

DRAFT REVIEW OF ENVIRONMENTAL FACTORS

Southern CBD public domain embellishment works

Department: City of Sydney – City Design

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DRAFT

1. INTRODUCTION

1.1 OVERVIEW

The City of Sydney (CoS) seeks to widen existing footpaths over residual bitumen which forms part of the CBD and South East Light Rail (CSELR) corridor.

Approval was issued for the construction and operation of the CSELR on 4 April 2014 (Infrastructure Approval SSI-6042). That approval included permanent changes to vehicular accessibility on those existing roads that would be used for the CSELR. In addition, CoS recently (3 July 2020) secured approval from TfNSW for the temporary closure of all the roads forming part of this proposal (except for that part of George Street between Pitt Street/Lee Street and Rawson Place). Infrastructure Approval SSI-6042 also included repaving and embellishment of parts of the George Street corridor. The repaving and embellishment works approved as part of Infrastructure Approval SSI-6042 did not extend to the southern end of George Street CSELR corridor, or Devonshire Street.

As a result, the residual spaces appear as a trafficable road lane and rely on a variety of temporary barriers to stop vehicular access. CoS now seeks to extend the existing footpaths that adjoin these roads, that are soon to be permanently closed, to increase space for pedestrians and to improve the streetscape appearance generally. In summary, the residual road bitumen will adopt the same (or similar) paving, kerb, landscaping and levels used for the existing adjacent footpaths.

1.2 ENVIRONMENTAL ASSESSMENT AND APPROVALS PROCESS

The proposal is for alterations to an existing road as referenced in Clause 94(2)(c) in *State Environmental Planning Policy (Infrastructure) 2008* ('*Infrastructure SEPP*'). The proposal is, therefore, development permitted without consent. As such, the proposal does not require assessment and determination pursuant to Part 4 of the EP&A Act.

The proposed works are consistent with the definition of 'activity' as prescribed in Section 5.1 (Part 5 – Environmental Impact Assessment) of the EP&A Act. Before endorsing the activity, the determining authority, which in this case is CoS, must examine and take into account to the fullest extent possible, all matters affecting or likely to affect the environment by reason of that activity, in accordance with Section 5.5(1) of the EP&A Act.

This report undertakes the required environmental assessment.

It should be noted that this assessment relates only to the repaving and embellishment of the roads in question. The assessment does not include any road closures, traffic redirection or the like as these were determined as part of Infrastructure Approval SSI-6042, the temporary road closure secured by CoS from TfNSW on 3 July 2020 (copy provided at Appendix D), or impending applications for any further road closures.

2. SITE ANALYSIS

2.1 SITE LOCATION AND CONTEXT

The proposed works extend generally along the existing George Street corridor, between Bathurst Street and the intersection of George Street, Pitt Street and Lee Street. The works also extend along Devonshire Street between Randle/Chalmers Street and Elizabeth Street, as well as for small sections of Campbell Street, Hay Street, Ultimo Road and Thomas Street in the immediate vicinity of George Street ('subject site').

The plans provided at Appendix B provide details of the location of the proposed works. For indicative purposes, however, an extract of the plans is provided below in Figure 1.

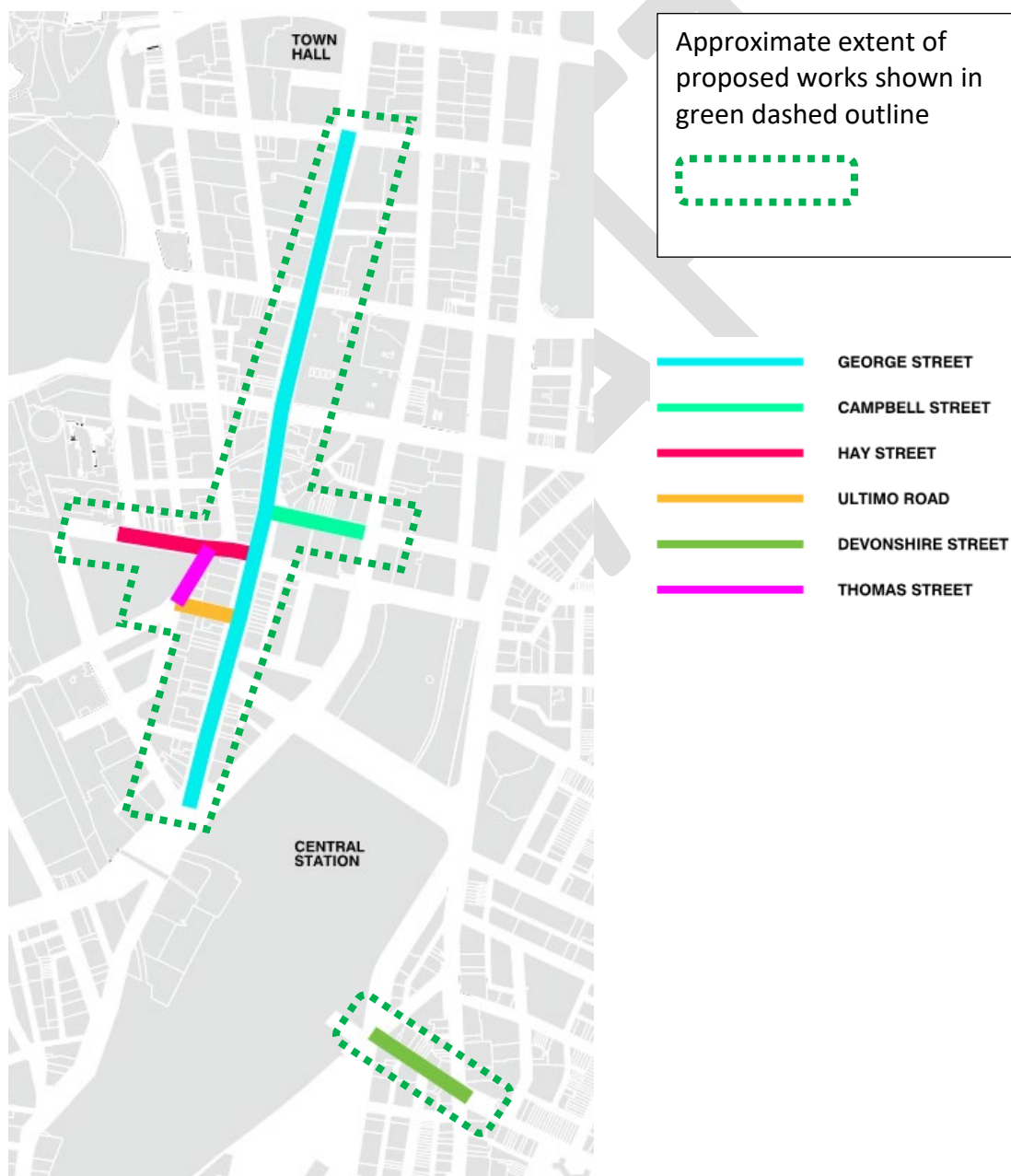


Figure 1: Location of activity

2.2 LAND OWNERSHIP & PROPONENT

CoS is the owner of the subject land. CoS is also the proponent.

2.3 EXISTING ENVIRONMENT

The site area the subject of this assessment are road corridors, most of which have been restricted from vehicular access. Restrictions were implemented as part of Infrastructure Approval SSI-6042. Most of the site area is now directly associated with the CSELR corridor. Much of its area retains the appearance of typical road surfaces, incorporating bitumen paving, concrete kerb and guttering, intermittent landscaping and some public amenities such as public seats and the like.

Immediately beside the bitumen and kerb is the existing paved pedestrian footpath. Adjacent to the footpath are a range of predominantly commercial buildings, although there are also several mixed use developments. Their form and age of public and private improvements within and adjoining the corridor vary significantly.

Vehicular traffic along most of the George Street and Devonshire Street corridor is either entirely or partially restricted in line with Infrastructure Approval SSI-6042. The periphery roads which form the subject site (i.e. Campbell Street, Hay Street, Ultimo Road and Thomas Street) are currently all or partially accessible to vehicles. Although not yet implemented, CoS secured approval from TfNSW on 3 July 2020 to temporarily close all of the roads which form part of the subject site (i.e. George Street, Devonshire Street and periphery streets).



Figure 2: Example of George St existing corridor, taken from George St x Pitt St, and adjoining development (Source: City Plan)

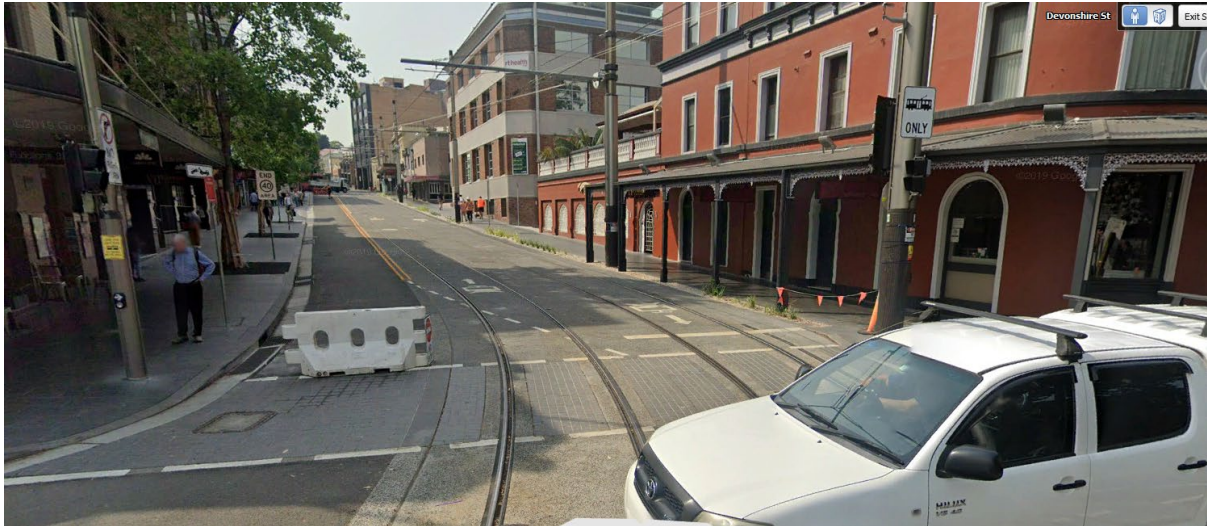


Figure 3: Example of Devonshire St existing corridor, taken from Devonshire St x Chalmers St, and adjoining development (Source: Google Earth)

2.5 EXISTING ZONING

The George Street section of the subject site is mostly within zone B8 – Metropolitan Centre according to the *Sydney Local Environmental Plan 2012* ('SLEP 2012'). A small portion around the intersection of Bathurst Street and George Street is within zone SP2 – Infrastructure. The Devonshire Street section of the subject site is entirely within zone B4 – Mixed Use. Further details are provided in Section 4 of this REF.

3. PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW

In summary, the proposal is to widen the existing footpaths along sections of George Street (between Bathurst and Pitt Street), Devonshire Street (between Elizabeth and Chalmers Street), Hay Street (between George Street and Harbour Street) as well Ultimo Road, (between Thomas Street and George Street). A range of other utilities and amenities will be installed on or around the proposed widened footpaths, including street trees, public seating, Smartpoles (TM), and the like.

Vehicular access to the roads in question was restricted as part of the CSELR. This aside, CoS has obtained approval from Transport for NSW (TfNSW) for the temporary closure of all the roads which form part of this proposal (Refer to Appendix D), except for that portion of George Street between Pitt Street/Lee Street and Rawson Place. A Traffic Management Plan (TMP) for the permanent closure of all of the abovementioned roads is currently being reviewed by TfNSW, but Council advises that it has TfNSW's in-principle support.

3.2 PROJECT JUSTIFICATION

Infrastructure Approval SSI-6042 allowed for, in summary, the construction and operation of the CSELR. This approval implemented full or partial restrictions to vehicles for roads along most of the subject site. In addition, CoS obtained approval from TfNSW for the temporary closure of all of the roads within the subject site (refer to Appendix D).

