

City of Sydney

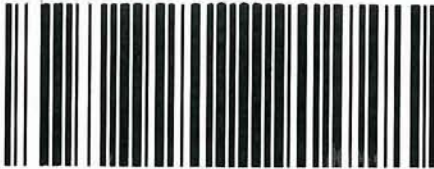
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PCU017715

9 December 2010

File No : S09/01810

Mr Neville Osborne
Manager – Energy Projects
Infrastructure Projects
GPO Box 39,
SYDNEY NSW 2001



Dear Sir

Environmental Assessment for Sydney CityGrid Stage 2D

Thank you for the opportunity to comment on the Energy Australia Stage 2D project which involves the construction of the City East Cable Tunnel (CECT), refurbishment of the existing Dalley Street substation, extension of City South Tunnel (CSCT) and associated ancillary works.

Council has previously provided comments in relation to the Concept Plan (Application 08_0075), which was approved on 20 September 2009. Copies of the relevant letters are included for your information and are still applicable to the current development.

A review of the Stage 2D works has been undertaken by Council and generally no objection is raised to the proposed works subject to the following considerations and recommended conditions:

Heritage and Archaeology

The critical issues and recommendations are discussed below:

1. Impact upon potential non indigenous archaeological deposits

The Non Indigenous Archaeological Assessment review by Casey and Lowe 2010 advises that most of the tunnelling will be in bedrock and will have no impact upon potential archaeological deposits. However, the following works nearer to the ground surface may have archaeological impacts:

- Dalley Street Shaft: The potential to impact upon deposits is high given its location alongside the Tank Stream and the layers of development of the

area dating up to the early twentieth century. The 2008 Archaeological Assessment also by Casey and Lowe identified that the area generally has potential for post 1830 housing as well as soil profiles connected to the Tank Stream valley. The proposed shaft in the intersection of Underwood and Dalley Streets is solely within the road easement and this roadway appears to date to the area's subdivision. Potential archaeological remains would probably be limited to older road surfacing, services such as brick and sandstone drains, and Tank Stream soil profiles.

- Little Albion St shaft: The potential to impact upon deposits is low given past disturbance for road construction.
- Yurong Parkway Shaft: The potential to impact upon deposits is low given past disturbance for road construction.
- Tank Stream: The potential to impact upon deposits is limited to the Pitt Street crossing. Management of groundwater during excavation and tunnelling works is critical to avoid settlement.
- Bondi Ocean Outfall Sewer beneath Oxford Street: The potential to impact upon deposits. Alteration of the grade of the CECT in the vicinity of the proposed relief sewer as suggested by Sydney Water would reduce the clearance to the Bondi Ocean Outfall Sewer which is currently 5.5 m. Energy Australia's intention is to provide as much separation to the Bondi Ocean Outfall Sewer as possible given that the proposed relief sewer would be designed to accommodate the interface with the CECT.
- Busby's Bore beneath Liverpool Street: The potential to impact upon this feature is unknown given the disparity in the levels indicated on Sydney Water records. There is some potential for conflict given the proposed tunnelling as there is uncertainty in the datum level of Busby's Bore on Sydney Water's records. The assessed level of 24.99 m AHD is conservative and has been retained on the drawings as it is closer to the alignment of the CECT compared to the level indicated on Sydney Water's records of 31.6 m AHD.

Recommendations:

The construction of the main and stub tunnels have limited archaeological implications. The main identified area of surface impact with archaeological implications is in Dalley Street where a shaft will be dug to link the City East Cable Tunnel with the adjacent Dalley Street Zone Substation, with potential impacts on subsurface archaeology including potential for deposits associated with 19th century housing as well as soil profiles connected to the Tank Stream valley.

Construction of the Dalley Street shaft should be carried out with archaeological input as follows:

- The site should be inspected by an archaeologist once the existing road surface has been removed and prior to excavation commencing.
- The initial bulk excavation should be monitored so that any buried features can be recognised.
- Should it be determined that construction of the shaft would impact on any remaining archaeological remains, including the Tank Stream, Energy Australia should investigate alternative locations for the Dalley Street shaft, giving consideration to existing services and utilities located within the vicinity of the area.
- Any items of archaeological significance or interest should be recorded by the archaeologist and managed in consultation with the Heritage Branch of the Department of Planning. Any evidence of substantial archaeological remains should be investigated and recorded and soil samples taken for analysis.

Management of groundwater during excavation and tunnelling works is critical to avoid settlement.

2. Potential impact of construction upon potential sites of Aboriginal cultural significance.

The potential for the works to impact upon undisturbed archaeological sites relating to Aboriginal occupation is very limited. Due to the extent of disturbance that has occurred at the sites where surface works would be undertaken for the project, the potential for direct impact to surviving archaeological deposits is considered to be very limited and impacts on items of significance to the Aboriginal community are considered unlikely.

Recommendations:

The approval should require management of Aboriginal Archaeology through mitigation measures to manage potential impacts on items of Aboriginal cultural significance. If unexpected Aboriginal object(s) are encountered during construction, all work likely to affect the object(s) is to cease immediately and both the Metropolitan Local Aboriginal Land Council and the DECCW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works would not recommence until written authorisation from DECCW is received.

3. Potential impact of settlement and vibration in tunnelling beneath heritage items and significant development within Heritage Conservation Areas and Heritage Streetscapes.

The tunnel construction is proposed to be fully tanked to avoid the risk of settlement and is generally between 10 to 55metres beneath ground level. Modelling indicates that the potential impact for structural damage caused by vibrations from tunnel construction to heritage items within the route alignment is low.

Recommendations:

- Dilapidation surveys of the 57 heritage items in the immediate vicinity of the route alignment zone should be undertaken prior to the commencement of works. These should identify any buildings that are structurally unsound.
- A Noise and Vibration Management Plan should be developed to minimise impacts.
- If heritage listed buildings are found to be structurally unsound, consideration would be given to the need to adopt alternative vibration criteria and to undertake a full photographic recording prior to commencement of works.
- Management of groundwater during excavation and tunnelling works is critical to avoid settlement.

Traffic

The applicant's Traffic Report proposes to create site specific Traffic Management Plans. These plans must be submitted to Council for our approval. As such, all proposed truck routes are not approved at this time and will be considered with the applicant at the site specific stage of their works.

The proposal also includes the possibility of a change to the traffic arrangements along Dalley Street. This will require Council approval, and it is recommended that these changes are discussed with the Traffic Operations Unit as soon as possible.

The change to a two way direction along Dalley Street will have safety implications at the intersection with George Street which will need to be addressed to Councils satisfaction. The removal of parking will also have the potential to be very sensitive as there is CBD resident parking spaces which will need to be relocated.

