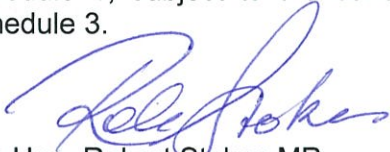


Modification of Minister's Approval

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

I, the Minister for Planning, approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2 and Statement of Commitments in Schedule 3.



The Hon. Robert Stokes MP
Minister for Planning

Sydney

30th July

2015

SCHEDULE 1

Application No.:	MP 10_0048
Proponent:	Barangaroo Delivery Authority
Approval Authority:	Minister for Planning
Land:	29-51 Hickson Road, Barangaroo (Lot 101, DP 1204946; Lots 1 and 4, DP 876514)
Project:	Barangaroo Headland Park and Northern Cove – Main Works
Modification Number:	MP 10_0048 MOD 4
Modification	The modification includes: <ul style="list-style-type: none">• Demolition and removal of the Harbour Control Tower;• Decommissioning and removal of essential services;• Construction of an interpretative structure on the site of the Harbour Control Tower; and• Replacement of the existing ground floor slab and associated works.

SCHEDULE 2

1) Insert in Part A, new Condition A2A as follows:

A2A DEMOLITION OF HARBOUR CONTROL TOWER

Notwithstanding the plans and documents listed in Condition A2 above, approval is issued for the demolition of the Harbour Control Tower and associated works, as detailed in the following plans and documents:

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.			
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

2) Insert in Part A, new Condition A11 as follows:

A11 DEMOLITION OF HARBOUR CONTROL TOWER

The methodology for the demolition of the Harbour Control Tower is to be generally in accordance with the structural dismantling method detailed in the report titled "Proposed Removal of Sydney Harbour Control Tower- Demolition Review" dated March 2014 and prepared by Evans & Peck.

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.

3) Insert in Part A, new Condition A7A as follows:

A7A COMPLAINTS MANAGEMENT SYSTEM- HARBOUR CONTROL TOWER

The proponent must ensure that the Complaints Management System established for construction of the Headland Park applies to and is maintained for the duration of the approved works.

4) Insert in Part A, new Condition A7B as follows:

A7B COMMUNITY STAKEHOLDER ENGAGEMENT STRATEGY- HARBOUR CONTROL TOWER

Prior to the commencement of work, the proponent shall ensure that the 'Community and Stakeholder Engagement Strategy' is prepared for the site. The Strategy is to include the community consultation requirements detailed in Condition B22A.

5) Insert in Part B, new Condition B1A as follows:

B1A ENVIRONMENTAL PROTECTION LICENCE- DEMOLITION OF THE HARBOUR CONTROL TOWER

Prior to the commencement of works for the demolition of the Harbour Control Tower, the applicant must ensure that the existing Environmental Protection Licence (EPL) 13336 issued to the Barangaroo Delivery Authority is varied, where required, to reflect and permit the works conducted on site under the terms of this approval.

All works must be undertaken in a manner which ensures compliance with the conditions of EPL 13336 at all times.

All Environmental Management Sub-Plans for the demolition of the Harbour Control Tower are to be updated to appropriately reference any amended terms of EPL 13336.

6) Insert in Part B, new Condition B7A as follows:

B7A FOOTPATH DAMAGE BANK GUARANTEE- HARBOUR CONTROL TOWER

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 update the 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.

7) Insert in Part B, new condition B9A as follows:

B9A PRE-CONSTRUCTION DILAPIDATION REPORTS- HARBOUR CONTROL TOWER

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 prior to the commencement of works in relation to the demolition and removal of the Harbour Control Tower. The report shall be submitted to the satisfaction of the Certifying Authority prior to commencement of work.

8) Insert in Part B, new Condition B22A as follows:

B22A- NOISE MONITORING- HARBOUR CONTROL TOWER

Prior to the commencement of works relating to the demolition of the Harbour Control Tower, the proponent is to amend the Demolition Noise and Vibration Management Plan (DNVMP) prepared by Acoustic Logic dated 9/7/2014 in consultation with and to the satisfaction of the EPA to include project specific noise and vibration monitoring regime and reactive management and mitigation measures.

The amended DNVMP is to adopt the noise management levels and highly affected noise management levels for the site, as detailed in the Demolition and Noise and Vibration Assessment prepared by Acoustic Logic dated 9/7/2014. The DNVMP is to specifically address the requirements of Condition 22 (f)-(h) and (l)-(m) and must include a suitable real-time noise monitoring program (including to monitor nearest affected residential receivers), an early warning system and reactive management procedures to ensure corrective actions are implemented prior to exceedances of the relevant construction noise criteria. The DNVMP must also address the requirements for community consultation including a community liaison (e.g. early notification procedures), complaints and response mechanism for critical stages of the works.

The DNVMP must comply with Environment Protection Licence number 13336.

A copy of the endorsed DNVMP must be provided to the Secretary and the certifier prior to the commencement of works.

