

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

- A1(2) prevent, minimise, or offset adverse environmental impacts;
- A2(2) set standards and performance measures for acceptable environmental performance;
- A3(2) require regular monitoring and reporting; and
- A4(2) provide for the ongoing environmental management of the development

Anthony (Tony) Kelly
Minister for Planning

Sydney

3 March 2011

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application Number:	10_0048
Applicant:	Barangaroo Delivery Authority
Consent Authority:	Minister for Planning
Site:	Part Lot 5 DP 876514, Lots 1, 4 and 6 in DP 876514
Development:	Barangaroo Headland Park and Northern Cove – Main Works.

FOR INFORMATION

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
MP10_0048-Mod-2	17 April 2012	Deputy Director General, Development Assessment and Systems Performance	<ul style="list-style-type: none"> Amend conditions of consent and to require the provision of a plan of management for the operation of the Headland Park and the car park.
MP10_0048-Mod-3	9 May 2013	Executive Director, Development Assessment Systems and Approvals	<ul style="list-style-type: none"> insertion of sandstone steps providing water access adjacent to Moores Wharf relocation of sewerage pumping station construction of a third pedestrian bridge between Merriman Street and the Headland Park minor changes to cultural space and car park minor changes to the landscaping across the site.
MP10_0048-Mod-4	30 July 2015	Minister for Planning	<ul style="list-style-type: none"> demolition and removal of the HCT construction of an interpretation structure on the site of the HCT replacement of existing floors slab, decommissioning services and associated works.
MP10_0048-Mod-5	16 July 2014	Director, Industry, Key Sites, and Social Projects	<ul style="list-style-type: none"> introduction of a new bushwalk plaza at the southern lift entrance to the future cultural space changes to the approved paving materials for the foreshore promenade, bushwalk track and main southern entrance adjustment to the position of the central access between the Headland Park and Merriman Street minor increase to the level of the upper section of the park.
MP10_0048-Mod-7	27 November 2015	Director, Key Site Assessments	<ul style="list-style-type: none"> to allow the Interpretation Plan required under Condition B41 to be submitted to the Secretary for approval prior to the commencement of demolition works.
MP10_0048-Mod-8	6 May 2016	Director, Key Sites Assessments	<ul style="list-style-type: none"> to change the methodology for the demolition and removal of the HCT
MP10_0048-Mod-9	10 November 2016	Director, Key Sites Assessments	<ul style="list-style-type: none"> replacement of the approved physical interpretive structure (Oculus) at the site of the HCT with an alternative physical interpretation structure. Its installation was required to be completed by 31 December 2017

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MP10_0048-Mod-10	13 October 2017	Director, Key Sites Assessments	<ul style="list-style-type: none"> modification to Condition B43 to extend the period to submit the final design documents for the physical interpretative structure to 31 December 2017 modification to Condition D15 to extend the completion date for the installation of the physical interpretative structure for the HCT to 31 December 2018.
MP10_0048-Mod-11	12 December 2019	Director, Key Sites Assessments	<ul style="list-style-type: none"> modification to Condition B43 to extend the period to submit the final design documents for the physical interpretative structure to 30 June 2020 modification to Condition D15 to extend the completion date for the installation of the physical interpretative structure for the HCT to 30 September 2021.
MP10_0048-Mod-12	24 September 2020	Director, Key Sites Assessments	<ul style="list-style-type: none"> modification to Condition B43 to extend the period to submit the final design documents for the physical interpretative structure to 30 June 2023 modification to Condition D15 to extend the completion date for the installation of the physical interpretative structure for the HCT to 30 September 2024.
MP10_0048-Mod-13	21 November 2023	Executive Director, Key Sites Assessments	<ul style="list-style-type: none"> modify Condition B43 to extend the period to submit the final design documents for the physical interpretative structure to 30 September 2024 modify Condition D15 to extend the completion date for the installation of the physical interpretative structure to 30 September 2024.

