

Development consent

Section 89E of the Environmental Planning and Assessment Act 1979

The Minister for Planning and Infrastructure grants 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 including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

HON BRAD HAZZARD MP
Minister for Planning and Infrastructure

Sydney 2013

SCHEDULE 1

Application No.:	SSD-5752
Applicant:	Darling Harbour Live
Consent Authority:	Minister for Planning and Infrastructure
Land:	<p>Sydney International Convention, Exhibition and Entertainment Precinct - Core Facilities, Darling Harbour</p> <p>(Lot 1 DP 612907, Lot 2 DP 612907, Lot 205 DP 771841, Lot 210 DP 771841, Lot 33 DP 870306, Lot 34 DP 870306, Lot 35 DP 870306, Lot 602 DP 1009796, Lot 302 DP 1021761, Lot 2 DP 1048307, Lot 900 DP 1132344, Lot 901 DP 1132344, Lot 1010 DP 1147364, Lot 800 DP 1164281, Lot 200 DP 1165804, Lot 201 DP 1165804).</p>
Development:	<p>Development of the Sydney International Convention, Exhibition and Entertainment Precinct – Core Facilities including:</p> <ul style="list-style-type: none">• demolition of existing improvements on site, including the existing Convention and Exhibition Centres, and associated tree removal;• construction and use of a new Convention, Exhibition and Entertainment Centres;• various public domain improvements including upgrade and expansion of Tumbalong Park, new north-south and east-west pedestrian connections, new pedestrian bridge, new square adjoining Chinese Gardens, new open space 'Event Deck', erection of a temporary shelter structure for the 'Event Deck'; for use up to 80 days per year, retail kiosks, and integrated art, play zones, water play and recreations areas.• provision of ground level parking within the Exhibition Centre and above ground parking in the Theatre;• alterations to the existing Metro Transport Sydney Offices;• associated building signage;

- diversion and extension and augmentation of physical and infrastructure/utilities as required; and
- temporary works including:
 - stairs from the raised pathway under the Western Distributor to Darling Harbour ground level;
 - pedestrian crossing along Darling Drive south of Pier Street; and
 - pedestrian crossing along Darling Drive north Convention light rail station.

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DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Darling Harbour Live, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	City of Sydney Council
Private Certifying Authority/ PCA	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
DHL	Darling Harbour Live
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate). Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement prepared by JBA Urban Planning Consultants Pty Ltd, dated March 2013
EPA	Environment Protection Authority, or its successor
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Minister	Minister for Planning and Infrastructure, or nominee
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
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
RMS	Roads and Maritime Services Division, Department of Transport or its successor
RTS	Response to Submissions report titled Response to Submissions and Amendments to Proposed Developments prepared by JBA Urban Planning Consultants Pty Ltd, dated June 2013
Subject Site	Sydney International Convention, Exhibition and Entertainment Precinct, Darling Harbour
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
SHFA	Sydney Harbour Foreshore Authority or its successors
TfNSW	Transport for NSW or its successors
TMC	Traffic Management Centre or its successors

SCHEDULE 2

A ADMINISTRATIVE AND DEVELOPMENT CONTRIBUTIONS CONDITIONS

Development Description

- A1 Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.
- A2 The Applicant shall carry out the project generally in accordance with the:
- a) Environmental Impact Statement (EIS) prepared by JBA Urban Planning Consultants Pty Ltd, dated March 2013;
 - b) Further Information and Response to Submissions (RtS) prepared by JBA Urban Planning Consultants Pty Ltd, dated June 2013;
 - c) following drawings as set out in the table below, except for:
 - i) any modifications which are Exempt' or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Hassell+Populous			
Drawing No.	Revision	Name of Plan	Date
PP_AR_D_00000	A	COVER SHEET	24/06/2013
PP_AR_D_00001	A	DRAWING LIST	24/06/2013
PP_AR_D_000010	A	LOCATION PLAN	24/06/2013
PP_AR_D_001007	A	MASTER PLAN – SITE DEMOLITION – RL 2.5	24/06/2013
PP_AR_D_002007	A	MASTER PLAN – SITE DEMOLITION – RL 6.0	24/06/2013
PP_AR_D_001000	A	MASTER PLAN LEVEL 1	24/06/2013
PP_AR_D_002000	A	MASTER PLAN LEVEL 2	24/06/2013
PP_AR_D_003000	A	MASTER PLAN LEVEL 3	24/06/2013
PP_AR_D_004000	A	MASTER PLAN LEVEL 4	24/06/2013
PP_AR_D_005000	A	MASTER PLAN LEVEL 5	24/06/2013
PP_AR_D_006000	A	MASTER PLAN LEVEL 6	24/06/2013
PP_AR_D_007000	A	MASTER PLAN ROOF	24/06/2013
PP_AR_0052	A	QUARRY STREET PEDESTRIAN FOOTBRIDGE / LIGHT RAIL OFFICE PLAN	14.03.13
PP_AR_0053	A	QUARRY STREET PEDESTRIAN FOOTBRIDGE / LIGHT RAIL OFFICE ELEVATIONS	14.03.13
TH_AR_D_200000	A	GA PLANS – VIP FOYER – STAGE AND LOADING LEVEL 0 RL 3.4	24/06/2013
TH_AR_D_201000	A	GA PLAN – VENUE MANAGEMENT 1 LEVEL 1 RL 7.9	24/06/2013
TH_AR_D_202000	A	GA PLANS – MAIN FOYER LEVEL 2 RL 12.4	24/06/2013
TH_AR_D_203000	A	GA PLANS – MAIN FOYER PLANT LEVEL 3 RL 15.9	24/06/2013
TH_AR_D_204000	A	GA PLANS – MID FOYER LEVEL 4 RL 19.9	24/06/2013
TH_AR_D_205000	A	GA PLANS – CORPORATE FUNCTION LEVEL 5 RL 25.9	24/06/2013