The CSELR extends generally along the centreline of George Street and Devonshire Streets. That is, it does not occupy the entire road corridor and, as a result, there is residual bitumen between the CSELR track and the existing pedestrian footpath. The residual land is, for the most part, non-trafficable to vehicles and is to be made available for pedestrians as part of this proposal. This proposal seeks to pave the residual land to extend the adjacent footpaths. The proposal also seeks to improve the streetscape with additional trees and other public amenities. Overall, the proposal seeks to improve the public domain as well as streetscape of the streets in question.

3.3 DETAILED DESCRIPTION OF PROJECT

In relation to the subject site, the proposal includes:

- Excavation, to a depth of approximately 400mm, to remove the existing road bitumen, kerb and gutter.
- Replacement of 19 existing trees within the area referenced above.
- Extend the existing footpath generally up to the alignment of the CSELR track. The extended footpath will include.
 - New paving to match existing where possible. Paving along George Street will be 60mm thick Austral Black granite and 60mm thick stone tactile pavers. Paving along Devonshire Street will be 50mm thick concrete unit paving to match existing.

- Approximately 75 new trees. The proposed species is *Zelkova serrata* (Green vase). Pot sizes will be between 400 to 200 litres.
- Approximately 117 new public benches, most with soft, low height landscaping.
- Approximately six rain gardens along Devonshire Street.
- Approximately 29 new bins.
- Approximately 12 new Smartpoles (TM).
- Make good of retained vehicular/pedestrian intersections at Bathurst and George Street, Liverpool Street and George Street, Goulburn Street and George Street, Rawson Place and George Street, Pitt Street and George Street, Campbell Street and George Street, Harbour Street and Hay Street, Ultimo Road and George Street. 'Make good' generally comprises of replacing bitumen with granite paving, raising levels in line with footpaths and marked foot crossings.
- Approximately 6 loading zones along George Street between Barlow Place and Pitt Street.
- Relocate and make good existing utilities as required, including stormwater.
- Changing light phases at intersections to maximise time and safety for pedestrians.
- Line marking as required.
- Installation of a new 150mm diameter non-potable recycled water supply network for proposed new landscaping.

The numbers described above are indicative only and subject to detailed design. They shall be confirmed by relevant technical specialists. Landscape details shall be endorsed by Council's relevant departments prior to the commencement of any construction.

As indicated earlier, vehicular access to much of the subject site was limited as part of Infrastructure Approval SSI-6042 (CSELR), whilst separate approval has been obtained by CoS from TfNSW for the temporary closure of all roads within the subject site (refer to Appendix D), except for that portion of George Street between Pitt Street/Lee Street and Rawson Place. Any further road closures required for the purposes of this activity will be sought by CoS separate to this assessment.

4. LEGISLATIVE AND PLANNING FRAMEWORK

4.1 COMMONWEALTH LEGISLATION

Environment Protection Biodiversity Conservation Act 1999 ('EPBC Act')

The EPBC Act provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, which are defined in the Act as matters of national environmental significance (NES). The proposed activity has been assessed against this Act. The location of the site, relatively minor nature of the activity and the mitigation measures outlined in this report should avoid significant impact on the following:

- a declared World Heritage Property;
- a National Heritage place;
- a declared Ramsar wetland;
- Commonwealth listed migratory species;
- Commonwealth listed threatened species or endangered community;
- Commonwealth marine areas; or
- Commonwealth land.

4.2 PLANNING AND STATE LEGISLATION

Environmental Planning and Assessment Act 1979 ('EP&A Act')

As discussed in Section 1.2 above, the subject activity does not require development consent in accordance with Part 4 of the EP&A Act but does require assessment according to Part 5 of the EP&A Act.

Section 5.1 of the EP&A Act defines a “determining authority” as “a Minister or public authority and, in relation to any activity, means the Minister or public authority by or on whose behalf the activity is or is to be carried out or any Minister or public authority whose approval is required in order to enable the activity to be carried out.”

CoS is a public authority and is therefore the determining authority and the proponent for the activity.

Prior to proceeding with the activity, Section 5.5(1) of the EP&A Act requires a determining authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment as a result of the activity. This report, in particular Section 6 below, provides the necessary assessment.

Section 5.5(3) of the EP&A Act also requires that the determining authority consider the effect of an activity on any “wilderness area” as defined by the *Wilderness Act 1987*. The subject site is not a “wilderness area” and is not in proximity to any such area. It will, therefore, not have any impact on any “wilderness area”. The provisions of this section are, therefore, satisfied.

In addition to Part 5, the objects of the EP&A Act are also relevant. The objects, as provided by Section 1.3, are as follows:

- a. *“to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,*
- b. *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c. *to promote the orderly and economic use and development of land,*
- d. *to promote the delivery and maintenance of affordable housing,*
- e. *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f. *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g. *to promote good design and amenity of the built environment,*
- h. *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i. *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- j. *to provide increased opportunity for community participation in environmental planning and assessment.”*

The activity is considered to be consistent with the relevant objects of the Act for the following reasons:

- It will improve the public accessibility along the corridor.
- Conditions for pedestrians will be improved.
- Streetscape appearance will be improved.
- Streetscape improvements are likely to improve trading conditions for nearby businesses given the general amenity is improved and there will be greater capacity for additional customers.

Roads Act 1993

Section 3 – Objects of Act

The objectives of the Roads Act 1993 are as follows:

- a. *to set out the rights of members of the public to pass along public roads, and*
- b. *to set out the rights of persons who own land adjoining a public road to have access to the public road, and*
- c. *to establish the procedures for the opening and closing of a public road, and*
- d. *to provide for the classification of roads, and*
- e. *to provide for the declaration of RMS and other public authorities as roads authorities for both classified and unclassified roads, and*
- f. *to confer certain functions (in particular, the function of carrying out road work) on RMS and on other roads authorities, and*
- g. *to provide for the distribution of the functions conferred by this Act between RMS and other roads authorities, and*
- h. *to regulate the carrying out of various activities on public roads.*

Vehicular access limitations to most of the roads which relate to the proposed activity were approved as part of the CSELR EIS and Infrastructure Approval SSI-6042. Approval has also been obtained by CoS, from TfNSW, for the temporary closure of all of the roads which relate to the proposed activity (except for the portion of George Street between Pitt Street/Lee Street and Rawson Place). As a result, there are limited objectives of the Roads Act 1993 which apply to this proposed activity. The proposed activity is nevertheless consistent with the relevant objectives given it provides additional differentiation for those areas which are currently not accessible by pedestrians and/or vehicles, or not intended to be accessible due to CoS's imminent actions.

Part 4 – Closing of Public Roads

This part outlines the approval pathway for the closure of public roads. As mentioned above, TfNSW has issued approval for the temporary closure of the roads in question (refer to Appendix D), except for that portion of George Street between Pitt Street/Lee Street and Rawson Place. Further, vehicular access to most of the roads in question was limited in accordance with Infrastructure Approval SSI-6042.

Any further road closures which may be required for the purposes of this activity will be sought separately by CoS. As demonstrated in Appendix C, TfNSW has issued its in principle support for the proposed activity. As such, it is expected that any further necessary road closure approvals will be obtained by CoS. A mitigation measures will be included requiring CoS to obtain any further necessary approvals.

Section 71 – Powers of Roads Authority with Respect to Road Work

Section 71, Part 6 of the Roads Act 1993 provides that a “roads authority” may carry out road work on any public road. CoS is a “roads authority” as prescribed in Section 7 of the Roads Act 1993. Therefore, CoS may carry out the proposed activity.

Section 75 – Public authorities to notify RMS of proposal to carry out road work on classified roads

This section requires approval for road works by the NSW Roads & Maritime (RMS) within a classified road, before such works are carried out. George Street, between Park Street and Quay Street, is a classified road. The proposed activity is located within this section of George Street. Therefore, approval will be required for the proposed works from TfNSW/RMS. This will be stipulated as a mitigation measure. There has been extensive discussion between CoS and RMS/TfNSW in relation to the proposal, including TfNSW issuing in principle support for the proposal. In this case, it is expected that their approval would be issued.

Section 76 – Roads authorities to notify RMS of proposal to carry out major road work

This section requires a roads authority to seek approval from the RMS for any works within a public road with a value of \$2 million. Approval from RMS/TfNSW is required regardless of

Section 76, for the reasons discussed immediately above. This aside, it is understood that the proposal's cost of works is approximately \$35m.

Section 85 – Location of Conduits for Utility Services

This section requires the roads authority to consult with utility providers in relation to any road works which involve installation of conduits for utility services. The proposed activity includes the installation of various utilities. A mitigation measure is included which requires CoS to consult with the relevant utility providers.

Section 88 – Tree Felling

This section provides that a roads authority may, despite any other Act or law to the contrary, remove or lop any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard.

The concept plans demonstrate that 19 trees will be replaced for the purposes of the proposal activity. Whilst addressed in this REF, CoS may also rely on this section for their removal. The replacement trees will be of a healthier species.

Section 138 – Works and structures

In summary, this section provides that works cannot be undertaken to any public road without the consent of the appropriate "roads authority". In the case of a classified road, the consent of the RMS/TfNSW is also required.

Part of George Street, between Park Street and Quay Street, is a classified road as discussed earlier. Therefore, consent from RMS/TfNSW is required. It is noted that TfNSW has issued its in principle support for the proposal (refer to Appendix C). In this case, they are likely to issue their approval for the purposes of Section 138.

Section 144A to 144E – Light Rail Systems

These sections state that a roads authority must not obstruct the operation of any light rail system, unless it has the prior approval of the RMS Secretary. A mitigation measure will be included stating that the Secretary's approval is required if the proposed activity necessitates obstruction to the nearby light rail system.

Contaminated Land Management Act 1997 ('CLM Act')

The subject land is not generally recognised as contaminated land. It has been exposed to by-products from motor vehicles given its previous use as an operational road. There may also be contamination beneath the road surface which cannot be confirmed at this stage. In this case, the CLM Act is a relevant consideration.

The mitigation measures outlined in Section 6 of this report ensure the obligations of the CLM Act are addressed. In summary, the contractor will be required to undertake contamination testing, by a recognised consultant, prior to commencing works. Should contamination be identified, remediation in accordance with the CLM Act will be required.

Heritage Act 1977

The subject land itself is not listed as an item of environmental heritage in the SLEP 2012, nor is it listed as an item of State heritage significance. It is adjacent to heritage items, however, and may contain items of archaeological significance given the importance of the road corridor to the Sydney CBD. The Devonshire Street section of the subject site also forms part of a Heritage Conservation Area according to the SLEP 2012. The associated potential impacts are addressed with mitigation measures discussed earlier and detailed in Section 6 below. In summary however, the potential for impact is minimal given the proposal includes negligible built form and is not in close proximity to items of environmental heritage. Arguably, the proposal results in beneficial impacts given a wider footpath will allow improved viewing angles to heritage items whilst additional street trees will similarly complement heritage items and the streetscape generally.

Any potential adverse impacts would be limited to artefacts which may be discovered during excavation. These can be managed with mitigation measures, however, including stop work and notify procedures, for example.

Rural Fires Act 1997

This legislation is not applicable as the subject site is not bushfire prone.

Wilderness Act 1987

This legislation is not applicable as the subject site is not identified as “wilderness area” according to the Wilderness Act 1987 or the National Parks and Wildlife Act 1974.

Protection of the Environment Operations Act 1997 ('POEO Act')

The proposal does not trigger the need for licensing as outlined in the POEO Act and it is, therefore, not applicable in this instance.

Fisheries Management Act 1994

This legislation is not applicable as the proposal does not involve aquaculture, dredging or reclamation work, relate to public water land or an aquaculture lease or works that would create an obstruction of a water body.

Mine Subsidence Act 1997

The subject site is not within a mine subsidence area. In this case, this legislation is not applicable.

Environmental Planning & Assessment Regulation 2000 ('EP&A Regulation')

Section 228 - What factors must be taken into account concerning the impact of an activity on the environment?

