

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

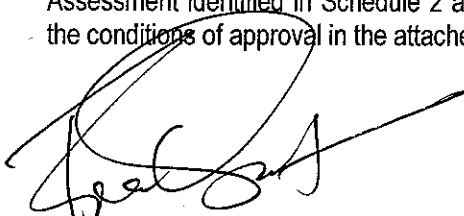
DETERMINATION OF MAJOR PROJECT NO. 07_0120

(FILE NO. S07/01327-2)

THE FORMER CARLTON UNITED BREWERIES SITE, CHIPPENDALE
Demolition Of Existing Structures, Associated Stabilising Works And Recycling Of Demolition Materials

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 Schedule 2 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

12th March 08

Sydney, 2008

SCHEDULE 1

MAJOR PROJECT NO. 07_0120

PART A—TABLE

Application made by:	Fraser Greycliff Developments Pty Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 07_0120
On land comprising:	The former Carlton United Breweries site at 26 Broadway, Chippendale comprising the following lots: Folio Identifier 1539/43748, Folio Identifier 1/207743, Folio Identifier 1/189736, Folio Identifier 1/43731, Folio Identifier 2/630747, Folio Identifier 1/190327, Folio Identifier 1/191024, Folio Identifier 1/228682, Folio Identifier 1/185453, Volume 7275 Folio 73, Folio Identifier 1/630747, Folio Identifier 1/723984, Folio Identifier 1/87874, Folio Identifier 1/807298, Folio Identifier 1/191230, Volume 4519 Folio 40, Folio Identifier 11/626951, Folio Identifier 1/722227, Folio Identifier 2/722227, Volume 3872 Folio 23, Auto Consol 7514-74, Folio Identifier 26/650913, Folio Identifier 1/101611, Auto Consol 15024-245, Auto Consol 6335-184, Auto Consol 8630-206, Volume 9832 Folio 183, Folio Identifier 1/709452, Auto Consol 6203-118.
Local Government Area	City of Sydney
For the carrying out of:	Demolition of existing structures, associated stabilising works and recycling of demolition materials.
Estimated Cost of Works	\$9.98 million
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

PART B—NOTES RELATING TO THE DETERMINATION OF MP No. 07_0120

Responsibility for other consents / agreements

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

Appeals

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

Appeals—Third Party

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

Legal notices

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

PART C—DEFINITIONS

In this approval:

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

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

Council means City of Sydney Council.

DECC means the Department of Environment and Climate Change.

Department means the Department 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 October 2007 and as modified by the amendments prepared by JBA Urban Planning Consultants dated February 2008.

EPA means the NSW Environment Protection Authority.

Expert Consultant/Certifier means the person or unit or agency or company appointed by the Proponent to act to monitor that the works approved in this consent, are carried out in accordance with the conditions of this consent.

Minister means the Minister for Planning.

MP 07_0120 means the Major Project described in the Proponent's Environmental Assessment.

Proponent means Fraser Greencliff Developments Pty Ltd or any party acting upon this approval.

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

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

Works Contractor means the contractor and any sub-contractors appointed by the Proponent to undertake the works that form part of this consent.

SCHEDULE 2**RECOMMENDED CONDITIONS OF APPROVAL****MAJOR PROJECT NO. 07_0120**

PART A—ADMINISTRATIVE CONDITIONS**A1 Development Description**

1. Development approval is granted only to carrying out the development described in detail below:

Stage 1 (entire site)

- Building and roads dilapidation survey;
- Protection of heritage buildings
- Identification and removal/protection of items with heritage significance, interpretive value or artistic merit;
- Disconnection and blocking of site services;
- Removal of hazardous materials; and the soft strip of buildings

Stage 2a, 2b, 3 and 4 (Precincts as described in the Environmental Assessment)

- Mechanical demolition of nominated structures, excluding items set out in Condition A1 (2) below;
- Breakdown of materials for recycling and transport; and
- Localised ground investigations to determine site remediation and areas of archaeological significance.