TH_AR_D_206000	A	GA PLANS – UPPER FOYER LEVEL 6 RL 30.4	24/06/2013
TH_AR_D_207000	A	GA PLANS – UPPER TIER – FOYER PLANT LEVEL 7 RL 34.9	24/06/2013
TH_AR_D_208000	A	GA PLANS – ROOF LEVEL 8 RL 44.00	24/06/2013
TH_AR_D_410000	A	OVERALL NORTH AND EAST ELEVATIONS	24/06/2013
TH_AR_D_420000	A	OVERALL SOUTH AND WEST ELEVATIONS	24/06/2013
TH_AR_D_500000	A	OVERALL SECTIONS – SHEET 1	24/06/2013
TH_AR_D_900000	A	THE THEATRE – TUMBALONG 01	24/06/2013
EX_AR_D_200000	B	GA PLAN – CARPARK LEVEL 0 RL 2.5	24/06/2013
EX_AR_D_201000	B	GA PLAN – LOWER EXHIBITION LEVEL 1 RL 5.8	24/06/2013
EX_AR_D_202000	B	GA PLAN – LOWER EXHIBITION MEZZANINE LEVEL 1M RL 9	24/06/2013
EX_AR_D_203000	B	GA PLAN – LOWER EXHIBITION – PRE-FUNCTION LEVEL 2 RL 12	24/06/2013
EX_AR_D_204000	B	GA PLAN – LOWER EXHIBITION MEZZANINE – PLANT 1 LEVEL 3 RL 17	24/06/2013
EX_AR_D_205000	B	GA PLAN – UPPER EXHIBITION – PRE-FUNCTION LEVEL 4 RL 21.5	24/06/2013
EX_AR_D_206000	B	GA PLAN – UPPER MEZZANINE LEVEL 5 RL 25.6	24/06/2013
EX_AR_D_207000	B	GA PLAN – PLANT 2 LEVEL 5M RL 29.35	24/06/2013
EX_AR_D_208000	B	GA PLAN – EXHIBITION HALL ROOF LEVEL RF	24/06/2013
EX_AR_D_400000	B	OVERALL WEST AND EAST ELEVATIONS	27/06/2013
EX_AR_D_410000	B	OVERALL NORTH AND SOUTH ELEVATIONS	27/06/2013
EX_AR_D_500000	B	OVERALL SECTIONS – SHEET 1	24/06/2013
EX_AR_D_500001	B	OVERALL SECTIONS – SHEET 2	24/06/2013
EX_AR_D_500002	B	OVERALL SECTIONS – SHEET 3	24/06/2013
EX_AR_D_500003	B	OVERALL SECTIONS – SHEET 4	24/06/2013
EX_AR_D_500004	B	OVERALL SECTIONS – SHEET 5	24/06/2013
EX_AR_2003	A	EVENT DECK CANOPY AXONOMETRIC	14.03.13
EX_AR_D_900001	B	EXHIBITION_TUMBALONG 01	24/06/2013
EX_AR_D_900010	B	NORTH STAIR AND CANOPY DETAIL 1	24/06/2013
EX_AR_D_900011	B	NORTH STAIR AND CANOPY DETAIL 2	24/06/2013
EX_AR_D_900012	B	PLANS & SECTIONS – NORTH CANOPY DISTRIBUTOR CONFLICT 1	24/06/2013
EX_AR_D_900013	B	PLANS & SECTIONS – NORTH CANOPY DISTRIBUTOR CONFLICT 2	24/06/2013
CO_AR_D_200000	A	GA PLANS – LOBBY – LEVEL 0 RL 3.5	24/06/2013
CO_AR_D_201000	A	GA PLANS – CONVEX – LEVEL 1 RL 7.2	24/06/2013
CO_AR_D_202000	A	GA PLANS – PLENARY 1 & 2 – LEVEL 2 RL 10.9	24/06/2013
CO_AR_D_203000	A	GA PLANS – PLANT – LEVEL 2M RL 13.8	24/06/2013
CO_AR_D_204000	A	GA PLANS – PLENARY 3 – LEVEL 3 RL 17.2	24/06/2013
CO_AR_D_205000	A	GA PLANS – PLANT – LEVEL 3M RL 20.85	24/06/2013
CO_AR_D_206000	A	GA PLANS – MEETING – LEVEL 4 RL 24.6	24/06/2013