Section 228 of the EP&A Regulation nominates those factors which must be taken into account when considering the impact of an activity on the environment. Those factors are listed and addressed below:

Matter to be addressed	Comment
1. <i>For the purposes of Part 5 of the Act, the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment include –</i>	
(a) <i>For activities of a kind for which specific guidelines are in force under this clause, the factors referred to in those guidelines, or</i>	No specific guidelines are in force for the proposed activity.
(b) <i>For any other kind of activity -</i> (i) <i>the factors referred to in the general guidelines in force under this clause, or</i> (ii) <i>if no such guidelines are in force, the factors referred to subclause (2).</i>	An assessment of the activity under subclause 2 of Clause 228 of the Regulation is provided in this table.
2. <i>The factors referred to in subclause (1)(b)(ii) are as follows –</i>	
(a) <i>Any environmental impact on a community</i>	Subject to the implementation of the mitigation measures set out in Section 6 and 8, the proposed works will not result in any unacceptable environmental impacts on the community.
(b) <i>Any transformation of a locality</i>	Arguably the subject locality has already been largely 'transformed' by the implementation of the CSELR. The proposal itself would not 'transform' the subject locality. It would, although, have beneficial streetscape and accessibility impacts. These are likely to create an environment that has the potential to benefit trading conditions for nearby businesses as well as pedestrians generally.
(c) <i>Any environmental impact on the ecosystems of the locality</i>	As will be described in detail in Section 6 of this report, the proposal's ecological impacts will be negligible given the extent of necessary excavation is minimal. The proposal may involve a sizeable amount of excavation in terms of lineal metres, but such excavation is largely confined to a modest 400mm from the existing surface. Similarly, the proposal does not involve extensive tree removal and any trees which will be removed, will be more than adequately compensated for.

Matter to be addressed	Comment
<i>(d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality</i>	The proposal will improve the aesthetic, recreational and general environmental quality of the subject locality given it involves new paving, wider footpaths, new public facilities such as seats and the like, and additional street trees. It is considered that the road surface does not have any notable scientific value and the proposal would not, therefore, unreasonably impact any such value.
<i>(e) Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations</i>	<p>The proposed streetscape improvements are likely to have marginally positive effects on such values of adjoining development and the locality generally.</p> <p>There may be archaeological value within the land which is proposed to be excavated to deliver proposed new utilities, paving, trees and the like. Section 6 and 8 below discusses this matter further. In summary, mitigation measures can be implemented to avoid significant adverse archaeological impacts.</p>
<i>(f) Any impact on the habitat of protected fauna (within the meaning of the National Parks and Wildlife Act 1974)</i>	The proposed works are unlikely to impact on the habitat of protected fauna under the NPW Act, given their central city location.
<i>(g) Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air</i>	The subject land and locality are not known to cater for endangered species. Therefore, it is not expected to result in any significant impact.
<i>(h) Any long-term effects on the environment</i>	The long-term impacts are likely to be positive and the public domain will be significantly improved by the proposal. This has direct positive impacts for pedestrians and are likely to create an environment that has the potential to benefit trading conditions for nearby businesses.
<i>(i) Any degradation of the quality of the environment</i>	Degradation is limited to the construction phase, such as noise, sedimentation, dust generation and the like. As discussed in detail at Section 6, however, adequate mitigation measures can be implemented for such possibilities. Overall, however, the proposal is likely to result in positive impacts to the social, cultural and economic environment.
<i>(j) Any risk to the safety of the environment</i>	As discussed immediately above, risks to the environment are principally limited to the construction phase. Relevant mitigation measures can be implemented, as discussed in Section 6 of this report.
<i>(k) Any reduction in the range of beneficial uses of the environment</i>	Vehicular access to most of the subject roads has already been restricted as part of Infrastructure Approval SSI-6042. Further, TfNSW issued an approval for temporary closure of most of the subject roads (refer to Appendix D). Therefore, this proposal does not result in any notable reduction to the use of the environment in question. Arguably, the proposal increases options for use of the environment

Matter to be addressed	Comment
	given it will extend footpaths and improve the amenity generally with additional street trees, public seating and the like.
<i>(l) Any pollution of the environment</i>	Pollution is likely to be limited to during the construction phase from construction related machinery and potential noise, dust and water management. These are temporary and/or can be mitigated such that they are not significant and, therefore, not unreasonable.
<i>(m) Any environmental problems associated with the disposal of waste</i>	The proposal's construction phase is likely to result in some waste, such as removed bitumen, concrete and the like. Section 6 outlines how any associated impacts can be mitigated. In summary, mitigation measures revolve around recycling and/or reuse of such waste products.
<i>(n) Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply</i>	<p>The proposal includes additional public water fountains for drinking. These are limited in number and do not rely on large quantities of water. As such, these will not impact water supply in any significant manner.</p> <p>New and replacement landscaping will require intermittent watering. That part of George St which has already been paved as part of the CSELR included a non-potable watering system. This system utilises recycled water which can be made available for the landscaping installed as part of the CSELR. This proposal includes extending the non-potable watering system particularly along George Street (between Rawson Street and Ultimo Rd), as well as along Rawson Street itself. This system can be used for the proposal's landscaping and will, therefore, minimise demand on natural water resources.</p> <p>The proposal will also increase demand for paving however, we are not aware of any related shortages.</p>
<i>(o) Any cumulative environmental effect with other existing or likely future activities</i>	The proposal is small in scale and operation. In this case, any cumulative environmental impacts would be negligible, manageable and broadly positive.
<i>(p) Any impact on coastal processes and coastal hazards, including those under projected climate change conditions</i>	The vertical extent of excavation required for the proposal is quite minor and not in close proximity to any coastal areas. Therefore, it would not jeopardise coastal processes, exacerbate existing coastal hazards, including those associated with climate change.

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

Clause 2 – Aim of Policy

The objectives of the Infrastructure SEPP require consideration. According to Clause 2 of the policy, the objectives are as follows:

- a. *“improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- b. *providing greater flexibility in the location of infrastructure and service facilities, and*
- c. *allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- d. *identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- e. *identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- f. *providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- g. *providing opportunities for infrastructure to demonstrate good design outcomes.”*

It is considered that the proposal satisfies the relevant objectives of the policy for the following reasons:

- It utilises a nominated approval mechanism.
- The nominated approval mechanism will allow for the timely delivery of important infrastructure.
- This assessment addresses the relevant matters for consideration.
- As will be demonstrated below, relevant consultation has been undertaken.
- The proposal will deliver good design outcomes in that the streetscape will be greatly improved, particularly with the refinishing of residual road way, new paving, additional public amenities, and additional street trees.

Clause 13 – 17 Consultation

These clauses of the Infrastructure SEPP outline various forms of consultation which must be undertaken. These are addressed in the following table:

Matter to be addressed	Comment
<i>Clause 13 Consultation with councils - development with impacts on council- related infrastructure or services</i>	The proposal will not have substantial impact on key utilities, road functions, or access to public spaces. Nevertheless, relevant CoS internal departments were consulted on these matters during the project's design development phase.
<i>Clause 14 Consultation with councils - development with impacts on local heritage</i>	There are no heritage items on the subject land. There are heritage items adjacent the subject land. Further, artefacts may be identified as part of civil works associated with the proposal. Relevant Council internal departments were consulted in relation to these items during the proposal's design development phase. This aside, various mitigation measures, as outlined in Section 6 below, will be implemented to avoid or minimise heritage related impacts. These include, for example, implementing protective measures when proposed works will be in proximity to known heritage items or stopping work if an archaeological item is identified during the civil works phase.

Matter to be addressed	Comment
<p><i>Clause 15</i> <i>Consultation with councils - development with impacts on flood liable land</i></p>	<p>The site is not identified as land within a flood planning area by the SLEP 2012. Nevertheless, Council internal Departments were consulted during the proposal's design development phase.</p>
<p><i>Clause 15AA</i> <i>Consultation with State Emergency Service - development with impacts on flood liable land</i></p>	<p>The site is not identified as land within a flood planning area by the SLEP 2012. Consultation for the purposes of Clause 15AA is, therefore, not considered necessary.</p>
<p><i>Claus 15A</i> <i>Consultation with councils - development with impacts on certain land within the coastal zone</i></p>	<p>The site is not identified as land with a coastal vulnerability area under the Infrastructure SEPP as per the meaning in the <i>Coastal Management Act 2016</i>.</p>
<p><i>Clause 16</i> <i>Consultation with public authorities other than councils</i></p>	<p>The proposed development is not specified development under this clause of the Infrastructure SEPP as it is not known to comprise any of the following:</p> <ul style="list-style-type: none"> ▪ Development adjacent to land reserved under the <i>National Parks and Wildlife Act 1974 (NPW Act)</i> or land to be acquired under Part 11 of that Act. ▪ Development on land in Zone E1 National Parks and Nature Reserves under the SLEP 2012 or in a land use zone that is equivalent to that zone. ▪ Development adjacent to an aquatic reserve or marine park that is declared under Clause 23 in Part 5 of the <i>Marine Estate Management Act 2014</i>. ▪ Development in the foreshore area within the meaning of the <i>Place Management NSW Act 1998</i> (cf <i>Sydney Harbour Foreshore Authority Act</i>). ▪ Development comprising a fixed or floating structure in or over navigable waters. ▪ Development that is for the purpose of a health service facility, correctional centre, or residential purposes, in an area of bush fire prone land. ▪ Development that may increase the amount of artificial light in the night sky and is on land within the dark sky region (i.e. within 200 kilometres of the Siding Spring Observatory) as identified on the dark sky region map. ▪ Development on defence communications facility buffer land near land near Morundah within the meaning of clause 5.15 of the Standard Instrument. ▪ Development on land in a mine subsidence district within the meaning of Clause 15 of the now repealed <i>Mine Subsidence Compensation Act 1961</i>. <p>Subsequently, consultation under Clause 16 (2) of the SEPP is not required.</p> <p>In addition to the above, CoS has been in regular contact with TfNSW in relation to the proposal as further road closure approvals from TfNSW will be required. As demonstrated in Appendix D, TfNSW has issued its in principle support for the entire activity. As such, it is expected that</p>

Matter to be addressed	Comment
	TfNSW will provide its ongoing support, including any necessary approvals.
<i>Clause 17 Exceptions</i>	Not applicable as the nominated exemptions do not apply to the subject site or the proposal.

Section 94 – Development permitted without consent - general

As discussed in Section 1.2 above, the proposal is for alterations to an existing road as referenced in Clause 94(2)(c) of the *Infrastructure SEPP*. The proposal is, therefore, development permitted without consent. As such, the proposal does not require assessment and determination according to Part 4 of the *Environmental Planning & Assessment Act, 1979* ('EP&A Act').

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ('Vegetation SEPP')

The Vegetation SEPP applies to the CoS Local Government Area (LGA). Its aims, as prescribed by Section 3, are as follows:

- a. *"to protect the biodiversity values of trees and other vegetation in non-rural areas of the State.*
- b. *to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation."*

The proposal seeks to replace 19 trees with a healthier species. Despite this, the aims of the Vegetation SEPP will continue to be met by the proposal for the following reasons:

- The vast majority of trees on the subject site will be retained. The trees proposed to be removed are not of a particularly high value in terms of amenity/visually or ecologically. Their removal, therefore, is not significant particularly given the vast majority of trees will be retained.
- The proposal includes 75 new, highly visible trees (subject to site suitability underground constraints).

Sydney Local Environmental Plan 2012 (SLEP 2012)

Clause 1.2(2) – Aims of Plan

The particular aims of the SLEP 2012 are as follows:

- a) *to reinforce the role of the City of Sydney as the primary centre for Metropolitan Sydney,*
- b) *to support the City of Sydney as an important location for business, educational and cultural activities and tourism,*
- c) *to promote ecologically sustainable development,*
- d) *to encourage the economic growth of the City of Sydney by—*

- (i) providing for development at densities that permit employment to increase, and*
 - (ii) retaining and enhancing land used for employment purposes that are significant for the Sydney region,*
- e) to encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing,*
- f) to enable a range of services and infrastructure that meets the needs of residents, workers and visitors,*
- g) to ensure that the pattern of land use and density in the City of Sydney reflects the existing and future capacity of the transport network and facilitates walking, cycling and the use of public transport,*
- h) to enhance the amenity and quality of life of local communities,*
- i) to provide for a range of existing and future mixed-use centres and to promote the economic strength of those centres,*
- j) to achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities,*
- k) to conserve the environmental heritage of the City of Sydney,*
- l) to protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas.*

The proposal satisfies the relevant objectives of the SLEP 2012 for the following reasons:

- The streetscape enhancement reinforces George Street as one of Sydney's primary streets, thereby reinforcing the City of Sydney as the primary centre in metropolitan Sydney.
- The streetscape enhancements are likely to create an environment that has the potential to benefit trading conditions for nearby businesses as well as pedestrians generally.
- The proposal will improve infrastructure for pedestrians, including accessibility to public transport.
- The proposal will not result in any significant impacts on any known heritage values. Mitigation measures are proposed to avoid unreasonable impacts to any unforeseen heritage value.