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DEFINITIONS

Applicant	Mirvac, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	All physical work to enable operation, including but not limited to internal demolition, unless limited by the consent (Condition A19)
Council	City of Sydney Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising internal demolition, construction and public domain works, as modified by the conditions of this consent
EIS	The Environmental Impact Statement, prepared by Ethos Urban dated November 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act
Feasible	Means what is possible and practical in the circumstances
Incident	An occurrence or set of circumstances that causes, or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: <ul style="list-style-type: none">• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would

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	be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction.
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>

SCHEDULE 2

A) ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A1 In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

TERMS OF CONSENT

A2 The development may only be carried out:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Planning Secretary;
- c) generally in accordance with the EIS and Response to Submissions;
- d) in accordance with the approved plans in the table below:

Environmental Assessment Report titled <i>Headland Park and Northern Cove Main Works Volume 1 and 2</i>, and <i>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</i>, and <i>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-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-S3-2004	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-S3-3003	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-S3-1003	00	Main Works Street Furniture Concept	-
MW-JWP-L-S3-1004	00	Main Works Public Deck	-
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

Architectural Drawings prepared WMK Architecture, JPW Landscape Architecture, and PWP Landscape Architecture

Drawing No.	Drawing No.	Drawing No.	Drawing No.
TE-PWP-L-S3-9001	TE-PWP-L-S3-9001	TE-PWP-L-S3-9001	TE-PWP-L-S3-9001
A-0001	A-0001	A-0001	A-0001
A-0002	A-0002	A-0002	A-0002
A-0003	A-0003	A-0003	A-0003
A-0005	A-0005	A-0005	A-0005
TE-JPW-A-S3-5413	TE-JPW-A-S3-5413	TE-JPW-A-S3-5413	TE-JPW-A-S3-5413
TE-JPW-A-S3-5414	TE-JPW-A-S3-5414	TE-JPW-A-S3-5414	TE-JPW-A-S3-5414
TE-JPW-A-S3-5415	TE-JPW-A-S3-5415	TE-JPW-A-S3-5415	TE-JPW-A-S3-5415

Section 75 Modification Report titled ‘Attachment A’, prepared by Barangaroo Delivery Authority, received on 11 April 2014 as amended by Response to Submissions, received 28 May 2014.

Response to Submissions Letter titled ‘Proposed Modification to Approval MP10_0048 MOD 5 – Response to Submissions’, prepared by Barangaroo Delivery Authority, received 28 May 2014.

Architectural Plans prepared by Johnson Pilton Walker

Drawing No.	Rev	Name of Plan	Date
CO-JPW-L-S3-0100	03	Barangaroo Headland Park, Public Domain Works	20 Jan 2014
A-0004	C	Barangaroo Headland Park, Public Domain Works, Upper Floor Plan RL 13.000	20 Jan 2014
A-0006	C	Barangaroo Headland Park, Public Domain Works, Section BB	20 Jan 2014
MW-JWP-L-S3-1006	04	Main Works Materials and Planting	11 June 2014
JPW Sketch	-	Promenade Drainage Diagram	27 May 2014

The Environmental Assessment Report prepared by MG Planning Pty Ltd title “Barangaroo Headland Park and Northern Cove- Modification to Main Works Project Approval re: Harbour Control Tower Demolition” dated 9 April 2014 and appendices, as amended by the Response to Submissions prepared by Barangaroo Delivery Authority titled “Barangaroo Headland Park and Northern Cove- Modification to Main Works Project Approval Re: Harbour Control Tower Demolition (Modification 4)” dated July 2014 and appendices and as amended by the s.75W application (MP10_0048 MOD 8) prepared by Barangaroo Delivery Authority titled “Proposed

modification to approval MP10_0048 (Modification 8)- Alternative Demolition Methodology” dated 25 February 2016, as amended by the Response to Submission prepared by Barangaroo Delivery Authority titled “Submissions from MP10_0048 MOD 8- Amend to HCT Demolition Methodology” dated 1 April 2016 and the following documents:

1. Demolition Work Plan Revision 09 dated 23 March 2016 prepared by Liberty Industrial;
2. The Harbour Control Tower Removal Works - Air Quality Management Plan, Rev C, 21 April 2016 (JBS&G);
3. Asbestos Management Plan - Harbour Control Tower Removal Works Barangaroo Headland Park, Rev C, 22 April 2016, (JBS&G);
4. Harbour Control Tower Demolition Asbestos Removal Control Plan, Rev 00, 22 March 2016 (Liberty Industrial);
5. Harbour Control Tower, Barangaroo Deconstruction Works Noise and Vibration Assessment, Rev 4, 27 April 2016 (Acoustic Logic) incorporating the Harbour Control Tower, Barangaroo Deconstruction Works Noise and Vibration Management Plan, Rev 4, 27 April 2016 (Acoustic Logic);
6. Harbour Control Tower Demolition Waste Management Plan, Rev 005, 27 April 2016 (Liberty Industrial); and
7. Harbour Control Tower Demolition Works Stormwater Management Plan (SMP), Rev.02, 28 April 2016 (Liberty Industrial)

The following plans prepared by WMK Architecture titled “Sydney Harbour Control Tower Demolition Works”:

Drawing No.	Rev	Name of Plan	Date
A-HCT-0000	B	Cover Sheet	30.01.2014
A-HCT-0001	B	Ground Floor Plan RL 3.000 Demolition Works	30.01.2014
A-HCT-0002	B	Upper Floor Plan RL 13.000 Demolition Works	30.01.2014
A-HCT-0003	B	Main Roof Plan/Site Plan Demolition Works	30.01.2014
A-0004	B	Section B-B Demolition	30.01.2014
A-0005	B	Ground Floor Plan RL 3.000 Proposed Works	30.01.2014
A-HCT-0006	B	Main Roof Plan Proposed Works	30.01.2014
A-0007	B	Section A-A Proposed	30.01.2014
A-0008	B	Section B-B Demolition	30.01.2014
A-HCT-0009	B	Roof Level RL 20.00 Design Details Proposed Works	30.01.2014
A-HCT-0010	B	Roof Level RL 20.00 Design Details Proposed Works	30.01.2014

The following Landscape Plans prepared by PWP Landscape Architecture titled “Harbour Control Tower Existing Concept Design” (Project No. 1004):

TE-PWP-L-S3-xxxx (hand marked ‘A’)	-	Blow Up Plan	27.01.2014
TE-PWP-L-S3-xxxx (hand marked ‘B’)	-	Blow Up Plan	27.01.2014

The Environmental Assessment Report prepared by MG Planning Pty Ltd titled “Barangaroo Headland Park and Northern Cove- Modification to Main Works Project Approval re: Harbour Control Tower Demolition” dated 9 April 2014 and appendices, as amended by the Response to Submissions prepared by Barangaroo Delivery Authority titled “Barangaroo Headland Park and Northern Cove- Modification to Main Works Project Approval Re: Harbour Control Tower Demolition (Modification 4)” dated July 2014 and appendices and as amended by:

- the s. 75W application (MP10_0048 MOD 8) prepared by Barangaroo Delivery Authority titled “Proposed modification to approval MP10_0048 (Modification 8) - Alternative Demolition Methodology” dated 25 February 2016, as amended by the Response to Submission prepared by

Barangaroo Delivery Authority titled "Submissions from MP10_0048 MOD 8- Amend to HCT Demolition Methodology" dated 1 April 2016 and the following documents:

8. Demolition Work Plan Revision 09 dated 23 March 2016 prepared by Liberty Industrial;
9. The Harbour Control Tower Removal Works - Air Quality Management Plan, Rev C, 21 April 2016 (JBS&G);
10. Asbestos Management Plan - Harbour Control Tower Removal Works Barangaroo Headland Park, Rev C, 22 April 2016, (JBS&G);
11. Harbour Control Tower Demolition Asbestos Removal Control Plan, Rev 00, 22 March 2016 (Liberty Industrial);
12. Harbour Control Tower, Barangaroo Deconstruction Works Noise and Vibration Assessment, Rev 4, 27 April 2016 (Acoustic Logic) incorporating the Harbour Control Tower, Barangaroo Deconstruction Works Noise and Vibration Management Plan, Rev 4, 27 April 2016 (Acoustic Logic);
13. Harbour Control Tower Demolition Waste Management Plan, Rev 005, 27 April 2016 (Liberty Industrial); and
14. Harbour Control Tower Demolition Works Stormwater Management Plan (SMP), Rev.02, 28 April 2016 (Liberty Industrial).

