

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 07_0077

(FILE NO. S07/01342-1)

BARANGAROO DEMOLITION WORKS, EAST DARLING HARBOUR

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

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

Frank Sartor MP
Minister for Planning

Sydney, 2007

SCHEDULE 1

MAJOR PROJECT NO. 07_0077

PART A—TABLE

Application made by:	Sydney Harbour Foreshore Authority
Application made to:	Minister for Planning
Major Project Application:	MP 07_0077
On land comprising:	Barangaroo, East Darling Harbour Lots 3 & 5 DP876514
Local Government Area	City of Sydney
For the carrying out of:	Demolition works at Barangaroo, East Darling Harbour
Estimated Cost of Works	Stage 1 - \$4,215,000 Stage 2 - \$915,000
Type of development:	Major Project
S.119 Public inquiry held:	No
Determination made on:	
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF MP No. 07_0077

Responsibility for other consents / agreements

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

Appeals

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

Appeals—Third Party

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

Legal notices

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

PART C—DEFINITIONS

In this approval:

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

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

Certifier has the same meaning as Section 116G of the Act.

Council means City of Sydney Council.

EPA means the NSW Environment Protection Authority.

DECC means the Department of Environment and Climate Change.

Department means the Department of Planning or its successors.

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

Environmental Assessment means the Environmental Assessment prepared by JBA Urban Planning Consultants and dated July 2007 and as modified by the amendments prepared by JBA Urban Planning Consultants dated 11 October 2007.

Minister means the Minister for Planning.

MP 07_0077 means the Major Project described in the Proponent's Environmental Assessment.

Proponent means Sydney Harbour Foreshore Authority or any party acting upon this approval.

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

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

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 07_0077

PART A—ADMINISTRATIVE CONDITIONS

A1 DEVELOPMENT DESCRIPTION

1. Development approval is granted only to carrying out the development described in detail below:
 - Stage 1 Demolition works including transit sheds 3, 4, 5 & 6 and shade cloth structure.
 - Stage 2 Demolition of transit shed 8; entry gatehouse; light towers; vehicle wash down bay; diesel/gas tanks and storage shed; Sydney Ports Office buildings; Sydney Ports Amenities building; and services decommissioning.
2. These conditions of approval do not relieve the Proponent of its obligations under any other Act.

A2 DEVELOPMENT IN ACCORDANCE WITH DOCUMENTS

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

1. *Environmental Assessment Report* prepared by JBA Urban Planning Consultants including all appendices and the Proponent's Statement of Commitments (Schedule 3) on behalf of Sydney Harbour Foreshore Authority, dated July 2007 and as modified by the amendments prepared by JBA Urban Planning Consultants and dated 11 October 2007.
2. *Heritage Impact Statement* prepared by City Plan Heritage and dated July 2007.
3. *Barangaroo Interpretation Strategy* prepared by City Plan Heritage and dated June 2007.
4. *Environmental and Construction Management Plan (Demolition)* prepared by ERM Pty Ltd and dated July 2007;
5. *Draft Stage 1 Remedial Action Plan* prepared by ERM Pty Ltd and dated July 2007;
6. *Demolition Noise and Vibration Management Plan* dated September 2007 and prepared by Acoustic Logic Consultancy.
7. *Demolition Transport Management Plan* dated July 2007 and prepared by Jamieson Foley & Associates Pty Ltd;
8. *Services Infrastructure Decommissioning Report – Barangaroo Demolition* prepared by Lincolne Scott Australia Pty Ltd and dated 4 July 2007.
9. *Hazardous Materials Re-Inspection Survey Report, Sydney Ports Corporation* prepared by Noel Arnold and Associates and dated June 2006.
10. *NSW Quantitative Human Health Risk Assessment* prepared by ERM Pty Ltd and dated September 2007.
11. *Site Audit Report – Barangaroo* prepared by WSP Environmental and dated 5 September 2007.

A3 INCONSISTENCY BETWEEN DOCUMENTS

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, including the Proponent's Statement of Commitments, the conditions of this approval prevail.