Clause 2.3 – Zone Objectives and Land Use Table

As shown in the land use zoning maps at Figure 4 and 5, the subject site is within zone B8 – Metropolitan Centre and B4 – Mixed Use. A small portion around the intersection of Bathurst Street and George Street is within zone SP2 – Infrastructure.

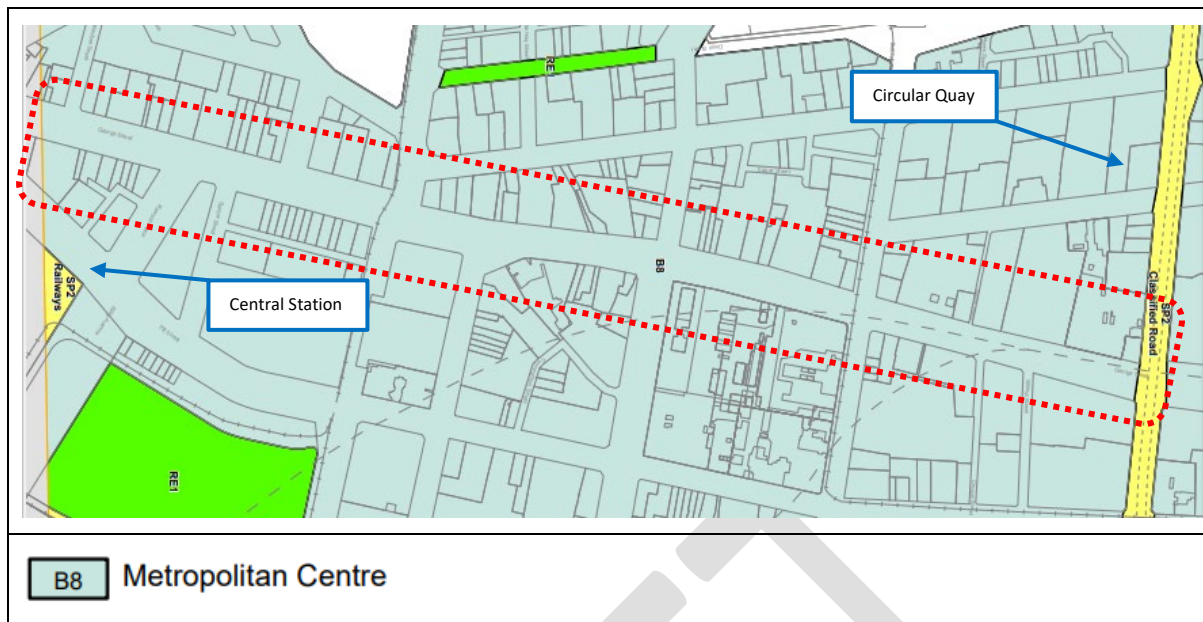


Figure 4: Extract of Land Use zoning map. Red dashed line demonstrates George Street section of subject site

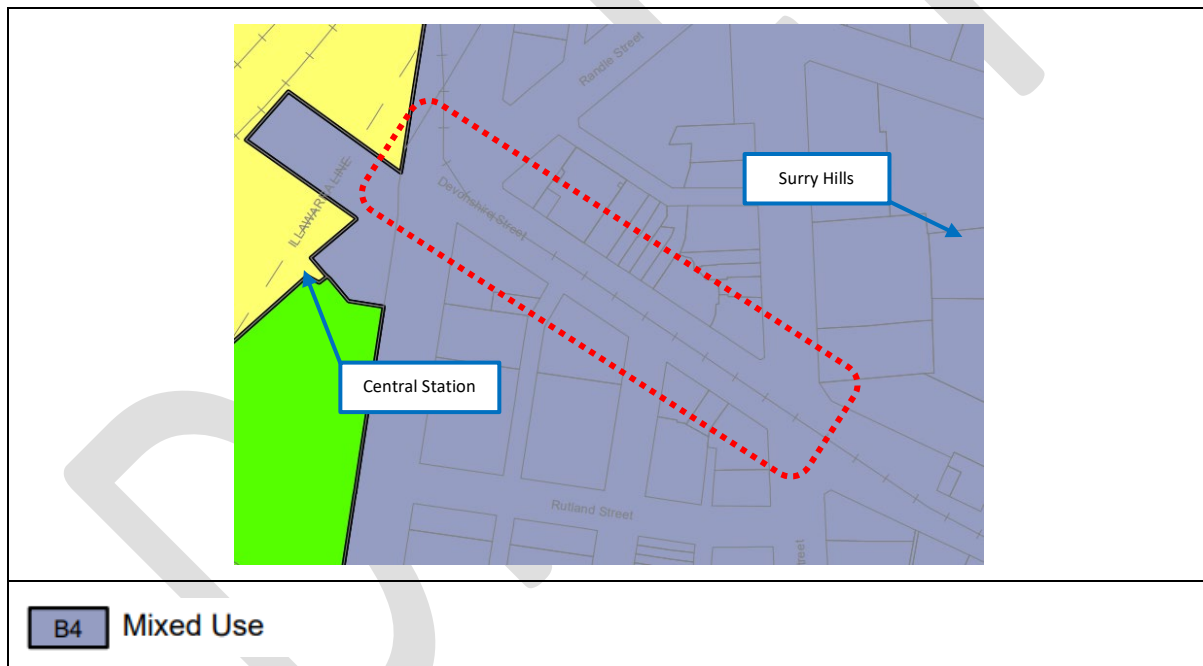


Figure 5: Extract of Land Use zoning map. Red dashed line demonstrates Devonshire Street section of subject site

The proposal's consistency with the objectives of each zone is discussed below.

Zone B8 – Metropolitan Centre

- To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.
- To provide opportunities for an intensity of land uses commensurate with Sydney's global status.

- *To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.*
- *To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling.*
- *To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.*

The proposal satisfies the relevant objectives of the B8 zone for the following reasons:

- The streetscape enhancement assists with reinforcing the pre-eminent role of business, office, retail and tourist land uses/activities within the City of Sydney LGA.
- The workforce, visitors and the wider community will be assisted by an improved and wider footpath.
- The proposed wider footpath will improve accessibility to public transport, and the CSELR in particular.

Zone B4 – Mixed Use

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To ensure uses support the viability of centres.*

The proposal satisfies the relevant objectives of the B4 zone for the following reasons:

- The improved, and in particular wider footpath, will encourage walking, cycling and access to public transport.
- A wider footpath and improved streetscape enhances centre vitality.

Clause 5.10 – Heritage Conservation

The objectives of this clause are as follows—

- a. *to conserve the environmental heritage of the City of Sydney,*
- b. *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- c. *to conserve archaeological sites,*
- d. *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The proposal's heritage related impacts, including potential archaeological, aboriginal and European impacts were considered as part of the Environmental Impact Assessment and associated approval of the CSELR.

In relation to this section of the CSELR, the associated heritage impact assessment (HIA), prepared Goddan Mackay Logan, did not identify any major known impacts. It was acknowledged that impacts may occur during the associated excavation phase. To minimise impacts, the HIA recommended a range of mitigation measures.

Based on the findings of the Godden Mackay Logan HIA, it is considered that the subject proposal would satisfy the objectives of Clause 5.10. It is also considered that the proposal

would not result in unreasonable heritage related impacts generally. In relation to unknown potential impacts, it is recommended that the same mitigation measures adopted as part of the CSELR approval (i.e. SSI-6042) be adopted for the subject proposal.

Clause 7.14 – Acid Sulfate Soils

The subject land is identified as being affected by Class 5 acid sulfate soils according to the SLEP 2012.

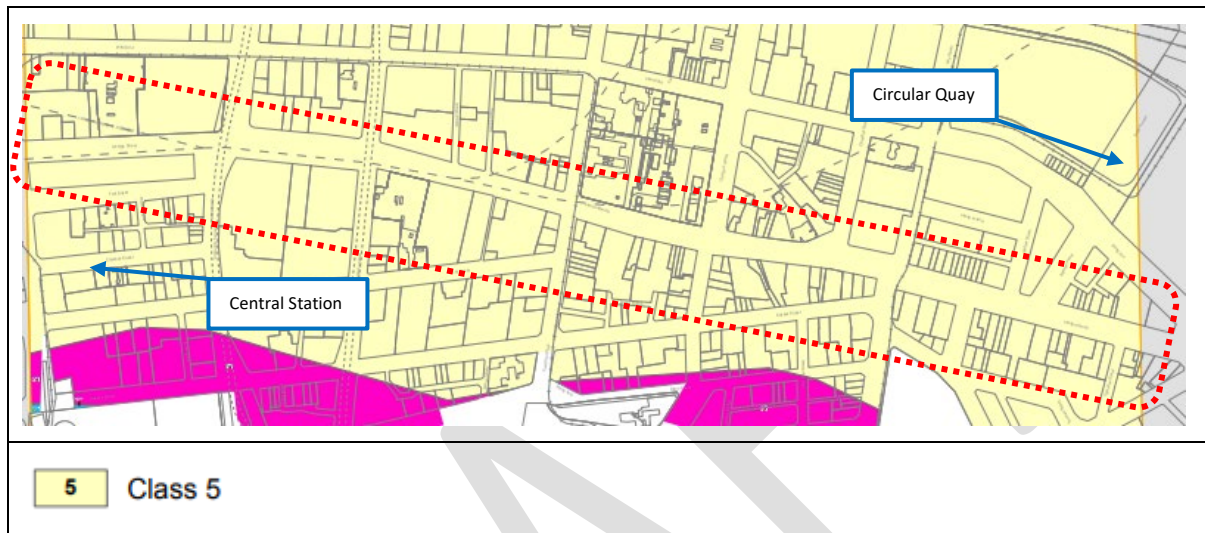


Figure 6: Extract of Acid Sulfate Soils Map. Red dashed line demonstrates George Street section of subject site

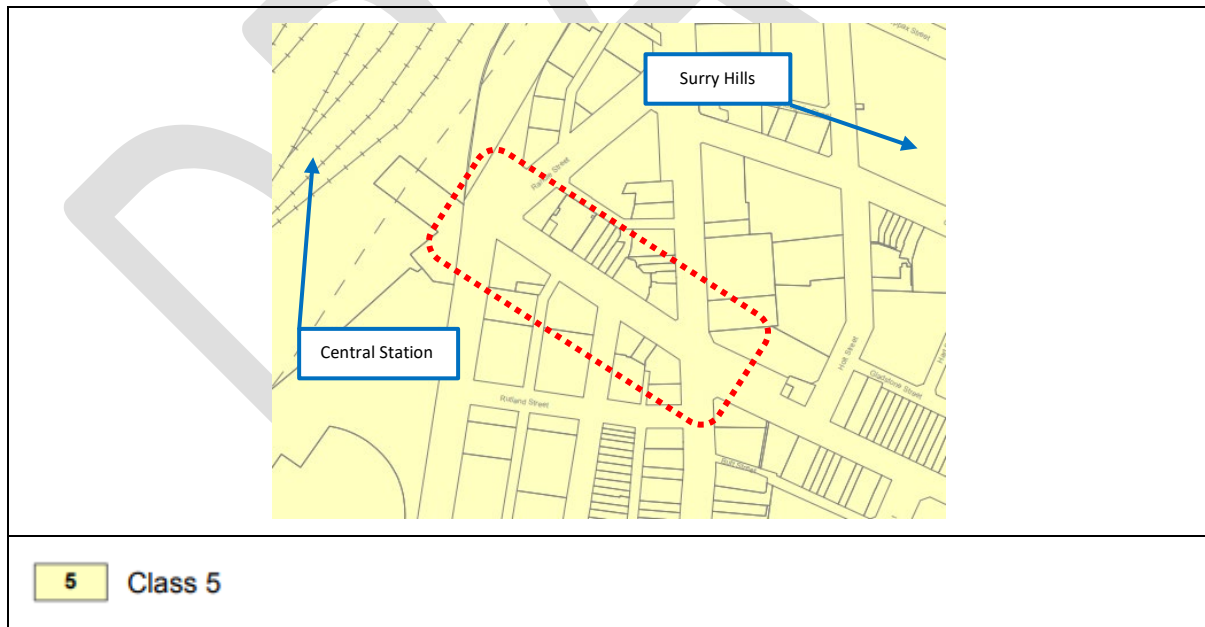


Figure 7: Extract of Acid Sulfate Soils Map. Red dashed line demonstrates Devonshire Street section of subject site

The proposed development does not comprise works within 500 metres of Class 1, 2, 3 or 4 land below 5 metres Australian Height Datum (AHD) and by which the water table is likely to

be lowered below 1 metres AHD on adjacent Class 1, 2, 3 or 4 land and therefore an Acid Sulfate Soils Management Plan is not required.