Noise and Vibration Impact Assessment

Health Compliance have reviewed the Wilkinson Murray (Report No. 09300B) and generally concur with the noise consultants report recommendation that noise intensive activities such as rock breaking works be undertaken during the following limited construction hours:

- Monday to Saturday 7.00am to 12.00pm;
- Monday to Friday 2.00pm to 5.00pm; and
- at no time on Sundays or Public Holidays.

For tunnelling works, an acoustic enclosure is proposed to be installed over the Riley Street shaft. A small exceedance is predicted at the most-affected location in Anne Street during the night period, which is due to the ventilation fan. As the exact details of plant and equipment have not yet been determined it is recommended that the following criteria are referred to for project design/selection criteria:

Noise - Mechanical Plant and Equipment

Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following:

(a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.

(b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.

Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" – DEC (EPA) AS1055 for sound level measurements.

Construction and Noise Management

The following additional information is also recommended to be provided by the applicant to Council for approval prior to determination:

- (i) selection and maintenance of all mechanical plant in relation to the acoustic output of such plant;
- (ii) details on how and when predicted noise levels are to be verified and objective actions that will trigger a review of plant selection, work strategies, acoustic treatments and noise levels;
- (iii) a detailed community consultation plan that should include but not be limited to the following:-
 - (a) noise monitoring techniques and method of reporting results to the community;
 - (b) details of work schedules for all work phases;

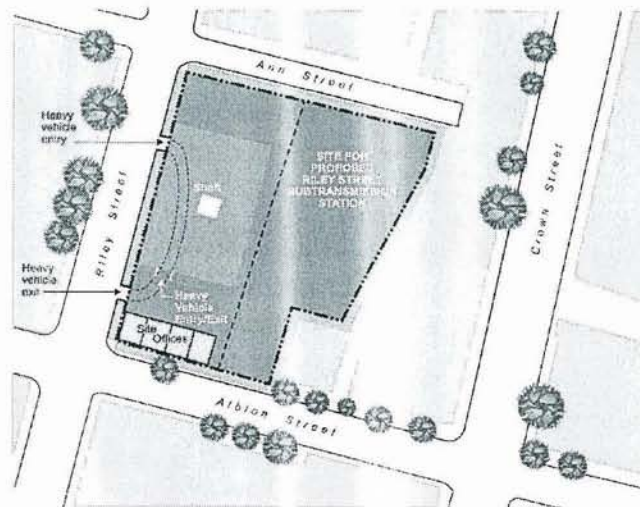
- (c) review process during works;
- (d) site induction details for all employees and contractors;
- (e) formal complaint management system, and;
- (f) community involvement plan.

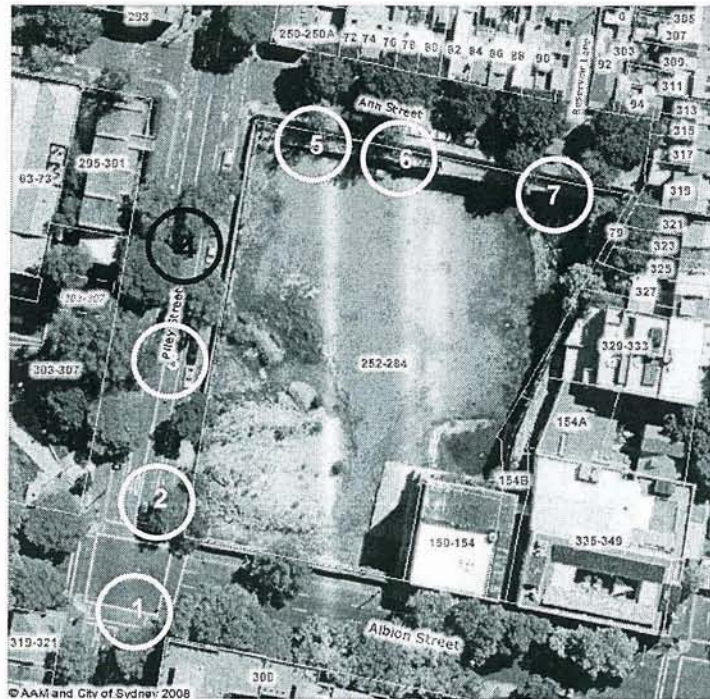
Tree Removal

The proposed construction compound at the Surry Hills site, bordered by Ann, Riley, and Albion Streets has the potential to affect/require removal of trees surrounding the site.

This site is bounded by four (4) mature street trees located along the Riley St frontage, and three (3) other mature street trees are located along the Ann St frontage. These trees are not indicated on the indicative plan within the Energy Australia Environmental Assessment dated November 2010, as shown below, and there is no clear intention in the document whether the applicant intends to remove or retain these trees. Council has provided an aerial view of the site, below for reference, with the trees highlighted.

Figure 6-4 Indicative layout of Riley Street construction compound





The street tree numbered 4 and circled in black above is in poor condition and may be removed if it is in conflict with the proposed vehicle entry point. Other trees circled in green are of medium-high retention value and must be retained.

Within the Environmental Assessment Statement of Commitments in relation to Urban Design (on page 117), it is stated that:

"The contractor would implement reasonable and feasible measures to refine the construction method to minimise the number of street trees to be removed. Any trees removed would be replaced with advanced stock and the species would be selected in consultation with the City of Sydney Council".

Recommendations

- A number of trees have established within the Riley St site since it has been vacant. These trees are a range of species that have self seeded and should not be considered a constraint to the development.
- Any proposed tree removal is clearly detailed within appropriate plans and documentation, and that the City of Sydney is advised of any proposed tree removal at the earliest opportunity.
- The applicant is required to notify the community at the earliest opportunity of any proposal to remove street trees.

Public Domain

The proposal will potentially affect the public domain where the new shafts are proposed to be located. As such, the applicant is required to obtain approval from Council's Public Domain Unit prior to the commencement of works and ensure that the public way is reinstated to Council satisfaction.

In addition to the above concerns, recommended conditions can also be found in Attachment A and should be included in any consent.

Finally, I wish to advise that Energy Australia should consult with the City of Sydney to identify opportunities for undertaking joint capital (e.g. installation of green infrastructure) works that may minimise cost and disruption to the local environment.

Should you wish to discuss these matters further please contact the Council Officer dealing with this matter **Louise Meilak** on 9246 7727 or via email lmeilak@cityofsydney.nsw.gov.au

Regards

A handwritten signature in blue ink, appearing to be 'Bill Mackay', with a stylized flourish.

BILL MACKAY

Manager – Planning Assessment

ATTACHMENT A

PREVIOUS CORRESPONDANCE

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12 February 2009

Mr Neville Osborne
Manager Energy and Water
Major Infrastructure Assessments
GPO Box 39 Sydney
NSW 2001

Sydney CityGrid Project – (Application: 08_0075)

Thank you for the opportunity to comment on the Energy Australia proposal to upgrade the electricity supply network in the Sydney Central Business District and outer areas (the Sydney City Grid Project).