2. The following works shall not proceed until remediation works are approved, and remediation works are to commence on site:
- a. Removal of ground slabs of buildings to be demolished;
 - b. Removal of nominated areas of hardstand; and
 - c. Removal of any road or footpath surface within the site.
3. 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 Fraser Greycliff Developments Pty Ltd, dated October 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.

PART B—PRIOR TO COMMENCEMENT OF WORKS

B1 Appointment Of Expert Consultant/Certifiers

The Proponent shall appoint the following Expert Consultant/Certifiers:

1. An Expert Consultant/Certifier with relevant technical expertise/qualifications to:
 - a. Review and Approve documentation to be produced by the Works Contractor undertaking the works that are part of this consent;
 - b. Monitor that works are undertaken in accordance with the conditions of this consent; and
 - c. Assess and Certify all progress and compliance reports

All certified progress and compliance reports shall be submitted to the Department.

2. A **Heritage Architect**, experienced in working with heritage sites and heritage structures, to oversee works undertaken in, adjacent and in the vicinity of the heritage items to be retained on the subject site, and heritage items located in the vicinity of the subject site. The Heritage Architect will undertake the following:
 - a. Ensure that works are undertaken in accordance with the recommendations of the mitigation measures outlined in the *Frasers Broadway Site Demolition and Recycling - Heritage Impact Statement* by Godden Mackay Logan Pty Ltd dated October 2007;
 - b. Ensure and endorse that documentation for heritage works produced by the Works Contractor complies with the recommendations of the mitigation measures referred to in (a) above and with best practice principles for the conduct of such works as advocated by the Burra Charter and the NSW Heritage Council.
 - c. Provide evidence of compliance with (b) above to the Expert Consultant/Certifier (Condition B1(1)) prior to commencement of that part of works.
3. A **Structural Engineer**, experienced in working with heritage sites and heritage structures, to undertake the following:
 - a. Ensure the structural integrity and structural stability of buildings to be retained on the subject site;
 - b. Ensure and endorse that works to stabilise buildings to be retained on the subject site are in accordance with the relevant standards for the design and conduct of such works.
 - c. Provide evidence of compliance with (b) above to the Expert Consultant/Certifier (Condition B1(1)) prior to commencement of that part of works.

B2 Documentation To Be Produced By The Works Contractor

1. Prior to commencement of works, the Works Contractor shall prepare and/or update the following documentation for the conduct of the subject works, to the satisfaction of the Expert Consultant/Certifier. Where relevant, if the documentation required relates to specific buildings or areas, documentation will be required to be approved prior to commencement of work on the specific building or area:
 - a. Demolition contractor documents outlined in the *Construction Environmental Management Plan* by URS dated 12 October 2007;
 - b. Further documentation required in accordance with the *Demolition and Recycling – Vibration and Noise Assessment & Management Plan* dated October 2007 and prepared by Acoustic Logic Consultancy;
 - c. Detailed methodologies and/or designs for the conduct of work on heritage buildings, structures and/or fabric, in accordance with the Mitigative Measures outlined in the *Heritage Impact Statement* dated October 2007 by Godden Mackay Logan.
2. All recommendations for conduct of works arising from documentation produced as a result of this clause will be adopted as additional conditions to be applied to this consent.
3. The documentation required under this condition does not relieve the Proponent of its obligations to prepare or submit other documentation or applications under any other part of the *Environmental Planning and Assessment Act, 1979* or any other Act.

B3 Hoardings

The proponent shall submit details of proposed hoardings fronting Broadway and Abercrombie Street to the Department. This shall include graphics/art that may include imagery of the proposed development and artistic images, but not third party advertising.

The hoardings shall be prepared having regard to relevant Council policies and to the written satisfaction of the Department.

The hoardings shall be erected prior to or concurrent with demolition works fronting Broadway and Abercrombie Street.

B4 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;

The work method statement shall be provided to and approved by the Expert Consultant/Certifier prior to the commencement of the demolition works.