9) Insert in Part B, new Condition B24A as follows:

B24A AIR QUALITY MANAGEMENT- HARBOUR CONTROL TOWER

Prior to the commencement of works, the Air Quality Management Plan (JBS, 3 July 2014) is to be amended in consultation with the EPA to address the following:

- a) requirements and/or contingencies that will be implemented in the event that friable asbestos impacted material is encountered at the Harbour Control Tower;
- b) the inclusion of an additional dust deposition monitoring location near the Harbour Control Tower for the duration of the demolition works; and
- c) the expansion of the respirable fibre monitoring program to a location in close proximity to the Harbour Control Tower.

10) Insert in Part B, new Condition B24B as follows:

B24B ASBESTOS MANAGEMENT PLAN & ASBESTOS REMOVAL CONTROL PLAN- HARBOUR CONTROL TOWER

Prior to the commencement of works, a final Asbestos Management Plan is to be prepared in consultation with the EPA. The Plan is to specifically address the following:

- Management and handling of known and potential asbestos in the HCT including the material identified in the Hazardous Materials Audit (Asbestos Survey) undertaken by Noel Arnold & Associates in 2009.
- Management and handling methodologies relevant for the approved construction methodology (i.e. structural dismantling).

In addition to the above, a site specific Asbestos Removal Control Plan is to be prepared by the licenced asbestos removal contractor. The Plan is to identify control measures to be implemented to prevent risk during asbestos removal work.

These Plans must comply with the relevant requirements in Condition D6 and are to be approved by the Secretary prior to the commencement of works.

11) Insert in Part B, new Condition B34A as follows:

B34A ARCHIVAL DOCUMENTATION- HARBOUR CONTROL TOWER

Archival documentation of the Harbour Control Tower is to be undertaken in accordance with the NSW Heritage Branch's Guidelines for the documentation of heritage places of local significance prior to commencement any works.

A copy of the Archival documentation is to be submitted to the Department, the City of Sydney Archives and the State Library of NSW prior to the commencement of works.

12) Insert in Part B, new Condition B34B as follows:

B34B RECORDING OF DEMOLITION- HARBOUR CONTROL TOWER

Prior to the commencement of works, the proponent is to set-up a time-lapse camera at an appropriate vantage point to record the demolition of the HCT over the duration of the demolition and construction program. The recording is to be included in the Interpretative Plan required by Condition B41.

13) Insert in Part B, new Condition B40 as follows:

B40 CONSTRUCTION AND TRAFFIC MANAGEMENT AND APPROVALS- HARBOUR CONTROL TOWER

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 RMS and local residents who will be affected by the road closure in Merriman Street and Bettington Street. 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.
- 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.
- d) Obtain approval from the City of Sydney for the partial closure of Clyne Reserve and its temporary use for site establishment/construction purposes.
- e) Obtain a Mobile Crane Permit from the City of Sydney.
- f) Update the Construction Traffic Management Plan required to be prepared in accordance with Condition D5(a) for the Headland Park construction to address the relevant construction methodology, staging and traffic management of the project. Any amendments to the Plan are to be approved by the City of Sydney.
- g) Consult with the RMS, TfNSW and bus operators regarding any regarding any required changes to regular bus services in the area.

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

14) Insert in Part B, new Condition B41 as follows:

B41 INTERPRETATION PLAN- HARBOUR CONTROL TOWER

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 to the Secretary for approval within four (4) months of this determination (MP10_0048 MOD 4).

The Interpretation Plan is to incorporate the interpretation themes and key stories identified in Sections 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 Interpretative Plan is to include the time-lapse recording of the demolition of the HCT required by Condition B34B.

15) Insert in Part B, new Condition 42 as follows:

B43 SERVICES DECOMMISSIONING- HARBOUR CONTROL TOWER

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL) in regard to the decommissioning, relocation and/or adjustment of the services affected by the demolition and removal of the Harbour Control Tower and associated works. Any costs associated with these works shall be the responsibility of the Proponent.

16) Insert in Part D, new Condition D1A as follows:

D1A NOISE AND VIBRATION- HARBOUR CONTROL TOWER

The EPA endorsed amended DNVMP, required to be prepared in accordance with Condition B22A, is to be implemented for the full term of works.

17) Insert in Part D, new Condition D2A as follows:

D2A ARCHAEOLOGICAL MONITORING- HARBOUR CONTROL TOWER

In the event that there are below ground works undertaken around the Harbour Control Tower entrance on the Merriman Street level, the works are to be monitored by the nominated site archaeologist in accordance with the requirements of Condition D2.

18) Insert in Part D, new Condition D6A as follows:

D6A DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT- HARBOUR CONTROL TOWER

All demolition and associated works are to be undertaken in accordance with the requirements of Condition D6.

Waste Management associated with the demolition of the HCT is to be in accordance with the EPA Brochure titled "Know your responsibilities: Managing waste from construction sites"

19) Insert in Part D, new Condition D6B as follows:

D6B ASBESTOS MANAGEMENT PLAN- HARBOUR CONTROL TOWER

The demolition of the Harbour Control Tower is to be undertaken in accordance the final approved Asbestos Management Plan (refer Condition B24B) 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.

