

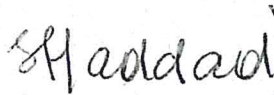
Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the project application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Sam Haddad
Director-General

Sydney 12th July 2011

SCHEDULE 1

Application No.:	10_0071
Proponent:	Ausgrid (formerly Energy Australia)
Approval Authority:	Minister for Planning and Infrastructure
Land:	The integrated development site (City East Zone Substation and Commercial Tower) on land owned by Energy Australia with frontages to 33 Bligh and 20-22 and 24-26 O'Connell Street, Sydney (Lot 1 DP 626651).
Project:	Stage 2A(i) of the Sydney CityGrid Project, being the site preparation and demolition of Kindersley House.

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SCHEDULE 2

Act, the	<i>Environmental Planning and Assessment Act, 1979.</i>
Conditions of Approval	The Minister's conditions of approval for the project.
Council	City of Sydney Council
Demolition	Demolition includes all works related to Stage 2A(i) including site preparation.
Department, the	Department of Planning and Infrastructure
Director-General, the	Director-General of the Department of Planning and Infrastructure (or delegate).
Director-General's Approval	A written approval from the Director-General (or delegate) where the Director-General's Approval is required under a condition. The Director-General may ask for additional information if the approval request is considered incomplete.
Director-General's Report	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
Dust	any solid material that may become suspended in air or deposited
EA	<i>Sydney CityGrid Project Environmental Assessment for Stage 2A(i) of the City East Zone Substation</i> prepared by Energy Australia and GHD and dated July 2010.
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
Minister, the	Minister for Planning and Infrastructure
Project	Stage 2A(i) of the Sydney CityGrid Project, being the site preparation and demolition of Kindersley House.
Proponent	Ausgrid
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Site	Land to which Major Projects Application 10_0071 applies.
Preferred Project Report	Stage 2A (i) of the Sydney CityGrid Project Submissions Response and Preferred Project Report prepared by GHD March 2011.

Part A - ADMINISTRATIVE CONDITIONS

Terms of Approval

- A1. The Proponent shall carry out the project generally in accordance with the:
- a) Major Project Application 10_0071;
 - b) *Sydney CityGrid Project Environmental Assessment for Stage 2A(i) of the City East Zone Substation* prepared by Energy Australia and GHD and dated July 2010.
 - c) Stage 2A (i) of the Sydney CityGrid Project Submissions Response and Preferred Project Report prepared by GHD March 2011.
 - d) the concept plan approval granted for Sydney CityGrid (08_0075); and
 - e) the conditions of this approval.
- A2. Nothing in this approval authorises any site excavation work or stub tunnel demolition.
- A3. In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition A1a) to A1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition A1a) to A1c) inclusive, and any other document listed from condition A1a) to A1e) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- A4. The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:
- a) any reports, plans or correspondence that are submitted in accordance with this approval; and
 - b) the implementation of any actions or measures contained in these reports, plans or correspondence.

Limits of Approval

- A5. This project approval shall lapse five years after the date on which it is granted, unless the works subject of this approval are physically commenced on or before that time.

Statutory Requirements

- A6. The Proponent shall ensure that all applicable licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.

Compliance

- A7. The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.
- A8. The Proponent shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

PART B – PRIOR TO DEMOLITION

Environmental Representative

- B1. Prior to the commencement of any demolition activities, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General a suitably qualified and experienced Environmental Representative(s). The Proponent shall engage the Environmental Representative(s) during demolition activities or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:
- a) oversee the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;
 - b) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments.
 - c) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur.

Community Information Plan

- B2. Prior to the commencement of demolition, the Proponent shall update the Community Information Plan (as required by Condition 4.3 of the Concept Plan Approval (MP08_0075)), in relation to Stage 2A (i) to outline measures for disseminating information on the development status of the project and methods for actively engaging with surrounding landowners and affected stakeholders regarding issues that would be of interest/ concern to them during the demolition of the project. A copy of the updated Plan shall be provided to the Director-General prior to the commencement of demolition.