A4 PRESCRIBED CONDITIONS

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

PART B—PRIOR TO DEMOLITION**B1 DEMOLITION WORKS**

Demolition works associated with the development must be carried out in a safe manner by trained personnel under the management of a licensed demolisher who is registered with the Work Cover Authority, in accordance with a work method statement which demonstrates the following:

1. Any demolition on the site is to be conducted in strict accordance with *AS 2601-2001: Demolition of Structures*;
2. Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust-proof screens, wet-lead safe work practices, or other measures is required;
3. All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to *AS/NZS 1716:2003 : Respiratory Protective Devices* and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998);
4. Demolished combustible materials must not be stockpiled. Material must be removed regularly;
5. Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment;
6. All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.

The work method statement shall be provided to and approved by the Certifier for each Stage prior to the commencement of the demolition works at each stage.

B2 LIGHTING OF SITE OUTSIDE OF APPROVED DEMOLITION HOURS

Lighting of the site while any work is undertaken outside of the approved hours of demolition must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of Council, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.

B3 REMEDIATION OF THE SITE

1. The site is to be remediated and validated in accordance with the following reports:

- (a) *Draft Stage 1 Remedial Action Plan* (RAP) prepared by ERM and dated July 2007;
 - (b) *NSW Quantitative Human Health Risk Assessment* prepared by ERM and dated September 2007;
 - (c) *Environmental and Construction Management Plan* prepared by ERM and dated July 2007; and
 - (d) *Site Audit Report – Barangaroo*, prepared by WSP Environmental and dated 5 September 2007.
2. Any variations to the RAP shall be approved in writing by the Accredited Site Auditor and the DECC prior to the commencement of such work. A copy is to be provided to the Department and Council.

B4 WASTE MANAGEMENT PLAN

A Waste Management Plan for the demolition works shall be submitted to the Department, Council and DECC prior to the commencement of demolition works at each Stage and must address the following requirements:

1. Describe the procedures by which waste will be minimized, managed and recycled;
2. Address details of recycling and the removal of spoil and rubbish from the site during demolition;
3. Outline the type and quantities of waste material expected to be generated from demolition and excavation;
4. Outline the name and address of the transport company;
5. Outline the address of the proposed site of disposal;
6. Outline the name and address of company/organisation accepting material; and
7. Investigation of hazardous building materials to address data gaps identified in the *Hazardous Materials Re-Inspection Survey Report, Sydney Ports Corporation* prepared by Noel Arnold and Associates and dated June 2006.

B5 ENVIRONMENT PROTECTION – WATER AND SEDIMENT CONTROL

A Water and Sediment Control Plan shall be submitted to the Department and Council prior to the commencement of demolition works at each Stage. The Water and Sediment Control Plan is to be consistent with the principles and practices set out in *Managing Urban Stormwater–Soils & Construction Volume 1* (2004) by Landcom and must include:

1. The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
2. The procedures to be adopted for the prevention of run-off from the site onto the public way; and
3. The procedures to be adopted for the prevention of loose material and litter from being blown onto the public way.

During the demolition works:

4. Erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;

5. Erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of demolition; and
6. Demolition operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

The Water and Sediment Control Plan is to be implemented prior to the commencement of demolition works at each Stage on the site.

B6 ARCHIVAL RECORDING OF SITE

Prior to commencement of demolition works on the site, the Proponent will undertake an Archival Recording of the whole Barangaroo site prior to works being undertaken. The Archival Recording is to be prepared in accordance with NSW Heritage Office Guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'. One copy of the record is to be submitted to Council to be lodged with Council's Archives and one copy is to be provided to the Department.

The recording of the site should include an aerial view, views from Darling Harbour, Hickson Road and from Millers Point Special Area.

B7 PROTECTION OF HERITAGE FABRIC – SANDSTONE SEAWALLS

The proposed works are to be carried out in a manner that minimises risk of damage to the sandstone sea walls whether from demolition works albeit damage from impact, vibration, or airbourne dust and debris, from demolition plant or from sea craft associated with the works mooring alongside the wall in accordance with the *Heritage Impact Statement* prepared by City Plan Heritage and dated July 2007.

B8 PROTECTION OF STREET TREES DURING DEMOLITION

All street trees adjacent to the site must be protected at all times during demolition, 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 commencement of demolition works and such approval should be forwarded to the Department. All approved protection measures must be maintained for the duration of demolition and any tree on the footpath which is damaged or removed during demolition must be replaced.

B9 NOISE AND VIBRATION MANAGEMENT PLAN

Prior to commencing demolition works, and once a contractor has been appointed, the Proponent must submit to the Department and DECC, a revised Noise and Vibration Management Plan in accordance with the *Demolition Noise and Vibration Management Plan*, dated September 2007 and prepared by Acoustic Logic Consultancy.

