

Development Consent

Section 89E of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister of Planning and Infrastructure, under delegation dated 17 February 2013, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

2013

SCHEDULE 1

Application No.:

SSD12_5374

Applicant:

Barangaroo Delivery Authority

Consent Authority:

Minister for Planning and Infrastructure

Land:

Part Lots 5 and 6 in DP 876514

Project:

Barangaroo Central Waterfront Promenade and Interim Public Domain Works.

DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
BDA	Barangaroo Delivery Authority
Certifying Authority	Has the same meaning as Part 4A of the EP& A Act.
Construction	Any works, including earth and building works
Council	City of Sydney Council
CPI	Consumer Price Index
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 3 pm on Sundays and Public Holidays
OEH	Office of Environment and Heritage or its successors
Department	Department of Planning and Infrastructure or its successors
Director General	Director General of the Department of Planning and infrastructure, or nominee
EIS	Environmental Impact Statement titled <i>Barangaroo Central – Waterfront Promenade and Interim Public Domain Works State Significant Development Application</i> , prepared by MG Planning Pty Ltd, dated November 2012
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6 pm to 10 pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning and Infrastructure, or nominee
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PPR	Preferred Project Report titled <i>Headland Park and Northern Cove Main Works</i> , prepared by MG Planning Pty Ltd, dated February 2011
Project	The project described in Schedule 2, Part A, Condition A1 and the accompanying plans and documentation described in Schedule 2, Part A, and Condition A2.
Applicant	Barangaroo Delivery Authority (BDA)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
Subject Site	Part Lots 5 and 6 in DP 876514

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

A1 DEVELOPMENT DESCRIPTION

Except as amended by this approval, development consent is granted for the construction of a permanent foreshore promenade and temporary public domain works, and staging of up to six major public and special events with a maximum capacity of 15,000 patrons per calendar year. The specific works covered under this consent include:

- Dismantling and disposal of all fencing, kerbs, light poles and traffic signage;
- Dismantling and disposal of three light towers and temporary electrical conduits powering the light towers;
- Demolition and disposal of above ground temporary water service and fire hydrant lines and equipment;
- Earthworks to re-profile the temporary lawn area;
- Filling to raise the levels along the promenade by between 1m and 1.5m via the receipt of 80,000 m³ to 150,000m³ of fill;
- Construction of retaining walls to support the construction of the promenade;
- Re-use of the existing cassions (including cathodic protection works as required);
- Construction of a temporary accessway connecting the promenade to Hickson Road;
- Installation of temporary and permanent services including: stormwater, sewer, potable water irrigation, telecommunications, security, and electrical;
- Construction of a 30m wide timber boardwalk along the lower level waterfront edge;
- Installation of paving and standstone block walls adjacent to the boardwalk;
- Installation of furniture including seats, rubbish bins, drinking fountains, bike racks and life buoys along the promenade;
- Installation of signage and lighting;
- Planting of shade trees;
- Construction of a public deck and stage within the Northern Cove. Planting including trees and an interim lawn;
- Installation of signage and lighting;
- Provision of a public wharf and water taxi pontoon with a ramp in the northern cove;
- Re-use of existing shipping infrastructure (bollards and fences); and
- Staging of a maximum of six public events per calendar year with a maximum capacity of 15,000 patrons for a trial period of five years.

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

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

Environmental Impact Statement titled <i>Barangaroo Central – Waterfront Promenade and Interim Public Domain Works State Significant Development Application</i>, prepared by MG Planning Pty Ltd, dated November 2012	
Response to Submissions titled <i>Central Barangaroo – Waterfront Promenade and Interim Public Domain Works State Significant Development Application – Response to Submissions</i> prepared by MG Planning Pty Ltd, dated March 2013	
Project: <i>Central Barangaroo – Development Application Traffic Impact Assessment Addendum 2 (Revision 1)</i>, prepared by Aurecon and dated 14 May 2013	
Architectural Plans prepared by PWP Landscape Architecture.	
Name of Plan	Date
BARANGAROO Barrangaroo Central Plan	1 March , 2013
BARANGAROO Outline Design Plan	14 November, 2012
B3 BARANGAROO Public Domain Plan – Combined Works	17 September, 2012
BARANGAROO Tree Planting Plan	1 March, 2013
BARANGAROO Public Use	14 November, 2012
BARANGAROO Open Space Linkages	16 November, 2012
BARANGAROO Foreshore Connections To Future Development	14 November, 2012
BARANGAROO Lighting Concept Plan	17 September, 2012
BARANGAROO Site Sections & Perspectives	14 November, 2012
BARANGAROO Promenade Section	1 March, 2013
BARANGAROO Promenade Section at Northern Cove	1 March, 2013
BARANGAROO Promenade Ramp & Public Deck	14 November, 2012
BARANGAROO Promenade Steps & Lighting Details	14 November, 2012
BARANGAROO Promenade Ramp	14 November, 2012
BARANGAROO Overland Flow Sections	14 November, 2012
BARANGAROO Double Park Bench - Details	14 November, 2012
BARNAGAROO Trash & Recycling Receptacle	14 November, 2012
BARANGAROO Typical Paving Detail	1 March, 2013

except for:

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

A3 INCONSISTENCY BETWEEN DOCUMENTS

In the event of any inconsistency between conditions of this approval, the drawings/documents referred to above, the conditions of this approval prevail.