Demolition Management Plan

- B3. The Proponent shall prepare, in consultation with Council, and implement a **Demolition Management Plan** (DMP) to outline environmental management practices and procedures to be followed during demolition of the project. The Plan shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:
- a) a description of all activities to be undertaken on the site during demolition including an indication of stages and sub-stages of demolition where relevant;
 - b) statutory and other obligations that the Proponent is required to fulfil during demolition including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
 - c) details of how the environmental performance of the demolition works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:
 - (i) processes and equipment used in demolition and impacts and mitigation measures on nearby buildings and facades particularly on nearby heritage items. The DMP must demonstrate how the structural integrity of adjacent buildings will be maintained through demolition.
 - (ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during demolition activities;
 - (iii) measures to monitor and control noise emissions during demolition works;
 - (iv) measures to monitor and mitigate and manage vibration and ground movement;
 - (v) measures to minimise and manage impacts on existing non-indigenous items and locales;

- (vi) measures to monitor and control air emissions during demolition to ensure that air emissions are both minimised and in compliance with the requirements of this approval;
- (vii) a description of the roles and responsibilities for all relevant employees involved in the demolition of the project;
- (viii) quantification of traffic volumes generated by demolition activities and description of traffic management measures;
- (ix) complaints handling procedures during demolition;
- (x) details of consultation with adjoining land owners and occupiers; and
- (xi) measures to minimise and manage impacts on existing street trees and vegetation and measures to restore/replace any damaged or removed street trees.

The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of any demolition works associated with the project, or within such period otherwise agreed by the Director-General. Demolition works shall not commence until written approval has been received from the Director-General.

B4. As part of the Demolition Management Plan for the project, required under condition B3 of this approval, the Proponent shall prepare and implement the following:

- a) a **Noise and Vibration Management Plan**, that shall include, but not necessarily be limited to:
 - i) identification of the specific activities that will be carried out and associated noise sources at the premises;
 - ii) identification of all potentially affected sensitive receivers, activities to be carried out, including ancillary facilities, and associated sources of noise at each premises;
 - iii) quantification of the rating background noise level (RBL) for sensitive receivers;
 - iv) the demolition noise, ground-borne noise and vibration objectives outlined in this approval;
 - v) assessment of potential noise, ground-borne noise and vibration levels from the proposed demolition methods (including demolition vehicles) anticipated at sensitive receiver premises against the objectives identified in this approval, in accordance with relevant guidelines;
 - vi) where the objectives are predicted to be exceeded, an analysis of feasible and reasonable mitigation measures that can be implemented to reduce demolition noise impacts;
 - vii) description of management methods and procedures, and specific noise mitigation treatments that will be implemented to control noise and vibration during demolition;
 - viii) where the noise and vibration objectives cannot be met, additional measures including but not necessarily limited to the following shall be considered and implemented where practicable:
 - reduced hours of demolition;
 - the provision of respite from noisy and/or vibration intensive activities;
 - ix) where it is determined that the works cannot be undertaken in a manner that satisfies the demolition noise and vibration objectives, a report justifying that the demolition noise and vibration measures (including management measures) are consistent with current 'best practice' shall be included in the Plan;
 - x) procedures for notifying sensitive receivers of demolition activities that are likely to affect their noise and vibration amenity;
 - xi) measures to monitor noise performance and respond to complaints; and
 - xii) details of consultation with adjoining land owners and occupiers.
- b) a **Historic Heritage Management Plan**, that shall be prepared in consultation with the Office of Environment and Heritage and Council and include, but not necessarily be limited to:
 - i) details of any investigations to be undertaken for the demolition; and

- ii) assessment of potential impacts on adjacent heritage listed buildings, mitigation measures to minimise the risk of damage and provisions to restore heritage buildings to pre-works condition if damage occurs, at the expense of the Proponent.
- c) **Air Quality Management Plan**, that provides details of all dust control measures to be implemented during the demolition of the project. The Plan shall include, but not necessarily be limited to:
 - i) identification of sources of dust deposition;
 - ii) mitigation measures to reduce dust from demolition;
 - iii) establishment of a protocol to handle dust complaints that includes recording, reporting and appropriate actions for dealing with complaints; and
 - iv) a reactive management programme detailing how and when operations are to be modified to minimise the potential for dust emissions, should emissions exceed the relevant criteria.
- d) a **Traffic Management Protocol**, that shall be prepared in consultation with the RTA, Council and State Transit Authority and include information on, but not necessarily be limited to:
 - i) all roads nominated for use during demolition;
 - ii) minimising and monitoring use of local roads by heavy vehicles;
 - iii) identification and designation of heavy vehicle routes, including spoil trucks;
 - iv) adequate access to properties (residential and commercial) during demolition;
 - v) scheduling of works to minimise traffic disruption;
 - vi) safe pedestrian and cyclist movement;
 - vii) safe traffic movement and access;
 - viii) loss of parking spaces and provision of alternative spaces;
 - ix) minimising worker car use and disruption to business activities;
 - x) any other approvals required for the management of traffic; and
 - xi) details of consultation with adjoining land owners and occupiers.