B10 NOISE AND VIBRATION MANAGEMENT – NOISE LEVEL MONITORING

Prior to and during demolition works, the Proponent must provide the Department, DECC and Council with the results of noise level monitoring, measured at Receiver Locations specified in Section 8 of the *Demolition Noise and Vibration Management Plan* prepared by Acoustic Logic Consultancy dated 30 September, 2007. The monitoring must be undertaken during the approved demolition hours.

B11 COMMUNITY CONSULTATION PLAN

A Community Consultation Plan shall be developed to provide the Proponent and the community with the appropriate resources to manage environmental and amenity impacts

through information sharing and working in partnership. The plan should include, however not be limited to the following:

1. Site notice board located at entrance to site in a conspicuous position and having minimum dimensions 841 mmx594mm (A1) with any text on the notice board to be a minimum of 30 point type size;
2. Periodic newsletters mailed or emailed to concerned residents and business operators;
3. Communication meetings at appropriate intervals;
4. Formal complaint management system to respond to all complaints in a timely manner and advise complainants of outcomes;
5. Regular personal contact with residents and business operators affected by the site;
6. Establish protocols for resolving differences;
7. Seek feedback from community groups and individuals, and
8. Consultation between Proponent, contractor, residents and business operators to resolve pre-determined arrangements to reduce environmental impacts.
9. The site notice board and newsletter should include as a minimum the following information:
 - a) Company Name;
 - b) Designated contact person for site, with 24 hour contact details; and
 - c) Proposed time frames for site activities.

B12 NOTIFICATION OF DEMOLITION WORKS

DECC and Council must be given a minimum of 48 hours notice that demolition works are about to commence.

B13 VEHICLE CLEANSING

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

B14 DEMOLITION TRAFFIC ROUTES

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

In particular, the Proponent is required to liaise with the Roads and Traffic Authority and State Transit Authority concerning the suitability of York and Market Streets for demolition traffic access routes. In addition, the Proponent is required to liaise with the Sydney Ports Authority regarding traffic routes and access points to the site in relation to the continuing operation of the facility.

B15 DEMOLITION TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, shall be designed in accordance with Roads and Traffic Authority Technical Directives and, where relevant, shall be referred to the Council Traffic Committee for approval prior to any work commencing on site.

B16 COST OF SIGNPOSTING

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

B17 ROAD OPENING PERMIT

A separate Road Opening Permit under Section 138 of the Roads Act 1993 shall be obtained from Council prior to the commencement of any:

1. Excavation in or disturbance of a public way, or
2. Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

B18 SITE NOTICE

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

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

B19 CONTACT TELEPHONE NUMBER

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

PART C—DURING DEMOLITION**C1 ARCHEOLOGICAL DISCOVERY DURING EXCAVATION**

1. Should any historical relics 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.
2. 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.

C2 NO OBSTRUCTION OF PUBLIC WAY

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

C3 DEMOLITION TRAFFIC

1. All loading and unloading associated with demolition must occur on site;
2. All vehicles must enter and leave the site in a forward direction;
3. The cost of all traffic management works during demolition shall be borne by the Proponent;
4. No trucks associated with the demolition works are permitted to park or stand on public roadways;
5. Gates shall be closed between vehicle movements;
6. Arrival route B shall only be used after 9.30am on weekdays;
7. Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods; and
8. The Proponent shall investigate the feasibility of removing debris and materials for recycling by barge, either partially or wholly.

C4 EROSION AND SEDIMENT CONTROL

All erosion and sediment control measures, as designed in accordance with Condition B5 – ENVIRONMENT PROTECTION – WATER AND SEDIMENT CONTROL, are to be effectively implemented and maintained at or above design capacity for the duration of the demolition works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

In addition, during the demolition period:

1. Demolition works will be carried out in such a way that no demolition debris falls, flows or is carried to the bed or waters of Sydney Harbour.
2. No sediment and like material can enter the waterway or drainage system for the duration of works.
3. Any haybales that are used for erosion, sediment and pollution control are to be suitably treated (e.g. wrapped in geotextile fabric) and secured so that potential for seeds or other propagules to enter the marine environment is minimised.
4. A suitably constructed and managed sediment fence is to encompass the site along the entire boundary adjoining NSW Maritime land.
5. It is an offence to pollute classified waters such as Sydney Harbour to which much of the city's street drainage is directly connected. Excavation and demolition procedures shall ensure that: -
 - a) Trucks used for the disposal of spoil shall not be washed out on the public way;
 - b) Any water collected from on site washing down of trucks used for the disposal of spoil shall not be directed or allowed to flow to the street stormwater system;
 - c) Any seepage or rain water collected on site during demolition shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the Director City Development

C5 CLASSIFICATION OF WASTE

All waste on the premises must be classified according to the EPA "Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes" (2004) prior to the waste being removed from the premises. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the

waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility.