A4 PRESCRIBED CONDITIONS

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

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

- (1) All remediation works are to be undertaken in accordance with the following Remedial Action Plan (RAP) and Human Health Ecological Risk Assessments (HHERA):
 - (a) 'Remedial Action Plan for Waterfront Promenade and Interim Public Domain, Barangaroo Central, Hickson Road, Sydney NSW', prepared by JBS Environmental, dated May 2013; and
 - (b) *Human Health and Ecological Risk Assessment for Proposed Imported Soils*, prepared by JBS Environmental, dated May 2013.
- (3) Within 6 months of the completion of the remediation works on site, and prior to the commencement of the use of the site as temporary and permanent public domain, the applicant shall submit a detailed Site Audit Summary report and Section A Site Audit Statement and Validation Report to the EPA (OEH), the Director-General, the Certifying Authority, and the Council. The site audit must be prepared in accordance with the *Contaminated Land Management Act 1997* and completed by a site auditor accredited by the EPA to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.
- (4) On completion of remediation works, the relevant requirements of clauses 17 and 18 of SEPP 55 - *Remediation of Land*, being notification to the Council, shall be complied with.
- (5) Prior to the commencement of the use on site the applicant must prepare a long Term Environmental Management Plan in accordance with the requirements of section 6.8.2 of the *Remedial Action Plan for Waterfront Promenade and Interim Public Domain, Barangaroo Central, Hickson Road, Sydney NSW*.

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

A6 COMPLAINTS MANAGEMENT SYSTEM

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

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

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

A7 SIGNAGE

The applicant shall prepare a final signage strategy in consultation with Transport for NSW, RMS, Sydney Ports and the City of Sydney Council. The final signage strategy must contain the following information:

- (1) The material(s) of each directional signage type;
- (2) The final dimensions and locations of each directional sign;
- (3) A plan identifying signage zones (inclusive of maximum dimensions) where signage associated with major events can be displayed;

- (4) Details of the type and location of any signage required to identify restricted use and mooring by permit only areas within the waterways adjacent to Barangaroo Central.

The final strategy must be submitted to the Director-General and the City of Sydney Council.

A8 *MEDIATION*

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

End of Section

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PART B – PRIOR TO THE ISSUE OF THE RELEVANT SECTION 109R CERTIFICATE

B1 PROTECTION OF STREET TREES DURING CONSTRUCTION

All street trees adjacent to the site not approved for removal must be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order. Details of the methods of protection must be submitted to and be approved by Council prior to the issue of the relevant 109R Certificate and such approval should be forwarded to the Certifying Authority. All approved protection measures must be maintained for the duration of construction and any tree on the footpath which is damaged or removed during construction must be replaced.

B2 DISABLED ACCESS – PUBLIC DOMAIN

The public domain must be designed and constructed to provide access to facilities for people with a disability in accordance with the relevant Australian Standards. Full details of paths, proposed handrails, tactile ground indicators, ramps and the like are to be submitted to the Certifying Authority demonstrating compliance with the relevant Australian Standards prior to the relevant 109R Certificate being issued.

B3 LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

The applicant shall provide construction plans and specifications to demonstrate that a system of underground supplied Smartpole street lighting and pedestrian lighting along all roads, pedestrian pathways and plaza can be provided in accordance with the Council's public domain lighting specifications and Energy Australia's network supply standards prior to the issue of the relevant section 109R Certificate. Detailed plans and construction specifications for the works shall be prepared by an approved lighting engineer and submitted to Council for information.

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

- (1) Lighting installations in public and publicly accessible locations are to comply with the requirements of the *City of Sydney Exterior Lighting Strategy*.
- (2) Lighting must be designed to meet AS1158.1.1 Category V1 for Hickson Road and AS1158.3.1 Category P3 for footpaths.
- (3) Lighting must be designed to meet AS1158.1.1 Category P1 for the waterfront promenade.
- (4) Certification of compliance of the lighting designs with the specified standards must be prepared by a qualified lighting engineer and must be provided with the submitted lighting plans.

All lighting must be installed in accordance with the specifications of the final Lighting Plan prior to the commencement of recreational uses on site.