B5 Waste Management Plan Including Removal And Transport Of Hazardous & Industrial Waste

General

1. 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 relevant Acts, regulations and Codes of Practice;
2. A Waste Management Plan for the demolition works shall be submitted to the Expert Consultant/Certifier prior to the commencement of demolition works and must address the following requirements:
 - a. Describe the procedures by which waste will be minimized, managed and recycled;
 - b. Address details of recycling and the removal of spoil and rubbish from the site during demolition;
 - c. Outline the type and quantities of waste material expected to be generated from demolition and excavation;
 - d. Outline the name and address of the transport company;
 - e. Outline the address of the proposed site of disposal;
 - f. Outline the name and address of company/organisation accepting material; and
 - g. 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.
3. All waste on the premises must be classified according to the DECC (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.

Asbestos

4. 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.
5. The licensed Asbestos Removalist shall submit a method statement through the Proponent to the Expert Consultant/Certifier prior to commencement of asbestos removal. 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.
6. 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;
7. 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; and
8. No asbestos laden skips or bins are to be left in any public place.

B6 Environment Protection – Water And Sediment Control.

A Water and Sediment Control Plan shall be submitted to the Expert Consultant/Certifier prior to the commencement of demolition works. 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 controls must 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;
6. 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;
7. 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;
8. No sediment and like material can enter the drainage system for the duration of works;
9. 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 stormwater system is minimised; and

10. It is an offence to pollute classified waters such as Sydney Harbour and Blackwattle Bay to which much of the city's street drainage is directly connected. Demolition procedures shall ensure that 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 Council.

B7 Archival Recording Of Site

1. Prior to commencement of demolition works on the site, the Proponent will undertake an Archival Recording of the subject site prior to works being undertaken. 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.
2. The Proponent will also undertake Archival Recording of the subject site at the following stages of works:
 - a. Works in progress including site preparation (works conducted as part of this approval) and construction stages as recommended by the Heritage Architect;
 - b. On completion of works.
3. The archival recording for the site preparation stages will be retained by the Proponent until completion of archival recording of site preparation works (including works conducted as part of this approval), at which time the combined archival record of site preparation works will be submitted as above to Council and the Department.
4. The Archival Recording is to be prepared in accordance with NSW Heritage Office Guidelines titled '*How to prepare Archival Records of Heritage Items*' & '*Photographic Recording of Heritage Items using Film or Digital Capture*'.
5. The recording of the site should include an aerial view, and views to and from Broadway, University of Technology Sydney, Regent Street and Mortuary Station.

B8 Protection Of Heritage Fabric – Items Salvaged

The proposed works are to be carried out in a manner that minimises risk of damage to the items of heritage significance to be salvaged whether from demolition works albeit damage from impact, vibration, or airborne dust and debris, from demolition plant or during transit and storage.

All items salvaged shall be conserved upon removal and stored appropriately.

The above works shall be conducted in accordance with the Mitigative Measures outlined in the *Heritage Impact Statement* dated October 2007 by Godden Mackay Logan and best practice principles for the conduct of such works as advocated by the *Burra Charter* and the NSW Heritage Council.

B9 Protection Of Heritage Fabric – Buildings To Be Retained

The proposed works are to be carried out in a manner that minimises risk of damage to the structural integrity and fabric of heritage buildings to be retained on the site whether from demolition works albeit damage from impact, vibration, or airborne dust and debris, or from demolition plant in accordance with the Mitigative Measures outlined in the *Heritage Impact Statement* dated October 2007 by Godden Mackay Logan and best practice principles for the conduct of such works as advocated by the *Burra Charter* and the NSW Heritage Council.

B10 Noise And Vibration Management Plan

Prior to commencing demolition works, and once a contractor has been appointed, the Proponent must submit to the Expert Consultant/Certifier, a revised Noise and Vibration Management Plan in accordance with the *Demolition and Recycling – Vibration and Noise Assessment & Management Plan (V&NA&MP)*, prepared by Acoustic Logic Consultancy dated October 2007. Where relevant, the plan shall include assessment on type, duration and impact of noisy demolition works on neighbours, and make recommendations accordingly.

