

Appendix B

Assessment requirements under Section 75F(3) of the EP&A Act



Contact: Kate Masters
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Mr Craig Moody
Executive Manager – Project Development &
Approvals
Ausgrid
GPO Box 4009
SYDNEY NSW 2001

Our ref: 10/02379

Dear Mr Moody

Proposed Sydney CityGrid Project Stage 2A(ii) – Director-General's Environmental Assessment Requirements (Application: MP11_0092)

The Department has received your application for the above project.

I have attached a copy of the Director-General's Requirements (DGRs) for the preparation of an Environmental Assessment for the project. These requirements have been prepared in consultation with City of Sydney Council (the Council). I have also attached a copy of the Council's comments for your information.

The DGRs have been prepared based on the information you have provided to date. Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time. If you do not submit an Environmental Assessment for the project within 2 years, the DGRs will expire.

Prior to exhibiting the Environmental Assessment that you submit for the project, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government authorities in making this decision. Please provide 8 hard copy/ies and 8 electronic copy/ies¹ of the Environmental Assessment to assist this review.

If the Environmental Assessment does not adequately address the DGRs, you may be required to revise the Environmental Assessment. Once the DGRs have been adequately addressed, the Environmental Assessment will be made publicly available for at least 30 days.

If your project is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required for your project (<http://www.environment.gov.au> or 6274 1111).

¹ File parts must be no greater than 5Mb each. File parts should be logically named and divided.

Your contact officer for this proposal, is Kate Masters she can be contacted on 02 9228 6378 or via email at Kate.Masters@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,


Sam Haddad
Director-General

12 AUG 2011

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Project	<p>Sydney Citygrid – Stage 2A (ii) Construction and Operation of City East Zone Substation (CEZS) and Integrated Commercial Tower Project encompassing:</p> <ul style="list-style-type: none"> - Bulk excavation (including a shaft from base of excavation to tunnel); - 150 m tunnel excavation to the City East Cable Tunnel alignment; - Detailed excavation; - Construction and fit out of the substation proper; and - Construction and fit out of the integrated commercial tower. <p>Stage 2A(ii) City East Zone Substation (132kV to 11kV) is one of a number of discrete projects forming part of the wider Sydney CityGrid Project, which is being undertaken to meet the expected electricity needs of the Sydney CBD and inner suburbs up to 2020, and for which Concept Plan Approval was granted on 20 September 2009 by the then Minister for Planning. The City East Zone Substation includes an interface with the City East Cable Tunnel to house the new 132kV cables and an integrated commercial development.</p>
Site	Land owned by Ausgrid with frontages to 33 Bligh and 20-22 and 24-26 O'Connell Streets, Sydney (Lot 1 DP 626651).
Proponent	Ausgrid
Date of Issue	12 th August, 2011
Date of Expiration	12 th August, 2013
General Requirements	<p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project including: <ul style="list-style-type: none"> → the location and dimensions of all project components including the substation building, commercial tower, stub tunnel, conduits and underground cables, feeders, switchgear and transformers, external lighting, access roads, parking, fencing and signage; → a timeline identifying the proposed construction and operation of the project; → supporting maps/plans/figures clearly identifying existing environmental features, infrastructure and landuse (including any nearby residences, approved residential developments, hotels and businesses) and the location/siting of the project (including associated infrastructure) in the context of this existing environment; → extent of excavation, and spoil and fill volumes; • consideration of any relevant statutory provisions including the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; • an assessment of the key issues outlined below, during construction and operation. The Environmental Assessment shall assess the worst case and representative impact for all key issues; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; • a conclusion justifying the project taking into consideration the environmental, social and economic impacts of the project, the suitability of the site, and the public interest; and • certification by the author of the Environmental Assessment that the information contained in the assessment is neither false nor misleading.
Key Assessment Requirements	<p>The EA must include an assessment of the following key issues:</p> <ul style="list-style-type: none"> • Strategic Justification - the EA must: demonstrate consistency with the Concept Approval granted on the 20 September 2009 and Project Approval for Stage 2A(i) granted on the 13 July 2011. • Visual Impacts and Urban Design - the EA must: <ul style="list-style-type: none"> → assess the visual impact of the project during construction and operation,

- including overshadowing, on existing and proposed neighbouring properties;
- provide a clear description of proposed visual amenity mitigation and management measures during construction and operation and provide an assessment of the feasibility, effectiveness and reliability of proposed mitigation measures and any residual impacts after these measures have been implemented.
- provide the outcomes of a design review process in the Environmental Assessment. This design review process shall be based on the principles of the design review competition of the *Sydney Local Environmental Plan 2005*, and include consultation with Council. The design of the building envelope(s) and built form must demonstrate consistency with following design principles:
 - Design Principle 1 – generate a high quality design for the site and introduce a building form that respects and integrates well with its immediate context, including the heritage significance of the surrounding buildings and space, and provides a distinctive architectural contribution to the area and the city skyline.
 - Design Principle 2 – improve the quality and significance of the public domain of the site and the precinct (specifically Richard Johnson Square).
 - Design Principle 3 – conserve and respect existing heritage items and archaeological items and streetscapes within and adjacent to the site. The design should enhance the context of surrounding heritage items and in particular should give special consideration to the use of materials, massing, heights and proportions of surrounding items.
 - Design Principle 4 – provide a high level of pedestrian amenity, with street level activation through public art work or other appropriate activity and connection to the precinct (specifically Richard Johnson Square).
 - Design Principle 5 – ensure that the design proposals are compatible with other approved development and the city's planning framework.
 - Design Principle 6 – the design in the vicinity of the adjacent heritage listed property to the north at 31 Bligh Street, should aim to incorporate a street setback that aligns with the former NSW Club, and maintains views to this item, looking north along Bligh Street.

