

Project Approval

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

I approve the Project Application referred to in Schedule 1, subject to the conditions in Schedule 2.

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

These conditions are required to:

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



3 MAR 2011

Anthony (Tony) Kelly
Minister for Planning

Sydney

2011

SCHEDULE 1

Application No.:	10_0048
Proponent:	Barangaroo Delivery Authority
Approval Authority:	Minister for Planning
Land:	Part Lot 5 DP 876514, Lots 1, 4 and 6 in DP 876514
Project:	Barangaroo Headland Park and Northern Cove – Main Works.

DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
BDA	Barangaroo Delivery Authority
Certifying Authority	Has the same meaning as Part 4A of the EP&A Act.
Construction	Any works, including earth and building works
Council	City of Sydney Council
CPI	Consumer Price Index
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 3pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning or its successors
Director General	Director General of the Department of Planning, or nominee
EA	Environmental Assessment Report titled <i>Headland Park and Northern Cove Main Works</i> , prepared by MG Planning Pty Ltd, dated October 2010
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning, or nominee
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PPR	Preferred Project Report titled <i>Headland Park and Northern Cove Main Works</i> , prepared by MG Planning Pty Ltd, dated February 2011
Project	The project described in Schedule 2, Part A, Condition A1 and the accompanying plans and documentation described in Schedule 2, Part A, and Condition A2.
Proponent	Barangaroo Delivery Authority (BDA)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
Statement of Commitments	The Proponent's Statement of Commitments in Schedule 3.
Subject Site	Part Lot 5 DP 876514, Lots 1, 4 and 6 in DP 876514

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

A1 DEVELOPMENT DESCRIPTION

Except as amended by this approval, project approval is granted for Headland Park and Northern Cove - Main Works, Barangaroo.

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

The development will be fully undertaken in accordance the following documents and plans:

Environmental Assessment Report titled <i>Headland Park and Northern Cove Main Works Volume 1 and 2, and Appendices</i> , prepared by MG Planning Pty Ltd on behalf of Barangaroo Delivery Authority, dated October 2010			
Response to Submissions titled <i>Headland Park and Northern Cove Main Works Volume 1 and 2, and Appendices</i> , prepared by MG Planning Pty Ltd on behalf of Barangaroo Delivery Authority, dated February 2011			
Statement of Commitments prepared by MB Planning submitted with Response to Submissions dated February 2011			
Architectural Plans prepared by PWP Landscape Architecture and Johnson Pilton Walker, titled 'Main Works Application Barangaroo, Barangaroo Plan', submitted with the Environmental Assessment Report.			
Drawing No.	Rev	Name of Plan	Date
MW-PWP-L-SO-1001	00	Main Works Application Barangaroo, Barangaroo Plan	20 Oct 2010
XX-PWP-L-S3-1002	00	Main Works Application Barangaroo Headland, Headland Park Plan	22 Oct 2010
MW-PWP-L-S3-2001	00	Main Works Application Barangaroo Headland Park, Headland Section 1	22 Sept 2010
MW-PWP-L-S3-2002	00	Main Works Application Barangaroo Headland Park, Headland Section 2	22 Sept 2010
MW-PWP-L-S3-2003	00	Main Works Application Barangaroo Headland Park, Headland Section 3	22 Sept 2010
MW-PWP-L-S3-2004	00	Main Works Application Barangaroo Headland Park, Headland Section 4	22 Sept 2010
MW-PWP-L-S3-2005	00	Main Works Application Barangaroo Headland Park, Headland Section 5	22 Sept 2010
MW-JWP-A-S3-1001	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Basement Level 2	22 Oct 2010
MW-JWP-A-S3-1002	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Basement Level 1	22 Oct 2010
MW-JWP-A-S3-1003	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Ground Floor RL 4.0	22 Oct 2010
MW-JWP-A-S3-1006	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Plan RL 25.0	22 Oct 2010
MW-JWP-A-S3-3001	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Section AA	22 Oct 2010
MW-JWP-A-S3-3002	02	Main Works Application Barangaroo Carpark & Future Cultural Facility Section BB	22 Oct 2010
MW-JWP-A-S3-3003	00	Main Works Application Barangaroo Carpark & Future Cultural Facility Section Lift Entry from Upper Bluff	22 Oct 2010
MW-JWP-L-S3-1001	00	Main Works Space Hierarchy Plan	-
MW-JWP-L-S3-1002	00	Main Works Materials and Planting	-
MW-JWP-L-S3-1003	00	Main Works Street Furniture Concept	-
MW-JWP-L-S3-1004	00	Main Works Public Deck	-
MW-JWP-L-S3-1006	00	Main Works Materials and Planting	-
MW-WAG-E-S3-1022	00	Main Works Application Carpark & Future Cultural Facility Car park Ventilation	11 Oct 2010
MW-WAG-E-S3-3001	00	Main Works Application Carpark & Future Cultural Facility Seawater Cooling Details	11 Oct 2010