B4 LIGHTING – PUBLIC DOMAIN AND PUBLICLY ACCESSIBLE AREAS

The lighting of all areas which are publicly accessible must be designed to seamlessly integrate with the lighting treatment provided within the Headland Park and Barangaroo South. Details are to be submitted to the Director-General for approval prior to the issue of the relevant section 109R Certificate.

B5 PAVING MATERIALS

The surface of any material proposed to be used for the paving of footways, thoroughfares, plazas and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials". Details confirming compliance with these requirements must be provided to the Certifying Authority prior to the relevant 109R Certificate being issued.

B6 SEAWALLS

Seawalls must be designed in accordance with the principles of the Environmentally Friendly Seawalls Guidelines issued by the OEH. Details demonstrating compliance with the above requirements must be submitted to the Certifying Authority prior to the issue of the relevant section 109R Certificate.

B7 DRIVEWAY CROSSOVERS

All driveway crossovers, including those for service vehicles, must be designed in accordance with the Sydney streets design code. All crossovers should be designed to give pedestrians priority and

with no grade change for pedestrians. Details demonstrating compliance with the above requirements must be submitted to the Certifying Authority prior to the issue of the relevant section 109R Certificate.

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PART C - PRIOR TO COMMENCEMENT OF WORK

C1 ENVIRONMENTAL PROTECTION LICENCE

Prior to the commencement of works, the applicant must ensure that the existing Environmental Protection Licence (EPL) 13336 issued to the Barangaroo Delivery Authority is varied, where required, to reflect and permit the works conducted on site. All works undertaken on site must be done in a manner which ensures compliance with the conditions of EPL 13336 at all times.

C2 STORMWATER AND DRAINAGE – MAJOR DEVELOPMENT

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

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

C3 PRE-CONSTRUCTION DILAPIDATION REPORTS

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

C4 DILAPIDATION SURVEY

The Dilapidation Survey prepared for the Headland Park Main Works Project (MP10_0048, as modified) shall be updated to reflect the condition of the following heritage items prior to the commencement of works:

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

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

C5 LOCATION OF DRIVEWAYS

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

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

The details demonstrating compliance with the above requirements must be submitted to the Certifying Authority prior to commencement of work.

C6 FOOTPATH DAMAGE BANK GUARANTEE

A Footpath Damage Bank Guarantee to cover footpaths within the Barangaroo Central site which is affected by the development must be lodged with the relevant road authority in accordance with the its adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted in favour of the road authority as security for repairing any damage to the public domain in the vicinity of the site. The guarantee must be lodged with the relevant road authority prior to commencement of work.

C7 VEHICLE FOOTWAY CROSSING

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

All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details as detailed in the Sydney Street Design Code 2010. All construction and replacement works are to be completed in accordance with the approved plans prior to the commencement of the use.

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

C8 ALIGNMENT LEVELS

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

These alignment levels, as approved by the relevant road authority, are then to be incorporated into the plans. A copy of the final documentation shall be submitted to the Council for information.

C9 FINAL FINISHED LEVELS

Prior to the commencement of work the approved plans shall be revised to the satisfaction of the Director-General to ensure all structures achieve a minimum finished level of RL 2.335m.

C10 APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

(a) A separate application under Section 138 of the *Roads Act 1993* is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public place and such application is to include:-

- (i) Architectural, construction and structural details of the design.
- (ii) Structural certification prepared and signed by an appropriately qualified practising structural engineer.

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

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

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

C11 BARRICADE PERMIT

Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the *Roads Act 1993* for a Barricade Permit is to be obtained from the relevant road authority prior to the commencement of work. Details of the barricade construction,

area of enclosure and period of work are required to be submitted to the satisfaction of the relevant road authority.

C12 CONSTRUCTION FRAMEWORK ENVIRONMENTAL MANAGEMENT PLAN

Prior to commencement of the works, the applicant shall update the Environment and Construction Management Plan (ECMP) approved under the Headland Park Main Works Project (MP10_0048, as modified). The plans shall be submitted to the OEH for comment and to the Director-General for approval. The ECMP must:

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

C13 WASTE MANAGEMENT

Prior to the commencement of each stage of works (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), the applicant shall update the Waste Management Plan approved under the Headland Park Main Works Project (MP10_0048, as modified). The updated plan must be submitted to the OEH for comment. The Plan must include (but not be limited to):