Overall, the proposed works do not necessitate major excavation, in terms of depth. In this case, depth related potential excavation impacts are expected to be negligible.

4.3 RELEVANT POLICIES

Sydney Development Control Plan 2012 (SDCP 2012)

The SDCP 2012 contains non-statutory planning controls generally intended to support the SLEP 2012. The proposal involves minimal built form and, in this case, the SDCP 2012 is of limited relevance. Regardless, the main controls which would apply to the proposal are identified and addressed below.

Section 2.1 – Locality Statements (Central Sydney)

For the purposes of the SDCP 2012, the subject land is located within both the Central Sydney and Surry Hills localities. The character based objectives for the Central Sydney locality, as stated in Section 2.1, are as follows:

- a) *retain and enhance the unique character of each Special Character Area.*
- b) *ensure development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form.*
- c) *conserve and protect heritage items and their settings.*
- d) *maintain a high level of daylight access to streets, lanes, parks and other public domain spaces.*
- e) *encourage active street frontages to the public domain.*
- f) *conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.*

As the proposal includes minimal additional built form and is not in the immediate vicinity of any heritage items, any impacts to existing and built form character of the locality will be negligible.

There may be potential to impact on below ground archaeological features once the proposal's necessary excavation commences. Any below ground potential archaeology would have most likely been identified during the course of maintaining George Street over time. Nevertheless, the related mitigation measures recommended as part of the CSELR EIS and the associated Infrastructure Approval SSI-6042 will form part of this assessment. They include, for example, investigative excavations, as well as stop work and notify procedures in the event any archaeology is identified during construction works.

Overall, adverse impacts to the character of the Central Sydney locality is not anticipated by the proposal. The proposal is likely to result in beneficial impacts given it will improve the streetscape appearance, particularly as a result of increased street trees. Further, the wider walkable public domain as a result of the proposal would improve opportunities for members of the public to visualise and experience the surrounding character.

Section 2.11.8 – Locality Statements (Prince Alfred Park East)

The relevant objectives for this locality are as follows:

- a) *Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.*
- b) *Retain street corridor views along east-west streets to significant parkland and the mature trees of Prince Alfred Park.*
- c) *Maintain the Dental Hospital as a landmark building.*
- d) *Maintain Buckingham Street's asymmetry created by taller warehouse/infill buildings on the western side and predominantly low scale terraces on the eastern side.*
- e) *Encourage Cleveland Street Intensive English Centre School, the Greek Orthodox Church and St. Andrews Theological College and Preschool with frontages that address Prince Alfred Park. Alterations to buildings are to address their heritage significance and impact on the park.*
- f) *Maintain the visual relationship of Cleveland House and Prince Alfred Park, and also from Cleveland House to surrounding open spaces and streets.*
- g) *Retain the existing street setbacks and alignment in response to the original street grid pattern of the area.*
- h) *Consolidate active retail uses along Devonshire Street and Elizabeth Street north. Encourage secondary and supporting commercial uses throughout the neighbourhood.*

The proposal increases footpath widths and will therefore improve view lines generally, although it will not improve view lines to the items listed in the abovementioned objectives. Wider footpaths are likely to improve view lines to the Railway Institute Building and adjoining Chalmers Street Central Station pedestrian entry because they are not directly aligned with the Devonshire Rd corridor. These items are not listed in the abovementioned objectives, but it is considered that they do offer some notable character to the locality. Improving visual access to such items is considered to be a positive outcome of the proposal.

This aside, and as mentioned in relation to the Central Sydney locality, the proposal is not likely to be inconsistent with the objectives of the Prince Alfred Park East precinct because it involves minimal new built form. Mitigation measures will be recommended for any potential below ground character related impacts, although none are anticipated.

Section 3.1 – Public Domain

It is evident that this section of the SDCP 2012 seeks to prioritise or at least improve public spaces, particularly for pedestrians. The proposal, given it seeks to increase footpath widths and improve the streetscape generally, will be consistent with this section's objectives.

Contaminated Land Development Control Plan 2004 (Contaminated Land DCP)

The objectives of the Contaminated Land DCP (i.e. Section 2.2) indicate that the policy applies to private land and 'change of use' applications. It could be argued, therefore, that the policy does not apply to this proposal and the subject site. However, given the highly public nature of the subject site, and that the Contaminated Land DCP seeks to avoid increasing contaminated land risks to general health, it has been considered as part of this assessment.

The EIS for the CSELR, and its subsequent assessment by the Secretary of the NSW Department of Planning, Industry and Environment, advised that contamination was not likely to occur along the George Street section of the CSELR. In relation to land between Haymarket and Moore Park (which includes the Devonshire Street section of the subject proposal), may contain limited quantities of contamination as part of previous land uses, historical land fill, and existing road base material.

To mitigate these measures, the EIS and the Secretary recommended that a Phase 2 Environmental Site Assessment be undertaken for the CSELR proposal, that a Contaminated Materials Remediation Strategy and an Asbestos Management Plan be developed and implemented for the duration of the CSELR's construction. It is noted that all such recommendations were implemented as part of the CSELR's construction. The same recommendations should be adopted for the subject proposal. These measures will ensure that the intent of the Contaminated Land DCP is satisfied.

Heritage Development Control Plan 2006 (Heritage DCP)

The subject land does not contain any items of environmental heritage. The Devonshire Street section of the subject site is within a heritage conservation zone according to the SLEP 2012. Further, there are a number of items of environmental heritage immediately adjacent to both sections of the subject site. The Devonshire Street section of the proposed activity is also within a heritage conservation area. In this case, the proposal has been considered against the provisions of the Heritage DCP. The considerations are broad given the proposal does not contain any significant built form and does not include any new buildings in particular.

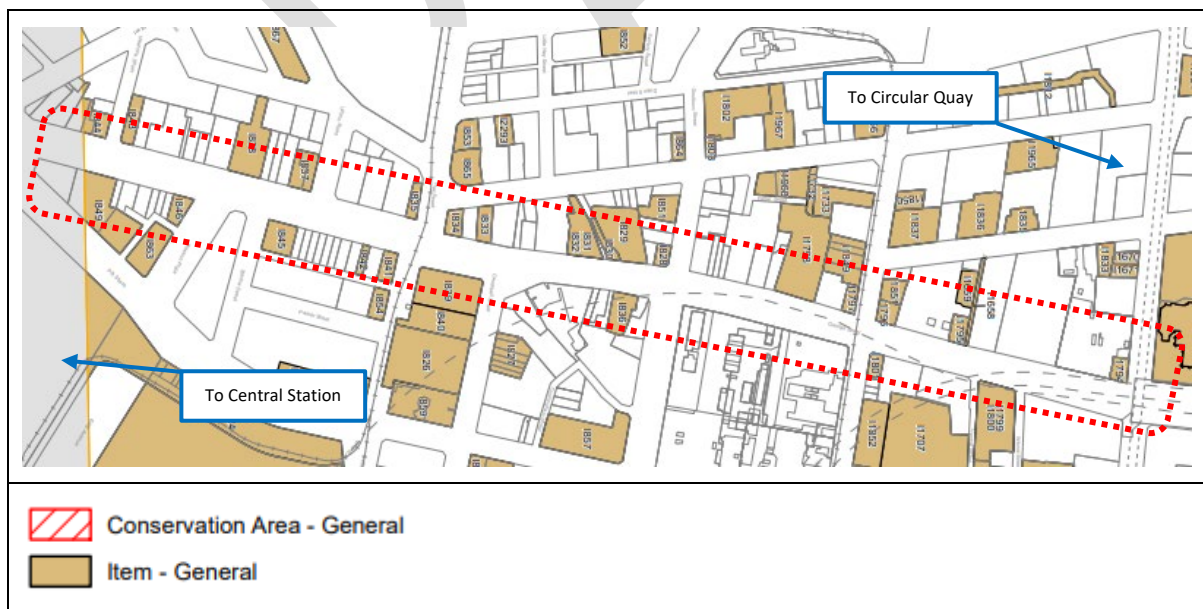


Figure 8: Extract of Heritage Map. Red dashed line demonstrates approximate outline of George Street section of subject site.

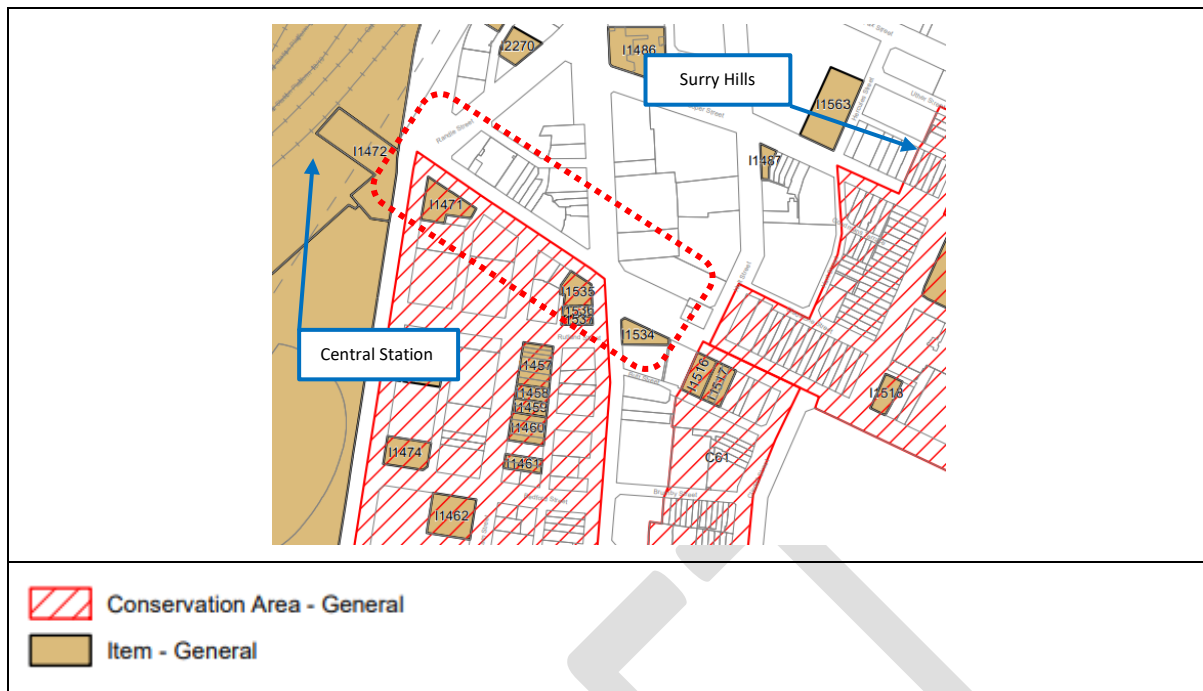


Figure 9: Extract of Heritage Map. Red dashed line demonstrates approximate location of Devonshire Street section of subject site.

Section 2 – Vicinity Controls

The Heritage DCP contains the following objectives for development in the vicinity of heritage items, which is the case for this proposal. The objective of this section is as follows:

"...to ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item."

Given the proposal contains minimal built form, and no buildings, it is not likely to result in any substantive impacts to the character of adjoining heritage items, and their surrounds. The proposal is likely to improve their character given it includes several streetscape enhancements such as appropriately spaced street trees, as well as wider footpaths, providing pedestrians with a wider viewing angle to interpret the subject heritage items.

5. CONSULTATION

Consultation for the purposes of the Infrastructure SEPP has been addressed at Section 4.2 (page 15) of this report.

We understand that CoS will undertake additional public consultation in accordance with its own engagement strategy. This may take the form of signage within the locality, notifications within newspapers or the like with a local circulation, as well as social media.

