

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 06-0265

(FILE NO. S06/00763)

YOUTH HOSTEL AND ARCHAEOLOGICAL EDUCATION CENTRE

THE ROCKS DIG SITE

110-128 CUMBERLAND STREET, THE ROCKS

I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2) determine the major project referred to in the attached Director-General's Environmental Assessment Report, by **giving of approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2.

This approval applies to the plans, drawings and documents cited by the Proponent in their Environmental Assessment and the Proponent's Statement of Commitments in Schedule 3, subject to the conditions of approval in the attached Schedule 2.

Frank Sartor MP
Minister for Planning

Sydney,

2007

SCHEDULE 1

PART A—TABLE

Application made by:	YHA NSW Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 06_0265
On land comprising:	Lot 2 DP 777656 110 – 128 Cumberland Street, The Rocks
Local Government Area	City of Sydney
For the carrying out of:	Youth Hostel building 3-4 storeys in height with accommodation for 106 ensuite bedrooms and 354 beds with ground floor retail space, single storey Archaeological Education Centre, metal interpretive screens, and associated infrastructure works.
Estimated Cost of Works	\$13,500,000
Type of development:	Major Project
S.119 Public inquiry held:	No
Determination made on:	
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06-0265

Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Appeals—Third Party

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

Council means City of Sydney Council.

CPI means Consumer Price Index.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Environmental Assessment means the Environmental Assessment prepared by Design Collaborative June 2007.

Minister means the Minister for Planning.

MP No. 06-0265 means the Major Project described in the Proponent's Environmental Assessment.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Proponent means YHA NSW Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SHFA means the Sydney Harbour Foreshore Authority

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06-0265

PART A—ADMINISTRATIVE CONDITIONS

A1 *Development Description*

- (1) Development approval is granted only to carrying out the development described in detail below:
- Construction of an elevated 3-4 storey youth hostel building with ground floor retail in the north-western corner of site and associated roof top plant equipment;
 - Construction of an elevated single storey building for the purpose of an Archaeological Education Centre;
 - Erection of interpretive metal screens to the Cumberland and Gloucester Street elevations and to the site laneways;
 - Construction of access stairs and landings on Cumberland Street and Gloucester Street;
 - Provision of signage associated with the youth hostel and Archaeological Education Centre; and
 - Construction of a new ground level water tank in the north-eastern corner of the site.
- (2) The subdivision of the site into two allotments does not form part of this approval and shall be subject to a separate development application lodged with SHFA.
- (3) Development must be carried out consistently with the Statement of Commitments (attached Schedule 3) except as amended by the conditions of approval.
- (4) These conditions of approval do not relieve the Proponent of its obligations under any other Act.

A2 *Development in Accordance with Plans*

The development will be undertaken in accordance with the Environmental Assessment dated July 2007 and subsequent Preferred Project Report dated 30 November 2007 prepared by Design Collaborative Pty Limited including all Appendices and the following drawings prepared by Tzannes Associates:

Architectural (or Design) Drawings prepared by Tzannes Associates submitted with Preferred Project Report			
Drawing No.	Revision	Name of Plan	Date
0100	D	Site Plan – Works outside of site	30.11.07
0101	I	Intervention Plan	30.11.07
0102	I	Footing Plan	30.11.07
1100	G	Level 00 Plan	30.11.07
1101	K	Level 01 Plan	30.11.07

1102	M	Level 02 Plan	30.11.07
1103	J	Level 03 Plan	30.11.07
1104	I	Roof Plan	30.11.07
2000	H	West Elevation	30.11.07
2001	H	East Elevation	30.11.07
2002	A	North & South Elevation	30.11.07
3000	F	Section A & B	30.11.07
3001	F	Section C & D	30.11.07
3002	F	Section F	30.11.07
4000	D	Education Centre Elevations & Sections	30.11.07
8000	B	Schedule of Signs	30.11.07

A3 Development in Accordance with Documents

The development will be undertaken in accordance with the following documents:

- (1) *Environmental Assessment Report* prepared by Design Collaborative Pty Limited on behalf of the YHA NSW LTD July 2007;
- (2) Architectural Plans prepared by Tzannes Associates dated 30 November 2007;
- (3) Architectural Design Statement prepared by Tzannes Associates, undated
- (4) Heritage Assessment and Heritage Impact Statement prepared by Godden Mackay Logan dated June 2007;
- (5) *Recommendations for Protection of Archaeological Remains During Construction, June 2007 and Proposed Conservation Works to the Archaeological remains during Development, July 2007* prepared by International Conservation Services;
- (6) Tree Report prepared by Treescan Urban Forest Management, dated November 2007;
- (7) Traffic & Parking Report prepared by Terraffix Pty Ltd dated June 2007;
- (8) Assessment of Noise Impacts prepared by Acoustic Logic Consultancy dated June 2007;
- (9) ESD Report prepared by Team Catalyst Pty Ltd dated July 2007;
- (10) Report on Access and DD Issues prepared by WHP Architects dated June 2007;
- (11) Waste Management Plan prepared by McNally Management dated June 2007;
- (12) Operations and Management Plan prepared by YHA NSW Ltd, undated;
- (13) Fire Report prepared by Fire Engineering Design Pty Ltd dated June 2007;
- (14) BCA Assessment Report prepared by Steve Watson & Partners dated August 2007;
- (15) Construction Management Plan prepared by McNally Management dated June 2007;
- (16) Structural Design Report prepared by Taylor Thomson Whitting dated June 2007;
- (17) Building Services reverse Brief prepared by ITC Group Pty Ltd dated June 2007;
- (18) Sydney Harbour YHA – External Finishes Board.

- (19) Preferred Project Report prepared by Design Collaborative Pty Limited dated 30 November 2007 titled 'Response to Submissions' and 'Preferred Project Report'.

A4 *Inconsistency between documents*

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

A5 *Lapsing of Approval*

In order that the development as approved is carried out within a defined period of time, the approval shall lapse 5 years after the determination date in Part A of Schedule 1 of this approval.

A6 *Prescribed Conditions*

The Proponent shall comply with the prescribed conditions of development approval under clause 98 of the Regulation.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1 *Structural Details*

Prior to issue of the Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practising Structural Engineer that complies with:

- (1) the relevant clauses of the BCA,
- (2) the relevant development consent,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

B2 *Disabled Access*

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. Prior to the issue of the Construction Certificate a certification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

B3 *Stormwater & Drainage*

(1) Prior to the issue of a Construction Certificate, details of the proposed stormwater disposal and drainage from the development including on site stormwater detention (where relevant) is to be in accordance with the City of Sydney Council's standard requirements and details of the provision and maintenance of overland flow paths to the satisfaction of the City of Sydney Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

(2) The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to the issue of a construction certificate.

B4 *Noise Attenuation Measures*

Prior to issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, drawings and documentation demonstrating that the construction

and fit out of the building incorporates the recommendations of the Acoustic Assessment Report prepared by Acoustic Logic Consultancy, June 2007.

B5 *Mechanical Ventilation*

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B6 *Reflectivity*

The light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.+

B7 *Outdoor Lighting*

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B8 *ESD*

ESD initiatives are to be in accordance with the ESD Report prepared by Team Catalyst dated July 2007.

B9 *Sydney Water – Section 73 Certificate*

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Water Board (Corporatisation) Act, 1994* (Compliance Certificate). Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) shall be produced to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site www.sydneywater.com.au then follow the “e-Developer” icon or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

B10 *Footpath Damage Bank Guarantee*

Prior to issue of a construction certificate the proponent must provide a bank guarantee to the Sydney Harbour Foreshore Authority for an amount determined by the SHFA as security for rectification of any damage to the public way.

B11 *Transport*

The design of the kerbside parking arrangements along Cumberland Street and Gloucester Street as detailed in the Assessment of Traffic and Parking Implications and supplementary Traffic Advice prepared by Teraffix PTY LTD must be endorsed by the Sydney Traffic Committee prior to issue of a construction certificate.

B12 Construction and Traffic Management Plan

Prior to the issue of a Construction Certificate a Construction Management Plan, in accordance with Appendix 26 of the Environmental Assessment, shall be submitted to the satisfaction of the Principal Certifying Authority. The construction hours however must be in accordance with condition D14 of this approval.

The Proponent shall also submit a copy of the final plan to the Department and the Council.

B13 Construction Waste Management Plan

Prior to the issue of Construction Certificate, a Waste Management Plan shall be prepared by a suitably qualified person in accordance with the City of Sydney Council's *Policy for Waste Development in New Developments 2005*. The Proponent shall submit a copy of the plan to the Department and Council.