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

C14 NOISE AND VIBRATION

1. Prior to the commencement of works (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), the applicant must update the Construction Noise and Vibration Management Plan (CNVMP) approved under the Headland Park Main Works Project (MP10_0058, as modified) to incorporate construction the works approved under this development consent. A copy of the updated plan shall be forwarded to the Director-General for approval prior to the commencement of works.
2. All construction work must be conducted between 7am and 6pm Monday to Friday and between 8am and 3pm Saturdays and at no time on Sundays and public holidays, unless inaudible at any residential premises. Works outside these hours are not permitted except as explicitly specified below or in other conditions and include:
 - (a) the delivery of materials which is required outside these hours as requested by Police or other authorities for safety reasons;
 - (b) emergency work to avoid the loss of lives, damage to property and/or to prevent environmental harm;
 - (c) other works expressly approved by the Director-General; and
 - (d) Out of standard hours works identified in a CNVMP approved by the Director-General.
3. Prior to the commencement of works the applicant shall prepare a noise management plan in conjunction with the management of the Billabond Child Care Centre to ensure all reasonable and feasible measures are implemented to facilitate compliance with the internal noise management criterion (55 dBA).
4. All works must be undertaken in accordance with the construction noise management levels (NML) specified in Table 4-3 of the *Barangaroo Central Waterfront Promenade and Interim Public Domain Construction and Operational Noise and Vibration Management Assessment* (Version F), prepared by Wilkinson and Murray and dated 15 November, 2012. Any activities that have the potential for noise emissions that exceed the NMLs must be identified and managed in accordance with the CNVMP. The applicant must implement all reasonable and feasible noise mitigation and management measures with the aim of achieving the NMLs.
5. Vibration caused by construction and received at any sensitive receiver outside the subject site must not exceed the levels identified in section 4.12 of the *Barangaroo Central Waterfront Promenade and Interim Public Domain Construction and Operational Noise and Vibration Management Assessment*.

C15 WATER MANAGEMENT

Prior to the commencement of works (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like), the Stormwater and Water Management Plan approved under the Headland Park Main Works Project (MP10_0048, as modified) shall be updated to include the management and mitigation measures outlined in the Preliminary Water Quality Management Plan (Revision 3) prepared by Balderstone and dated 15 November 2012. A copy of

the updated Stormwater Management Plan shall be submitted to the OEH for comment and to the Director-General for approval prior to the commencement of works

C16 AIR

The Air Quality Management Plan approved under the Headland Park Main Works Project (MP10_0048, as modified) shall be updated to incorporate the works approved under this development consent. The updated Air Quality Management Plan shall be submitted to the OEH for comment and to the Director-General for approval prior to the commencement of works on site (with the exception of site establishment works such as erection of site perimeter hoardings and signage, erection of site facilities including offices, ablutions, first aid, storage, installation of CCTV cameras and the like).

The updated Air Quality Management Plan must include, as a minimum, the following elements:

- The relevant environmental criteria to be used in the day to day management of dust and volatile organic compounds (VOC)/odour;
- A mission statement;
- Dust and VOCs/odour management strategies, consisting of:
 - Objectives and targets;
 - Risk assessment; and
 - Suppression improvement plan.
- Monitoring requirements including assigning responsibility (for all employees and contractors);
- A communication strategy;
- System and performance review for continuous improvement.
- The management practices to be implemented for all dust and VOC/odour sources at the site.
- Details of the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (e.g. frequency, duration and method of monitoring) to be undertaken for the project.
- The management strategies, including physical controls and modified operating regimes, included in the updated Air Quality Management Plan must be included in a revised air quality impact assessment for the Barangaroo Central Waterfront Promenade and Interim Public Domain Works. The revised assessment must:
 - be conducted in accordance with *the Approved Methods for the Modeling and Assessment of Air Pollutants in NSW* (DECCW, 2005);
 - demonstrate that the proposed emission controls included in the project Air Quality Management Plan are sufficient to ensure no additional exceedances of DECCW's impact assessment criteria; and
 - justify proposed locations for all ambient air quality monitoring included in the project Air Quality Management Plan.

Excavation and/or receipt of fill materials shall not occur at the site until the Amended Air Quality Management Plan has been approved by the Director-General.

C17 TRAFFIC WORKS

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

C18 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.

End of Section

PART D - DURING CONSTRUCTION

D1 NOISE AND VIBRATION

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

D2 MANAGEMENT OF FILL

All fill received from other parts of Barangaroo must comply with the maximum criteria and daily mean criteria outlined in Table 5.2 of the document entitled Air Quality and Health Impact Assessment – Barangaroo Central Waterfront Promenade and Barangaroo Central Interim Public Domain prepared by JBA Environmental and dated November 2012.

Prior to the receipt of materials originating from other parts of the Barangaroo site, material testing results for the material to be received must be reviewed and compared with the criteria in accordance with the Materials Management Compliance System specified in section X of the Remedial Action Plan. No material shall be received until test results have been reviewed and it is confirmed that the material complies with the fill criteria.