The City of Sydney recognizes the need for investment in NSW's energy infrastructure, particularly in Sydney; however, we are concerned that approval of this proposal does not encourage progress towards long term sustainability.

Sustainable Sydney 2030 – our vision to Sydney green, global and connected by 2030 – reflects our residents' aspiration for our local government area. Following the most comprehensive consultation on the future of our city, *Sydney 2030* outlines how we can significantly reduce greenhouse gas emissions and take a holistic approach to planning Sydney's future.

Through our consultations, we received a remarkably clear and consistent message: Sydneysiders are seeking a city that is more livable and will continue as Australia's economic powerhouse. As a result, *Sydney 2030* includes a greenhouse gas emission reduction target of 70% by 2030, compared to 2006 levels.

The key to achieving this ambitious target is a coordinated effort to promote energy efficiency, renewable energy and the development of a local energy generation and distribution network that will deliver electricity, heating and cooling more cleanly, efficiently, and with lower emissions intensity. We believe this approach can achieve:

- Lower future energy costs for households and businesses;
- Lower greenhouse gas emissions; and
- Improved energy security and 'climate proofing' of energy infrastructure, without compromising regulated service quality and security of supply requirements.

Early action is crucial if we are to realize this target as we must forward plan investment in critical infrastructure. It is the City's view that instead of investing in infrastructure that will transition the Australia towards an energy industry that will survive and flourish in a carbon constrained future this development application is centered around a business-as-usual model of electricity generation and distribution.

This will have the effect of locking Sydney into the existing modes of centralised energy supply and distribution and it is the City's view that greater focus needs to be placed on demand management and lower carbon dioxide generation and distribution options.

Despite this, the City understands that works on the Sydney CityGrid Project are to be staged over the next decade and the Belmore Park Zone substation will be the first element constructed (Stage 1). It is important that if the works are to be staged over the next ten years that the City is kept abreast of the proposal and able to comment on each of the components which make up the proposal as the project proceeds. The City recommends that detailed comments and conditions should be applied at the Project Application phase for the individual works.

The City understands that Energy Australia is seeking Concept Plan approval for the entire proposal and project approval for Stage 1. The project is a development to which part 3A of the Act applies. The project will therefore be assessed and determined by the Minister for Planning. The concept plan proposes new and/or refurbished substations in the Sydney CBD and tunnel network. The Concept Application generally includes:

- construction and operation of up to three new zone substations;
- refurbishment and augmentation of existing zone substations;
- replacement of, and upgrades to, Energy Australia's existing high voltage cable network;
- the construction and use of tunnels for the installation and operation of high voltage cables and associated cables, and other infrastructure; and
- The construction, operation and use of associated works, including ventilation shafts and access structures.

The Project Application generally includes:

- construction of the Belmore Park Zone Substation; and
- construction of a 12m stub tunnel connecting the existing City South cable tunnel to the new substation;
- The proposed building component will involve integration of the substation function with commercial / retail development. The proposal for the commercial component includes 4 levels of basement parking, a ground floor entry level, 13 floors and a plant level. A through-site link is proposed through the retail / atrium section of the building, connecting Hay Street and Campbell Street at ground level;
- The proposed substation component will comprise an underground section equivalent to the four basement levels and above ground sections over part of the site up to Level 6. A landscaped "visual" link is proposed along the eastern boundary of the site;
- The Environmental Assessment Report anticipates possible staged construction of the substation (first stage) and commercial component (subject to market forces);

- The report also anticipates possible treatments in the event that the substation is constructed as a stand-alone element, until such time as the commercial portion is built. This includes retention of the existing open car park at the ground level and integration of a 'green wall' planting arrangement to the Pitt Street substation building facade;
- An outdoor café area is proposed on the ground floor in the north-eastern corner of the site.

Discussions have previously taken place with Councils Planning and Heritage Unit in regard to the Belmore Park substation during the earlier design development phases of the proposal, including involvement Design Review Workshops in August 2008 and October 2008.

City Planning Controls

The majority of sites fall within the City Planning Controls being the Sydney Local Environmental Plan 2005 or the South Sydney Local Environmental Plan 1998 (Riley Street substation). For Central Sydney Business District if any of the substations have a site area greater than 1500 sqm or being greater than 55 metres in height then the Council reiterates its position that a competitive process should be undertaken for any future applications that relate to the project. Part 12 of the Central Sydney DCP 1996 should be used as a guide for this process. If the site does not meet this criterion Part 5 Division 2 applies to the sites and the Council is to be a participant in a design review process, this equally applies to the Riley Street substation proposal.

It should be noted that the City North Substation currently under construction undertook a Design Competition process.

ESD principles should be incorporated into any new design for the sites.

Specific Sites

Proposed Substation opposite Belmore Park at the corner of Pitt, Hay and Campbell Street.

Council has participated in a design review process for the detailed design of the proposed substation which is to be integrated with the potential redevelopment of the existing vacant site. The preferred design was discussed and further reviewed in consultation with Council. Key issues identified at the time included the proposed monolithic/prism like building form and the articulation and treatment of the overall full glass curtain wall façade in order to meet high energy efficiency ratings and design excellence expectations. The design of the public domain and the through site link as required for the site was also discussed.

This particular project if realized correctly demonstrates a most effective way of incorporating a substation within the urban fabric that is integrated and well hidden within the overall built form. The key issue remains however as to how to ensure the substation is integrated with the intended commercial redevelopment of the whole site and how the design of the substation and the rest of the site are to be treated in the event that the substation is constructed first as a stand alone structure. Further clarification is required as to how the commercial component of the development is to be realized and if this component forms part of the overall Concept Plan approval. The City is unclear as to the possible staging of the substation and commercial buildings given that the application itself is not staged, further detail in this regard is

required. Further details should be provided as to the proposed treatment of the substation building façade in the event that the stand-alone option proceeds. Your attention is directed to Minutes of the Design Review Workshop and the actions arising for Energy Australia and the KhanFinch Group.

Through Site Links

Visual Link

The previously proposed "visual" through site link along the eastern boundary of the site is still proposed, now terminating at the northern end with a proposed café. The Landscape Design Statement prepared by Taylor Brammer (December 2008, Revision 3) describes the link as a *"visual landscape buffer"* and seems to suggest that it *"...is designed to lessen the impact of the necessary infrastructure and unify the open space components through material selection consistent with the public domain guidelines."* With a narrow (1.2m) gated access path and low level planting sandwiched between the proposed substation and the adjacent building site, The City is not convinced that this space offers any real benefit and further information in relation to this matter is requested.

A landscape plan should be submitted with the detailed documentation.