- **Noise Impacts** - the EA must: include an assessment of both construction and operational noise, prepared in accordance with the below guidelines. The assessment shall include consideration of construction vibration and regenerated noise impacts against the relevant standards, and shall provide a detailed review of the potential impacts to sensitive receptors from regenerated noise as a result of any proposed night-time construction tunnelling works and must justify any need for construction works to occur outside the standard hours. The assessment shall be prepared in consultation with the Office of Environment and Heritage (OEH). The assessment must be undertaken consistent with the following guidelines (or as otherwise agreed with the OEH):
 - Operational noise – *NSW Industrial Noise Policy* (NSW Environment Protection Authority, 2000);
 - Traffic Noise – *Environmental Criteria for Road Traffic Noise* (NSW Environment Protection Authority, 1999);
 - Site establishment and construction noise - *Interim Construction Noise Guideline* (NSW Department of Environment and Climate Change, 2009);
 - *Sydney City Council's Code of Practice for Construction Hours/Noise 1992*; and
 - Vibration – *Assessing Vibration: A Technical Guideline* (NSW Department of Environment and Climate Change, 2006) and British Standard BS7385-Part 2:1993 *Evaluation and Measurement for Vibration in Buildings*.
- **Indigenous Heritage** – the EA must: confirm that Aboriginal items of significance will be unlikely to be present within the project areas. The assessment shall be informed by the views of the Metropolitan Local Aboriginal Land Council and any other relevant, readily contactable Aboriginal community;

- **Non Indigenous Heritage Assessment** - the EA must: include an identification of heritage items under or adjacent to the areas affected by the project by appropriate field surveys and an assessment of the impact of the project on the heritage significance of the items. The items that the survey shall target include buildings, works, relics, gardens, landscapes, views, trees or places of non-Aboriginal heritage significance. The assessment must be prepared in consultation with the Office of Environment and Heritage.
- **Air Quality Assessment-** the EA must: identify sensitive receptors that may be impacted during construction and by operation particulate matter, total suspended solids and other air pollutants generated by the project. The assessment shall include specific mitigation and management measures for identified impacts to prevent adverse impact to local air quality and sensitive receptors.
- **Greenhouse Gas Potential Assessment** - the EA must: outline the measures to be employed to ensure the potential generation of greenhouse gases resulting from the use of insulating fluids for proposed substation transformers will be minimised for operational activities. The assessment must be undertaken in accordance with the methodology specified in the *National Greenhouse Accounts (NGA) Factors* (Department of Climate Change, November 2008).
- **Ecologically Sustainable Development (ESD)** – Identify how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development. Address water quality management for the site including an “*Integrated Water Management Plan*” to include, any proposed alternative water supply, proposed end uses potable and non-potable water, demonstration of water sensitive urban design and any water conservation measures. Operational waste management and reductions should also be identified.
- **Bicycle Parking Facilities** – Bicycle parking and end of trip facilities being provided in accordance with NSW Planning Guidelines for walk and cycling requirements.
- **Water Quality Impacts** – the EA must: Provide detailed information on surface water and groundwater during construction and operation including, but not necessarily limited to:
 - potential impacts on groundwater and measures to control or mitigate excessive water inflows;
 - water quality impacts and proposed mitigation measures;
 - likelihood of disturbing potential or actual acid sulphate soils and identification of proposed mitigation measures. Reference should be made to the “Acid Sulphate Soils Manual” (Acid Sulphate Soil Management Advisory Committee, 1998) or update;
 - management of stormwater run-off;
 - erosion and sedimentation controls;
 - dewatering of tunnels and impacts on water quality. Proposed disposal and treatment options shall be identified and the potential for re-use shall be addressed; and
 - details of the use of existing water treatment plants, including performance and proposed new water treatment plants and discharge points, for the purposes of treating seepage water prior to discharging into waterways. This must include water treatment techniques for the infiltrated groundwater, prior to its discharge and details of post discharge monitoring and reporting.
- **Traffic and Access Assessment** - the EA must: detail transport routes to and from the construction sites and impacts on affected streets, intersections and property owners. Traffic volumes and potential impacts on local roads and

intersections must be assessed including street closures, parking changes or traffic flow changes during construction and operation. This shall include consideration of disruption to recreational/business activities and vehicle movements/bus services, including safety impacts. Proposed measures or arrangements for minimising impact on these activities shall be investigated and included. The proposed level of parking for the development should be outlined and how it compares to Council's existing and draft controls. Details on how the operational development will be serviced, including frequency and how this will affect traffic and parking.