DRAFT

6. ENVIRONMENTAL ASSESSMENT AND MITIGATION MEASURES

6.1 AIR AND WATER QUALITY

The proposal involves surface related excavation as well as a range of other construction related procedures, such as sawing of paving, concrete pouring, and construction related delivery vehicles, which are likely to generate dust, which may affect air and water quality without adequate mitigation measures. The machinery involved for these procedures is also likely to result in exhaust fumes.

All of such impacts are temporary and can be managed with the same mitigation measures which were established in the CSELR EIS and associated Infrastructure Approval SSI-6042. In particular, these items required the preparation and implementation of a Construction Environmental Management Plan (CEMP). Some of the items the CEMP is required to include are:

- Ongoing management of soils and sediment in accordance with *Australian and New Zealand Environment and Conservation Council (ANZECC) (2000) Guidelines for Fresh and Marine Water Quality*.
- Ongoing management of soils and sediment in accordance with *Landcom's (2004) Managing Urban Stormwater: Soils and Construction*.
- Ongoing management of soils and sediment in accordance with Volume 2D of *Managing Urban Stormwater: Soils and Construction* (DECC 2008).
- Undertaking servicing of machinery to avoid excessive exhaust fumes.
- Ongoing monitoring of the construction site and its immediate surrounds to address any potential non-compliances with mitigation measures.

6.3 SOILS

As indicated above, the proposal involves surface excavation which is likely to impact existing soils. However, as the proposal relates to mostly superficial works, rather than major utility works, for example, which require deep excavation, the proposal's likely soil related impacts should be minor. Any impacts can be managed in accordance with the mitigation measures mentioned in Section 6.1 above as well as the undertaking of a pre-construction geotechnical assessment.

6.4 NOISE AND VIBRATION

The proposal's construction process will rely on mechanical equipment, including delivery vehicles, which will result in noise and vibration impacts. Commercial tenancies and dwellings in close proximity to the subject site may in particular be impacted. Such impacts will be temporary but can nevertheless be mitigated with the implementation of the Construction Noise and Vibration Management Plan (CNVMP) developed for the construction of the CSELR (with the exception of its recommended extended construction hours). Of particular note in this plan is the requirement for the installation of noise absorbing barriers for the full extent of the proposed works, as well as intermittent noise monitoring.

As indicated above, the CSELR CNVMP allows for construction to occur up to 10pm in most cases, and later in exceptional circumstances. Such hours are relevant to the construction of the CSELR itself, but they are not considered suitable for the proposal the subject of this report. Works within 1.5 metre of the Permanent Light Rail Corridor must be constructed out of normal hours, in accordance with the requirements of Transdev. Light rail is not in operation between 1am and 5.30am and works may also be able to be carried out on either side of these hours when running frequency of light rail is low. Out of hours works will also be required for intersections and other places as required by the respective utility and authority. For the proposed works, construction hours should be limited to the following:

- Monday to Saturday: 7.00am to 7.00pm
- No works on Sundays or public holidays
- In those cases where the safety of workers is at greatest risk, works can be undertaken outside of normal business hours, such as between 1am – 5.30am, or when light rail and/or vehicular traffic frequency is low.

6.5 FLORA, FAUNA AND TREES

The subject site is highly urbanised and does not contain any high volume of flora, fauna or native trees. For these reasons, the impact on flora, fauna and trees is minimal. It is acknowledged that the proposal involves the replacement of 19 existing street trees. This impact is considered acceptable given the replacement includes species of healthier variety, and the proposal involves planting of 75 new street trees (between 400 – 200L pot size). Further, the proposal includes numerous vegetated rain gardens and the like.

Mitigation measures, in this case, will be limited to the preparation of a detailed landscape plans which confirms, amongst other items, the exact number of replacement trees, exact number of new trees, their species, and measures relating to their ongoing management to ensure they become adequately established. Any landscape plan must be prepared by a suitably experienced landscape architect registered with the Australian Institute of Landscape Architects (AILA).

6.6 NATURAL HAZARDS

As discussed earlier in this assessment, natural hazards relevant to the site are limited to acid sulfate soils. This hazard is minor given the subject land is within Class 5 acid sulfate soils and the proposal does not involve extensive, in terms of depth, excavation.

6.7 SEA LEVEL RISE

The subject site is not in the immediate vicinity of natural water bodies. Sea level rise is, therefore, not considered to be a likely impact. Similarly, the proposal is of a minor nature in relative terms and does not necessitate any significant long term carbon dioxide emissions. Therefore, the proposal itself is not likely to impact on sea levels.

6.8 SPOIL AND WASTE MANAGEMENT

The proposal is likely to involve the removal of the existing road surface and disturbance of the existing road base. Such waste could escape the subject site in the form of erosion and

sedimentation, some of which may be contaminated. There is also likely to be various ‘off cuts’ from construction materials such as pavers, concrete and the like.

In addition to the mitigation measures listed in 6.1 above, a Phase 2 contamination assessment shall be undertaken to determine the likelihood of contaminated material throughout the construction site, or the Phase 2 assessment undertaken as part of Infrastructure Approval SSI-6042 can be relied on. Treatment of contaminated material, if any, should also be undertaken in accordance with the Phase 2 assessment.

General construction waste shall be managed in accordance with the *Waste Avoidance and Resource Recovery Act 2001*. This legislation generally seeks to avoid waste generation or divert any waste to recycling.

6.9 CHEMICAL AND HAZARDOUS SUBSTANCE MANAGEMENT

As indicated above, there may be contamination within the existing road corridor. This shall be managed in accordance with the measures outlined in Section 6.1 and 6.8 of this report. In addition, contamination and hazardous materials should be managed in accordance with the following measures which also formed part of Infrastructure Approval SSI-6042:

- National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No. 1) (NEPM) (National Environment Protection Council (NEPC, 2013)
- Waste Classification Guidelines (DECCW 2009).
- Protection of the Environment Operations Act 1997
- Waste Avoidance and Resource Recovery Act 2001
- Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated Sites in Western Australia (Western Australia Department of Health 2009).

6.10 TRANSPORT AND ACCESS

Operational Transport and Access

Vehicular access to most of the roads in question was restricted as part of Infrastructure Approval SSI-6042. Similarly, CoS secured approval for temporary closure of all of the roads in question (refer to Appendix D) from TfNSW on 3 July 2020, except for that portion of George Street between Pitt Street/Lee Street and Rawson Place. In this case, the proposal will not, of itself, result in any significant vehicular transport related impacts not already assessed and authorised under those previous approvals.

Transport and traffic impacts from the proposal on that section of George Street not already affected by prior approvals (i.e. between Pitt St/Lee St and Rawson Place) are negligible. This is because vehicular access to the remainder of George Street is already limited and any traffic volumes between Pitt Street/Lee Street and Rawson Place are low. The proposal does not, in fact, seek to change vehicular access to this portion of George Street, including access to existing driveways. Although, the proposed footpath widening and installation of

new amenities will reduce its loading zone capacity. Despite this, sizable dedicated loading zones will be retained between Pitt Street/Lee Street and Rawson Place (along George Street) as shown in the plan extracts on the following page.

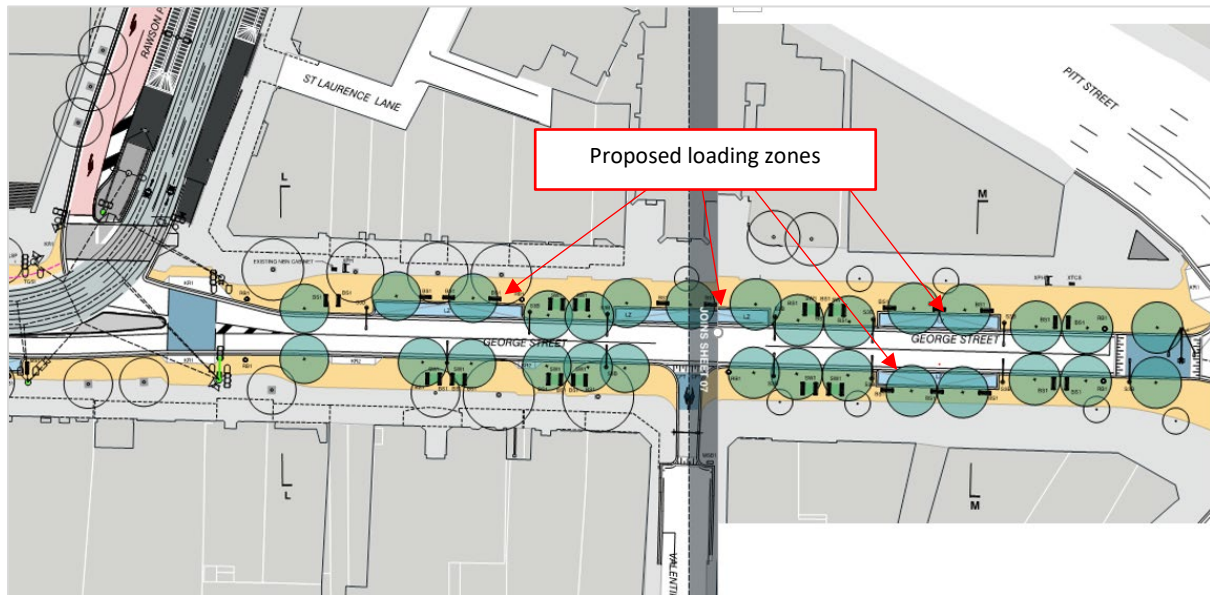


Figure 10: Extract of proposed concept plan with proposed loading zones highlighted

Advice was sought from Council's traffic engineering section (refer to Appendix E) in relation to the suitability of the additional road capacity and loading zone capacity reduction. Council's engineering section did not raise objection given Council has adopted and is implementing a Central Sydney parking and loading zone strategy (i.e. 'Central Sydney On-Street Parking Policy'). This policy prioritises the introduction of further loading zones throughout Central Sydney. As also mentioned by Council's engineering section, the further reduction in road and loading zone capacity at the southern end of George Street is consistent with Council's long term vision to prioritise pedestrianisation of the entire length of George Street, whilst delivery vehicles will be able to access new paved areas outside of peak business hours.

Impacts to pedestrian flows and accessibility are mostly positive given footpaths will be widened to increase capacity and the streetscape will be improved with additional street trees and the like. No mitigation measures are required in relation to pedestrian accessibility.

In accordance with Section 75 and 138 of the Roads Act 1993, CoS is required to obtain approval from TfNSW for works in a classified road and for any further road closures.

Construction Transport and Accessibility

The proposal will necessitate a number of construction related vehicles, including machinery. This may increase traffic volumes and result in traffic delays. Although temporary, the Construction Network Management Plan implemented as part of the CSELR

EIS and associated Infrastructure Approval SSI-6042 should be implemented for the purposes of this application. Some noteworthy elements of the plan include:

- Creating temporary parking bays within the proposed construction zone for construction related vehicles, machinery or delivery of materials. Ample space exists within the proposed construction zone for such temporary bays. Such bays shall be identified prior to the construction of works.
- Install lighting for the duration of the project in accordance with relevant Australian Standards.
- Preparation and implementation of a Construction Traffic Management Plan incorporating but not limited to the following:
 - Encouraging the delivery of any large machinery, which would otherwise disrupt traffic further or pose a risk to pedestrians, outside of peak periods. Peak periods, if any, should be determined prior to the commencement of construction and following an observational analysis of traffic and pedestrian activity along the subject site.
 - Install temporary barriers between any currently publicly accessible areas and the relevant construction zone to avoid pedestrians and any vehicles entering the construction zone. The temporary barrier shall be a minimum height of 1.6m and maximise sight lines for vehicles as well as pedestrians, where possible.
 - Including pedestrian awareness as part of any induction program for any staff associated with the onsite works.

A public communications protocol shall also be established before and for the duration of the construction phase. The protocol should outline at least the following:

- Purpose of the project.
- When construction works are anticipated to commence, daily construction hours, and the approximate duration of the construction works.
- Any particular construction related processes which may generate amenity impacts which could be reasonably regarded as out of the ordinary.
- The means of communication, which should include at least onsite signage, notifications within local newspapers or other publications with local circulation, as well as social media, a project liaison officer from CoS for local business owners, and a contact phone number.
- Establishment of construction zone lighting in accordance with relevant Australian Standards.