D3 HAZARDOUS MATERIALS IMMOBILISATION

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

D4 DUST GENERATION

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

D5 ODOUR

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

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

D6 STOCKPILE MANAGEMENT

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

D7 VEHICLE FOOTWAY CROSSING

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

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

D8 ASSOCIATED ROADWAY COSTS

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

D9 SIGNS AT EGRESS

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

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

D10 LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

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

D11 COVERING OF LOADS

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

D12 LONG VEHICLE RESTRICTION

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

D13 VEHICLES ACCESS

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

D14 CHANGES TO KERB SIDE PARKING RESTRICTIONS

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

D15 COST OF SIGNPOSTING

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

D16 TRAFFIC IMPACT ASSESSMENT & CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) Construction works will be undertaken generally in accordance with the following traffic impact assessments:
 - *Barangaroo Central Waterfront Promenade – Interim Public Domain – Development Application Traffic Impact Assessment* (Revision 4), prepared by Aurecon and dated 30 October 2012;
 - *Central Barangaroo – Development Application Traffic Impact Addendum* (Revision 3), prepared by Aurecon and dated 14 March 2013; and
 - *Central Barangaroo – Development Application Traffic Impact Assessment Addendum 2* (Revision 1), prepared by Aurecon and dated 14 May 2013.
- (b) Under the current legislation the use of lengthy vehicles in the CBD is prohibited within certain time frames. All lengthy vehicles must comply with this regulation as stipulated in the NSW Road Rules. A map indicating the prohibited area and definitions of lengthy vehicles are included in the Road Rules.
- (c) Personnel using stop/slow signage are not permitted in Hickson Road or Sussex Street on weekdays between the hours of 7am to 9am and 4pm to 7pm. However, personnel using stop/slow signage will be permitted on Hickson Road, north of the intersection of Hickson Road and Napoleon Street, when it is required to ensure safe truck access at designated site access points, provided that vehicle queue lengths generated as a result of the traffic control do not exceed more than six vehicles in either direction.

- (d) Truck movements should be staged and coordinated to prevent trucks circling CBD streets whilst awaiting access to the site. There should be holding areas outside the CBD on the fringes or sufficient space within the site to store trucks and heavy vehicles.
- (e) To minimise impacts on public transport, trucks should avoid where possible the use of York Street to access the development site between 2pm to 8pm Monday to Friday.

D17 DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

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

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

D18 SYDNEY WATER CERTIFICATE

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

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

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

D19 ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) All construction works must be carried out in accordance with the recommendations contained in section 7.2 of the *Barangaroo Central Waterfront Promenade and Interim Public Domain Archaeological Assessment* prepared by Godden Mackay Logan (Issue 4), dated 31 October 2012.
- (b) Should any historical relics likely to be of significance be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Director-General and the Heritage Council of NSW should be informed in accordance with section 146 of the *Heritage Act 1977*.
- (c) Should any Aboriginal relics be discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be notified in accordance with Section 91 of the *National Parks and Wildlife Act 1974* and a suitable process negotiated for the management of the relics.
- (d) Any relics found on site that are capable of being included in the site's heritage interpretation or public art, are to be kept safe for consideration of their incorporation into site fixtures.

End of Section

PART E - OPERATIONAL REQUIREMENTS

E1 LOADING WITHIN SITE

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

E2 SIGNAGE

All signage must be installed in accordance with the Signage Strategy approved under Condition A7. In addition, any illuminated signage must be designed and installed in accordance with AS4282-1997 *Control of Obtrusive Effects of Outdoor Lighting*.

E3 HOURS OF OPERATION – MAJOR EVENTS

The following hours of operation apply on a five year trial basis (commencing from the date of the first major event) when major events are being held:

Major Event Category	Hours of Operation
Category 1	New Year's Eve events are permissible between 9am and until 2am the following day.
Musical Concerts using sound amplification equipment with a crowd capacity of 15,000 persons	Australia Day events are permissible between 9am and 12 midnight. Events are permissible between 9am and 10pm Sundays to Thursdays and 9am and 11pm Fridays and Saturdays.
Category 2	Events are permissible between 9am and 10pm Sundays to Thursdays and 9am and 11pm Fridays and Saturdays.
Speech events using sound equipment with crowd capacity greater than 10,000 persons	
Category 3	Events are permissible between 9am and 10pm Sundays to Thursdays and 9am and 11pm Fridays and Saturdays.
Crowds of up to 15,000 persons with medium level amplification	
Category 4	Events are permissible between 9am and 10pm Sundays to Thursdays and 9am and 11pm Fridays and Saturdays.
Crowds of up to 10,000 persons with low level amplification	
Construction Works Associated with the Erection of Temporary Structures	All construction works required to erect temporary structures must be undertaken between 7am and 7pm Mondays to Sundays

A separate development application must be lodged with the relevant consent authority to continue the use of the site for up to six major events per calendar year at the end of the five year trial period. The trial period commences from the date the first major event is held.

E4 NOISE CONTROL – MAJOR EVENTS

Major events must comply with the noise management levels provided in Table 1 below.