B11 Noise And Vibration Management – Noise Level Monitoring

Prior to and during demolition works, the Proponent must provide the Expert Consultant/Certifier with the results of noise level monitoring, measured at Receiver Locations specified in Section 7 of the *Demolition and Recycling – Vibration and Noise Assessment & Management Plan* (V&NA&MP), prepared by Acoustic Logic Consultancy dated October 2007. The monitoring must be undertaken during the approved demolition hours.

B12 Community Consultation Plan

1. 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:
 - a. Site notice board located at entrance to site, and around the boundary in conspicuous positions. The site notice should be durable and weatherproof and is to be displayed throughout the works period. 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. The site notice is to have minimum dimensions of 841 mm x 594 mm (A1) with any text on the notice board to be a minimum of 30 point type size;
 - b. Periodic newsletters mailed or emailed to neighbours, concerned residents and business operators;
 - c. The site notice board and newsletter should include as a minimum the following information:
 - i. Approved hours of work;
 - ii. Contact Person for the site i.e. the site/project manager and their contact phone, fax, mobile numbers and email address;
 - iii. The responsible managing company (if any) and its address;
 - iv. The site activities and time frames;
 - v. 24 hour contact phone number for any inquiries, including demolition/noise complaint.
 - d. Communication meetings at appropriate intervals;
 - e. Formal complaint management system to respond to all complaints in a timely manner and advise complainants of outcomes;
 - f. Regular personal contact with residents and business operators affected by the site;
 - g. Establish protocols for resolving differences;
 - h. Seek feedback from community groups and individuals, and
 - i. Consultation between Proponent, contractor, residents and business operators to resolve pre-determined arrangements to reduce environmental impacts.
2. The Community Consultation Plan will be submitted to the satisfaction of the Expert Consultant/Certifier and be implemented prior to commencement and during works on the site.
3. 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.

B13 Notification Of Demolition Works

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

B14 Traffic Works

1. The Proponent will need to seek approval from the RTA and/or Council, as relevant, for the carrying out of any alterations to the public road, involving traffic and parking arrangements and signalisation of intersections prior to any work commencing on site.
2. Any proposals for alterations to the public road shall be designed in accordance with Roads and Traffic Authority (RTA) Technical Directives and the Proponent will consult with Ministry of Transport, Sydney Buses and Council prior to finalising the above.
3. The Proponent shall comply with any conditions imposed by RTA, Ministry of Transport, Sydney Buses and Council prior to undertaking any alteration works.

B15 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 Proponent.

B16 Permits/Approvals To Be Obtained From Council

The following permits/applications are required to be made separately to Council, if required for conduct of works that are part of this approval.

1. 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

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

2. Barricade Permit

Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government Act 1993 for a Barricade permit is to be obtained from Council prior to commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

3. Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Written approval of the design of hoardings along Broadway and Abercrombie Street is required from the Department prior to submission of an application to Council. Such an application shall include:

- (a) Architectural, construction and structural details of the design.
- (b) Structural certification prepared and signed by a suitably qualified practising structural engineer.

The Proponent shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

4. 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.

B17 Connection To Sewers Of Sydney Water Corporation

Waste water arising from the site during works, must be directed to the sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The pre-treatment of waste water may be a requirement of the Corporation prior to discharge to the sewer. Details of the Corporation's requirements should be obtained prior to commencement of work on the site.

B18 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.

B19 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.

PART C—DURING DEMOLITION AND RECYCLING WORKS

C1 Archaeological 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 Management Of Areas Of Archaeological Sensitivity

1. Any proposed ground disturbance in areas identified as having archaeological potential shall be undertaken in conjunction with or preceded by appropriate archaeological investigation and recording by a suitably qualified archaeologist (including archaeological monitoring, test investigation and/or more extensive manual investigation, depending on the area and extent of impact and the findings of the initial investigation).
2. Where demolition works disturb subsurface deposits, archaeological monitoring or other investigation of the site should be undertaken in accordance with the recommended methodologies and research framework identified in the Archaeological Assessment and Research Design prepared by Godden Mackay Logan dated October 2006 for the Concept Plan (MP 06_171) application.

C3 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.