During both the construction and operational phase, suitable materials shall be used to avoid pedestrian trips, slips and the like. Materials in accordance with the relevant Australian Standards shall be used. Such materials shall be maintained in accordance with the relevant standards and/or the manufacturer's requirements.

6.11 ABORIGINAL AND NON-INDIGENOUS HERITAGE

As discussed earlier, the subject site does not contain any items of environmental heritage according to the SLEP 2012. Several items of environmental heritage and a conservation area are in proximity to the subject site, but the physical separation is sufficient to avoid any likely impacts.

Given the extended period of time George Street and Devonshire Street have been in operation, and the extent of maintenance and/or reconstruction they would have been subject to, it is unlikely that any unforeseen aboriginal or non-indigenous material would be found as part of the proposal's construction, including excavation.

Despite the above, mitigation measures are warranted given the likely significance of any potential aboriginal or non-indigenous material that might be found. In this case, the same mitigation measures adopted for the purposes of the CSELR EIS and Infrastructure Approval SSI-6042 shall be adopted for this proposal. Notable elements of these measures include:

- Reviewing the results of geotechnical testing for any evidence of aboriginal or non-indigenous material.
- Stopping work in the event any material or potential material is identified during the construction phase.
- Nominating potential for aboriginal or non-indigenous heritage as part of any site induction process.

6.12 VISUAL IMPACTS

The following are the key elements of the proposal which are likely to have any visual impact:

- Replacement of existing road base with paving and associated kerb and gutter. Subsequently, the footpath will be widened.
- Replacement of 19 trees.
- Addition of approximately 75 trees and various rain gardens, shrubbery and the like.
- Addition of various public amenities such as street seating, water fountains, bins and the like.
- Addition of 12 new Smartpoles (TM).

The proposal will result in mostly positive visual impacts given the streetscape will be substantially improved. To avoid the streetscape becoming 'over crowded' with the additional street trees, Smartpoles (TM) and the like, these elements are sufficiently spaced and will not result in any adverse impacts. In this case, mitigation impacts will be limited to the following:

- Regular observation, within 3 months of the installation of proposed vegetation to ensure it becomes adequately established.
- Regular observation, within 3 months of the installation of proposed public amenities, to ensure they operate satisfactorily.

6.13 SOCIO-ECONOMIC IMPACT

The proposal does not impact directly or indirectly on any existing administrative, professional, or community services such as medical facilities, schools, childcare centres or the like.

The proposal's construction phase has the potential to impact on adjoining businesses and the like as a result of noise, dust, vibration, transportation and accessibility impacts outlined earlier. These impacts are temporary and acceptable with mitigation measures already discussed. Further, for the most part, the proposal works are substantially separated from places of business. They proposed works are not so close that access, for example, would be restricted to places of business. In fact, the existing footpaths will be maintained for the vast majority of the subject site, ensuring existing accessibility will be retained.

Upon completion of the proposed works, the streetscape will be substantially improved with new paving, additional trees, public amenities and a wider footpath. As such, not only will the general atmosphere be improved, but this is likely to improve trading conditions for nearby places of business. Overall, this will assist with reinforcing George Street as the premier street within Australia and the Sydney CBD as a key focus point internationally.

In light of the above, specific amenity impacts such as noise, dust and the like, can be managed acceptably subject to previously outlined mitigation measures so as not to impact upon the economic performances of businesses in the vicinity.

6.14 FUTURE LAND USE

There is no change to the use of the subject land, remaining part of the public road reserve. Given the proposal will improve the streetscape and increase footpaths widths, adverse impacts are not envisaged in relation to the future use of subject land itself. There may be safety risks associated with widening the footpath and, in practice, placing pedestrians closer to the light rail itself. These are addressed below. In summary, however, this was a risk addressed as part of the CSELR EIS and associated Infrastructure Approval SSI-6042. The mitigation measures referenced in the EIS and the approval would also form part of this report.

6.15 ECOLOGICALLY SUSTAINABLE DEVELOPMENT AND SUSTAINABILITY

The proposal is likely to result in some waste materials as well as carbon dioxide emissions from construction related machinery in particular. Overall, however, the proposal contributes significantly towards ecologically sustainable development and sustainability generally, for the following reasons:

- There will be a substantial net increase in trees in the subject site.
- Rain gardens are proposed which assist with natural water infiltration.
- A non-potable, recycled water supply system is proposed for the new proposed landscaping, where practicable.
- Wider footpaths and an improved streetscape generally, will increase opportunities for 'green transport', in particular, walking.

6.16 OTHER ENVIRONMENTAL IMPACTS

Currently there are various types of barriers separating the subject site from existing footpaths and the operational light rail track. Existing barriers include temporary fences, concrete barriers and plastic bollards. The proposal will remove all such barriers. As with

much of the remainder of the CSELR route along George Street, the removal of barriers will allow pedestrians to be in much closer proximity to the light rail carriages, placing pedestrians at potential risk of being struck.

This risk was identified as part of the CSELR EIS and its associated Infrastructure Approval SSI-6042. Therefore, this report adopts the same mitigation measures, which primarily revolve around building community awareness through a localised advertising campaign, permanent local signage, street markers, and the like.

6.17 CUMULATIVE ENVIRONMENTAL IMPACTS








Vehicular access to much of the roads within the subject site were reconfigured as part of Infrastructure Approval SSI-6042. Further, CoS obtained approval from TfNSW for the temporary closure of most all of the roads within the subject site (refer to Appendix D), except for that portion of George Street between Pitt Street/Lee Street and Rawson Place. Any further traffic related impacts as a result of this proposal, therefore, are limited. Impacts are mostly limited to a reduction of loading zones. Council's traffic engineering section has not raised objection to this (see Appendix E) given Council has an endorsed parking and loading strategy, and there is scope to retain some existing loading zones as part of the concept plan.








This aside, the proposal's overall impacts are considered to be beneficial and would outweigh the identified adverse impacts. This is largely because the proposal would result in significant streetscape upgrades, including new paving, trees and other public amenities. Similarly, the proposal will increase the width of existing footpath substantially. This increases accessible public space, increases the opportunity for pedestrians to view and interpret their surroundings (including heritage items), and increases opportunities for walking or 'green transport'.



7. ENVIRONMENTAL FACTORS CONSIDERED

7.1 CONSIDERATION OF CLAUSE 228 FACTORS

Consideration of each of the Clause 228 Factors is included in the table below. The potential impacts have been quantified as:

CLAUSE 228 FACTORS	IMPACT			
	N/A	Negative	Nil	Positive
<i>(a) any environmental impact on a community,</i>				
<u>Comment</u> Overall, the community related impacts are positive largely because the proposal increases footpath space and results in other various streetscape upgrades, including additional trees.				
<i>(b) any transformation of a locality,</i>				
<u>Comment</u> Arguably the subject site has already been transformed given the CSELR is operational. This proposal continues an existing transformation.				
<i>(c) any environmental impact on the ecosystems of the locality,</i>				
<u>Comment</u> There may be some impacts onsite due to some loss of trees. These would be minor given the extent of trees loss is minor and the subject environment is highly urbanised.				
<i>(d) any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality,</i>				
<u>Comment</u> Arguably, the proposal only improves such qualities given its streetscape upgrades.				
<i>(e) any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations,</i>				
<u>Comment</u> The subject site itself does not contain any items of environmental heritage. In this case, impacts would be nil. There may be unknown archaeological value which may eventuate during the construction process. A range of mitigation measures have been suggested to avoid associated adverse impacts.				
<i>(f) any impact on the habitat of protected fauna (within the meaning of the National Parks and Wildlife Act 1974),</i>				
<u>Comment</u> The subject site does not contain any protected fauna.				
<i>(g) any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air,</i>				
<u>Comment</u> The subject site is highly urbanised and does not contain any sensitive natural environmental features.				

CLAUSE 228 FACTORS	IMPACT			
	N/A	Negative	Nil	Positive
<i>(h) any long-term effects on the environment,</i>				
<u>Comment</u> Due to the locality's highly urbanised character, impacts to the natural environment are nil or negligible at most. Impacts to the built, social and economic environment will be positive given the proposal improves the streetscape, widens footpaths and, in turn, is likely to create an improved environment for businesses.				
<i>(i) any degradation of the quality of the environment,</i>				
<u>Comment</u> See comments immediately above				
<i>(j) any risk to the safety of the environment,</i>				
<u>Comment</u> As discussed earlier in this report, there may be a risk to pedestrians given the proposal could place them in closer proximity to light rail cars. This was considered as part of the CSEL R EIS and this report relies on the same mitigation measures which result in a manageable and acceptable risk. The impact is therefore manageable and not significant.				
<i>(k) any reduction in the range of beneficial uses of the environment,</i>				
<u>Comment</u> For the most part, the proposal will only improve the usability of the subject site and its surrounds. The proposal will reduce loading zone capacity, however. Sizeable loading zones will be included as part of the proposal and, in this case, the capacity reduction is acceptable. The impact is therefore manageable and not significant.				
<i>(l) any pollution of the environment,</i>				
<u>Comment</u> The proposal is likely to result in noise, dust and vibration pollution. These are temporary and mitigation measures have been outlined to minimise their impacts. There is also likely to be construction waste pollution, but it is expected that most if not all of this can be recycled. The impact is therefore manageable and not significant.				
<i>(m) any environmental problems associated with the disposal of waste,</i>				
<u>Comment</u> The proposal is likely to result in waste, particularly waste from construction materials and the removal of road base. It is not expected that any of these will result in unmanageable problems. Construction waste can be recycled in most instances, as can be road base. The road base and sub surface may contain contaminated material, however, mitigation measures have been outlined to ensure suitable treatment is implemented. The impact is therefore manageable and not significant.				
<i>(n) any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply,</i>				
<u>Comment</u> There will be an increase in demand for resources associated with construction machinery as well as materials required for the proposal, such as pavers, concrete, aluminium and the like. These are short term				

CLAUSE 228 FACTORS	IMPACT			
	N/A	Negative	Nil	Positive
and it is noted that the proponent has a range of environmental impact offset programs. The impact is therefore manageable and not significant.				
(o) any cumulative environmental effect with other existing or likely future activities,				
<u>Comment</u> The proposal is likely to result in an overall improved environment for businesses in proximity to the subject site in particular. An improved streetscape and wider footpaths should create additional opportunities for businesses.				
(p) any impact on coastal processes and coastal hazards, including those under projected climate change conditions.				
<u>Comment</u> The subject site is not in proximity to any sensitive coastal features.				

7.2 CONSIDERATION OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

The nature of George Street and much of Devonshire Street was recently established with the approval and construction of the CSEL. This proposal simply complements those elements. As such, the proposal itself does not have any consequences of national significance. If any, the consequences are positives as the proposal will improve the finishing around the CSEL as well as space for pedestrians. For example, it will use aesthetically pleasing paving in place of existing bitumen.

8. SUMMARY OF MITIGATION MEASURES

This proposal deals with works related to the CSELR project, which was assessed in the CSELR EIS and associated Infrastructure Approval SSI-6042. Whilst the scope of the subject works is much more limited and relatively minor, several of the mitigation measures outlined in Infrastructure Approval SSI-6042 are considered relevant and appropriate to be adopted for the subject works. Some notable mitigation measures of particular relevance to this proposal are as follows:

Erosion & Sedimentation

- Ongoing management of soils and sediment in accordance with *Australian and New Zealand Environment and Conservation Council (ANZECC) (2000) Guidelines for Fresh and Marine Water Quality*.
- Ongoing management of soils and sediment in accordance with *Landcom's (2004) Managing Urban Stormwater: Soils and Construction*.
- Ongoing management of soils and sediment in accordance with Volume 2D of *Managing Urban Stormwater: Soils and Construction (DECC 2008)*.
- Construction to be undertaken in accordance with the *Protection of the Environment Operations Act 1997*.

Air Quality (during construction)

- Undertaking servicing of machinery to avoid excessive exhaust fumes.
- Ongoing monitoring of the construction site and its immediate surrounds to address any potential non-compliances with mitigation measures.

Monitoring & Auditing (during construction)

- Undertake and operate in accordance with a pre-construction geotechnical assessment.

Contamination

- Undertake and operate in accordance with a Phase 2 Environmental Assessment. If such an assessment was undertaken as part of Infrastructure Approval SSI-6042, this is sufficient.
- Construction to be undertaken in accordance with the *National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No. 1) (NEPM) (National Environment Protection Council (NEPC, 2013)*.
- Construction to be undertaken in accordance with the *Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated Sites in Western Australia (Western Australia Department of Health 2009)*.