Table 1: Noise Management Levels for Major Events

Major Event Category	Noise Management Criteria		
Category 1	The $L_{Aeq(t)}$ must not exceed 70 dB(A) ¹	The L_{Amax} must not exceed 80 dB(A) ¹	The L_{Cmax} must not exceed 100 dB(C) ¹
Musical Concerts using sound amplification equipment with a crowd capacity of 15,000 persons			
Category 2	The A-weighted sound pressure level ($L_{A19,T}$) must not exceed 10 dB(A) above the ambient background level (L_{A90}) between 10am and 11pm, or 5 dB(A) above the ambient background level (L_{A90}) at all other times.		
Speech events using sound equipment with crowd capacity greater than 10,000 persons			
Category 3	The A-weighted sound pressure level ($L_{A19,T}$) must not exceed 10 dB(A) above the ambient background level (L_{A90}) between 10am and 11pm, or 5 dB(A) above the ambient background level (L_{A90}) at all other times.		
Crowds of up to 15,000 persons with medium level amplification			
Category 4	The A-weighted sound pressure level ($L_{A19,T}$) must not exceed 10 dB(A) above the ambient background level (L_{A90}) between 10am and 11pm, or 5 dB(A) above the ambient background level (L_{A90}) at all other times.		
Crowds of up to 10,000 persons with low level amplification			

Note¹: An exceedence of the noise limits for Category 1 events within a single five minute period during the first 15 minutes of each band or act will not be considered a breach for the purpose of this condition. Notwithstanding, information on the noise levels recorded in these periods should be provided in the reports required to be prepared under Condition E8.

In addition to the above, rehearsals associated with Category 1 events that are audible beyond the park boundary must not exceed four hours in length and must be held between 10 am and 10 pm, and sound tests that are audible beyond the park boundary must be conducted on one day only and must not exceed one hour and must be conducted between 10 am and 8 pm.

E5 LIGHTING - MAJOR EVENTS

Lighting used when the site is operating in event mode must not adversely affect the safe navigation of vessels within the navigable waters of Darling Harbour. In this regard, lights must be shuttered, directed inward onto the site and there are to be no lights directed at nearby residences.

E6 NOISE MANAGEMENT AND MITIGATION - MAJOR EVENTS

All events must be undertaken in accordance with the provisions outlined in section 3.5 (noise mitigation techniques) of the *Barangaroo Central Waterfront Promenade and Interim Public Domain Operational Noise Management Plan* (Version F) prepared by Wilkinson Murray and dated 14 March 2013.

E7 NOISE MONITORING - MAJOR EVENTS

The event operator shall engage a suitably qualified acoustic consultant to undertake noise monitoring during 'Category 1', 'Category 2' and 'Category 3' events. All noise monitoring must be undertaken in accordance with the requirements of section 3.7 of the *Waterfront Promenade and Interim Public Domain Operational Noise Management Plan (Version F)* prepared by Wilkinson and Murray and dated 14 March 2013.

E8 NOISE REPORTING – MAJOR EVENTS

The event operator shall submit a report prepared by a qualified acoustic consultant to the BDA within five working days of a major event which provides a summary of noise monitoring undertaken by the appointed acoustic consultant. The summary must include the following information:

- Whether there were any breaches of the noise management limits relevant to the event category type;
- The number, frequency, location and actual noise level of any non-compliance with the noise management levels for the applicable event category type during the event period; and
- Any mitigation action that was taken during the event period.

The BDA shall make the noise summary report publicly available on its website within five working days of its receipt. In addition, the BDA shall provide the Department of Planning and Infrastructure with a copy of the abovementioned report within 24-hours of its receipt.

In addition, the event operator shall submit a full report prepared by a qualified acoustic consultant within 30 days of the completion of a major event to the BDA outlining:

- The details of the type of equipment used for noise measurements;
- Times and locations of all attended and unattended noise monitoring;
- A record of all recorded noise measurements;
- A record of all non-compliances with the noise management limits;
- Any recommended measures that have been identified that can be adopted for future major events to reduce noise emissions at sensitive receivers.

The BDA shall make the final noise monitoring report publicly available on its website within five working days of its receipt. In addition, the BDA shall provide the Department of Planning and Infrastructure with a copy of the abovementioned report within 24-hours of its receipt.

In the event that unacceptable noise breaches are identified in the noise monitoring reports, the Director-General may require the applicant to revise the *Waterfront Promenade and Interim Public Domain Operational Noise Management Plan* prepared by Wilkinson and Murray to incorporate additional noise mitigation measures.

E9 ERECTION OF TEMPORARY STRUCTURES

All temporary structures must be located within the zones specified in the Barangaroo Central Plan dated March 1 2013, prepared by PWP Landscape Architecture, the Barangaroo Outline Design Plan dated November 14 2012, and prepared by PWP Landscape Architecture.