C6 CONTAMINATION

Any new information which comes to light during remediation, demolition or demolition works which has the potential to alter previous conclusions about site contamination must be immediately notified to DECC, Council and the certifier.

C7 REMOVAL AND TRANSPORT OF HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition activities must be removed and/or transported in accordance with the requirements of the Department of Environment and Climate Change (DECC) and the NSW Work Cover Authority pursuant to the provisions of the following:

1. *Protection of the Environment Operations Act 1997.*
2. *Protection of the Environment Operations (Waste) Regulation 1996.*
3. *NSW Waste Minimisation and Management Act 1995.*
4. *NSW Waste Minimisation and Management Regulation 1996.*
5. *Waste Avoidance and Recovery Act 2001.*
6. *New South Wales Occupational Health & Safety Act 2000.*
7. *New South Wales Construction Safety Act 1912 (Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983).*
8. *The Occupational Health & Safety Regulation 2001.*
9. *The Occupational Health & Safety (Asbestos Removal Work) Regulation 1996.*
10. Department of Environment and Conservation (NSW). *The Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-liquid Wastes.*
11. Standards Australia. *Initial Emergency Response Guide* (HB 76-2004).
12. Standards Australia. *Selection and Use of Emergency Procedure Guides for the Transport of Dangerous Goods* (AS 2931-1999).

C8 AIR MONITORING

Continuous air monitoring, to the satisfaction of the Site Auditor, should be carried out at the site boundary to measure dust and asbestos.

C9 DIRT AND DUST CONTROL MEASURES

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during demolition. In particular, the following measures must be adopted to the satisfaction of DECC and Council.

1. Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions;
2. All materials shall be stored or stockpiled at the best locations;
3. The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs;

4. All equipment wheels shall be washed before exiting the site using manual or automated sprayers or drive-through washing bays in order to prevent mud, dust or debris from being deposited on council roads;
5. All trucks leaving the site are to be appropriately covered to prevent the escape of dust or other material on to public roads;
6. The streets shall be kept free from detritus material during the course of work. The Proponent shall monitor the state of roadways leading to and from the site and take all necessary steps to clean up any adversely impacted road pavements;
7. Cleaning of footpaths and roadways shall be carried out regularly;
8. At no times should compressed air be used to blow dust from the site into the atmosphere; and
9. No burning of demolished material is permitted on the site.

C10 ASBESTOS REMOVAL

1. The removal of any asbestos and material containing asbestos from the site shall be carried out in accordance with any requirements of the WorkCover Authority of NSW, the Waste Management Authority and the Environmental Protection Authority and Australian Standard 1319, and the following legislation:
 - a) *The Construction Safety Act 1912* (as amended).
 - b) *The Occupational Health and Safety Regulations 1988*.
 - c) *The Waste Disposal Act 1970* (as amended).
2. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
3. The licensed Asbestos Removalist shall submit a method statement through the Proponent to Council. The statement shall include procedures designed to ensure that employees and other tradesmen/occupants in the building are not exposed to asbestos to an extent likely to cause danger to their health. The procedures shall include -
 - a) Warning signs;
 - b) Removal;
 - c) Safe working procedures;
 - d) Personal protective equipment;
 - e) Cleaning, decontamination and waste disposal; and
 - f) Environmental monitoring.
4. All works undertaken shall be in accordance with AS 2601 - 1991. The Demolition of Structures, code of Practice for the Safe Removal of Asbestos (NOHSC:2002 (1988) and Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Dust (NOHSC: 3033 (1998)). The work plans required by this standard shall be accompanied by a written statement from a competent and appropriately qualified person that the proposals contained in the work plan comply with the safety requirements of the standard before commencement of work.
5. Air monitoring is required when asbestos removal is in progress and the Membrane Filter Method shall be used. The determination of airborne asbestos fibre level for control air monitoring action level shall be in accordance with the Code of Practice for the Safe Removal of Asbestos. (NOHSC: 2002 (1988)).

