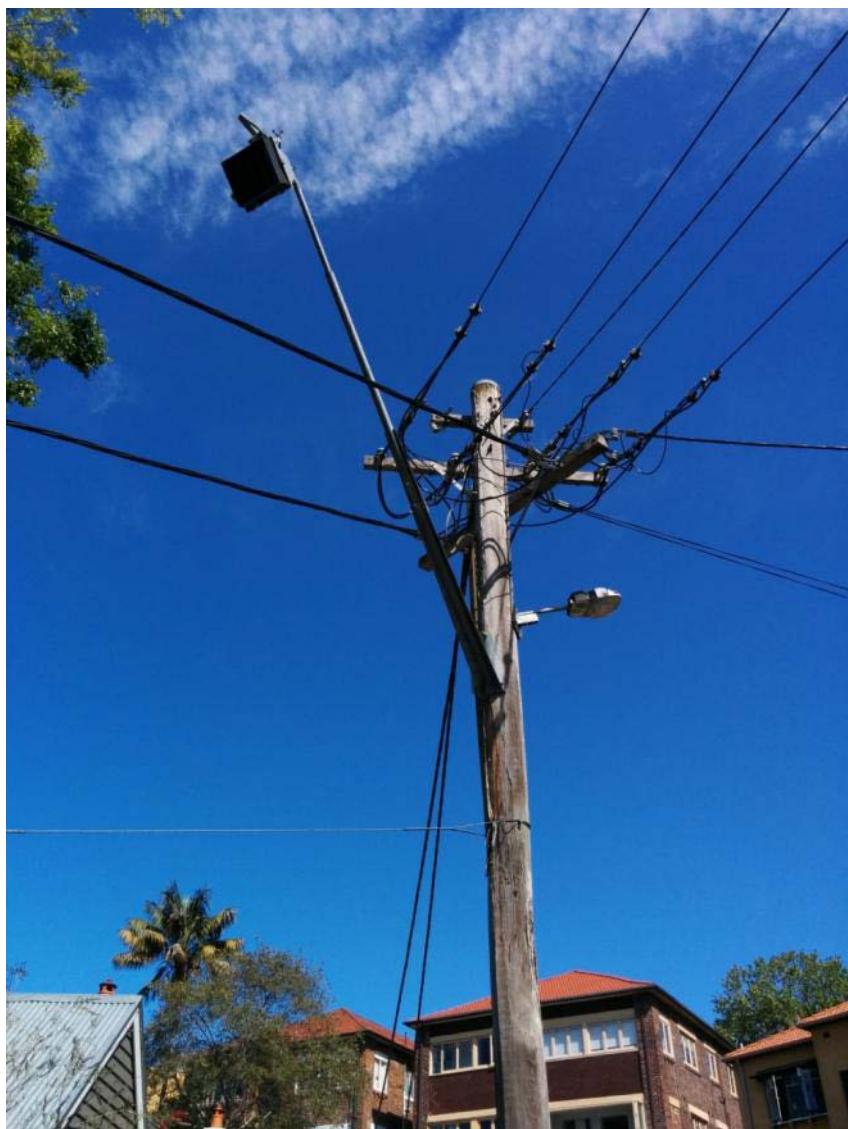


Figure 5: Aerial cabling and bundled cabling example on the corner of Stephen Street and Cooper Street.