C4 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. Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods;
7. The Balfour Street/Broadway gate shall not be used for entering or exiting traffic until signals are installed at this intersection and arrangements with Roads and Traffic Authority (RTA) and Sydney Buses are in place for the safe progress of buses along Broadway;

8. Until signalisation of the Kensington/Regent Street Intersection is completed: Traffic is only permitted to enter the site at this intersection by turning left from Regent Street. Traffic exiting the site at this intersection is only permitted to turn left onto Regent Street;
9. The Balfour St/O'Connor Street gate is not to be used for demolition traffic;
10. The Proponent shall notify the RTA's Traffic Management Centre (TMC) of the truck route(s) to be used 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 RTA and State Transit Authority concerning the suitability of Broadway and Regent Street for demolition traffic access routes.

C5 Contamination

Any new information which comes to light during works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Expert Consultant/Certifier and the Department.

C6 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 the Expert Consultant/Certifier.

1. Ground Slabs, including buildings and hardstands, and road surfaces shall not be removed until remediation works are approved and are about to commence on site.
2. Continuous air monitoring, to the satisfaction of the Expert Consultant/Certifier, should be carried out at the site boundary to measure dust and asbestos.
3. The Membrane Filter Method shall be used to monitor asbestos levels when asbestos removal is in progress. 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));
4. 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;
5. All materials shall be stored or stockpiled at the most appropriate locations;
6. The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs;
7. 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 public roads;
8. 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;
9. All trucks leaving the site are to be fully covered to prevent the escape of dust or other material on to public roads;
10. 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;
11. Cleaning of footpaths shall be carried out regularly;
12. At no times should compressed air be used to blow dust from the site into the atmosphere; and
13. No burning of demolished material is permitted on the site.

C7 Prohibition Of Asbestos Re-Use

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

C8 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.

C9 Notification Of Asbestos Removal

All adjoining properties and those opposite the development 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.

C10 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) 7.30am and 5.30pm on Mondays to Fridays,
 - b) 7.30am and 3.30pm 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 through the Noise and Vibration Management Plan; and,
 - 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.

C11 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.

D2 Compliance Reports

The Works Contractor shall provide to the Expert Consultant/Certifier a comprehensive audit of the works, to demonstrate compliance with this consent, and any other conditions imposed during the course of the works by the Department or any other agencies.

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 Expert Consultant/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. Mobile cranes operating from the road must not be used as a method of demolition.
3. 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 Signalisation Of Intersections – Consultation With Agencies

The Proponent shall consult with the following agencies when making submissions to the Roads and Traffic Authority (RTA) for the signalisation of the Kensington Street/Kent Road/Regent Street intersection, the Balfour Road/Broadway intersection and the Abercrombie Street/Irving Street intersection:

1. Ministry of Transport
2. City of Sydney Council
3. Sydney Buses

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_0120

6.0 Statement of Commitments

Table 11 below outlines the proposed commitments for the demolition works at Fraser's Broadway

Table 11 – Table of Project Application Commitments

Subject		Commitment	Timing
Demolition & Hoarding Management Plan	1.	The demolition and recycling works will be carried out in accordance with Demolition and Recycling – Demolition and Hoarding Plan prepared by Enstruct Group Pty Ltd and Inco Management Pty Ltd (Appendix C). If required the plan will be updated by the demolition contractor.	Prior to, and throughout, demolition / recycling works.
	2.	Noise, vibration, dust, soil and erosion arising from the proposed demolition works will be managed in accordance with the Environmental and Construction Management Plan (CEMP) prepared by URS (Appendix G). The CEMP will be updated by the demolition contractor once appointed.	Prior to, and throughout, demolition / recycling works.
	3.	The necessary approvals and permits required will be obtained prior to demolition works commencing on a stage by stage basis	Prior to works commencing for each stage as relevant.
Site Management	4.	Monthly audits will be carried out which assess performance against the CEMP.	Throughout the duration of the demolition / recycling works.
	5.	A Management Team comprising a Project Manager (PM), Environmental Representative (EMR) and Demolition Contract manager (DCPM) will be employed to oversee the demolition works and will meet monthly to review on-site audits and take any corrective action that is required.	Throughout the duration of the demolition / recycling works.
	6.	Where corrective action is required it will be completed within 1 week of issue. If this does not occur, stop work orders will be issued by the PM and work will not resume until the appropriate action has been completed and approved by the PM.	Throughout the duration of the demolition / recycling works.
	7.	24 hour security will be present on the site.	Throughout the duration of the demolition / recycling works.
Waste Management	8.	All waste on the premises will be classified according to the EPA "Environmental Guidelines: Assessment, Classification and Management of Liquid & Non-Liquid Wastes" (2004) prior to waste being removed from the site.	As required throughout demolition / recycling works
Heritage	9.	A photographic recording of all heritage buildings and structures to be demolished on the site will be prepared by a qualified and experienced heritage practitioner.	Prior to demolition works commencing on a stage by stage basis.