- the s. 75W application letter (MP 10_0048 MOD 9) prepared by Barangaroo Delivery Authority and the accompanying untitled letter dated 2 June 2016, as amended by the Response to Submissions prepared by Barangaroo Delivery Authority titled "Re: Submissions for MP 10_0048 MOD 9 – Conditions of Consent A2A" and accompanying attachments (A to D), and updated attachments (A, E, F&G) prepared by the Barangaroo Delivery Authority provided to the Department on 1 November 2016.

The following plans prepared by WMK Architecture titled "Sydney Harbour Control Tower Demolition Works":

Drawing No.	Rev	Name of Plan	Date
A-HCT-0001	B	Ground Floor Plan RL 3.000 Demolition Works	30.01.2014
A-HCT-0002	B	Upper Floor Plan RL 13.000 Demolition Works	30.01.2014
A-0005	B	Ground Floor Plan RL 3.000 Proposed Works	30.01.2014
The following Landscape Plans prepared by Liberty Industrial:			
S16-0071 LA01.01	01	Demolition Plan	02.09.2016
S16-0071 LA03.01	01	Planting Plan	02.09.2016
The following Structural Drawings prepared by GHD:			
21-25400-S02	B	Roof Level Plan and Details	25.10.2016

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.

INCONSISTENCY BETWEEN DOCUMENTS

A3 In the event of any inconsistency between conditions of this approval:

- a) the drawings/documents referred to above and/or the Statement of Commitments, the conditions of this approval prevail.

PRESCRIBED CONDITIONS

A4 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).

REMEDIAL ACTION PLAN AND HUMAN HEALTH ECOLOGICAL RISK ASSESSMENT

- A5** Prior to the commencement of any remediation works:
- a) A Remedial Action Plan (RAP) must be prepared in accordance with the contaminated land planning guidelines under section 145C of the EP&A Act and relevant guidelines produced or approved under section 105 of the Contaminated Land Management Act 1997.
 - b) The Human Health Ecological Risk Assessment must be approved by DECCW in accordance with the relevant guidelines produced or approved under section 105 of the Contaminated Land Management Act 1997.
 - c) The RAP must be approved by DECCW and approved through the issue of a Section B Site Audit Statement by a NSW EPA accredited Site Auditor.
 - d) After the RAP is approved by DECCW and a Section B Site Audit Statement has been obtained it must be submitted to the Minister for Planning for approval.

Note: The current guidelines under section 145C of the EP&A Act are the guidelines “Managing Land Contamination, Planning Guidelines, SEPP 55 – Remediation of Land” 1998.

SYDNEY PORTS CORPORATION REQUIREMENTS

- A6** Include the following:
- 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.

COMPLAINTS MANAGEMENT SYSTEM

- A7** 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) A direct telephone number on which complaints and enquiries about the project may be registered.
 - b) A postal address to which written complaints and enquiries may be sent
 - c) 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.

SEPARATE APPROVALS

- A8** A separate development approval is required for the use of the proposed floor area associated with the Cultural Facility.

PLAN OF MANAGEMENT

- A8(2)** A plan of management is to be prepared to guide the ongoing operations and management of the Headland Park. This plan is to include arrangements for the operation of the car park within the Headland and must:
- a) provide details on the hours of operation of the car park on weekdays, weekends and during special events;
 - b) detail any proposed fee structures in the event that a car parking fee is levied; and
 - c) provide details on the ongoing use and management of the car park.

The plan of management is to be prepared in consultation with the City of Sydney and be submitted to the Director-General for approval prior to the opening of the Headland Park to the public (including the car park).

MEDIATION

- A9** 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.

ASPHALT PAVING

- A10** The use of asphalt to pave the main southern entrance in the Barangaroo Headland Park is approved on a temporary basis only. The asphalt paving in the main southern forecourt is to be replaced with a suitable paving material which is to be approved by the Department as part of the development application for the Cultural Facility within the Barangaroo Headland Park.