Pedestrian Link

A pedestrian through-site link is now proposed through the commercial building in the centre of the site, connecting Campbell and Hay Streets. The intended use is not made clear on any of the plans submitted with the application and the City requires further clarification on exactly how the link is intended to work. In addition, the Environmental Assessment Requirements contain some contradictory information about the future ownership of the link, with some sections (e.g. Design Review Workshop notes of August 2008) suggesting it will be privately owned and others suggesting that it will have some level of public ownership (dedication or easement). In principle a through-site link in this location is supported, however it is unclear how such a link is to work. Further details should be submitted to the City of Sydney in this regard. Information required includes clarification on ownership / arrangements for public access such as whether the link will it be gated and/or locked at certain times, will there be an easement or positive covenant, and how is the link to be activated. The Environmental Assessment Report discusses possible inclusion of public art in the through-site link, but no details are provided in the submission. The inclusion of public art should be conditioned, and as noted above, the substation façade should be considered for public art as well. Further details of the proposed through site link should be provided prior to a Construction Certificate being issued. This should include:

- clarification of the proposed ownership of the link, including arrangements for public access;
- resolution of the link within the context of a retail development, including proposed finishes and clear widths for the intended pedestrian circulation.

Public Domain Interface

The inclusion of retail uses at the ground level fronting Campbell Street, Hay Street and particularly Pitt Street, as a means of generating activity at the public domain interface, is supported.

While most of the 'activation' is visual rather than physical, by virtue of the double height glass façade, the inclusion of the retail function will generate movement of people in and around the space and streetscape in this area

In contrast, activation in the location of the substation building, fronting Campbell and Hay Streets, is virtually non-existent. Whilst the City appreciates that the function of this building is for a substation and therefore a limit on the extent of activity generating uses that can be accommodated, the photomontages suggest that the façade treatment in these locations will do little to engage the adjacent public domain. Further detail of the proposed treatment should be considered during the detailed design development phase, and the integration of public art should be explored, as happened during the City North Substation design phase.

Public Domain Treatments

The intention to upgrade the immediate frontages of the public domain, as noted in the Environmental Assessment Requirements, is supported – including the proposal for footway, kerb and gutter, street tree planting and lighting works. The submitted plans contain a number of proposed public domain treatments that may not be supported, such as inclusion of a flagstone trim on the footway. The site frontages fall within the CBD & Major Streets zoning, as noted in the City's Public Domain Policy. The nominated paving material for major streets is Austral Black granite. Further detail is required for the public domain treatments, and these issues should be addressed through the inclusion of a condition requiring a Public Domain Plan.

The public domain plan and landscape plans accompanying this development application are not approved. Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council's Public Domain Section and approved by Council prior to a Construction Certificate being issued for any new building work (excluding approved preparatory, demolition or shoring work). It is recommended that draft plans should be submitted for comment prior to formal submission for approval. The Public Domain Plan must be prepared in accordance with the City of Sydney's current public domain policy and the Public Domain Manual. The works to the public domain are to be completed in accordance with the approved plans and the Public Domain Manual before any Occupation Certificate is issued or before the use commences, whichever is earlier.

Note: A security deposit will be required for the full public domain works, regardless of staging, in accordance with the City of Sydney's adopted fees and charges. Contact Council's Public Domain section to determine the deposit amount prior to payment.

Staging of Public Domain Works

The construction of the public domain works must be staged in accordance with the proposed construction staging of the substation and commercial buildings.

A staging plan is to be prepared and submitted in conjunction with the Public Domain Plan, and must be approved by Council prior to any Construction Certificate being issued for any new building work (excluding approved preparatory, demolition or shoring work).

The staging plan must clearly show the proposed extent of public domain works for the substation and the commercial building, to cater for the possible staging of the building construction.

Alignment levels

Prior to the issue of any Construction Certificate under the Environmental Planning and Assessment Act 1979, footpath alignment levels for the building, including the public domain and through-site link, must be submitted to, and be approved by Council. The Alignment Levels submission must be prepared in accordance with the City of Sydney's Public Domain Manual.

These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the Application for a Construction Certificate.

Footpath damage bank guarantee

Prior to any Construction Certificate being issued the owner of the site must provide a bank guarantee for the sum to be determined based on the City of Sydney's Schedule of Fees and Charges as security for rectification of any damage to the public way. Note: The bank guarantee required by this condition does not need to be provided if a separate bank guarantee is lodged as part of an approval for a hoarding over the public way. However neither bank guarantee will be released until all development works are complete to the satisfaction of the City, including rectification of damage to the public way. You should contact Council's Public Domain section to determine the bank guarantee amount prior to payment.

Paving Materials

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

Landscaping of the site

The Landscape Plan accompanying this application is not approved. The following further information is required:

- A detailed Landscape Plan, drawn to scale, by a landscape architect or approved landscape consultant, must be submitted to and approved by the Certifying Authority prior to a Construction Certificate being issued. The plan must include:
 - Location of existing and proposed structures on the site including existing trees (if applicable);
 - Details of earthworks including mounding and retaining walls and planter boxes (if applicable);

- Location, numbers and type of plant species;
 - Details of planting procedure and maintenance;
 - Details of drainage and watering systems.
- A maintenance plan is to be submitted for approval of the Certifying Authority and be complied with during occupation of the property.

Public Art

High quality art work must be provided within the development in publicly accessible locations, including near main entrances, in lobbies and on street frontages, in accordance with the Central Sydney DCP 1996 and the Public Art Policy. Details of the art work must be submitted to and approved by Council prior to a Construction Certificate being issued.

Stormwater and Drainage

On-site detention, treatment and re-use is encouraged.

Prior to any Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.

The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.

An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.

Trees

The Environmental Assessment Reports also note that *Flindersia* sp. are the proposed species for new street tree planting. This is consistent with the City's Street Tree Master Plan for the Hay Street frontage only, with alternative species required under the policy for Campbell and Pitt Streets. Again, this can be addressed through the submission of a Public Domain Plan.

Proposed Construction and Fit-out with Food premises

Details of the commercial kitchen, and food preparation and storage areas must be prepared by a suitably qualified person and certified in accordance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the *Food Act 2003* and AS 4674 - Design, Construction and Fitout of Food Premises to the satisfaction of the Certifying Authority prior to a Construction Certificate being issued.

The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the *Food Act 2003* and AS 4674 - Design, Construction and Fitout of Food Premises.

Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website www.standards.com.au.

Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email

Stand alone substation without commercial development proceeding

Prior to the issue of any Construction Certificate if approved, a detailed plan for the site must be prepared and approved by the Certifying Authority, documenting the proposed treatments for the substation building and adjacent land in the event that the commercial component of the development is not constructed within 3 months of the substation building. The plan must include:

- Details of the proposed substation facades, in particular the western façade;
- Details of the proposed green wall / screen as indicated on Dwg. SK-LS-04 prepared by KannFinch Group, including:
- Detailed drawings demonstrating how the planting screen is constructed, including proposed materials, planter dimensions, and integration into the support structure;
- Location, numbers, type and size of plant species;
- Drainage, irrigation and waterproofing details (as applicable);
- Details of how maintenance access to the planter boxes will be provided;
- A maintenance plan, detailing how access to the planting will be provided, and outlining the intended strategy for decommissioning the planting works should plants fail. This strategy is to ensure that the finish to the building is well maintained and attractive throughout its life.