Subject	Commitment	Timing
	10. Inspection / dilapidation reports will be prepared for all heritage buildings and structures that are being retained on the site.	Prior to Stage 2 works commencing.
	11. Work Method Statements (WMS) will be prepared for the removal of internal and external fixtures during the soft strip. Items to be salvaged will be identified prior to the soft strip commencing and will be catalogued once removed and stored in a suitable safe place or protected if they are to remain in situ.	Prior to soft strip commencing.
	12. Work Method Statements (WMS) will be prepared for the demolition of buildings adjacent to heritage buildings to be retained, to ensure that these buildings are protected during and following demolition and recycling works.	Prior to Stage 2 works commencing.
	13. Appropriate protection measures will be implemented around heritage items located on the site as outlined in the Demolition and Hoarding Report at Appendix B , the Heritage Impact Statement at Appendix D and the CEMP at Appendix G .	Prior to, and throughout, demolition / recycling works.
	14. All ground disturbance works will be undertaken in accordance with the archaeological requirements outlined in the Heritage Impact Statement at Appendix D . An appropriately qualified and experienced heritage practitioner or archaeologist will be engaged to oversee the removal of footings and any other subsurface work.	As required throughout demolition / recycling works
	15. Inspections during and post works will be carried out to ensure that the heritage structures remain in a sound state.	As required throughout demolition / recycling works and post demolition / recycling works.
Transport	16. Demolition works will be undertaken in accordance with the Construction Traffic Management Plan (TMP) prepared by Jamieson Foley Pty Ltd (Appendix I). The TMP will be adjusted if any of the actual operations vary significantly from those assumed in the preparation of the TMP.	Throughout the duration of the demolition / recycling works.
	17. Demolition trucks will follow the routes provided for in the TMP and where required the contractor will seek specific permits for oversized vehicles or the like. There are route restrictions for the transport of hazardous materials. The contractor and the transporter will develop and adhere to a route plan that meets the legal limitations.	Throughout the duration of the demolition / recycling works.