DEMOLITION OF HARBOUR CONTROL TOWER

- A11** The methodology for the demolition of the Harbour Control Tower is to be generally in accordance with that detailed in the report titled "*Demolition Work Plan (Revision 09)*" dated 23 March 2016 prepared by Liberty Industrial.

Prior to the commencement of works, a Demolition Works Methods Statement must be prepared in accordance with the requirements of Condition D6. The approved work method statement must be implemented for the full period of work.

XL PLATFORM DESIGN- HARBOUR CONTROL TOWER

- A11A** The design of the XL platform is to ensure that it can accommodate concentrated loads and impact factors for the excavators. Any limitations on the positioning of the excavators i.e. minimum separation distances, is to be clearly communicated to workers and monitored. Specific consideration is to be given to the length of the ties for the XL platform masts to ensure that they can accommodate the difference in diameters between the top section and towers section and their functional requirements. The design is also to include appropriate lengths for the ties for the access hoist.

End of Section

PART B PRIOR TO COMMENCEMENT OF WORK

ENVIRONMENTAL PROTECTION LICENCE

- B1 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.

EMERGENCY ACCESS

- B2 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.

CHANGES TO KERB SIDE PARKING RESTRICTIONS

- B3 A separate submission must be made to the relevant road authority for approval for any changes to kerb side parking arrangements.

COST OF SIGNPOSTING

- B4 All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

SERVICE VEHICLES

- B5 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.

LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

- B6 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.

FOOTPATH DAMAGE BANK GUARANTEE

- B7 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.

FOOTPATH DAMAGE BANK GUARANTEE- HARBOUR CONTROL TOWER

- B7A Prior to the commencement of works, the Proponent is to comply with the following**
- a) Consult with the City of Sydney regarding any requirements to provide a Footpath Damage Bank Guarantee.**
 - b) Ensure suitable measures are in place to protect the intact stone kerbs and gutters on the eastern side of Merriman Street. Such measures are to be maintained in a sound condition for the full term of the works.**
 - c) Obtain approval from the City of Sydney Council under section 138 of the *Roads Act 1993* to erect the required hoardings, scaffolding and/or a barricade in a public place in accordance with the requirements of Conditions B28 and B31 of this approval.**

STORMWATER AND DRAINAGE – MAJOR DEVELOPMENT

- B8 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 prepared 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 the Certifying Authority (following consultation with 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

PRE-CONSTRUCTION DILAPIDATION REPORTS

- B9 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.

DRIVEWAY CROSSOVERS

- B10 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.

DILAPIDATION SURVEY

- B11 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.

ASSOCIATED ROADWAY COSTS

- B11 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".

BICYCLE PARKING

- B12 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.

CAR PARKING SPACES AND DIMENSIONS

- B13 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.

LOCATION OF ACCESSIBLE CAR PARKING SPACES

- B14 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.

LOCATION OF DRIVEWAYS

- B15 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.

SIGNS AT EGRESS

- B16 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.

VEHICLE FOOTWAY CROSSING

- B17 A separate application is to be made to, and approved by, Council in consultation with 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 Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details as detailed in the Sydney Street Design Code 2010. 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.

VEHICLES ACCESS

- B18 The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

ALIGNMENT LEVELS

- B19 Prior to the commencement of work footpath alignment levels along the perimeter of the Barangaroo site where it adjoins public land must be submitted to Council for approval. The

submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual. The submission shall include 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.

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

CONSTRUCTION FRAMEWORK ENVIRONMENTAL MANAGEMENT PLAN

- B20 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 **comment** and to the Director General for approval. The CFEMP must:
- Describe the relevant stages and phases of construction including work program outlining relevant timeframes for each stage/phase.
 - Describe all activities to be undertaken on the site during site establishment and construction of the development
 - Clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting.
 - 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.
 - Include specific consideration of measures to address any requirements of DECCW during site establishment and construction.
 - Describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works.
 - 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.
 - Documents all sub environmental management plans, studies and monitoring programs required in this approval.
 - Include arrangements for community consultation and complaints handling procedures during construction.
 - 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.