Details of the proposed adjacent land use and treatment between the substation building and Pitt Street;

Owing to design concerns expressed within this letter relating to the current proposal for the Belmore Park Zone substation the City recommends that a condition be imposed requiring further consultation with the City and a further design review workshop to discuss relevant design issues as outlined.

City East Zone Substation – potential sites identified within the block bounded by Phillip, Bent, Bligh and O'Connell Streets.

All the sites identified in the block are affected by current development.

Any insertion of a substation in this location is to be subject to a design excellence competition process pursuant to the design excellence provisions of Sydney Local Environmental Plan 2005 and should include consultation with Council.

New Sub-Transmission Switching Station (STSS) at the Riley Street site, Surry Hills.

The selected site is on a vacant block of land at the corner of Riley Street and Albion Street which is considered ideal by Energy Australia for the location of a new substation. The proposal is to erect a 1-2 storey structure on the north western corner of the site between Ann Street and Riley Street. No proper detail has been provided in regard to height or FSR in relation to the building.

A number of issues arise in respect to this site.

- The proposed location for the substation is not considered ideal from a planning point of view. If erected the substation will be too close to the terraces facing Ann Street and is considered to detrimentally affect potential activation of a key corner of the site. It is preferable given the context and the long street frontage that the substation is located further away from the corner along Riley Street.
- Other solutions may be possible including installing an underground substation. Matters in regard to location, preferred design solutions and environmental impact should be subject to design excellence competition as is the case with the other substation locations.
- Further information is required should the substation not be incorporated in the existing large substation and Annex building located close to the subject site just to the south of Frog Hollow reserve.
- The City also expresses great concern in relation to significant tunneling activities which are to be launched from the Riley Street site. The issue of regenerated noise near the construction (excavation) sites close to the tunnel alignment is not considered to have been adequately addressed. Further information in relation to this matter is required.

Dalley Street Zone Substation.

The proposal is to refurbish or replace the existing Dalley Street substation, either utilising the existing building or using a building at an adjacent development site.

Whichever option is considered, Energy Australia should liaise with Council, in consultation with the State Government's Public Works Department, which is undertaking a laneways/precinct study looking at the redevelopment potential of key sites and the network of lanes that prevail in the area.

The existing substation is centrally located within the subject precinct and if redeveloped has the potential to impact on plans to revitalize the network of lanes. Significantly if the substation is relocated to another site it will provide an excellent

opportunity for the potential redevelopment of the existing substation site and positively contribute to the enhancement of the public domain.

The options should be discussed through a design review process. Council can facilitate this process by considering plans by Energy Australia with a view to finding potential solutions.

Key issues for consideration is the integration of any new substation with new redevelopment sites in terms of built form, exterior façade design, materials and finishes, and impact on the public domain in particular access issues given the very narrow street network that prevails in the precinct.

Traffic

The proposal includes a once every 10 - 20 year occurrence of a 23m long transformer transporter vehicle visiting the substation opposite Belmore Park. Prior to each occurrence the applicant will be required to gain the approval of the RTA and the Sydney Traffic Committee. Special conditions relating to the time, date and route will need to be agreed upon by all involved. The vehicle may require special personnel such as RTA qualified traffic controllers or police escort.

Belmore Park Substation

The commercial traffic study, for Belmore Park, includes a loading area on basement level 1 for 8.8m trucks to load and unload for the commercial section of the development. The plans do not show a designated loading area and it appears from the turning movements that the truck loads and unloads from the circulation aisle. This would prevent other vehicles from circulating and may cause traffic to back onto the public way, which is not considered acceptable. A designated loading area must be identified and must not interfere with vehicle circulation.

The swept path analysis for the commercial part of the Belmore Park development shows 85th percentile vehicles entering and exiting the ramps between the floors. The plan shows a car requiring the entire width of the circulation path to exit the ramp and turn onto the circulation path, this will prevent two vehicles from passing on the tight corner. The applicant must provide further details of how they plan to remove this potential vehicle conflict.

The application for both the Belmore Park development and the master plan sites have details of construction management included. These details are not approved, a separate Construction Traffic Management Plan must be submitted for approval by the City prior to the construction commencing on site.

A Traffic Management Plan for each construction site works zone, and for traffic management generally, is to be prepared for the approval of the Sydney Traffic Committee. The plan should address various traffic issues including:

- Vehicle ingress and egress arrangements.
- On site stockpiling of spoil and construction materials.
- Queing spaces for construction of delivery of vehicles
- Protection of pedestrians
- Alternative safe access to premises.
- Proposed route and construction vehicles to and from the site

General Traffic Comments

The City is seeking to encourage sustainable and active transport, and while the proposal includes a number of ways to encourage these, any further proposals would be welcomed by the City.

In considering the sites the applicant has referred to RTA's 2004 Sydney Cycleways Strategy. The applicant should however have reviewed the City's adopted Cycle Strategy and Action Plan 2007 - 2017 as this report identified all future cycleways within the City of Sydney LGA.

Other than Belmore Park, the sites have no information included in the concept plans relating to how the sites will operate after opening. More information will be required for approval prior to the construction of these sites.

All road closures are subject to a separate application and will require Sydney Traffic Committee approval. The following issues must be addressed to the City's satisfaction prior to the submission:

- local access to all buildings in the road;
- reduce impact on local parking.

The application also includes mention of potential bus stop relocations, these would need to be approved by the STA prior to any works beginning on the site.

The Director General's requirements also ask for details to be submitted of construction vehicle routes and impact. The work is scheduled over the next 10 years and any approvals of traffic routes or controls are likely to be out of date before the construction begins. The report does say a Construction Traffic Management Plan will be submitted prior to any construction works, this is the correct time for the traffic routes and controls to be considered and approved.

Please be advised that if any streets including the pedestrian footway are proposed to be closed Energy Australia will be required to pay a fee for any work zones in accordance with Council's standard fees and charges schedule. Any construction areas will be required to be declared work zones. An application should be submitted to Council's Transport Access Unit with the appropriate fees to be calculated. Payment of the Work Zone fees are required prior to the commencement of any construction. Any Work Zone areas would need to be clearly identified on any submitted plans.

Access to properties would also need to be maintained at all times so as to minimize any impacts on residents and businesses in all areas where works are proposed.

Spoil Disposal Routes

A plan for the preferred truck access routes for each of the construction site/ work zone shall be submitted to Sydney Traffic Committee, as part of the Traffic Management Plan, for approval. These routes are to be designed to avoid going through residential precincts.