PART C—PRIOR TO COMMENCEMENT OF WORKS

C1 Construction Certificate required prior to construction works

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:

- (a) a Construction Certificate for the relevant stage of building work has been issued by the Council or a Certifying Authority; and
- (b) a Principal Certifying Authority has been appointed and the Department of Planning , SHFA and Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to the Department, SHFA and Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development conditions and the *Building Code of Australia*.

C2 Heritage

- (1) An Archaeological Heritage Management Plan is to be prepared, in consultation with the Heritage Council of NSW, prior to the commencement of works and implemented during works. The Plan is to detail all procedures to be implemented during works in relation to non-Indigenous heritage items.
- (2) An interpretation strategy for the site must be submitted to the NSW Department of Planning, prior to the commencement of work.
- (3) A specialist heritage manager or heritage consultant is to be appointed for the project, to provide a single point of contact for the redevelopment team in relation to heritage issues and consistency of approach including detailed design resolution of new works, conducting on-site heritage inductions, inspection of new works, design and installation of services and management of the implementation of the conditions of approval.

- (4) A heritage induction is to be conducted for all site contractors, subcontractors and personnel to ensure heritage issues are dealt with appropriately throughout the redevelopment project. This induction is to be provided by the nominated heritage specialist/consultant.
- (5) Photographic recording of areas of impact is to be undertaken as part of on-site works, before any impacts occur as well as during any on-site investigation and at the completion of site works.

C3 Application for Hoardings and Scaffolding on a Public Place

A separate application is to be made to the Sydney Harbour Foreshore Authority for a permit to erect a hoarding or scaffolding in a public place.

C4 Barricade Permit

Where construction/building works require the use of a public place including a road or footpath, approval for a Permit is to be obtained from Sydney Harbour Foreshore Authority prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the Sydney Harbour Foreshore Authority

C5 Vehicle Cleansing

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site/associated with the construction of the development. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C6 Utility Services

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the Proponent is to negotiate with the utility authorities (eg. Energy Australia, Sydney Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

C7 Contact Telephone Number

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works.

PART D—DURING CONSTRUCTION

D1 *Heritage*

- (1) The proposed works are to be carried out in a manner that minimises demolition, alterations, and new penetrations/fixings to the significant fabric of the existing heritage listed archaeological site.
- (2) Significant archaeological heritage items and elements are to be adequately protected during the works from potential damage. Protection systems must be in accordance with the recommendations provided by the specialist reports included in the Environmental Assessment and must ensure that historic fabric is not damaged or unnecessarily removed.

D2 *Loading and Unloading During Construction*

A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to the City of Sydney Council prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

D3 *No Obstruction of Public Way*

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

D4 *Covering of Loads*

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

D5 *Erosion and Sedimentation Control*

Sediment controls, to ensure that no sediment, fines, and like material can enter the waterway or drainage system are to be in place for the duration of the works. The applicant is to carry out works generally in accordance with the Construction Management Plan in respect to environmental management and safeguards. These controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good. Soil erosion and sediment control measures and methods shall be designed in accordance with the document *Managing Urban Stormwater–Soils & Construction Volume 1 (2004) by Landcom*. Details are to be complied with prior to Construction.

D6 *Disposal of Seepage and Stormwater*

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

D7 *Stormwater Pits*

Any existing stormwater pits that do not comply with AS 3500 will be upgraded as part of the development.

D8 *Setting Out of Structures*

The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

D9 *Approved Plans to be On-Site*

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, SHFA or Council.

D10 *Site Notice*

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, the Architect and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D11 *Contact Telephone Number*

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D12 *Protection of Street and On-site Trees*

All trees on the site, on the adjoining site, and on the street that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction in accordance with the recommendations of the Tree Report prepared by Treescan Urban Forest Management, dated November 2007 and Section 9.5 of the Proponent's Statement of Commitments.

D13 *Dust Control Measures*

Adequate measures shall be taken to prevent dust from affecting the amenity of the immediate area during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) All materials shall be stored or stockpiled at the best locations,
- (3) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (4) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,

- (5) All equipment wheels shall be washed before exiting the site,
- (6) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (7) Cleaning of footpaths and roadways shall be carried out regularly.

D14 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 5.30 pm, Mondays to Fridays inclusive;
- (2) between 7:30 am and 3.30 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D15 Signage

Adequate signage and other protective measures should be erected in the vicinity of the heritage items and in the vicinity of the work site to alert contractors and subcontractors to the existence and fragile nature of these heritage items.