MW-WAG-E-S3-1001	01	Main Works Application Carpark & Future Cultural Facility Headland Park – Lighting Concept Plan	18 Oct 2010
Barangaroo Headland Park and Public Domain Marine Works Plans prepared by Hyder Consultants P/L, submitted with the Environmental Assessment Report			
Drawing No.	Rev	Name of Plan	Date
SK00	A	General Arrangement Existing Caisson Block Location Plan	-
SK01	A	General Arrangement Existing Caisson Block Location Plan Raised Harbour Floor Option	-
SK02	A	General Arrangement Typical Sections Sheet 1	-
SK03	A	General Arrangement Typical Sections Sheet 2	-
SK04	A	General Arrangement Typical Sections Sheet 3	-
SK05	A	General Arrangement Typical Sections Sheet 4	-
SK06	A	General Arrangement Typical Sections Sheet 5	-
SK07	A	General Arrangement Typical Sections Sheet 6	-
-		ESD Initiatives going forward to Design Development prepared by One Planet Communities	16 Oct 2010
Services Plans Barangaroo Headland Park prepared by Warren Smith & Partners P/L, submitted with the Environmental Assessment Report			
Drawing No.	Rev	Name of Plan	Date
MW-WSP-H-1031	C	Integrated Water Management Plan Title Sheet Drawing List and Locality Plan	Sept 2010
MW-WSP-H-1032	C	Integrated Water Management Plan	Sept 2010
MW-WSP-H-1033	C	Integrated Water Management Plan Key Plan	Sept 2010
MW-WSP-H-1034	C	Integrated Water Management Plan General Notes and Specification	Sept 2010
MW-WSP-H-1035	C	Integrated Water Management Plan Stormwater Catchment Existing Condition Sheet 1 of 2	Sept 2010
MW-WSP-H-1036	C	Integrated Water Management Plan Stormwater Catchment Existing Condition Sheet 2 of 2	Sept 2010
MW-WSP-H-1037	C	Integrated Water Management Plan Stormwater Catchment Proposed Park Sheet 1 of 1	Sept 2010
MW-WSP-H-1036	C	Integrated Water Management Plan Stormwater Catchment Existing Condition Sheet 2 of 2	Sept 2010
MW-WSP-H-1038	C	Integrated Water Management Plan Stormwater Drainage Layout Plan Sheet 1 of 1	Sept 2010
MW-WSP-H-1039	C	Integrated Water Management Plan Retaining Wall Subsoil Drainage Layout Plan	Sept 2010
MW-WSP-H-1040	C	Integrated Water Management Plan Irrigation Layout Plan	Sept 2010
MW-WSP-H-1041	C	Integrated Water Management Plan Seepage Water Layout Plan	Sept 2010
MW-WSP-H-1042	C	Integrated Water Management Plan Civil Details	Sept 2010
MW-WSP-H-1043	C	Integrated Water Management Plan Stormwater Catchment Proposed Park Sheet 1 of 1	Sept 2010
Work Plans prepared by Tracy Brunstrom & Hammond P/L, submitted with the Environmental Assessment Report			
Drawing No.	Rev	Name of Plan	Date
Set of 8 Plans	0	Barangaroo Headland Park – Main Works	12 Oct 2010
Set of 2 Plans	0	Barangaroo Headland Park – Main Works	2 June 2010

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- (2) otherwise provided by the conditions of this approval.

A3 INCONSISTENCY BETWEEN DOCUMENTS

- a) In the event of any inconsistency between conditions of this approval, the drawings/documents referred to above and/or the Statement of Commitments, the conditions of this approval prevail.
- b) No Approval is expressed or implied to the contours of the Headland Park and Northern Cove as depicted on the submitted plans detailed above in Condition A2 – Development in accordance with plans and documentation.

A4 PRESCRIBED CONDITIONS

The Proponent shall comply with the prescribed conditions of approval under Clause 98 of the *Environmental Planning and Assessment Regulation 2000* in relation to the requirements of the *Building Code of Australia* (BCA).

A5 REMEDIATION ACTION PLAN (RAP) AND HUMAN HEALTH ECOLOGICAL RISK ASSESSMENT (HHERA)

Prior to the commencement of any works under the RAP identified in the Preferred Project Report- Barangaroo Headland Park Main Works:

- a) the HHERA and RAP must be prepared in accordance with guidelines produced or approved under s105 of the Contaminated Land Management Act, 1997.
- b) the HHERA must be approved by DECCW, in accordance with guidelines produced or approved under s105 of the Contaminated Land Management Act, 1997.
- c) the RAP must be approved jointly by DECCW and a NSW EPA accredited Site Auditor, in accordance with guidelines produced or approved under s105 of the Contaminated Land Management Act, 1997.
- d) The RAP must be approved by the Minister for Planning as the approval authority

A6 SYDNEY PORTS CORPORATION REQUIREMENTS

- (a) In association with the Noise and Vibration Management Plan, the preparation of noise management levels for sites, Harbour Control Tower, Moores Wharf facility and the Cruise Passenger Terminal, will be prepared and finalised in consultation with Sydney Ports Corporation.
- (b) Access to Moores Wharf facility is not be impeded by parked vehicles or construction traffic during and post construction of the Headland Park and Northern Cove.

A7 COMPLAINTS MANAGEMENT SYSTEM

The proponent must prepare and implement a Construction Complaints Management System before construction commences and maintain the System for the duration of construction. The System shall include the following:

- A direct telephone number on which complaints and enquiries about the project may be registered.
- A postal address to which written complaints and enquiries may be sent
- An email address to which electronic complaints and enquiries may be transmitted

The telephone number, postal address and email address shall be included on the Site Notice prior to the commencement of construction. A record of complaints received and responses shall be maintained for the duration of construction.

A 8 *SEPARATE PROJECT APPLICATIONS*

Separate project applications are required for the use of the proposed 300 space car park and floor area associated with the Cultural Facility.

A9 *MEDIATION*

Where this approval requires further consent from Council or another Authority, the parties shall not act unreasonably preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director General, the matter is to be referred to the Director General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution.

End of Section

PART B - PRIOR TO COMMENCEMENT OF WORK

B1 ENVIRONMENTAL PROTECTION LICENCE

Prior to the commencement of works, the Proponent must ensure that the existing Environmental Protection Licence (EPL) issued to the Barangaroo Delivery Authority is varied to reflect and permit the works conducted on site. All works undertaken on site must be done in a manner which ensures compliance with EPL conditions at all times.

B2 EMERGENCY ACCESS

The development is to incorporate sufficient pedestrian egress and fire brigade intervention facilities such as fire isolated stairs and fire hydrant systems, to ensure the development complies with NSW Fire Brigade requirements.

B3 CHANGES TO KERB SIDE PARKING RESTRICTIONS

A separate submission must be made to the relevant road authority for approval for any changes to kerb side parking arrangements.

B4 COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

B5 SERVICE VEHICLES

Adequate space must be provided to allow manoeuvring and turning of the different sized vehicles. The design, layout, signage, line marking, lighting and physical controls for all service vehicles must comply with the minimum requirements of 'Australian Standard AS 2890.2 – 2002 Off-Street Parking Part 2: Commercial vehicle facilities'. Details must be submitted to and approved by the Certifying Authority.

B6 LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

The lighting of all areas which are publicly accessible within Stage 3 of the Barangaroo site which is affected by the development must be designed to replicate the lighting treatment in the existing sections of these roadways. Details are to be submitted to the Certifying Authority for approval.

B7 FOOTPATH DAMAGE BANK GUARANTEE

A Footpath Damage Bank Guarantee to cover footpaths within Stage 3 of the Barangaroo site which is affected by the development must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted in favour of Council as security for repairing any damage to the public domain in the vicinity of the site. The guarantee must be lodged with Council prior to commencement of work.