Subject	Commitment	Timing
	18. New traffic signals will be installed as a priority at the Kensington Street Gates and at the Balfour Street gates. The plans for the signalisation of the two intersections will conform to standard industry practice and RTA requirements. STA will be consulted during the design process. The design must include alternate bus access at both Broadway/Wattle Street and at Wattle Street/Thomas Street. RTA requires a letter from Council to support the closure of Jones Street.	The process of preparing signal design plans and seeking approvals from the relevant authorities is to be instigated as a priority starting immediately, due to the long lead times.
	19. Main Avenue (Kent Road) will not be used for demolition traffic access at any time.	Throughout the duration of the demolition / recycling works.
	20. Class A and Class B hoardings will be provided along footpaths to provide continuous and safe pedestrian passage along each frontage of the site where required. Hoardings in Kensington Street and Wellington Street will be placed to the kerb, noting that no useable footpaths are available in these streets along the site frontage and pedestrians already walk on the road in a generally low speed and low volume traffic environment. STA will be consulted prior to installation of hoardings along Broadway and Regent Street, to ensure safe and convenient bus operations and passenger access.	Throughout the duration of the demolition / recycling works as appropriate. The STA will be consulted prior to hoarding installation along Broadway and Regent Street.
	21. The demolition contractor will have in place an incident recording and management plan for crashes, near crashes and other incidents for demolition trucks with pedestrians and general traffic, both on public roads and within the works site. Where required the contractor will take immediate action to prevent the incident occurring again.	Throughout the duration of the demolition / recycling works.
	22. The weight capacity limit of Balfour Street will be investigated as priority.	Prior to Stage 2 works commencing.
Acoustic amenity	23. Noise mitigation measures as outlined by Acoustic Logic Consultants (Refer Appendix J) will be implemented. The report will be updated if required.	Throughout the duration of the demolition / recycling works.
	24. Hours of demolition works will be limited to 7am - 6pm, Monday to Friday and 8am - 5 pm Saturday.	Throughout the duration of the demolition / recycling works.
	25. Noise and vibration will be monitored on site as per the recommendations of the Acoustic Assessment at Appendix J.	Throughout the duration of the demolition / recycling works.
	26. A complaints hotline will be set up by Fraser's Broadway and the surrounding community will be given prior notification of specific events which have the potential to cause temporary disruption.	Throughout the duration of the demolition / recycling works.

Subject		Commitment		Timing
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 demolition works and the redevelopment of Fraser's Broadway.		Throughout the duration of the demolition / recycling works.
	Decommissioning of the Site	28. The cabling associated with Energy Australia Substation no. S102 which services the area outside the site will be maintained during demolition and recycling works, along with the lead-in cables to the HV switching station 5008 until the consent of the supply authority is sought.		Throughout the duration of the demolition / recycling works unless consent is granted by the supply authority for their removal.
Stormwater Management & Quality		29. A dilapidation survey and report for all services which are to be retained including water, sewer and stormwater will be undertaken and provided to Sydney Water prior to Stage 2 works commencing.		Prior to Stage 2 demolition and recycling works commencing.
		30. The existing overland flow path with be maintained during demolition works. When buildings or roadways that form part of, or are adjacent to, the overland flow path are to be demolished or regraded, bunding will be used to maintain the overland flow path.		Throughout Stage 2, 3 & 4 demolition works.
		31. The 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) and the Sediment and Erosion Control Plan.		Throughout the duration of the demolition / recycling works.
		32. Demolition and recycling works will be carried out so that no demolition debris fall, flows or is carried into Sydney's stormwater system.		Throughout the duration of the demolition / recycling works.
Air Quality		33. All operations and actions occurring on the site will be carried out in a manner that will minimise the emissions of dust from the site.		Throughout the duration of the demolition / recycling works.
Sustainability		34. All demolition works will be undertaken in accordance with best practice methods possible. Where possible waste materials will be recycled and emissions will be reduced.		Throughout the duration of the demolition / recycling works.
		35. Receipts of waste quantities removed from the site and recycled will be provided by the Demolition Project Manager.		Throughout the duration of the demolition / recycling works.
		36. The demolition contractor will provide a regular monthly report regarding the progress of ongoing waste management, which will be reported to and monitored by the Project Manager (PM).		Throughout the duration of the demolition / recycling works.

Subject	Commitment	Timing
Remediation works / contaminated land	<p>37. Prior to intrusive works a review of available environmental data will be undertaken to assess the potential contamination that could be intercepted. Should unexpected contamination be encountered, work in the immediate vicinity will stop and the Demolition Contractor Project Manager (DCPM) will be informed. If the DCPM believes that contamination is present a suitably qualified environmental consultant will be contacted and engaged to assess the findings, take samples to characterise and delineate the extent of the potential contamination and define appropriate remediation actions. Soils excavated during the demolition and recycling stage of the program should be stockpiled, banded and appropriate environmental controls implemented. On completion of the excavation works, the excavated soils are to be re-instated into the excavation.</p>	Throughout the duration of the demolition / recycling works as appropriate.
	<p>38. Furthermore detailed RAPs will be prepared for future stages of the redevelopment of Frasers Broadway.</p>	To be submitted with project application proposing remediation works or bulk excavation.