- B5. A **Dilapidation Report** must be conducted prior to the commencement of demolition works to assess the current condition of adjacent buildings and roads. Following completion of demolition, a subsequent Dilapidation Report shall be prepared to assess any damage that may have resulted from the demolition. The Dilapidation Report shall include but not necessarily be limited to:
- i) a dilapidation assessment for all roads in the immediate vicinity of the site nominated in the Traffic Management Protocol that are likely to be used by demolition traffic. Copies of the dilapidation report shall be provided to Council and RTA. Any road/footpath damage, aside from that resulting from normal wear and tear, shall be repaired to a standard at least equivalent to that existing prior to the damage, at the cost of the Proponent.
 - ii) a dilapidation assessment on surrounding buildings including the former NSW Club House (Lowy Institute Building) and the AFT House. Copies of the report shall be provided to the owners of surrounding buildings. Any damage to buildings, aside from that resulting from normal wear and tear, shall be repaired to a standard at least equivalent to that existing prior to the damage, at the cost of the Proponent.

The Proponent shall ensure that any measures to restore roads and buildings are undertaken in a timely manner, in accordance with the requirements of the relevant authority/building owner.

The pre-commencement Dilapidation Report shall be provided to the Director-General prior to demolition works. The post-demolition Dilapidation Report shall be provided to the Director-General following completion of demolition.

Site Management Plan

B6. The Proponent shall prepare and implement a **Site Management Plan** to outline the management of the site once demolition has been completed. The Site Management Plan shall provide a description of how the site will be managed and in particular the following environmental performance issues shall be addressed:

- i) measures to ensure public safety;
- ii) measures to ensure visual amenity;
- iii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters; and
- iv) measures to manage surface run-off.

The Plan shall be submitted for the approval of the Director-General no later than one month prior to the completion of any demolition works associated with the project, or within such period otherwise agreed by the Director-General.

PART C – DURING DEMOLITION

Water Quality Impacts

C1. The proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters. Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during demolition activities, in accordance with *Landcom's Managing Urban Stormwater: Soils and Conservation* and the DMP required by condition B3.

Vibration

C2. The Proponent shall ensure that the vibration resulting from demolition of the project does not exceed the preferred values for vibration (for low probability of adverse comment) presented in the DECC publication "*Environmental Noise Management – Assessing Vibration: a technical guideline*" and in accordance with conditions B3 and B4.

Demolition Noise

C3. The Proponent shall take all reasonable measures to minimise noise emissions and vibration from all plant and equipment operated on the site such that they do not exceed noise and vibration criteria derived by application of the Interim Noise Control Guideline – Demolition Site Noise (DECC 2009) and the Environmental Criteria for Road Traffic Noise (EPA 1999).

C4. The Proponent shall only undertake demolition activities associated with the project that would generate an audible noise at any residential premises during the following hours:

- a) 7:00 am to 7:00 pm, Mondays to Fridays, inclusive;
- b) 7:00 am to 5:00 pm on Saturdays; and
- c) at no time on Sundays or public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent environmental harm or risk to life.

C5. The Proponent shall only undertake sledge hammering, rock hammering or any similar noise-intensive demolition activities during the following hours:

- a) 9:00 am to 12:00pm, Mondays to Saturdays;
- b) 2:00 pm to 5:00pm, Mondays to Fridays; and
- c) at no time on Sundays or public holidays.