B8 STORMWATER AND DRAINAGE – MAJOR DEVELOPMENT

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

- (a) Details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to the commencement of any work within the public way.
- (c) 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 commencement of work.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system

B9 PRE-CONSTRUCTION DILAPIDATION REPORTS

The Proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all existing and adjoining buildings, infrastructure, roads and public domain areas. The report shall be submitted to the satisfaction of the Certifying Authority prior to commencement of work.

A copy of the report is to be forwarded to the Department.

B10 DRIVEWAY CROSSOVERS

All driveway crossovers, including those for service vehicles, must be designed in accordance with the Sydney streets design code. All crossovers should be designed to give pedestrians priority and with no grade change for pedestrians.

B11 DILAPIDATION SURVEY

A Dilapidation Survey of the following heritage items is to be undertaken:

- (a) SLEP Schedule 8 Part 1 Item No 840: Georgian cottage at 14-16 Merriman Street.
- (b) SLEP Schedule 8 Part 1 item No. 857: Cottage at 18 Merriman Street;
- (c) SLEP Schedule 8 Part 1 item No 903: Two terrace groups at 20-42 and 44- 48 Merriman Street;
- (d) SLEP Schedule 8 Part 1 item No 316: The former Dalgety's Bond Stores at 6-10 Munn Street; and
- (e) SLEP Schedule 8 Part 1 item No 317: Terrace at 18 - 20 Munn Street.

The report is to be submitted to the Certifying Authority, the Department and Council prior to commencement of work.

B11 ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

B12 BICYCLE PARKING

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:

1. All bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers, and
2. All bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and 3. All bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

B13 CAR PARKING SPACES AND DIMENSIONS

A maximum of 300 off-street car parking spaces must be provided. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to commencement of work.

B14 LOCATION OF ACCESSIBLE CAR PARKING SPACES

Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located to be close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

B15 LOCATION OF DRIVEWAYS

The access driveway for the site must not be closer than:

- 10 metres from the kerb line of the nearest cross street/lane.
- 20 metres from the kerb line of the nearest signalised cross street/lane.
- 1 metre from the property boundary of the adjacent site.
- 2 metres from any other driveway.

The details must be submitted to and approved by the Certifying Authority prior to commencement of work.

B16 SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the point(s) of vehicular egress:

- Compelling drivers to stop before proceeding onto the public way
- Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

B17 VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate, if required.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

B18 VEHICLES ACCESS

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

B19 ALIGNMENT LEVELS

Prior to commencement of work, footpath alignment levels must be submitted to Council for approval. This submission must be accompanied by a plan prepared by a Registered Surveyor showing the existing location, size and levels (AHD) of all service covers, trees, poles and street furniture, and alignment levels of cross sections, alignment levels at pedestrian entrances within the footway adjacent to and extending 20 metres past either side of the site, **alignment levels of cross sections at pedestrian access points down to the waters edge, tidal ponds and man-made beach areas along the foreshore pathway.**

These alignment levels, as approved by Council, are then to be incorporated into the plans.

End of Section

B20 CONSTRUCTION FRAMEWORK ENVIRONMENTAL MANAGEMENT PLAN

Prior to commencement of the works, the Proponent shall prepare a Construction Framework Environmental Management Plan (CFEMP) to be submitted to DECCW for review and endorsement and to the Director General for approval. The CFEMP must:

- a. Describe the relevant stages and phases of construction including work program outlining relevant timeframes for each stage/phase.
- b. Describe all activities to be undertaken on the site during site establishment and construction of the development
- c. Clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting.
- d. Detail statutory and other obligations that the Proponent is required to fulfil during site establishment and construction, including approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies.
- e. Include specific consideration of measures to address any requirements of DECCW during site establishment and construction.
- f. Describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works.
- g. Detail how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address and identified adverse environmental impacts.
- h. Documents all sub environmental management plans, studies and monitoring programs required in this approval.
- i. Include arrangements for community consultation and complaints handling procedures during construction.
- j. The CFEMP and any sub plans should be revised:
 - at each key stage of the works,
 - in response to future project approvals,
 - in response to major changes in site conditions or work methods, and
 - in support of licence variations as necessary.

B21 WASTE MANAGEMENT

Prior to the commencement of each stage of works, the Proponent must develop and submit to DECCW for review and comment a revised Waste Management Plan. The Plan must include (but not be limited to):

1. A stockpile, contamination soil and sediment management plan including (at a minimum):
 - a. The exact locations where contaminated waste material (including Acid Sulphate Soils) and non-contaminated waste material will be stockpiled. Contaminated and non-contaminated waste material must be stockpiled separately and the designated areas must be clearly marked and labelled (on the plans and on the ground);
 - b. Details of how stockpiled contaminated waste material will be kept separate from non-contaminated waste material;
 - c. Details of how runoff from stockpiled contaminated waste material will be kept separate from non-contaminated runoff;
 - d. Details of measures to be employed to manage leachate runoff from all stockpiles, including bunding, sediment ponds and hay bales. The Plan should include locations of each control measure, its specifications and its capacity to cope with runoff from a designed storm event (to be determined in consultation with DECCW);
 - e. The maximum proposed heights and volumes for each stockpile to reduce the potential for dust and odour and greater detail on stockpile stabilisation and covering to minimise odour and vapour emissions;
 - f. Procedures for minimising the movement of waste material around the site and double handling; and
 - g. Additional information detailing how materials proposed to be recycled / reused will be segregated on the site during operations. Particularly in relation to those wastes categorised as "Building" waste.
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2. A detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.
3. A commitment to retaining all sampling and classification results for the life of the project to demonstrate compliance with DECCW's Classification Guidelines.
4. Details in relation to the "Concrete Crushing and Screening Plant" to be installed at the site and its use, including (at a minimum):
 - a. Location and specifications of the concrete crushing and screening plant;
 - b. Estimated quantities of concrete to be crushed per day;
 - c. Measures that will be employed to prevent or minimise the emission of dust from the crushing activity; and
 - d. Measures that will be employed to prevent or minimise the emission of noise from the crushing activity.
5. Details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):
 - a. A traffic plan showing transport routes from the southern to the northern end of the site;
 - b. Location of the stockpiles at each stage as they migrate from the southern end of the site to the northern end of the site;
 - c. Details of any garden waste mulching processes and garden waste stockpiles, including considerations for odour generation;
 - d. A commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act; and
 - e. The name and address of each licensed facility that will receive waste from the Barangaroo site (if appropriate);
6. Details of the de-watering process, including the specifications for any on-site water treatment plant.
7. A contingency plan for any event that may affect excavation and contaminated soil treatment operations at the site, particularly in relation to the expected volumes materials excavated/generated at the site.