Waste Management & Avoidance (during construction)

- Construction and waste management to be in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
- Construction to be undertaken in accordance with the *Waste Classification Guidelines (DECCW 2009)*.

Landscaping (prior to construction)

- *Prior to the commencement of any construction on the subject site, a landscaping plan shall be prepared and endorsed by Council's Director, City Planning, Development and Transport. The plan shall be prepared by a suitably experienced landscape architect registered with the Australian Institute of Landscape Architects (AILA). The plan shall detail the number of existing trees to be replaced, the number of new trees, their species, as well as ongoing management requirements to ensure they become adequately established.*

Whilst new and replacement trees are encouraged, the landscape plan should ensure the number of trees is not excessive and would not, for example, hinder any sensitive built form character.

Whilst the exact number of replacement trees and new trees may not be able to be quantified prior to commencement of works due to the presence of underground services, utilities and the like, the plan should aim to include approximately 19 replacements trees and between 50 – 75 new trees. Any required amendments to the endorsed plan during the course of construction are to be endorsed by Council's Director, City Planning, Development and Transport prior to amended works being undertaken.

Landscaping (post construction)

- Undertake regular monitoring of new landscaping and public amenities to ensure they become adequately established and operate effectively.

Loading Zones & Further Road Closures (prior to construction)

- Approval shall be obtained in accordance with Section 75 and 138 of the Roads Act 1993 for any further necessary road closures. In particular, this includes the temporary closure of George Street between Pitt/Lee Street and Rawson Place.

Loading Zones (post construction)

- Construct loading zones to be implemented in accordance with *Light Rail Road Closures Concept Design, prepared by City of Sydney, project number C31046, drawing number DRG-001 to SK-013, dated 17 August 2020.*

Parking & Deliveries (during construction)

- Install temporary parking bays within the proposed construction zone for construction related vehicles, machinery or delivery of materials prior to the commencement of construction works.
- The delivery of any large machinery is to generally occur outside of peak periods. Peak periods, if any, should be determined prior to the commencement of construction and following an observational analysis of traffic and pedestrian activity along the subject site.

Pedestrian Safety (during construction)

- Install temporary barriers between any currently publicly accessible areas and the relevant construction zone to avoid pedestrians and any vehicles entering the construction zone. The temporary barrier shall be a minimum height of 1.6m.
- Including pedestrian awareness as part of any induction program for any staff associated with the onsite works.
- During both the construction and operational phase, suitable materials shall be used to avoid pedestrian trips, slips and the like. Materials in accordance with the relevant Australian Standards shall be used. Such materials shall be maintained in accordance with the relevant standards and/or the manufacturer's requirements.

Archaeology (during construction)

- Review the results of geotechnical testing for any evidence of aboriginal or non-indigenous material.
- Stop work in the event any aboriginal or non-indigenous material or potential material is identified during the construction phase. Advise City of Sydney's project director immediately after stopping work.
- Nominate potential for aboriginal or non-indigenous heritage as part of any site induction process.

Noise & Vibration (during construction)

- Develop and implement a Construction Noise and Vibration Management Plan for the duration of the construction process.

Separate Approvals (prior to construction)

- Obtain RMS approval for proposed works in accordance with Section 75 and 76 of the Roads Act 1993.
- Consult relevant utility providers with regard to the installation of any utility conduits for the purposes of Section 85 of the Roads Act.
- Obtain approval from the Secretary, RMS, prior to any obstruction of any functioning light rail in accordance with Sections 138 and 144A – 144E of the Roads Act 1993.
- Obtain approval for any further temporary road closures in accordance with Section 138 of the Roads Act 1993.

As stated earlier, this report adopts the mitigation measures outlined in the CSELR EIS and associated Infrastructure Approval SSI-6042, with the exception of construction hours. It is considered that this proposal is not as significant as the installation of the light rail infrastructure itself. Therefore, the amenity impacts associated with extended construction hours are not entirely warranted in this case. That said, there are some works, such as those in close proximity to the CSELR tracks and major road intersections, which must be undertaken outside of normal business hours due to safety considerations. In this case, construction hours are recommended as follows:

- Monday to Saturday: 7.00am to 7.00pm.
- No works on Sundays or public holidays.
- Or as specified by any relevant legislation.

- In those cases where the safety of workers is at greatest risk, works can be undertaken outside of normal business hours, such as between 1am – 5.30am, or when light rail and/or vehicular traffic frequency is low.

8.1 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

A Construction Environmental Management Plan (CEMP) is to be prepared prior to construction commencing. The CEMP is to outline the construction conditions and temporary environmental protection measures to manage the impact of construction activities. The CEMP would be consistent with the environmental management measures documented in this report, and the conditions of any licences or permits issued by government authorities (if any).

The CEMP is to identify the auditing and inspection requirements and determine the framework for the management of key environmental issues for construction. To address site specific conditions, the CEMP would delegate particular management measures to be incorporated in discrete Environmental Control Maps.

9. CONCLUSION AND CERTIFICATION

This Review of Environmental Factors identifies the likely impacts of the proposal on the environment, and details the mitigation measures to be implemented to minimise the potential impact to the environment.

The assessment has concluded that as the proposed works as described in this REF, including any proposed management measures and safeguards, will not result in a significant effect on the environment.

The proposed works will not result in a significant impact on any declared critical habitat, threatened species, populations or ecological communities or their habitats. Therefore, a Species Impact Statement (SIS) is not required.

Prepared by: David Ryan (Executive Director)

Name of company: City Plan Strategy & Development P/L

Person writing the report: David Ryan

Position: Executive Director

Signature _____

Date _____

Determining officer (print name) _____

Position _____

Signature _____

Date _____

APPENDICES

- **A** – Agency approvals
- **B** – Light Rail and Road Closures. Permanent Works. Concept Design. Project No. C31046. Issue B. Dated 3 September 2020. Drawing Numbers DRG-001 to DRG-005 and SK-002 to SK-026.
- **C** – In principle support for footpath extension from TfNSW, dated 26 May 2020.
- **D** – TfNSW Temporary road closure approval
- **E** – Advice from Council’s traffic engineering department regarding loading zones.

REFERENCES

- CBD and South East Light Rail Project – Environmental Impact Statement, prepared by Parsons Brinckerhoff and Transport for NSW. November, 2013.

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APPENDIX A

Agency Approvals

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Issue	Approval	Approval Body	Act	Section
Aboriginal Heritage	Consent to destroy, deface or damage or cause or permit the destruction or defacement of or damage to, a relic or Aboriginal place	NSW Environment and Heritage	National Park and Wildlife Act 1974	Sec. 90
Clearing	Approval required to carry out clearing of native vegetation (defined to include cutting down, thinning, removing, ringbarking, posing, uprooting or burning and includes severing or lopping branches.	NSW Environment and Heritage Council	Local Land Services Act 2003, Council TPO	Part 5A Division 6
Crown Land	Permit to enclose wholly or in part any road or watercourse by which land is traversed or bounded.	Department of Lands	Crown Lands Act 1989	Sec. 61
Dangerous Goods	Complete a 'notification of dangerous goods on premises form' and lodge it with WorkCover if dangerous goods exceed the 'manifest quantity'. Licence for demolition or asbestos removal work.	WorkCover	Work Health and Safety Regulation 2017	Part 1.1, 1.2, 7.1.9.1 Schedule 11 and Schedule 12
Emissions to Air, Water, Land.	Environment protection licence to authorise carrying out of scheduled development work at any premises.	NSW Environment and Heritage	Protection of the Environment Operations Act 1997	Sec.s 43(a), 47 and 55
	Environment protection licence to authorise carrying out of scheduled activities at any premises			Sec.s 43(b), 48 and 55
	Environment protection licences to authorise the carrying out of scheduled activities not relating to premises.			Sec.s 43(c), 49 and 55
	Environment protection licences to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from activity.			Sec.s 43(d), 55 and 122
Fisheries	Aquaculture permit.	Department of Primary Industries (Fisheries)	Fisheries Management Act 1994	S 144
	Permit to carry out dredging or reclamation work.			S 201
	Permit to cut, remove damage or destroy marine vegetation on public land or an aquaculture lease, or on the foreshore of any such land.			S 205
	Permit to:			S 219

	<ul style="list-style-type: none"> • Set a net, netting or other material • Construct or alter a dam, floodgate, causeway or weir • Otherwise create an obstruction • Across or within a bay, inlet, river or creek, or across or around a flat. 			
Gas	<p>Operators of a natural gas network must hold a 'Reticulator's Authorisation'. Suppliers of natural gas by a distribution pipeline must hold a 'Supplier's Authorisation'</p> <p>A 'Distributors Licence' is required for the operators of natural gas networks that convey gases other than natural gases.</p> <p>Erection, installation, extension, alteration, maintenance and removal of gas works can be carried out by a network operator, particularly on public roads. This work is exempt from approvals under the LGA Act 1993 except in relation to buildings (Section 47 of the Gas Supply Act 1996).</p> <p>Note: Part 5 of the EP&A Act applies to permits required under Section 8(3) of the <i>Pipelines Act 1967</i> unless the pipeline has been licenced). The network operator can carry out the work following notice to Council and consideration of any submissions that are made. Certain works may also not require consent by virtue of the Model Provisions.</p>	Minister for Energy	Gas Supply Act 1996	Sec.s 5, 6, 7, 34, 35, 36 and 47
Heritage	Approval in respect of the doing or carrying out of any of the following referred to in s 57 (1) affecting an item on the Interim Heritage Order or on the State Heritage Register: Demolish the building or work.	Heritage Council,	Heritage Act 1977	Sec. 58

	<p>Damage or despoil the place, precinct or land, or any part of the place precinct or land.</p> <p>Move, damage or destroy the relic or movable object.</p> <p>Excavate any land for the purpose of exposing or moving the relic.</p> <ul style="list-style-type: none"> Carry out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct. Alter the building, work, relic or movable object. Display any notice or advertisement on the place, building, work, relic moveable object or land, on in the precinct. Damage or destroy any tree or other vegetation on or remove any tree or other vegetation from the place, precinct or land. 			
Threatened Species	Licence to harm or pick threatened species populations or ecological communities or damage habitat	NSW Environment and Heritage/ Primary Industries (Fisheries)	Biodiversity Conservation Act 2016	Division 3
Water	Work that affects a water course subject of a water sharing plan under the Water Management Act 2000 being:	NSW Environment and Heritage	Water Management Act 2000	
	Water use approval (to use water for a particular purpose at a particular location)			Sec. 89
	Water management work approval (being water supply work approvals, drainage work approvals and flood work approvals) to carry out those activities at a specified location			Sec. 90
	Activity approval (being for a controlled activity or aquifer interference approval) conferring on the holder a right to carry out a specified activity at a specified location			Sec. 91
Works Near/ On Water	Permit to cut, remove damage or destroy marine vegetation on public land or an	Minister for Primary Industries	Fisheries Management Act 1994	Sec. 205

	aquaculture lease, or on the foreshore of any such land			
	Permit to: <ul style="list-style-type: none"> Set a net, netting or other material Construct or alter a dam, floodgate, causeway or weir Otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat. 	Minister for Primary Industries		Sec. 219
Works on Roads	Approval and concurrence from the RTA may be required to: <ul style="list-style-type: none"> Erect a structure or carry out a work in, on or over a public road Dig up or disturb the surface of a public road Remove or interfere with a structure, work or tree on a public road Dig Pump water into a public road from any land adjoining the road Connect a road, whether public or private to a classified road 	RTA	Roads Act 1993	Sec. 138
Matters of National Environmental Significance	Approval to carry out work that is likely to have a significant effect on the following: <ul style="list-style-type: none"> World heritage properties National Heritage places RAMSAR Wetlands Listed threatened species and ecological communities Listed migratory species Commonwealth marine areas Nuclear actions 	Department of Sustainability, Environment, Water, Population and Communities	Environment Protections and Conservation of Biodiversity Act 1999	Div. 1 of Part 3

APPENDIX B

Concept Plans

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APPENDIX C

TfNSW In Principle Support

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APPENDIX D

TfNSW Temporary road closure approval

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APPENDIX E

Advice from Council's traffic engineering department regarding loading zones

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