20) Insert in Part D, new Condition D6C as follows:

D6C ASBESTOS REMOVAL- HARBOUR CONTROL TOWER

All works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "*Code of Practice for the Safe Removal of Asbestos*".

21) Insert in Part D, new Condition D6D as follows:

D6C AIR QUALITY MONITORING- HARBOUR CONTROL TOWER

The Final Air Quality Management Plan required to be prepared in consultation with the EPA (refer Condition B24A) must be implement during all demolition and construction works associated with the Harbour Control Tower.

22) Insert in Part D, new Condition D14, as follows:

D14 MAINTAINENCE PLAN- HARBOUR CONTROL TOWER

Prior to the completion of works, a Maintenance Plan is to be prepared for the Harbour Control Tower Interpretation. A copy of the Plan is to be submitted to the department within 1 month of the Plans completion.

23) In Part E, amend Condition E2 as follows (~~bold strikethrough~~):

E2 LOADING/PARKING KEPT CLEAR

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

SCHEDULE 3

Insert in Schedule 3, Statement of Commitments for the Harbour Control Tower as follows:

STATEMENT OF COMMITMENTS FOR THE DEMOLITION OF THE HARBOUR CONTROL TOWER (MP10_0048 MOD 4)		
Subject	Commitment	Timing
Demolition Methodology	A detailed construction / demolition environmental management plan is to be prepared prior to the commencement of works on site generally in accordance with the Evans & Peck Demolition Review report dated March 2014.	Prior to the commencement of works on site
Air Quality	To ensure the decommissioning and demolitions works associated with the removal of the Harbour Control Tower have minimal air quality impact and risks, and where possible, enhanced environmental outcomes works are to be undertaken in accordance with the Air Quality Management Plan prepared by JBS&G dated 3 July 2014.	During proposed works
Archaeology	Work shall be undertaken in accordance with the following recommendations to minimise potential archaeological impact: if there are to be below-ground impacts around the HCT entrance on the Merriman Street level, the works be subject to monitoring by a suitably qualified archaeologist; in the event that historical archaeological relics not assessed are found during the works, all works that would affect the find in the immediate vicinity are to cease immediately and a qualified archaeologist be contacted to assess the situation and possibly consult with the Department of Planning and Environment regarding the most appropriate course of action; in the event that Aboriginal archaeological material or deposits are encountered during earthworks, all works that would affect the find in the immediate vicinity must cease immediately to allow an archaeologist to make an assessment of the find. The archaeologist may need to consult with the Office of Environment and Heritage (OEH) and the relevant Aboriginal stakeholders, regarding the find. Section 89A of the NPW Act 1974 requires that the OEH must be notified of any Aboriginal objects discovered within a reasonable time; and should the proposed development be altered significantly from the proposed concept design, then a reassessment of the heritage/archaeological impact may be required.	During proposed works
Geotechnical	Prior to the mobilisation of works the following investigations are to be undertaken: <ul style="list-style-type: none"> • service investigations in the vicinity of the works for Merriman Street, Merriman Street footpath and Clyne Reserve, including Dial before you Dig, electronic services scans and possibly the use of ground penetrating radar; • investigations to satisfy the requirements for "Working Platforms for Tracked Plant", BRE (2004) for the crane and outrigger pad foundations; • Obtain advice from a geotechnical consultant as to the design bond strength for hold-down anchors (if required); and • Confirmation of foundation requirements for a tower crane, should it be required. 	Prior to mobilisation of works on site

Noise & Vibration	The proposed works are to be undertaken in accordance with the Preliminary Noise and Vibration Management Plan prepared by Acoustic Logic dated 9 July 2014.	During proposed works
Heritage & Interpretation	Development is to be undertaken in accordance the Interpretation Strategy prepared by Rintoul Associates dated November 2013.	During proposed works
Soil & Water Management	Development is to be undertaken in accordance with the Soil and Water Management Plan prepared by Boulderstone dated 26 November 2013.	During proposed works
Waste	Development is to be undertaken in accordance with the Waste Management Plan prepared by Boulderstone date 26 November 2013.	During proposed works
Construction Traffic Management	Development is to be undertaken in accordance with the Construction Traffic Management Plan prepared by GTA Consultants dated 21 March 2014.	During proposed works
Asbestos Management	An asbestos management plan has been prepared and forms part of the revised Air Quality Management Plan JBS&G dated 3 July 2014. Material containing asbestos will be removed by an accredited asbestos removal team in accordance with legislative requirements.	During proposed works
Consultation	The Authority will undertake a range of communication and consultation activities. These will include one-on-one meetings, information and consultation meetings, digital information via the Authority's website and social media platforms, as well a letterbox drop to neighbours.	Prior to and during the proposed works.

End of modification to MP 10 0048 MOD 4