B22 NOISE AND VIBRATION

1. The proponent must prepare and implement a detailed Construction Noise and Vibration Management Plan (CNVMP), to be approved by the Director General of the Department of Planning before commencement of works, that includes but is not necessarily limited to;
 - (a) identification of the specific activities that will be carried out and associated noise sources at the premises,
 - (b) identification of all potentially affected sensitive receiver locations,
 - (c) quantification of the rating background noise level (RBL) for sensitive receivers, as part of the CNVMP, or as undertaken in the EA,
 - (d) the construction noise, ground-borne noise and vibration objectives derived from an application of the DECCW Interim Construction Noise Guideline (ICNG), as reflected in conditions of approval,
 - (e) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at sensitive receiver premises against the objectives identified in the ICNG and conditions of approval,
 - (f) where the objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise and vibration impacts,
 - (g) description of management methods and procedures, and specific noise mitigation treatments / measures that will be implemented to control noise and vibration during construction,
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- (h) where the objectives cannot be met, additional measures including, but not necessarily limited to, the following should be considered and implemented where practicable; reduced hours of construction, the provision of respite from noisy / vibration intensive activities, acoustic barriers / enclosures, alternative excavation methods or other negotiated outcomes with the affected community,
 - (i) where night time noise management levels cannot be satisfied, a report shall be submitted to the Director General outlining the mitigation measures applied, the noise levels achieved and justification that the outcome is consistent with best practice,
 - (j) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action,
 - (k) suitable contractual arrangements to ensure that all site personnel, including sub-contractors, are required to adhere to the noise management provisions in the CNVMP,
 - (l) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity,
 - (m) measures to monitor noise performance and respond to complaints,
 - (n) measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site,
 - (o) procedures to allow for regular professional acoustic input to construction activities and planning; and,
 - (p) effective site induction, and ongoing training and awareness measures for personnel (e.g. tool box talks, meetings etc).
2. All construction work at the premises must be conducted between 7am and 6pm Monday to Friday and between 8am and 3pm Saturdays and at no time on Sundays and public holidays, unless inaudible at any residential premises. Works outside these hours are not permitted except as explicitly specified below or in other conditions and include:
- (a) the delivery of materials which is required outside these hours as requested by Police or other authorities for safety reasons;
 - (b) emergency work to avoid the loss of lives, damage to property and/or to prevent environmental harm;
 - (c) other works expressly approved by the Director General of the Department of Planning;
 - (d) Out of standard hours works identified in a CNVMP approved by the Director General of the Department of Planning.
3. Construction noise management levels (NML) derived in accordance with the DECCW Interim Construction Noise Guidelines apply to this project, and are required to be identified in an approved CNVMP. Any activities that have the potential for noise emissions that exceed the NMLs must be identified and managed in accordance with the CNVMP. The Proponent must implement all Reasonable and Feasible noise mitigation and management measures with the aim of achieving the NMLs.
4. Vibration caused by Construction and received at any sensitive receiver outside the project must be assessed against the guidelines contained in the DECCW publication "Environmental Noise Management - Assessing Vibration: a technical guideline" and in accordance with the CNVMP.
- In addition to the conditions above, it is normal practice for DoP to impose "Construction Noise Management" conditions, for example conditions 31-34 in the project approval for the City West Cable Tunnel (http://www.planning.nsw.gov.au/asp/pdf/05_0178_dgreport.pdf). These conditions are also recommended for imposition in any project approval for the Barangaroo site.
5. All mechanical plant and equipment associated with post-construction facilities at Headland Park (e.g. air conditioning plant, generators, chillers, pump stations, treatment plants etc) are to not emit noise more than 5dBA above background, in accordance with the NSW Government's Industrial Noise Policy.

B23 WATER

1. Prior to the commencement of works, the proponent must develop and provide to the DECCW for comment, a comprehensive Stormwater and Water Management Plan.
 2. All groundwater or surface water arising from the works must be collected, managed and/or treated in a manner that ensures that it can be legally discharged to waters.
 3. All water discharged from the site must comply with the table of limits (see Attachment 2) unless otherwise agreed to by DECCW. In addition to the limits (Attachment 2), a turbidity limit or trigger will be applied to ambient monitoring locations outside silt curtains. In the initial stages of the project an interim limit or trigger of 50 mg/L will be applied. Once sufficient ambient data is available from both ambient monitoring locations and reference locations a final limit or trigger will be developed which will include consideration of background turbidity. Trigger criteria for commencing management action should be specified in the Stormwater and Water Management Plan.
 4. Any discharge structure constructed to allow water to be discharged to Darling Harbour must allow for at least an initial 5 fold dilution. Dilution calculations must be provided to allow dilution to be factored into any licence conditions. Dilution is not acceptable for bioaccumulative chemicals. The discharge point must be installed inside an appropriately installed silt curtain arrangement.
 5. Silt curtains must be in place prior to any excavation of the northern cove, including the stage where the cement caissons remain in place.
 6. Any proposed water treatment plant to facilitate discharges to Darling Harbour must be designed to remove all relevant contaminants (including petroleum hydrocarbons, PAHs, BTEX, sediments and metals) to a level in the water management plan or as otherwise agreed to by DECCW.
 7. Untreated water must be held onsite until results from monitoring are available for review unless otherwise agreed to by DECCW.
 8. The stormwater soil erosion and sediment control measures must be designed in accordance with the document titled *"Managing Urban Stormwater – Soils and Construction, Volume 1"* and incorporated into the Soil and Water Management Plan. For sediment disturbance activities, such as soil stockpiling fill near the Harbour, a high level of sediment control and runoff capture protection will be required, including sizing of sediment basin to be increased from an average recurrence interval of 85 to 90% to reduce the risk of sediment runoff into Sydney Harbour during construction activities. DECCW may require the installation and maintenance of silt curtains in areas of shorelines and stormwater runoff outlets to control turbidity where rainfall events exceed the design capacity of the system (this requirement should be discussed in the Soil and Water Management Plan but DECCW may review case by case).
 9. The Soil and Water Management Plan must include a detailed proposal for monitoring water quality.
 10. The monitoring program must at least include an onsite program for waters held onsite prior to discharge to Darling Harbour either via the stormwater system or via a water treatment plant. It must include also an ambient monitoring program.
 11. Water to be discharged to Darling Harbour must be monitored on a daily basis for the first two weeks of operations. The monitoring frequency of subsequent discharges must be not less than weekly and unless otherwise agreed by DECCW and/or permitted by licence conditions.
 12. The on site monitoring program must cover all types of water on the site that needs to be discharged including turbid stormwater from areas of low or no contamination; stormwater that has come into contact with contaminated areas; and contaminated groundwater from excavations or earth works.
 13. Initial intensive monitoring must be conducted to coincide with actual worse case conditions (eg. significant rainfall events) during full scale excavation, fill and stockpiling activities, in order to provide information to DECCW on which to base licence conditions on for ongoing
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activities (eg. in order to relax the frequency of monitoring if water quality controls are effective).