Plans, elevations and sections for all structures that exceed the size limits identified in *State Environmental Planning Policy (Temporary Structures) 2007* must be submitted to the satisfaction of the Director-General 21 days prior to the corresponding major event being held on-site.

In addition, prior to the commencement of any event requiring the erection of a temporary structure, the event holder must provide the BDA with a certificate from a suitably qualified person(s) certifying that:

- The fire protection and structural capacity of the temporary structure(s) is appropriate for its intended use, and where applicable, complies with the relevant provisions of the Building Code of Australia (BCA) and the relevant Australian Standards adopted under the BCA; and
- The ground or other surface on which the structure is erected is sufficiently firm and level to sustain the structure while in use.

A copy of the certification is to be provided to the Department of Planning and Infrastructure within 24-hours of lodgement with the BDA.

All temporary structures must be removed within 48-hours of the conclusion of an event.

E10 *DISABLED ACCESS – TEMPORARY STRUCTURES*

Access and facilities for people with disabilities shall be designed in accordance with Part D3 of the BCA Access Policy where relevant. A certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the BDA prior to the erection of each temporary structure.

E11 *HEALTH AND SAFETY*

The event operator must comply with the relevant WorkCover Authority requirements and occupational Health and Safety Regulations when the site is operating in event mode.

E12 *REVISIONS TO THE BARANGAROO CENTRAL INTERIM PUBLIC DOMAIN EVENT MANAGEMENT PLANS*

The Barangaroo Central Interim Public Domain Event Management Plans shall be amended to the satisfaction of the Director-General prior to the first major event being held on-site to:

- Include a requirement for event operators and/or the BDA to consult with the relevant public authorities, including the NSW Police, when major events are held on New Year's Eve and Australia Day, or when major events coincide with events being held elsewhere within the CBD/Darling Harbour. This could be achieved by inviting all relevant agencies to become members of the Event Operations Group; and
- The Water Based Traffic and Traffic, Transport Access and Parking Management Plan shall be revised to include provisions to require event holders to consider the use of integrated ticketing and shuttle bus systems to encourage public transport use when major events are held on-site.

E13 *SECURITY MANAGEMENT PLAN – MAJOR EVENTS*

Event specific security management plans shall be prepared by the event operator prior to each major event being held and submitted to the Barangaroo Delivery Authority for approval. Each security management plan must contain the following information:

- The type of security that has been selected for the event including:
 - the name of the security firm contracted;
 - details of the licenses and event day contact;
 - information regarding the company's reputation;
 - the type of security staff that will be on site (1a or 1c licensed staff) and the number of security staff required to manage the event.
 - The ratio of security staff to patrons (in the event alcohol is being served event holders must provide evidence of the ratio required by the NSW Police);
 - Details outlining whether the event will require the installation of temporary fencing to restrict ingress and egress;
 - A location plan/s depicting all exits, paths of travel, assembly points and locations of lighting between each exit, path of travel and assembly point. In addition, the location plan/s must take into consideration the following:
 - The proximity of the event to emergency responders, hospitals and emergency services;
 - Buffer zones between noise sources and noise sensitive receivers; and
 - Provisions for policing, first aid and command facilities.
 - Whether additional security is required during the bump in/bump out period (e.g. overnight security for structure and/or equipment protection);
 - Details of the event security management measures that will be put in place for the duration of the event (inclusive of bump in/bump out);
 - Provision of a security organisational chart;
 - Details of the conditions of patron entry;
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- Provision of a list of items that are not permitted in the venue/site; and
- Provision of a communications strategy for the duration of the event (including bump in/bump out).

E14 WASTE MANAGEMENT PLAN – MAJOR EVENTS

Event specific waste management plans shall be prepared by the event operator prior to each major event being held and submitted to the BDA for approval. Each waste management plan must contain the following information:

- Locations of all temporary waste storage devices;
- Details on how waste will be minimised and recycled when the site is operating in event mode; and
- Details of off-site waste disposal, including the details of the licensed waste management facility that will receive the waste associated with the event.

E15 SOIL AND WATER MANAGEMENT PLAN – MAJOR EVENTS

Event specific soil and water management plans shall be prepared by the event operator prior to each major event being held and submitted to the BDA for approval. Each soil and water management plan must contain the following information:

- Measures to protect all existing vegetation on site;
- Measures to prevent soil, sand and sediments leaving the site in a controlled manner;
- Measures required to control surface water within the site to ensure that:
 - Clean run-off is diverted around disturbed areas;
 - The slope gradient and flow distance is minimised within disturbed areas;
 - Surface run-off will occur at non-erodible velocities; and
 - Disturbed areas will be promptly rehabilitated.
- The locations of any geotextile, or similar water quality management devices required to be placed over existing stormwater inlets to prevent litter from entering the stormwater system or being discharged into Darling Harbour

E16 PREPARATION OF ADDITIONAL MAJOR EVENT MANAGEMENT PLANS

Prior to each major event the event operator must prepare and submit the following management plans to the BDA for approval:

- Emergency management and incident response plan
- Security risk assessment plan;
- Alcohol management plan;
- Work health and safety plan;
- Water based traffic and traffic, transport, access and parking management plan; and
- Infrastructure and services plan.