WASTE MANAGEMENT

B21 Prior to commencement of each stage of the works (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), 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):

- A stockpile, contamination soil and sediment management plan including (at a minimum):
 - 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);
 - Details of how stockpiled contaminated waste material will be kept separate from non-contaminated waste material;
 - Details of how runoff from stockpiled contaminated waste material will be kept separate from non-contaminated runoff;
 - 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.
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.

NOISE AND VIBRATION

B22 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 (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), 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,
 - 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.
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.

WATER

B23

1. Prior to the commencement of works (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), 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 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.

AIR

B24

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);
 - 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 24 (5)** 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.

ASBESTOS CERTIFICATION- HARBOUR CONTROL TOWER

B24C Prior to the commencement of demolition works, site certification by a certified asbestos assessor must be provided to the EPA confirming that all asbestos, as far as practicable, has been removed from the HCT.

The asbestos site certification is to be published in the Proponent's website prior to the commencement of demolition works.

BLAST MANAGEMENT PLAN- HARBOUR CONTROL TOWER

B24D Prior to the commencement of any works which involve the use of explosives (ie. for the core footing section of the HCT), a Blast Management Plan is to be prepared in consultation with and to the satisfaction of the Safework NSW.

CLOSURE OF CLYNE RESERVE- HARBOUR CONTROL TOWER

B24E Prior to the commencement of works, the Proponent is to consult with SafeWork NSW to determine whether the closure of the playground in Clyne Reserve is required and when/if the Park can be re-opened at any stage during the demolition works.

DUST GENERATION

B25 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.

ODOUR

B26 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.

STOCKPILE MANAGEMENT

B27 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.

APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

B28 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.

a) 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.

HAZARDOUS MATERIALS IMMOBILISATION

- B29 If any soils need 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.

SEAWALLS

- B30 Seawalls must be designed in accordance with the principles of the Environmentally Friendly Seawalls Guidelines issued by DECCW.

BARRICADE PERMIT

- B31 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 **the relevant road authority**.

TRAFFIC WORKS

- B32 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.

VEHICLE CLEANSING

- B33 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.

ARCHIVAL DOCUMENTATION

- B34 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.

RELOCATION OF SEWAGE PUMPING STATION (SPS0014)

- B35 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.

HERITAGE CONSERVATION

- B35A The approved works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of sewerage pumping station SPS0014 which is listed as a Heritage Item by ensuring:**
- a) **New services are surface mounted rather than chased-in to existing walls.**
 - b) **Appropriately qualified tradespersons (as appropriate) are commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.**
 - c) **All new windows and doors are to be comprised of timber joinery.**

- d) The face brickwork and sandstone must not be rendered, painted or coated.
- e) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.

Any salvaged traditional building material should be sold to an established dealer in second hand heritage building material.

In addition, the window proposed to be reinstated on the northern elevation and the new gutters and downpipes shall be designed in accordance to the heritage architect's specifications as per the recommendations of the Heritage Impact Statement prepared by Conybeare Morrison dated October 2010 (Revision 3), and submitted to the satisfaction of the Director-General prior to their installation.

GEOMETRIC ROAD DESIGN FOR CAR PARK ENTRANCE ROAD

B36 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.

PAVING MATERIALS

B37 Where relevant, 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 Energy Australia standards. Detailed plans and construction specifications for the works shall be prepared, submitted to the relevant Roads Authority (following consultation with Council where there is a direct impact on Council owned or controlled land) for approval and certified as complying with Energy Australia's specifications. Compliance with Council's standards is also required where proposed works affect Council owned or controlled land.
- (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) All through traffic roads shall be illuminated to comply with AS1158.3.1 Category V3;
 - (c) Lighting designs to be certified by a practicing lighting engineer; and
 - (d) That all fittings and fixtures used other than metal halide luminaires shall be compatible with those used within Energy Australia's street lighting network.

LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

B38 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.

PLANTING AND FENCING ADJACENT TO MOORES WHARF

B39 The details of all planting and fencing adjacent to Moores Wharf must be finalised in consultation with Sydney Ports Corporation. Evidence of the outcomes of the consultation must be provided to the Director-General to the issue of the relevant section 109R Certificate.