14. The ambient water monitoring program must include up and downstream/tide sampling locations around potential sources of sediment discharge to the Harbour (including near discharge point silt curtains, near excavation of the northern cove and near naturalistic shoreline shaping) as well as a reference locations. (The reference location for other Barangaroo sites could be used).
15. Different monitoring locations may be required for Early and Main Work, for different stages of works and for different components of the works (these locations may be specified in the Environment Protection Licence).
16. The quality of the fill to be used on the Headland will need to be uncontaminated such that groundwater moving through the fill and to the Harbour, must meet ANZECC 2000 guidelines for aquatic ecosystems and other relevant environmental values at any points of discharge to the Harbour. The Human Health and Ecological Risk Assessment will need to account for this risk factor. The impacts on water quality and reuse water in the longer term post construction period must also be addressed.
17. No water that is contaminated may be reused on site without being treated to meet relevant criteria determined by the Human Health and Ecological Risk Assessment that addresses this risk.
18. The Soil and Water Management Plan must consider cumulative impacts on water quality during the life of the headland construction; the cumulative impacts on water quality due to all related works at the Barangaroo site.
19. For the proposed seawater cooling system, details of the configuration of inlet and outlet pipes and proposed quality of water discharge (in particular heat and antifouling chemicals) should be provided to DECCW for review and comment as part of the proposed detailed concept design stage.

B24 AIR

1. An Air Quality Management Plan must be developed for the project. The Air Quality Management Plan must be approved by the Director General in consultation with the Department of Environment, Climate Change and Water.
 2. The Air Quality Management Plan must include, as a minimum, the following elements:
 - Relevant environmental criteria to be used in the day to day management of dust and volatile organic compounds (VOC)/odour;
 - Mission statement;
 - Dust and VOCs/odour management strategies, consisting of:
 1. Objectives and targets;
 2. Risk assessment;
 3. Suppression improvement plan.
 - Monitoring requirements including assigning responsibility (for all employees and contractors);
 - Communication strategy; and
 - System and performance review for continuous improvement.

Broad outlines of the above elements can be found in Attachment 3.
 3. The Air Quality Management Plan must detail management practices to be implemented for all dust and VOC/odour sources at the site.
 4. The Air Quality Management Plan must detail the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (e.g. frequency, duration and method of monitoring) to be undertaken for the project.
 5. Management strategies, including physical controls and modified operating regimes, included in the Air Quality Management Plan must be included in a revised air quality impact assessment for the project. The revised assessment must:
 - be conducted in accordance with the Approved Methods for the Modeling and Assessment of Air Pollutants in NSW (DECCW, 2005);
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- demonstrate that the proposed emission controls included in the project Air Quality Management Plan are sufficient to ensure no additional exceedances of DECCW's impact assessment criteria; and
 - justify proposed locations for all ambient air quality monitoring included in the project Air Quality Management Plan.
6. The Air Quality Management Plan must not be approved until after the revised air quality impact assessment required in Condition 1.5 (above) has been completed to the satisfaction of the Director General, in consultation with the Department of Environment, Climate Change and Water.
 7. Excavation and/or receipt of fill materials shall not occur at the site until the Air Quality Management Plan has been approved by the Director General.

B25 DUST GENERATION

All operations and activities occurring at the premises must be carried out in a manner that will minimise or prevent the emission of dust from the premises. The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

B26 ODOUR

The applicant must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the applicant must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

B27 STOCKPILE MANAGEMENT

All stockpiles shall be maintained at manageable sizes which allow them to be covered, if necessary, to control emissions of dust and/or VOCs/odour.

B28 APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (a) A separate application under Section 138 of the *Roads Act 1993* is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public place and such application is to include:-
 - (i) Architectural, construction and structural details of the design.
 - (ii) Structural certification prepared and signed by an appropriately qualified practising structural engineer.

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

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

- (b) Should the hoarding obstruct the operation of Council's CCTV Cameras, the Proponent shall relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management Unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the Proponent. Further information and a map of the CCTV cameras is available by contacting Council's CCTV Unit on 9265 9232.
 - (c) The hoarding must comply with relevant road authority policies for hoardings and temporary structures on the public way. Graffiti must be removed from the hoarding within one working day.
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B29 C7 HAZARDOUS MATERIALS IMMOBILISATION

If any soils needs to be disposed of off site then it will need to comply with the Waste Classification Guidelines. These guidelines may indicate the material will need to be immobilised prior to disposal. If this is the case, the Proponent must apply to DECCW for site specific immobilisation approval.

B30 SEAWALLS

Seawalls must be designed in accordance with the principles of the Environmentally Friendly Seawalls Guidelines issued by DECCW.

B31 BARRICADE PERMIT

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the *Roads Act 1993* for a Barricade Permit is to be obtained from the relevant road 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 Council.

B32 TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RTA Technical Directives and must be referred to and approved by the relevant road authority prior to any work commencing on site.

B33 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. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

B34 ARCHIVAL DOCUMENTATION

Archival documentation of the Sewage Pumping Station (SPS0014) is to be carried out for future reference in accordance with the NSW Heritage Branch's Guidelines for the documentation of heritage places of local significance prior to commencement any demolition works. A copy of the Archival Documentation is to be lodged with the City of Sydney Archives.

B35 RELOCATION OF SEWAGE PUMPING STATION (SPS0014)

The relocation of the Sewage Pumping Station (SPS0014) is to be undertaken by Relocation Option Two of Structural Report by Shreeji Consultants, relocation by lifting the building intact. The entire process is to be monitored by a suitably qualified the Structural Engineer and Heritage Architect.