- **Electric and Magnetic Fields** - the EA must: include an assessment of the risks to human health from electric and magnetic fields associated with the project, with reference to the Australian Radiation Protection and Nuclear Safety Agency standards. The Environmental Assessment should demonstrate how measures to reduce magnetic fields consistent with the Australian Standard 2067-2008 (substations and high voltage installations exceeding 1 kV ac) and the "prudent avoidance" principles have been applied.
- **Other Infrastructure** - the EA must: Detail the outcomes of consultation with RailCorp and NSW Transport in relation to any project components near existing or proposed infrastructure managed by those authorities to identify and address any potential conflicts between the project components and that infrastructure.
- **General Environmental Risk Analysis** – notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the construction and operation of the project, proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impact(s) must be included in the EA.
- **Consultation** – the Proponent must undertake a consultation program as part of the environmental assessment process, including consultation with, but not necessarily limited to, the following parties:
 - City of Sydney Council;
 - NSW Office of Environment and Heritage;
 - NSW Office of Water;
 - Sydney Water;
 - NSW Transport;
 - Rail Corp;
 - Transport Construction Authority;
 - The Department of Trade and Investment, Regional Infrastructure and Services;
 - Roads and Traffic Authority; and
 - the local community and landowners, specifically including the adjoining landowners.

The consultation process shall include measures for disseminating information to increase awareness of the project as well as methods for actively engaging stakeholders on issues that would be of interest/concern to them. The EA must:

- demonstrate effective consultation with stakeholders, and that the level of consultation with each stakeholder is commensurate with their degree of interest/concern or likely impact;
- clearly describe the consultation process undertaken for each stakeholder/group including details of the dates of consultation and copies of any information disseminated as part of the consultation process (subject to confidentiality); and
- describe the issues raised during consultation and how and where these have been addressed in the EA

City of Sydney

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3 August 2011

Our Ref: S076158.006
Your Ref: 10/14379-4

NSW Department of Planning
GPO Box 39
SYDNEY 2001

Attention: Kate Masters

Dear Kate

**CITYGRID STAGE 2A(ii) DIRECTOR GENERAL'S ENVIRONMENTAL
ASSESSMENT REQUIREMENTS**

I refer to your email received by Council on 26 July March 2011 about the abovementioned application to review the draft DGRs and provide details of any additional key issues and assessment requirements.

Following our letters dated 23 August 2010 and 31 March 2011, we make the following comments on heritage, noise and traffic issues.

Heritage comments

Design Principle 3 should be elaborated as follows:

*'Conserve and respect existing heritage items and archaeological items and streetscapes within and adjacent to the site. **The design should enhance the context of surrounding heritage items and in particular should give special consideration to the following:***

- ***the use of high quality materials commensurate with those represented in surrounding items including 'yellowblock' sandstone, trachyte, and true bronze, and to a lesser extent, red Tarana granite;***
- ***the massing, heights and proportions of surrounding items; and***
- ***the fine level of architectural detailing and robust articulation of surrounding items.'***

In addition, it is considered that a further design Principle should be inserted:

Design Principle 6 – 'The design, in the vicinity of the adjacent heritage listed property to the north at 31 Bligh Street, should incorporate a street setback that aligns with the former NSW Club, and maintains views to this item, looking north along Bligh Street.'

Health comments

In regards to the Proposed Environmental Impact Assessment, a table is provided indicating the proposed reports to be submitted prior to works commencing to cover issues such as noise, air quality, water quality management and electro-magnetic radiation. The proposed requirements are deemed adequate to cover the range of potential impacts.

In regards to potential construction phase noise impacts, any noise assessment should also have regard to the City's '*Code of Practice for Construction Hours/Noise 1992*', in particular assessment should be carried out of the noise impact from any highly intrusive equipment (Category A appliances) to be employed as identified in Schedule 1 of the Code of Practice.

Traffic

In regards to the 'Traffic and Access Assessment', the traffic report should include the proposed level of parking for the development and how it compares with Council's existing and draft controls.

The traffic report should also include details relating to how the development, being the commercial tower and the substation will be serviced. Details should include, but not be limited to; size and frequency of expected servicing, swept paths for the largest vehicles expected to service the site, details of how the substation will be serviced and how regularly.

Details of any proposed street closures, parking changes or traffic flow changes during the construction phase and the continual operations of the site should also be included.

Please note that the draft DGRs are a little unclear as to whether a lot of the information being requested is for just the construction, or both construction and use of the site. It should be tightened to ensure the applicant knows the required information for both the construction of the site, and also the eventual use.

If you would like to speak to an officer, please contact Bridget McNamara, Specialist Planner on 9246 7616 or bmcnamara@cityofsydney.nsw.gov.au.

Yours sincerely



MICHAEL SOO
Area Planning Manager