Program of Works

When on street activities are required to facilitate the tunnel construction, a Traffic Management Plan is to be submitted to Council a minimum of 90 days, prior to the

commencement of work to allow sufficient time to assess construction activities in consultation with other authorities and to apply conditions.

Energy Australia should be made aware that construction times can be restricted due to traffic, pedestrian and public transport requirements.

Any construction program is to take into account the general ban of construction activities in the City due to special events in the month of December.

Road Closures

The City recommends that any proposed road closures not be put into effect until Council has considered and approved an appropriate Traffic and Pedestrian plans.

Other

Community Consultation

A site specific community consultation plan should be prepared and approved by the consent authority prior to any works commencing. The plan should include but not be limited to the following:-

- Site notice boards located at conspicuous locations and having minimum dimensions 841mmx594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- Letter box drops;
- Environmental news letter to residents and business operators;
- Community information sessions;
- Formal complaint management system to respond to all complaints in a timely manner and advise complaints of outcomes;
- Regular personal contact with residents;
- Establish protocols for resolving differences;
- Seek feedback from community groups and individuals;
- Consultation between builders and the community to reduce environmental impacts: and
- Brief the Sydney City Council in regard to the proposal.

Construction Noise and Vibration

A Noise Management Plan (NMP) as part of the Construction Environmental Management Plan (CMP) should be submitted to Council.

Monitoring of noise levels is to be implemented throughout the project to verify noise limits through the life of the project and also be available in the event of complaints.

City of Sydney

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11 June 2009

Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Ms Swati Sharma

Dear Swati,

Proposed Sydney CityGrid Project – (Application: 08_0075)

I refer to your letter advising that the proponent (Energy Australia) has submitted a Submissions Report for the above-mentioned Project in accordance with Clause 75 H (6) of the Environmental Planning and Assessment Act. In regard to this matter the following advice is provided.

Concept Approval Sydney City Grid Project

Council wishes to reiterate that all substations should be subject to a design excellence competition process pursuant to the design excellence provisions of Sydney Local Environmental Plan 2005 and should include consultation with Council.

Project Application Approval Belmore Park Substation

As previously advised in Council's letter of 12 February 2009 further details were required of the substation building should this be a stand alone element. The City now understands that there is to be a time delay between the commissioning of the substation and the future construction of the commercial building which was proposed on site. The City advises that a condition to require further articulation of the building prior to completion of the substation in consultation with the 'Design Review Workshop' should be imposed on the development. In regard to the detailed design of the substation the following advice is provided:

- The proposal was referred to Council's Design Advisory Panel. The Panel was presented with the current status and update on the proposal. The Panel noted and recommended the following:
 - The panel is concerned about the interface of the substation at Street level. The Panel recommends that all public frontages include articulation and activation and this could be layered on the perimeter to the substations. The activation does not have to be permanent or 'fixed' and could utilise its proximity to the park to provide complimentary uses to activate the area and improve safety at night.

- The north and south façade have large roller shutters that have negative impacts to pedestrian amenity. A corten steel screen could be designed to conceal the roller door when not in use.
- The use of corten steel panels as cladding for the structure should be extended to the street frontages of the building (north and south) facades. The Panel suggested further design and articulation of the cladding. 'The Art Wall' building in Darlington by Dale Jones Evans is suggested to be a good precedent study for the use of the material. The 'de Young Museum' in San Francisco by Herzog and de Neuron was also suggested as an example for its innovative use and high level of detailing of copper cladding.
- The Panel supports a condition to require further articulation of the building prior to completion of the substation in Consultation with the "Design Review Workshop".

I trust that this information is of assistance to you. Should you require any further information or assistance please do not hesitate to contact Chris Corradi on 9246 7592.

Regards,


Bill Mackay
A/ Director Planning Assessment

ATTACHMENT B

ADDITONAL CONDITIONS

Conditions

(1) NOISE - MECHANICAL PLANT AND EQUIPMENT

Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.
- (b) A sound pressure level at the boundary of any affected receiver that exceeds the background ($L_{A90, 15\text{minutes}}$) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.

Note: The method of measurement of vibration being carried out in accordance with "assessing Vibration; Technical Guidelines" - DEC (EPA) AS1055 for sound level measurements.

(2) NOISE MANAGEMENT PLAN - CONSTRUCTION SITES

A noise management plan shall be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants. The plan must include, but not be limited to the following:-

- (a) identify sensitive locations near to the site;
- (b) identify potential impacts (ie exceedances of the goals at the identified locations);
- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors, and;

- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

(3) NOISE MANAGEMENT PLAN - DEMOLITION, EXCAVATION AND CONSTRUCTION

A site specific noise management plan shall be submitted to the Council for approval and comment prior to any works commencing on site and complied with during any construction works. The plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants. The plan must include but not be limited to the following:-

- (a) Confirmation of the level of community consultation that has, is and will be undertaken with Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (c) What course of action will be undertaken following receipt of a complaint concerning site noise, dust and vibration.
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring property to a minimum.
- (e) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

(4) TRAFFIC CONDITIONS

- (a) Once approved by Council, as part of the site specific TMPs, the truck route plan shall form part of the contract and must be distributed to all truck drivers.
- (b) All vehicles must enter and exit the site in a forward direction.
- (c) All Traffic Control Plans associated with this Construction Traffic Management Plan must comply with Australian Standards and RTA's Traffic Control At Work Sites Guidelines.
- (d) The applicant must provide council with details of the largest truck that will be used during the demolition, excavation and

construction, prior to the start of any work on site and obtain approval from City's Construction Regulation Unit for the use of this vehicle.

NOTE: No dog trailers to be used without City's Construction Regulation Unit approval.

- (e) The developer must obtain a permit from the City's Construction Regulation Unit regarding the placing of any plant/equipment on public ways.
- (f) No queuing or parking is permitted in any public road.
- (g) All vehicles associated with the development shall be parked wholly within the site. All site staff related with the works are to park in a designated off street area, no staff are to park on the street.
- (h) All loading and unloading must be within the development site or at an approved "Works Zone".
- (i) The applicant must comply with development consent for hours of construction.
- (j) Any Traffic Controllers are NOT to stop traffic on the public street(s) to allow trucks to enter or leave the site. The Roads Act does not give any special treatment to trucks leaving a construction site - **the vehicles already on the road have right-of-way** so that every vehicle leaving a site MUST wait until a suitable gap in traffic allows them to exit. Secondly Trucks are not (at no time) allowed to reverse into the site from the road for safety reasons.
- (k) Pedestrians may be held only for very short periods to ensure safety when trucks are leaving or entering BUT you must NOT stop pedestrians in anticipation i.e. **at all times the pedestrians have right-of-way on the footpath not the trucks.**
- (l) Physical barriers to control pedestrian or traffic movements need to be determined by the Construction Regulations Unit prior to commencement of work.
- (m) Any temporary adjustment to a Bus Stop or Traffic Signals will require the applicant to obtain approval from the STA and RTA respectively prior to commencement of works.
- (n) The developer must apply to the Construction Regulations Unit to organise appropriate approvals for cranes and barricades etc.
- (o) The developer must apply to Building Compliance Unit to organise appropriate approvals for hoarding prior to commencement of works.
- (p) The developer must apply to the Work Zones Co-ordinator to organise appropriate approvals for the Work Zones.