D16 Work on Site to Cease

If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with Section 146 of the NSW Heritage Act, 1977.

PART F—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

G1 Noise Control – Plant and Machinery

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- (1) Transmission of “*offensive noise*” as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (2) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
- (3) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Prior to issue of any Occupation Certificate a report is to be prepared and submitted by a qualified acoustic engineer confirming that the development has been constructed in

accordance with the recommendations in Section 5.4 of the Acoustic Assessment Report (Acoustic Logic Consultancy, 26 June 2007).

F1 Accessibility

Prior to issue of an Occupation Certificate a certificate of compliance is to be prepared by an appropriately qualified person and submitted to the Certifying Authority confirming that the development complies with the recommendations in the Report on Access and DDA Issues (WHP Architects, 22 June 2007).

F2 Heritage

The following are to be complied with prior to the issue of an occupation certificate:

- (1) The conservation architect must sign off the completed project.
- (2) The heritage consultant is to prepare a report (including works photographs) which describes the work, any impacts/ damage and corrective works carried out and submit this report to the NSW Heritage Office and the Department of Planning.
- (3) The Heritage Interpretation Plan required by condition C3(2) must be implemented.

F3 Occupation Certificate to be Submitted

An Occupation Certificate must be obtained from the PCA and a copy submitted to the Department and Council prior to the commencement of occupation or use of the building.

F4 Fire Safety Certificate

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of the final Occupation Certificate. A copy of the Fire Safety certificate must be submitted to the relevant authority and Council.

F5 Annual Fire Safety Statement

For any essential fire safety equipment, an Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the relevant authority initial Fire Safety Certificate is received.

F6 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent/developer prior to the issue of the final Occupation Certificate.

F7 Mechanical Ventilation

Following completion, installation and testing of any mechanical ventilation systems, the Proponent shall provide evidence to the satisfaction of the PCA, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- (1) the Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) the development consent and any relevant modifications; and
- (4) any dispensation granted by the New South Wales Fire Brigade.

F8 *Structural Inspection Certificate*

A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the PCA prior to issue of each Occupation Certificate.

F9 *Waste Management*

Prior to an Occupation Certificate being issued, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and the Council's Policy for Waste Minimisation in New Developments 2005.

F10 *Food Premises*

The construction, fit out and finishes or any proposed commercial food premises shall comply with Standard 3.2.3 of the Australian and New Zealand Standards Food Code under the Food Act 2003. All food preparation areas are to be inspected and certified by Council's Environmental Health Officers prior to use.

F11 *Sydney Water*

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the *Water Board (Corporatisation) Act, 1994* shall be submitted to the PCA prior to the issue of the Occupation Certificate for Stage 2.

PART G—POST OCCUPATION & ON GOING OPERATIONAL CONDITIONS**G2 *Food Premises***

The construction, fit out and finishes or any proposed commercial food premises shall comply with Standard 3.2.3 of the Australian and New Zealand Standards Food Code under the Food Act 2003.

G3 *Level 1 and 3 Terrace areas*

- (1) Music on the Level 1 Terrace area is to cease at 6.00PM and background music is to cease by 10.00PM. The Level 1 Terrace area is not to be used after 10.00PM.
- (2) The Level 3 Terrace area is not to be used after 10.00PM, and only background music is permitted on this terrace level.
- (3) A maximum of 6 special events per calendar year, including Christmas and New Year, are permitted at which time access to and use of both terrace areas may be extended until 1.00PM. Any additional events to this are to be subject to a separate approval by SHFA.

G4 *Annual Fire Safety Certification*

For any essential fire safety equipment, an Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the relevant authority initial Fire Safety Certificate is received.

ADVISORY NOTES

AN1 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the Proponent shall ensure the following matters are complied with:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN2 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN3 Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act 1997*, or exceed approved noise limits for the site.

AN4 Disability Discrimination Act

This application is to comply with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

SCHEDULE 3

MP 06-0265

**YOUTH HOSTEL DEVELOPMENT AND
ARCHAEOLOGICAL EDUCATION CENTRE,
DIG SITE, THE ROCKS**

**LOT 2, DP 777656, NUMBER 110-128 CUMBERLAND STREET &
81-101 GLOUCESTER STREET, THE ROCKS**

PROPONENT'S STATEMENT OF COMMITMENTS