C11 PROHIBITION OF ASBESTOS RE-USE

No asbestos products are to be reused on the site (i.e. packing pieces, spacers or fill etc).

C12 DISPOSAL OF ASBESTOS

Asbestos to be disposed of must only be transported to waste facilities licensed to accept asbestos. The names and location of these facilities are in Part 6 of the City of Sydney's Asbestos Policy.

C13 SKIPS AND BINS

No asbestos laden skips or bins are to be left in any public place.

C14 ASBESTOS REMOVAL SIGNAGE

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site prior to any asbestos removal.

C15 NOTIFICATION OF ASBESTOS REMOVAL

All adjoining properties and those opposite the development, including the Childcare Centre and residential properties on the western side of Kent Street as well as the Mediterranean Shipping Company, must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email address.

C16 HOURS OF WORK AND NOISE

The hours of demolition and work on the development must be as follows:

1. All demolition work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
 - a) 7.00am and 6.00pm on Mondays to Fridays,
 - b) 8.00am and 1.00pm on Saturdays, and
 - c) No work must be carried out on Sundays or public holidays.
2. All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
3. Works may be undertaken outside these hours where:
 - a) The delivery of materials is required outside these hours by the Police or other authorities;
 - b) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - c) The work is approved by the Demolition Noise and Vibration Management Plan;
 - d) Residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

C17 NOISY DEMOLITION WORKS

The Proponent shall schedule noisy demolition works such as rock breaking and hydraulic hammering and any similar activity only between the following hours:

1. 9.00 am to 12.00 pm, Monday to Friday;

2. 2.00 pm to 5.00 pm Monday to Friday; and
3. 9.00 am to 12.00 pm, Saturday

C18 NOISE AND VIBRATION MANAGEMENT – NOISE LEVEL MONITORING

During demolition works, the Proponent must provide the Department, DECC and Council with the results of noise level monitoring, measured at Receiver Locations specified in Section 8 of the *Demolition Noise and Vibration Management Plan* prepared by Acoustic Logic Consultancy dated 30 September, 2007. The monitoring must be undertaken during the approved demolition hours.

C19 SYDNEY PORTS OPERATIONS

Demolition works will be programmed to minimise conflicts with passenger ships berthing at Wharf 8 and container ships berthing at Wharf 3.

C20 SITE SECURITY

A 24-HOUR security presence is to be provided on site throughout the duration of demolition works.

PART D – POST DEMOLITION

D1 ROAD DAMAGE

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of demolition works associated with the approved development is to be met in full by the Proponent.

PART E—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

E1 TEMPORARY EVENTS

Suitable approvals are to be obtained by the Proponent prior to any temporary events being held at the Barangaroo site.

ADVISORY NOTES

AN1 USE OF MOBILE CRANES

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

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 demolition and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN2 TEMPORARY STRUCTURES

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

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

AN3 DISABILITY DISCRIMINATION ACT

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

SCHEDULE 3

STATEMENT OF COMMITMENTS

MAJOR PROJECT NO. 07_0077

ENVIRONMENTAL MANAGEMENT AND MITIGATION MEASURES

1. Noise, vibration, dust, soil and erosion arising from the proposed demolition works will be managed in accordance with the Environmental and Construction Management Plan (E&CMP) prepared by ERM. The E&CMP will be updated if required. Prior to, and throughout the duration of the demolition works.
2. The necessary approvals and permits required will be obtained prior to demolition works commencing. Prior to works commencing.
3. All operations and activities occurring on the site will be carried out in a manner that will minimise the emissions of dust from the premises.

WATER QUALITY

4. Any works relating to sediment and erosion control measures on the site will be implemented in accordance with "Managing Urban Stormwater – Soils and Construction" (Department of Housing/Landcom 2004). Throughout the duration of the demolition works.
5. Demolition works will be carried out so that no demolition debris falls, flows or is carried to the bed or waters of Sydney Harbour
6. Measures will be implemented to ensure that no sediment, fines or like material will enter the waterway or drainage system. Throughout the duration of the demolition works.
7. Any haybales that are used for erosion, sediment or pollution controls are to be suitably treated and secured so that the potential for seeds or other propagules to enter the marine environment is limited. Throughout the duration of the demolition works.