B36 GEOMETRIC ROAD DESIGN FOR CAR PARK ENTRANCE ROAD

The design of the Car Park entrance road shall be undertaken in accordance with Council's Development Specification for Civil Works. The design and documentation of the proposed road system where it adjoins the public road at Towns Place shall include the following information, which must be submitted with future applications for development of the site:

1. General subdivision plan with contour details and a clear indication of the extent of roadworks;
2. Road plan and longitudinal sections showing services;
3. Road cross sections showing road widths, pavement configuration, batter slopes and kerb and gutter types;
4. Drainage plan and schedule of drainage elements;
5. Drainage profiles;
6. Utility services;
7. Traffic management and intersection layout details including line marking, pavement marking and signposting;
8. Standard engineering and structural details plan;
9. Services plans for utility services including design report;
10. Design Certification report and check lists 1-9 for Council's Development Specification for Civil Works.

All design documentation shall be completed in accordance with the relevant standards and specifications as adopted by Council from time to time. All engineering plans and calculations shall be checked and signed by a professional engineer.

The applicant shall submit plans of subdivision incorporating bearings, distances, and areas of land proposed for dedication to Council, as well as those proposed for road closure. The plans shall clearly

describe existing and proposed site boundaries, public reserves, public roads, drainage reserves, and easements.

B37 PAVING MATERIALS

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

- (1) The applicant shall provide a system of underground street and pedestrian lighting along all roads, footpaths and within the new park in accordance with Council and Energy Australia standards. Detailed plans and construction specifications for the works shall be prepared, submitted to Council for approval and certified as complying with Council's and Energy Australia's specifications.
- (2) The Lighting Plan(s) shall indicate layout, location, connections, conduits, types, luminaires, fixtures and category for street lighting, pedestrian lighting and feature lighting.
- (3) The detailed plans and supporting documentation shall conform to the following design criteria:
 - (a) Lighting in laneways and pedestrian pathways to comply with AS1158.3.1 Category P2;
 - (b) Lighting in footpaths along Lachlan Street, Bourke Street, Sydney Gate and the new public roads to comply with AS1158.3.1 Category P2;
 - (c) All through traffic roads shall be illuminated to comply with AS1158.3.1 Category V3;
 - (d) Lighting designs to be certified by a practicing lighting engineer; and
 - (e) That all fittings and fixtures used other than metal halide luminaires shall be compatible with those used within Energy Australia's street lighting network.

B38 LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

The applicant shall provide a system of underground supplied Smartpoles street lighting and pedestrian lighting along all roads, pedestrian pathways and plaza areas in accordance with the City's public domain lighting specifications and Energy Australia network supply standards. Detailed plans and construction specifications for the works shall be prepared by an approved lighting engineer and submitted to Council for information.

The Lighting Plan(s) shall indicate pole layout, luminaire specifications, vertical and horizontal luminance plots to demonstrate design lighting levels to all areas and electrical supply reticulation including details of connection to Energy Australia's low voltage supply network. The detailed plans and supporting documentation shall conform to the following design criteria:

- (1) Lighting installations in public and publicly accessible locations are to comply with the requirements of the "City of Sydney Exterior Lighting Strategy". This document can be downloaded from the City's website www.cityofsydney.nsw.gov.au/Development/Controls&Conditions/DevelopmentPolicies/CityofSydneyExteriorLightingStrategy.
- (2) Lighting must be designed to meet AS1158.1.1 Category V1 for Hickson Road and Towns Place; Category V3 for other roads and AS1158.3.1 Category P3 for footpaths.
- (3) Recommend Category P1 compliance for the waterfront promenade pathway and P2 compliance for secondary pathways connecting the roadways.
- (4) Certification of compliance of the lighting designs with the specified standards must be prepared by a qualified lighting engineer and must be provided with the submitted lighting plans.

PART D - DURING CONSTRUCTION

D1 NOISE AND VIBRATION

The proponent must monitor noise levels at the most affected receiver location during rock hammering, rock sawing, rock breaking and any other such noisy activities. If levels exceed LAeq, (15 minute) 70 dB(A) for 12 consecutive fifteen minute periods (3 hours) within the approved hours of works, the proponent must incorporate respite periods of 1 hour every 3 hours.

D2 ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) The recommendations of the nominated site archaeologists should be carried out, including determining whether any further site archaeological monitoring is required during excavation works.
- (b) Should any historical relics likely to be of significance be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the *Heritage Act 1977*.
- (c) Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*.
- (d) Any relics found on site that are capable of being included in the site's heritage interpretation or public art, are to be kept safe for consideration of their incorporation into site fixtures.

D3 VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, the relevant road authority for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with design and construction details as prepared by a suitably qualified Civil Engineer, to suit the adjacent finished footway and edge treatment materials, levels and details. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of a final Occupation Certificate.

D4 COVERING OF LOADS

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

D5 TRAFFIC IMPACT ASSESSMENT & CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) Construction works will be undertaken generally in accordance with the Traffic Impact Assessment & Construction Traffic Management Plan prepared by Halcrow, Issue 1.3 dated 26 October 2010, except where modified elsewhere in this condition.
 - (b) Under the current legislation the use of lengthy vehicles in the CBD is prohibited within certain time frames. All lengthy vehicles must comply with this regulation as stipulated in the NSW Road Rules. A map indicating the prohibited area and definitions of lengthy vehicles are included in the Road Rules.
 - (c) Personnel using stop/slow signage are not permitted in Hickson Road or Sussex Street on weekdays between the hours of 7.00am to 9.00am and 4.00pm to 7.00pm. However, personnel using stop/slow signage will be permitted on Hickson Road, north of the intersection of Hickson Road and Napoleon Street, when it is required to ensure safe truck access at designated site access points, provided that vehicle queue lengths generated as a result of the traffic control do not exceed more than six vehicles in either direction.
 - (d) Truck movements should be staged and coordinated to prevent trucks circling CBD streets whilst awaiting access to the site. There should be holding areas outside the CBD on the fringes or sufficient space within the site to store trucks and heavy vehicles.
 - (e) To minimise impacts on public transport, trucks should avoid where possible the use of York Street to access the development site between 2.00pm to 8.00pm Monday to Friday.
 - (f) The Proponent is also to enter into an 'Operational Protocol' regarding the traffic management arrangements where the haul route between the Stage 1 excavation site and
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the site of the Headland Park interfaces with the pedestrian and vehicular traffic servicing the temporary Cruise Passenger Terminal at Gates 4 and 5 (The Crossings).