The management plans must be prepared in accordance with the criteria identified in the overarching management plans provided in sections 5, 6, 7, 9, 10, and 11 of the *Barangaroo Central Interim Public Domain Event Management Plans* dated March 2013.

E17 COMMUNITY CONSULTATION

Prior to the commencement of each major event the event operator must undertake a letterbox drop advising the City of Sydney Council, the NSW Police, local residents and businesses (including affected receivers located in Balmain) the details of the event including details of how to access copies of all management plans submitted by the event operator, and the name and contact details of the event operator and the number of the major events complaint hotline.

In addition, details of all major events, including the number of the major events complaint hotline must be displayed on the BDA's website 30 days prior to the commencement of the event.

A list of all persons notified must be kept by the BDA, and provided to the Department of Planning and Infrastructure if requested.

E18 COMPLAINT MANAGEMENT

The BDA shall establish a 24-hour major event complaint hotline. The hotline must be operational for the full duration of each major event, inclusive of the construction, bump-in/out and demolition works associated with each major event. All complaints must be recorded and managed in accordance with the procedures identified in sections 3.10 and 3.11 of the *Barangaroo Central Waterfront Promenade and Interim Public Domain Operational Noise Management Plan* (Version F) prepared by Wilkinson Murray and dated 14 March 2013.

E19 APPROVED PLANS TO BE ON-SITE AND COMPLIED WITH

During each event a copy of this development consent, as well as copies of all of the approved management plans submitted under this section of the consent must be kept on the site for the full duration of the event (inclusive of event bump-in/out). Copies of the above must be made available to any officer of the Department of Planning and Infrastructure, the NSW Police, the City of Sydney Council, or any emergency services agency. The provisions of all management plans must be complied with for the full duration of each event (including bump-in/out).

E20 NEIGHBOURHOOD AMENITY

Signs must be placed in clearly visible positions within the site requesting patrons leaving the site to do so quickly and quietly, having regard to maintaining the amenity of the area.

The event operator must ensure the behaviour of patrons entering and leaving the site does not detrimentally affect the amenity of the neighbourhood. In this regard, the event operator is responsible for the control of noise and litter generated by patrons on-site and must ensure that patrons leave the site in an orderly manner.

E21 EMERGENCY ACCESS

Access to all fire exits and utilities must be maintained at all times. In addition, temporary structures must be located to ensure emergency vehicle access is maintained when the site is operating in event mode.

End of Section

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ADVISORY NOTES

AN1 HAZARDOUS MATERIAL IMMOBILISATION

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

AN2 TEMPORARY DEWATERING

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

AN3 REQUIREMENTS OF PUBLIC AUTHORITIES FOR CONNECTION TO SERVICES

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

AN4 USE OF MOBILE CRANES

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

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) At least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) At least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN5 STORMWATER DRAINAGE WORKS OR EFFLUENT SYSTEMS

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

AN6 TEMPORARY STRUCTURES

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

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

AN7 LONG SERVICE LEVY (IF APPLICABLE)

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

AN8 REQUIREMENTS OF NSW POLICE SERVICES FOR THE PROVISION OF SERVICES

Event organisers are required to engage police in accordance with the NSWPF Cost Recovery and User Charges Policy. The exact number of police required and subsequent cost will be determined by the NSW Police Force taking into consideration other security arrangements and risk mitigation strategies proposed. Full payment for such services is to be made to the NSW Police Force at least 30 days prior to an event. The police deployment may include, but not be limited to the following resources:

- An adequate number of command personnel relative to the scale and scope of the event;
 - A deployment of crowd control police within the site;
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- The deployment of licensing police to monitor alcohol service;
- A contingent of police to control traffic and pedestrians between Wynyard Station and Barangaroo Central; and
- A contingent of police to control the waterway surrounding Darling Harbour.

AN9 CONSULTATION WITH SYDNEY PORTS

The applicant should liaise with Sydney Ports to ascertain the requirements for the berthing of vessels in excess of 30 metres.

AN10 NON INDIGENOUS ARCHAEOLOGICAL MONITORING AND MANAGEMENT

A program of archaeological investigation is to be undertaken prior to any excavation and an excavation director appointed to manage the program based. If any unidentified historical archaeological features or deposits are exposed during the works, excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the extent and significance of such relics. The Heritage Council is to be notified as a matter of courtesy.

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

End of Section

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