WASTE MANAGEMENT

9. All waste on the premises will be classified according to the EPA "Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes" (2004) prior to waste being removed from the site. Throughout the duration of the demolition works.
10. Hazardous materials will be securely covered while transported. Throughout the duration of the demolition works.

HERITAGE

11. A photographic recording of all buildings and structures to be demolished on the site will be prepared by a qualified and experienced heritage practitioner. Prior to works commencing.
12. Appropriate protection measures will be implemented around heritage items located on the site. In particular the measures included in Section 6.3 of the Heritage Impact Statement prepared by City Plan Heritage will be implemented to protect the Seawall during the demolition process. Prior to, and throughout, demolition works.

13. An appropriately qualified and experience heritage practitioner or archaeologist will be engaged to oversee the removal of footings and any other subsurface work. As required throughout demolition works.

14. Should any archaeological remains be found, work will cease and the Heritage Council will be notified in accordance with the requirements of the Heritage Act 1977. As required throughout demolition works.

15. The Interpretation Strategy will be further explored and developed during the detailed design phase of the Barangaroo Project and will include details such as budgeting and the identification of stakeholders in relation to the implementation. To be undertaken during the detailed design of either the public domain works or built form.

TRANSPORT

16. Demolition works will be undertaken in accordance with the Demolition Transport Management Plan prepared by Jamieson Foley Pty Ltd. Throughout the duration of the demolition works.

17. All demolition vehicles will be parked on the site and will not park within the local streets. This includes demolition contractors/staff. Throughout the duration of the demolition works.

18. All demolition vehicles will be washed down prior to leaving the site. Throughout the duration of the demolition works.

19. SHFA will liaise with the RTA and the STA in respect to the capacity of the intersection of York and Market Streets as required. Ongoing.

20. Temporary safe pedestrian routes will be provided along the Hickson Road frontage of the site. Throughout the duration of the demolition works.

REMEDIATION WORKS / CONTAMINATED LAND

21. The proposed remedial works will be undertaken in accordance with the Stage 1 Remediation Action Plan (RAP) prepared by ERM. Prior to, and throughout, demolition works.

22. Remediation works will be validated by a suitably qualified environmental consultant. The validation of site works will then be submitted to a NSW DECC accredited Site Auditor for sign off. Immediately following demolition and remediation works.

23. Further more detailed RAPs will be prepared for future stages of the redevelopment of Barangaroo. Ongoing.

RESIDENTIAL AMENITY

24. Noise mitigation measures as outlined by Acoustic Logic Consultants will be complied with. Throughout the duration of the demolition works.

25. Hours of demolition works will be limited to 7am - 6pm, Monday to Friday and Saturday 8am – 2 pm. Throughout the duration of the demolition works.

26. If required the Noise Management Plan (NMP) will be updated by the demolition contractor. As required.

STAKEHOLDER CONSULTATION

27. Further consultation and information sessions will be held as necessary to communicate the redevelopment process and to ensure all stakeholders have the opportunity to keep up to date on the progress of the redevelopment of Barangaroo. Ongoing.

28. SHFA's Stakeholder Manager will formulate a list of stakeholders who wish to be kept regularly up to date on the demolition project. Should anyone wish to be on the register they should contact the Stakeholder Manager on 9240 8893. As required throughout the duration of the demolition works.

29. A 24 hour contact number will be available throughout the duration of the demolition works which residents can call if there is an emergency (1300 655 995). Should any resident have a complaint or suggestion regarding the carrying out of the demolition works, SHFA's Stakeholder Manager can be contacted on 9240 8893 (standard business hours). Throughout the duration of the demolition works.

30. A site notice board will be erected at the main entry to the site which includes the following information as a minimum:

- Name of the Demolition Contractor
- Designated contact person for the site, with 24 hour contact details
- Telephone and facsimile numbers and email address

Prior to works commencing on the site.

31. Should out of hours works be required, residents will be given one weeks notice. As required.

SITE SECURITY

32. 24 hour security presence will be maintained on the site. This will be the responsibility of the Demolition Contractor. Throughout the duration of the Demolition Works.

SYDNEY PORTS OPERATIONS

33. Demolition of the Wharf 8 Passenger Terminal, Sydney Ports Office building and Sydney Ports Amenities building will not occur until a suitable alternative has been approved and constructed to the satisfaction of the Sydney Ports Authority (SPA). Subject to future consultation with the Sydney Ports Authority.