The Operational Protocol will be prepared prior to operation of The Crossings and will establish an agreed framework for their management on ship days.

A copy is to be provided to the Director General prior to operation of The Crossings.

D6 DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

- (a) Demolition and/or excavation work will be carried out under the following conditions:
 - (i) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
 - (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
 - (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.
 - (b) Such statements must, where applicable, be in compliance with AS2601-1991 Demolition of Structures, the *Construction Safety Act 1912* and Demolitions Regulations; the *Occupational Health and Safety Act 2000* and Regulation; Council's Policy for Waste Minimisation in New Developments 2005, the *Waste Minimisation and Management Act 1995*, and all other relevant acts and regulations and must include provisions for:
 - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Minimisation and Management Act 1995*.
 - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
 - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
 - (iv) The name and address of the transport contractor.
 - (v) The type and quantity of material to be removed from site.
 - (vi) Location and method of waste disposal and recycling.
 - (vii) Proposed truck routes, in accordance with this development approval.
 - (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
 - (ix) Measures to control noise emissions from the site.
 - (x) Measures to suppress odours.
 - (xi) Enclosing and making the site safe.
 - (xii) Suitable Public Liability Insurance as reasonably required by the relevant authority for the duration of the demolition works.
 - (xiii) Induction training for on-site personnel.
 - (xiv) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
 - (xv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
 - (xvi) Disconnection of utilities.
 - (xvii) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
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- (xviii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
- (xix) Waterproofing of any exposed surfaces of adjoining buildings.
- (xx) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
- (xxi) Working hours, in accordance with this development approval.
- (xxii) Any Work Cover Authority requirements.

The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

D7 PROTECTION OF STREET TREES DURING CONSTRUCTION

All street trees adjacent to the site not approved for removal must be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order. Details of the methods of protection must be submitted to and be approved by Council prior to the issue of the relevant Construction Certificate and such approval should be forwarded to the Certifying Authority. All approved protection measures must be maintained for the duration of construction and any tree on the footpath which is damaged or removed during construction must be replaced.

D8 SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

D9 LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity should be accommodated on site.
- (b) If, during construction, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by the relevant road authority.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to the relevant road authority at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

D10 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 to stop all work on site.

D11 COVERING OF LOADS

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

D12 LONG VEHICLE RESTRICTION

Under the current legislation the use of lengthy vehicles in the CBD is prohibited within certain time frames. All lengthy vehicles must comply with this regulation as stipulated in the NSW Road Rules. A map indicating the prohibited area and definitions of lengthy vehicles are included in the Road Rules.

D13 VEHICLE RESTRICTION

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the Proponent. The new road works must be designed and constructed in accordance with the Council's "Development Specification for Civil Works Design and Construction".

End of Section

PART E - POST CONSTRUCTION

E1 *LOADING WITHIN SITE*

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times (and must not obstruct other properties/units or the public way).

E2 *LOADING/PARKING KEPT CLEAR*

- (a) At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.
- (b) The operation of the Harbour Control Tower and the Cruise Passenger Terminal shall not be hindered by storage of materials, construction works or by construction traffic.

E3 *PERMANENT ELECTRICITY SUBSTATION*

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, a satisfactory area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation to be installed.

End of Section

ADVISORY NOTES

AN1 HAZARDOUS MATERIAL IMMOBILISATION

If any soil needs to be disposed of off site then it will need to comply with the Waste Classification Guidelines. These guidelines may indicate the material will need to be immobilised prior to disposal. If this is the case, the Proponent must apply to DECCW for a site specific immobilisation approval.

AN2 TEMPORARY DEWATERING

Licenses under Part 5 of the *Water Act 1912* may be required for the purpose of temporary dewatering as part of the proposed construction and excavation. Further consultation is to be undertaken with the NSW Office of Water and any required licences are to be obtained prior to commencement of work.

AN3 REQUIREMENTS OF PUBLIC AUTHORITIES FOR CONNECTION TO SERVICES

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent.

AN4 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 following matters shall be 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.

AN5 STORMWATER DRAINAGE WORKS OR EFFLUENT SYSTEMS

Works that involve water supply, sewerage and stormwater drainage work or management of waste as defined by Section 68 of the *Local Government Act 1993* require separate approval by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN6 TEMPORARY STRUCTURES

An approval under Section 68 of the *Local Government Act 1993* must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the *Local Government Act 1993* to certify the structural adequacy of the design of the temporary structures.

AN7 LONG SERVICE LEVY (IF APPLICABLE)

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing \$25,000 or more is subject to a Long Service Levy. If applicable in this instance, the levy rate is 0.35% of the total cost of the work and shall be paid to either the Long Service Payments Corporation or Council. Under section 109F(1) of the *Environmental Planning & Assessment Act 1979* this payment must be made prior to commencement of building works.

AN8 NON INDIGENOUS ARCHAEOLOGICAL MONITORING AND MANAGEMENT

A program of archaeological investigation is to be undertaken prior to any excavation and an excavation director appointed to manage the program based. If any unidentified historical archaeological features 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 extent and significance of such relics. The Heritage Council is to be notified as a matter of courtesy.

Excavation to a depth greater than two (2) metres should be minimised along the Hickson Road boundary of the site south of the Dalgetty Bond Stores to avoid disturbance of archaeological features and deposits that may be present below the fill. To effectively manage the potential impacts of excavation below this level in accordance with the NSW Heritage Act, archaeological monitoring is to be undertaken and an excavation director appointed to manage the program if excavation exceeds this depth. Any resulting archaeological reporting is to inform the interpretation of the site.

A copy of the final report is to be lodged with the City of Sydney Archives.