CONSTRUCTION AND TRAFFIC MANAGEMENT AND APPROVALS- HARBOUR CONTROL TOWER

B40 Prior to the commencement of works for the demolition of the Harbour Control Tower, the proponent is to comply with the following requirements:

- a) Consult with the City of Sydney Council regarding the submitted Austroads Swept Path Assessment Diagrams for 19m Articulated Vehicles/12.5m Heavy Rigid Vehicles into and out of Merriman Street.
- b) Prepare a Traffic Management Plan in consultation with the City of Sydney Council. The Plan is to address traffic management and mitigation measures for the full term of the construction period, including provision of a convenient and viable solution for the loss of on-street resident parking. *The Traffic Management Plan is also to include a requirement for RMS accredited traffic controllers to manage reversing construction vehicles in Merriman Street and the Traffic Control Plan is to be updated to include these reversing movements.*
- c) Obtain approval from the Sydney Traffic Committee for the temporary closure of Merriman Street and the partial closure of Bettington Street for the term of construction, *as relevant.*
- d) Obtain approval from the City of Sydney for the partial closure of Clyne Reserve and its temporary use for site establishment/construction purposes, *as relevant.*
- e) Obtain a Mobile Crane Permit from the City of Sydney, *as relevant.*
- f) Consult with the RMS, TfNSW and bus operators regarding any required changes to regular bus services in the area, *as relevant.*

Any costs associated with satisfying Condition B40 shall be the responsibility of the Proponent.

ROAD OCCUPANCY LICENCE- HARBOUR CONTROL TOWER

B40A Prior to the commencement of demolition works, the Proponent is to consult with the Transport Management Centre regarding any requirements to obtain a Road Occupancy Licence.

Note: a Road Occupancy Licence is required for any activity likely to impact on the operational efficiency of the road network. The Proponent must allow 10 working days for processing from the date of receipt of the ROL application. Traffic Control Plans are to accompany each ROL application.

INTERPRETATION PLAN- HARBOUR CONTROL TOWER

B41 Prior to the commencement of demolition works, an Interpretation Plan is to be developed for the Harbour Control Tower site in accordance with the implementation and management guidelines established in Chapter 6 of the Interpretation Strategy prepared by Rintoul Associates dated November 2013. The Interpretation Plan is to be submitted and approved by the Secretary prior to the commencement of the demolition of the HCT *from the ground level and below works.*

The Interpretation plan is to incorporate the interpretation themes and key stories identified in Section 4.2 and 4.3 of the Interpretation Strategy including to comprehensively address:

- The Story of the Port of Sydney;
- The historic changes in the landform of Millers Point;
- The historic changes in the built form of Millers Point; and
- The associated labour, workers, housing and social movements which were integrally linked to the maritime activities at Millers Point.

The Interpretation Plan is to include the time-lapse recording of the demolition of the HCT required by Condition B34B.

B43. The Proponent shall finalise the detailed design of the physical interpretive structure for the Harbour Control Tower shown in plans S16-0071 LA01.01, S16-0071 LA03.01 and 21-25400-S02 in consultation with Council, the Office of Environment and Heritage (Heritage Office), the Port Authority of NSW and the Australian National Maritime Museum. The device shall:

- be of a high quality design using durable materials;
- be of a sculptural three-dimensional quality;
- be designed so that it is clearly visible as an interpretation device from adjacent parkland and vantage points;
- be designed in consultation with a public artist and suitably qualified heritage expert; and

- be consistent with the revised '*Barangaroo Harbour Control Tower Interpretation Plan*', prepared by GML Heritage and dated September 2016.

Evidence of consultation with key stakeholders and detailed design documentation for this structure shall be submitted to the Secretary for approval by **30 September 2024**.

PART D DURING CONSTRUCTION

NOISE AND VIBRATION

- D1 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.

NOISE AND VIBRATION- HARBOUR CONTROL TOWER

D1A The Proponent is to implement the Harbour Control Tower, Barangaroo-Deconstruction Works Noise and Vibration Assessment Rev.04 dated 27/04/2016 prepared by Acoustic Logic incorporating the Deconstruction Works Noise and Vibration Management Plan Rev.04 dated 27/04/2016 prepared by Acoustic Logic for the full term of the approved works. Any amendments to the Management Plan which are required throughout the work are to be resolved in consultation with the EPA.

ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

D2

- 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.

VEHICLE FOOTWAY CROSSING

- D3 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.

COVERING OF LOADS

- D4 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.

TRAFFIC IMPACT ASSESSMENT & CONSTRUCTION TRAFFIC MANAGEMENT PLAN

D5

- 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 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.

DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

D6

- 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).
- (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.

ASBESTOS MANAGEMENT PLAN- HARBOUR CONTROL TOWER

D6B The demolition of the Harbour Control Tower is to be undertaken in accordance *Harbour Control Tower Removal Works Asbestos Management Plan (Rev C)* prepared by Liberty Industrial dated 22 April 2016 including those approved requirements in relation to:

- Health and Safety Management;
- Environmental Management;
- Monitoring Program, including daily static airborne asbestos fibre monitoring; and
- Ongoing Asbestos Management including issue of a Final Clearance Report.

Any amendments to the Management Plan which are required throughout the work are to be resolved in consultation with the EPA and SafeWork NSW.

AIR QUALITY MONITORING- HARBOUR CONTROL TOWER

D6 The *Harbour Control Tower Removal Works Air Quality Management Plan (Rev. C)* prepared by JBS&G dated 21 April 2016 must be implemented during all demolition and construction works associated with the Harbour Control Tower.

Any amendments to the Management Plan which are required throughout the work are to be resolved in consultation with the EPA.

PROTECTION OF STREET TREES DURING CONSTRUCTION

D7 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.

SYDNEY WATER CERTIFICATE

- D8 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.

LOADING AND UNLOADING DURING CONSTRUCTION

- D9 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.

NO OBSTRUCTION OF PUBLIC WAY

- D10 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.

COVERING OF LOADS

- D11 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.

LONG VEHICLE RESTRICTION

- D12 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.

VEHICLE RESTRICTION

- D13 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".

- D15 The installation of the physical interpretive structure for the Harbour Control Tower shall be completed by 30 September 2025.**

- D16 The project shall be carried out in accordance with the revised '*Barangaroo Harbour Control Tower Interpretation Plan*', prepared by GML Heritage Pty Ltd and dated 20 September 2016.

The Interpretation Plan is to be updated to include the time-lapse recording of the demolition of the HCT required by Condition B34B upon its completion.

PART E - POST CONSTRUCTION

LOADING WITHIN SITE

- E1 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).

LOADING/PARKING KEPT CLEAR

E2

- (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.

PERMANENT ELECTRICITY SUBSTATION

- E3 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

HAZARDOUS MATERIAL IMMOBILISATION

AN1 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.

EMPORARY DEWATERING

AN2 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.

REQUIREMENTS OF PUBLIC AUTHORITIES FOR CONNECTION TO SERVICES

AN3 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.

USE OF MOBILE CRANES

AN4 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.

STORMWATER DRAINAGE WORKS OR EFFLUENT SYSTEMS

AN5 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.

TEMPORARY STRUCTURES

AN6 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.

LONG SERVICE LEVY (IF APPLICABLE)

AN7 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.

NON INDIGENOUS ARCHAEOLOGICAL MONITORING AND MANAGEMENT

AN8 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	Prior to occupation of the site by future users

SUBJECT	COMMITMENTS	TIMING
	proposed uses, subject to implementation of the LTEMP.	
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). 10. All water management information will be consolidated into one Soil and Water Management Plan which will be updated in accordance with the staging of works.	During construction works and during the operational phase Prior to commencement of construction 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	Prior to commencement of works on site

SUBJECT	COMMITMENTS	TIMING
	prepared for the proposed work round, past or through work sites	
	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 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.	Within 6 months of completion of construction works
	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

SUBJECT	COMMITMENTS	TIMING
	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. This plan is to include arrangements for the ongoing operation and management of the car park within	Prior to opening of the park to the public.

SUBJECT	COMMITMENTS	TIMING
	the Headland. The plan of management will be prepared in consultation with the City of Sydney.	
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

Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and

the implementation of any actions or measures contained in any such document referred to in condition A2d) above.