- C6. The hours of demolition activities specified under conditions C4 and C5 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of demolition specified under conditions C4 and C5 shall be:
- a) considered on a case-by-case basis; and
 - b) accompanied by details of the nature and need for activities to be conducted during the varied demolition hours and any other information necessary to reasonably determine that activities undertaken during the varied demolition hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site; and
 - c) accompanied by written evidence demonstrating consultation with the Office of Environment and Heritage in relation to the proposed variation in demolition times (including consideration of any comments made by the Office of Environment and Heritage).

Demolition Noise Standards

- C7. The airborne demolition noise objective for the project is to manage noise from demolition activities (as measured by a $L_{eq(15-minute)}$ descriptor) so the noise level contributed by the demolition activities does not exceed the background L_{A90} noise level by:
- a) more than 10 dB(A) for standard demolition hours;
 - b) more than 5 dB(A) outside of standard demolition hours; and
 - c) more than 5 dB(A) for a demolition period greater than 26 weeks.

For the purpose of this condition, background noise levels shall be those established in the document referred to under condition A1b), unless otherwise established in an approved Demolition Noise and Vibration Management Plan (refer to condition B4(a)).

- C8. Demolition activities between 6pm and 7pm shall be undertaken such that regenerated noise limits do not exceed $L_{Aeq(15-minute)}$ of 40 dB(A) at the nearest residential receiver

Demolition Noise Management

- C9. During demolition, the Proponent shall minimise noise emissions from plant and equipment operated on the site, including bulldozers, cranes, graders, excavators and trucks, by installing and maintaining where reasonable and feasible, efficient silencers, low-noise mufflers (residential standard), screening of worksites and replacement of reversing alarms on vehicles with alternative silent measures.

Dust Generation

- C10. The Proponent shall construct the project in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease. Works are to be carried out in accordance with the DMP.

Bunding and Spill Management

- C11. The Proponent shall store and handle dangerous goods (as defined by the Australian Dangerous Goods Code) and combustible liquids, strictly in accordance with:
- (a) all relevant Australian Standards;
 - (b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (c) Storing and Handling Liquids: Environmental Protection – Participants Manual (2007); and
 - (d) Environmental Compliance Report: Liquid Chemical Storage, Handling and Spill Management – Part B Review of Best Practice and Regulation (2005).

In the event of an inconsistency between requirements listed from a) to d) above, the most stringent requirement shall prevail to the extent of the inconsistency.

Traffic and Transport Impacts

- C12. The swept path of the longest vehicle entering and exiting the project site, as well as manoeuvrability through the site, shall be in accordance with *AUSTROADS (Guide to Traffic and Engineering Practice)* or the revised *Austroroads Guide to Traffic Management*, as determined appropriate by the RTA.

Waste Generation and Management

- C13. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- C14. The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.
- C15. The Proponent shall maximise the treatment, reuse and/or recycling of demolition material, to minimise the need for treatment or disposal of those materials outside the site.
- C16. The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with the *Waste Classification Guidelines* (DECC, 2008), or any future guideline that may supersede that document.
- C17. The Proponent shall remove asbestos from the building prior to demolition where reasonably practical. All work is to be carried out in accordance with the *Occupational Health and Safety Regulation 2001*. Asbestos removal is to be carried out in accordance with the code of practice for the safe removal of asbestos *NOHSC 2002(2005)*.
- C18. The demolition work is to be carried out in accordance with *Australian Standard 2601 Demolition of Structures*. All demolition and asbestos removal work is to be carried out by a suitably licensed contractor.

Independent Environmental Auditing

- C19. At the end of demolition and then as may be directed by the Director-General, the Proponent shall commission an independent person or team to undertake an **Environmental Audit** of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:
- a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and or Environmental Management Systems Auditing;
 - b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
 - c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1 of this approval;
 - d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and
 - e) review the adequacy of the Proponent's response to any complaints made about the project through the Complaints Register required, referred to in the concept approval.

The **Environmental Audit Report** shall be submitted for comment to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.

Incident Reporting

- C20. Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Director-General no later than 14 days after the incident or potential incident.
- C21. The Proponent shall maintain a register of accidents, incidents and potential incidents.

- C22. The register shall be made available for inspection at any time by the Director-General. The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition C20 of this approval, within such period as the Director-General may require.