(5) EROSION AND SEDIMENT CONTROL - BETWEEN 250 AND 2,500SQM

Prior to the commencement of demolition/excavation/construction work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Principal Certifying Authority. The ESCP must:

- (a) Conform to the specifications and standards contained in Managing Urban Stormwater: Soils and Construction (Landcom, 2004); the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney, 2004); and the NSW Protection of the Environment Operations Act 1997.
- (b) Include a drawing(s) that clearly shows:
 - (i) location of site boundaries and adjoining roads
 - (ii) approximate grades and indications of direction(s) of fall
 - (iii) approximate location of trees and other vegetation, showing items for removal or retention
 - (iv) location of site access, proposed roads and other impervious areas
 - (v) existing and proposed drainage patterns with stormwater discharge points
 - (vi) north point and scale
- (c) Specify how soil conservation measures will be conducted on site including:
 - (i) timing of works
 - (ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained
 - (iii) access protection measures
 - (iv) nature and extent of earthworks, including the amount of any cut and fill
 - (v) where applicable, the diversion of runoff from upslope lands around the disturbed areas
 - (vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology
 - (vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)
 - (viii) frequency and nature of any maintenance program
 - (ix) other site-specific soil or water conservation structures.

(6) MECHANICAL VENTILATION

- (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1-1998 and AS1668.2-1991.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1-1998 and AS1668.2-1991, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person certified and certified in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.
- (c) Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, must be submitted to the Principal Certifying Authority.

(7) ALIGNMENT LEVELS

- (a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.

(8) PUBLIC DOMAIN PLAN

Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council's Public Domain Section and approved by Council prior to a Construction Certificate being issued for any new building work (including internal refurbishments) excluding approved preparatory, demolition or shoring work.

The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual. The works to the public domain are to be completed in accordance with the approved plan and the Public Domain Manual before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

Note: A Public Domain Works Guarantee deposit will be required for the public domain works, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for completion of the obligations under this consent.

Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee

must be lodged with Council prior to a Road Opening Permit for works on the public way being issued.

(9) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

- (a) Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifying Authority:
 - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
 - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
 - (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
 - (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.
- (b) Such statements must, where applicable, be in compliance with AS2601-1991 Demolition of Structures, the Occupational Health and Safety Act 2000 and Regulation; Council's Policy for Waste Minimisation in New Developments 2005, the Waste Minimisation and Management Act 1995, and all other relevant acts and regulations and must include provisions for:
 - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Minimisation and Management Act 1995*.
 - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
 - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
 - (iv) The name and address of the transport contractor.
 - (v) The type and quantity of material to be removed from site.
 - (vi) Location and method of waste disposal and recycling.
 - (vii) Proposed truck routes, in accordance with this development consent.
 - (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for

the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).

- (ix) Measures to control noise emissions from the site.
- (x) Measures to suppress odours.
- (xi) Enclosing and making the site safe.
- (xii) A certified copy of the Public Liability Insurance indemnifying Council for \$10,000,000 against public prosecution for the duration of the demolition works.
- (xiii) Induction training for on-site personnel.
- (xiv) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
- (xv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
- (xvi) Disconnection of utilities.
- (xvii) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
- (xviii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
- (xix) Waterproofing of any exposed surfaces of adjoining buildings.
- (xx) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
- (xxi) Working hours, in accordance with this development consent.
- (xxii) Any Work Cover Authority requirements.
- (c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

(10) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of all affected properties are to be prepared by an appropriately qualified

structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Certifying Authority and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifying Authority and the Council prior to the issue of an Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

(11) ROAD OPENING PERMIT

A separate **Road Opening Permit** under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any:

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

(12) TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS AFFECTING THE ROAD RESERVE

For temporary shoring including ground anchors affecting the road reserve, a separate application under Section 138 of the Roads Act 1993 must be lodged with Council.

For new permanent basement wall/s or other ground retaining elements (not being anchors projecting under the road reserve):-

- (a) Prior to a Construction Certificate being issued, the following documents must be submitted to the Certifying Authority (CA) and a copy to Council (if Council is not the CA):
 - (i) Dilapidation Report of adjoining buildings/structures.
 - (ii) Evidence that public utility services have been investigated.
- (b) If adjoining a Public Way:

- (i) Evidence of a \$10 million dollar public liability insurance policy specifically indemnifying the City of Sydney, valid for at least the duration of the project. The original document must be submitted to Council.
 - (ii) Bank guarantee in accordance with the Council's fees and charges. The original document must be submitted to Council.
- (c) Prior to commencement of work:
 - (i) The location of utility services must be fully surveyed and the requirements of the relevant public utility authority complied with; and
 - (ii) The following documents must be submitted to and approved by the Principal Certifying Authority (PCA) and a copy to Council (if Council is not the PCA):
 - a. Structural drawings and certification as prescribed elsewhere in this consent.
 - b. Geotechnical report and certification as prescribed elsewhere in this consent.
- (d) Prior to issue of Occupation Certificate, the Principal Certifying Authority must receive written and photographic confirmation that the restoration of the public way has been complete in accordance with the following:
 - (i) All ground anchors must be de-stressed and isolated from the building prior to completion of the project.
 - (ii) The temporary structure, including foundation blocks, anchors and piers must be removed above and below the public way, prior to completion of project, down to a depth of 2m.
 - (iii) All timber must be removed.
 - (iv) All voids must be backfilled with stabilised sand (14 parts sand to 1 part cement).
 - (v) All costs for any reinstatement of the public way made necessary because of an unstable, damaged or uneven surface to the public way must be borne by the owner of the land approved for works under this consent.
- (e) The Bank Guarantee may be released after the Principal Certifying Authority submits certification to Council that all the works described in (d) above have been completed and that there is no remaining instability, damage or unevenness to the public domain as a result of the development. This certification is to include relevant photographs and must be to the satisfaction of the Council's Director City Planning.

(13) APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (a) A separate application under Section 138 of the Roads Act 1993 is to be made to Council to erect a hoarding and/or scaffolding in a public place and such application is to include:-
 - (i) Architectural, construction and structural details of the design in accordance with the *Policy for the Design and Construction of Hoarding* (September 1997) and the *Guidelines for Temporary Protective Structures* (April 2001).
 - (ii) Structural certification prepared and signed by an appropriately qualified practising structural engineer.

Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.

Assessment of the impacts of construction and final design upon the City of Sydney's street furniture such as bus shelters, phone booths, bollards and litter bins and JCDecaux street furniture including kiosks, bus shelters, phones, poster bollards, bench seats and litter bins. The applicant is responsible for the cost of removal, storage and reinstallation of any of the above as a result of the erection of the hoarding. In addition, the applicant is responsible for meeting any revenue loss experienced by Council as a result of the removal of street furniture. Costing details will be provided by Council. The applicant must also seek permission from the telecommunications carrier (e.g. Telstra) for the removal of any public telephone.

- (b) Should the hoarding obstruct the operation of Council's CCTV Cameras, the applicant must relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management Unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the applicant. Further information and a map of the CCTV cameras is available by contacting Council's CCTV Unit on 9265 9232.
- (c) The hoarding must comply with the Councils policies for hoardings and temporary structures on the public way. Graffiti must be removed from the hoarding within one working day.

(14) BARRICADE PERMIT

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

(15) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

(16) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
- (d) The approved hours of work, the Principal Certifying Authority including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.

(17) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

(18) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

(19) NO OBSTRUCTION OF PUBLIC WAY

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

(20) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.

(21) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

(22) TREE REMOVAL AND RETENTION

The tree on the eastern side of Riley St, 1st tree south of Ann St, may be removed to facilitate the proposed vehicle entry point. All other council street trees along the site boundary, which are of medium-high retention value, are to be retained.

(23) TREE PROTECTION ZONE

- (a) Before the commencement of works, a Tree Protection Zone/s (TPZ) must be established around all tree/s to be retained not less than the distance indicated in the TPZ schedule below:

TPZ Schedule

Tree No	Species Name	Location	Radius (m) from Trunk
1	<i>Lophostemon confertus</i>	East side of Riley St, 1 st tree north from Albion St	6
2	<i>Lophostemon confertus</i>	East side of Riley St, 2 nd tree north from Albion St	6
3	<i>Lophostemon confertus</i>	East side of Riley St, 3 rd tree north from Albion St	6
5	<i>Populus nigra</i> 'Italica'	South side of Ann St, 1 st tree east of Riley St	6
6	<i>Populus nigra</i> 'Italica'	South side of Ann St, 2 nd tree east of Riley St	6
7	<i>Liquidambar styraciflua</i>	South side of Ann St, 3 rd tree east of Riley St	6

- (b) Amend the design or location of any driveways or other built elements prior to the commencement of any construction or development works, to ensure the TPZ specified in the table above is achieved for all trees listed for retention.
- (c) The following works shall be excluded from within any TPZ:
- (i) Soil cut or fill including excavation and trenching
 - (ii) Soil cultivation, disturbance or compaction
 - (iii) Stockpiling storage or mixing of materials
 - (iv) The parking, storing, washing and repairing of tools, equipment and machinery
 - (v) The disposal of liquids and refuelling
 - (vi) The disposal of building materials
 - (vii) The sitting of offices or sheds
 - (viii) Any action leading to the impact on tree health or structure

- (d) All work undertaken within or above the TPZ must be:
 - (i) Supervised by a qualified Consultant Arborist, who holds the Diploma in Horticulture (Arboriculture), Level 5 under the Australian Qualification Framework;
 - (ii) Undertaken in accordance with all directions given by the Site Arborist and/or Council.
- (e) Any root/s greater than 50mm in diameter must be pruned by a qualified Arborist with a minimum AQF level 3.

(24) SERVICES

- (a) Any trenching works for services / hydraulics / drainage etc must not be undertaken within a TPZ.
- (b) Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed where large woody roots greater than 40mm diameter are encountered during the installation of any services adjacent to the specified Tree Protection Zone (TPZ).

(25) SITE SUPERVISION AND REPORTING

- (a) An Arborist with minimum qualifications in Arboriculture of Level 5 (under the Australian Qualification Framework) must oversee various stages of work within the Tree Protection Zone and certify compliance with each key milestone detailed below:
 - (i) During demolition of any existing public footpaths or driveway crossovers.
 - (ii) During any excavation, trenching, drilling, piling or other construction activities occurring within the Tree Protection Zone.
- (b) A quarterly report shall be submitted to Council which provides details on the health and structure of trees to be retained and protected, and must include:
 - (i) Certification of compliance with each key milestone
 - (ii) Details of any other works undertaken on any tree to be retained or within TPZ/s
 - (iii) Documentary evidence of compliance with tree protection and measures (including photographs and site notes).

(26) STREET TREE PROTECTION – HOARDINGS AND SCAFFOLDS

Street trees must be protected during the construction works as follows:

- (a) Tree trunk and major limb protection shall be undertaken prior to or during the installation of any approved hoardings or scaffolds. The protection shall be installed by a qualified Arborist (AQF 2 or 3) and must include;

- (i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, limbs and trunk at all times,
 - (ii) Tree trunk/s and/or major branches, located within 500mm of any hoarding or scaffolding structure, must be protected by wrapped hessian or similar material to limit damage, and
 - (iii) Timber planks (50mm x 100mm or similar) shall be placed around tree trunk/s. The timber planks shall be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion.
 - (iv) Tree trunk and major branch protection is to remain in place for the duration of construction and development works, and shall be removed at the completion of the project.
- (b) All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree setts. Supporting columns must not be placed on any tree roots that are exposed.
 - (c) Materials or goods, including site sheds, must not be stored or placed:
 - (i) Around or under the tree canopy; or
 - (ii) Within two (2) metres of the trunks or branches of any street trees.
 - (d) Protective fencing (1.8 metre chain wire mesh fencing) must be erected on top of the hoarding to protect branches during the construction works.
 - (e) Any damage sustained to street tree/s as a result of the erection of hoardings, scaffolding, or due to the loading/unloading of vehicles adjacent the site, must be immediately reported to the Council's Street Tree Contract Coordinator on 9265 9545, in order to determine the appropriate action for maintaining the health and structural integrity of any damaged street tree.

(27) STREET TREE PRUNING AND REMOVAL

- (a) The consent from Council must be obtained prior to the undertaking of any street tree pruning works. **Only minor pruning works will be approved by Council.**
- (b) Any pruning that is required to accommodate hoardings, scaffolding, or to accommodate the loading/unloading of vehicles, and has been approved by Council shall be carried out by a qualified Arborist (AQF3), and must be in accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'.
- (c) The removal of any street tree approved by Council must include complete stump removal and the temporary reinstatement of levels so that no trip or fall hazards exist until suitable replanting planting

occurs. These works must be completed immediately following the trees removal.

(28) REINSTATEMENT OF THE PUBLIC DOMAIN

Upon completion of works within any part of the public way, the formation of the carriageway and/or footway is to be reinstated and restored in accordance with the requirements and to the satisfaction of Council.