End of Section

SCHEDULE 3

STATEMENT OF COMMITMENTS HEADLAND PARK MAIN WORKS, BARANGAROO

MP No. 10_0048

Proponent's Statement of Commitments

SUBJECT	COMMITMENTS	TIMING
Contamination	1. Remediation works the subject of the Remediation Action Plan will not commence until the RAP and HHERA are approved by the Site Auditor and a Site Audit Statement has been issued in respect of the RAP.	Issue of Site Audit Statement
	2. A Part B Site Audit Statement will be provided to the Department of Planning prior to the commencement of remediation works	Prior to the commencement of remediation works
	3. A Remediation Environmental Management Plan (REMP) will be prepared to document the monitoring and management measures required to control the environmental impacts of the works and ensure the validation protocols are being addressed;	Prior to mobilisation onto the site for remediation works
	4. A Remediation Occupational Health and Safety Management Plan (ROHSMP) will be prepared to document the procedures to be followed to manage the risks posed to the health of the remediation workforce	Prior to mobilisation onto the site for remediation works
	5. The Remediation Work Plan (RWP) will be submitted to the Site Auditor for information	Prior to commencement of remediation works
	6. The REMP and the ROHSMP will contain a plan addressing plausible contingencies and both Plans are required to be certified by an independent, expert person and submitted for acceptance by the BDA prior to mobilisation onto the Headland Park Site.	Prior to mobilisation onto the site for remediation works
	7. Upon completion of the works on the Headland Park Site, a validation report and an ongoing Long Term Environmental Management Plan (LTEMP) for impacted materials retained beneath Headland Park will be submitted by the Remediation Consultant to the Site Auditor for certification that the Headland Park Site is suitable for the proposed uses, subject to implementation of the LTEMP.	Prior to occupation of the site by future users
Acid Sulphate Soils	8. Any activities involving the disturbance of acid sulfate soils will be undertaken in accordance with the requirements of the Acid Sulfate Soils Management Plan – Main Works Application (JBS Environmental Pty Ltd, October 2010)	During excavation works
Hydrology, Soil and Water Management	9. The proposed development will be undertaken in accordance with the mitigation and monitoring requirements for surface and groundwater hydrology and quality, including water quality of the Harbour outlined in the Soil and Water report (WSP Environment and Energy, October 2010).	During construction works and during the operational phase
	10. All water management information will be consolidated into	Prior to commencement of construction works

SUBJECT	COMMITMENTS	TIMING
	one Soil and Water Management Plan which will be updated in accordance with the staging of works.	
Navigation	11. Any new navigational aids will be determined in consultation with Sydney Ports Corporation, NSW Maritime and Sydney Ferries	Prior to the installation of new navigational aids
Noise and Vibration	12. Noise and vibration on site will be managed in accordance with the <i>Preliminary Noise and Vibration Management Plan</i> prepared by Acoustic Logic Consultancy dated 19 October 2010	During proposed works
	13. The Preliminary Noise and Vibration Management Plan will be finalised in accordance with the recommendations of the Main Works Noise and Vibration Assessment once the Site Contractor is engaged	Following appointment of Site Contractor
Traffic, Parking and Access	14. Prior to the commencement of works on site a detailed CTMP will be prepared which is generally consistent with the <i>Traffic Impact Assessment and Construction Traffic Management Plan</i> prepared by Halcrow Pty Ltd (October 2010).	Prior to commencement of works on site
	15. Prior to the commencement of works on site a Traffic Control Plan (or series of plans) in accordance with RTA requirements, would be prepared for the proposed work round, past or through work sites	Prior to commencement of works on site
	16. The detailed CTMP will address traffic issues relating to Moores Wharf, the CPT and the Harbour Control Tower in consultation with Sydney Ports Corporation.	Prior to commencement of works on site
Air Quality, Health and Odour	17. Air control emissions (mitigation measures) and Air Monitoring Program as recommended in the Air Quality and Health Assessment – Main Works will be incorporated into the detailed Environmental Construction Management Plan for the proposed works and implemented during all works on site.	Prior to commencement and during-works on site
	18. Continuous air quality monitoring is to be undertaken for predicted exceedances of PM10 (24 hours) and odour at the Harbour Control Tower, CPT and Moores Wharf. Exceedances will be responded to by implementing the control measures outlined in the draft AQMP. Where these fail to lower the concentration of PM10, works will cease pending more favourable meteorological conditions.	Continuously during the relevant works.
	19. The AQMP will be updated following endorsement of the Headland Park HHERA and RAP by the Site Auditor	Upon finalisation of the HHERA and RAP
	20. Following approval by the Site Auditor, copies of the final Headland Park RAP and HHERA will be provided to Sydney Ports Corporation for information	Upon finalisation
Heritage	21. A detailed interpretation strategy is to be prepared for the Sewage Pumping Station and Sandstone Seawall as part of the overall site interpretation. In regard to the seawall this	Within 6 months of completion of construction works

SUBJECT	COMMITMENTS	TIMING
	Plan will address the heritage values of the sandstone blocks to be relocated and demonstrate how, when and why these sandstone blocks were originally laid.	
	22. The proposed retaining wall on the western side of the Moore's Wharf building will be designed to protect and enhance the significance of this building. Consideration will be given to designing the retaining wall as a gentle curve offset from the building.	Prior to construction of the retaining wall on the western side of the Moore's Wharf Building
	23. A structural audit of all heritage items in proximity to the works will be completed	Prior to the commencement of construction works
	24. A draft interpretation plan for the Headland Park and Northern Cove will be prepared prior to the commencement of the main works. To ensure that any archaeological and other issues that emerge during the course of construction works are integrated into the interpretation plan, the interpretation will be finalised only once construction works are well advanced.	Draft interpretation plan will be prepared prior to the commencement of the main works. Final interpretation plan will be completed no later than 6 months prior to construction completion.
Archaeology	25. An archaeological excavation will be undertaken in accordance with the methodology and recommendations (relating to testing methodology, site interpretation, research questions) contained in the <i>Research Design and Archaeological Excavation Methodology</i> (Austral Archaeology, October 2010).	Prior to the excavation of the Northern Cove and Moore's Wharf inlet.
Accessibility	26. The proposed development will be undertaken in accordance with the recommendations of the Access Review Report prepared by Morris-Goding Accessibility Consulting (October 2010)	During construction.
Environmental Management	27. The proposed development will be undertaken in accordance with the Preliminary Environmental and Construction Management Plan prepared by the Barangaroo Delivery Authority (October 2010) or the subsequent more detailed plan to be prepared by the construction contractor once appointed.	During construction
Waste Management	28. The proposed development will be undertaken in accordance with the Waste Management Plan prepared by JBS Environmental (October 2010).	During the construction and operational phases of the development
ESD	29. The proposed development will be undertaken in accordance with the recommendations of the ESD report prepared by prepared by WSP Lincolne Scott Pty Ltd (October 2010).	During the construction and operational phases of the development
Plan of Management	30. A plan of management will be prepared to guide the ongoing operations and management of the Headland Park. The plan of management will be prepared in consultation with the City of Sydney.	Prior to opening of the park to the public.
Public Domain	31. Public Domain Guidelines for the Headland Park will be prepared in consultation with key stakeholders, including the City of Sydney	During preparation of Guidelines