CO_AR_D_207000	A	GA PLANS – PLANT – LEVEL 4M RL 28.25	24/06/2013
CO_AR_D_208000	A	GA PLANS – THE GRAND BALLROOM – LEVEL 5 RL 32.0	24/06/2013
CO_AR_D_209000	A	GA PLANS – PLANT – LEVEL 5M RL 36.0	24/06/2013
CO_AR_D_210000	A	GA PLANS – PLANT – LEVEL 6 – RL 41.0	24/06/2013
CO_AR_D_211000	A	GA PLANS – ROOF – LEVEL ROOF RL 45.0	24/06/2013
CO_AR_D_410000	A	ELEVATIONS	24/06/2013
CO_AR_D_420000	A	ELEVATIONS	24/06/2013
CO_AR_D_500000	A	SECTIONS	24/06/2013
Public Domain / Landscape Drawings prepared by Hassel			
Drawing No.	Revision	Name of Plan	Date
PP_LA_001	B	DRAWING LIST + DRAWING LAYOUT	21/06/2013
PP_LA_002	B	LEGEND	21/06/2013
PP_LA_003	C	PPP WORK-PRECINCT PLAN	08/08/2013
PP_LA_004	A	MATERIALS SCHEDULE	07/03/2013
PP_LA_101	B	DEMOLITION + TREE PROTECTION	21/06/2013
PP_LA_201	C	GENERAL ARRANGEMENT 1/3	08/08/2013
PP_LA_202	B	GENERAL ARRANGEMENT 2/3	21/06/2013
PP_LA_203	B	GENERAL ARRANGEMENT 3/3	21/06/2013
PP_LA_301	A	SECTIONAL ELEVATION (SHEET 1 OF 6)	07/03/2013
PP_LA_302	B	SECTIONAL ELEVATION (SHEET 2 OF 6)	21/06/2013
PP_LA_303	B	SECTIONAL ELEVATION (SHEET 3 OF 6)	21/06/2013
PP_LA_304	B	SECTIONAL ELEVATION (SHEET 4 OF 6)	21/06/2013
PP_LA_305	A	SECTIONAL ELEVATION (SHEET 5 OF 6)	07/03/2013
PP_LA_306	A	SECTIONAL ELEVATION (SHEET 6 OF 6)	07/03/2013
PP_LA_600	B	PUBLIC REALM STRUCTURES RETAIL BLOCK	21/06/2013
PP_LA_601	A	PUBLIC REALM STRUCTURES PAVILION	07/03/2013
PP_LA_602	B	PUBLIC REALM STRUCTURES BACK OF STAGE	21/06/2013
PP_LA_603	B	PUBLIC REALM STRUCTURES SKY TRACKER AND INFORMATION BOOTH	21/06/2013
Civil Infrastructure Drawings prepared by Hyder Consulting			
Drawing No.	Revision	Name of Plan	Date
PP-CI-0001	A	TITLE SHEET AND LOCALITY PLAN	14/03/2013
PP-CI-0011	A	TRAFFIC, TRANSPORT AND ACCESS PLAN	14/03/2013
PP-CI-0010	A	GENERAL ARRANGEMENT PLAN	14/03/2013
PP-CI-0011	A	TRAFFIC, TRANSPORT AND ACCESS PLAN	14/03/2013
PP-CI-0021	A	SURVEY AND EXISTING SERVICES PLAN SHEET 1	14/03/2013
PP-CI-0022	A	SURVEY AND EXISTING SERVICES PLAN SHEET 2	14/03/2013
PP-CI-0023	A	SURVEY AND EXISTING SERVICES PLAN	14/03/2013

		SHEET 3	
PP-CI-0101	A	CONSTRUCTION STAGING SHEET 1	14/03/2013
PP-CI-0102	A	CONSTRUCTION STAGING SHEET 2	14/03/2013
PP-CI-0103	A	CONSTRUCTION STAGING SHEET 3	14/03/2013
PP-CI-0104	A	CONSTRUCTION STAGING SHEET 4	14/03/2013
PP-CI-0105	A	CONSTRUCTION STAGING SHEET 5	14/03/2013
PP-CI-0106	A	CONSTRUCTION STAGING SHEET 6	14/03/2013
PP-CI-0107	A	CONSTRUCTION STAGING SHEET 7	14/03/2013
PP-CI-0108	A	CONSTRUCTION STAGING SHEET 8	14/03/2013
PP-CI-0109	A	CONSTRUCTION STAGING SHEET 9	14/03/2013
PP-CI-0110	A	CONSTRUCTION STAGING SHEET 10	14/03/2013
PP-CI-0111	A	CONSTRUCTION STAGING SHEET 11	14/03/2013
PP-CI-0112	A	CONSTRUCTION STAGING SHEET 12	14/03/2013
PP-CI-0120	A	CONSTRUCTION TRAFFIC MANAGEMENT PLAN	14/03/2013
PP-CI-0150	A	EXCAVATION PLAN	14/03/2013
PP-CI-0200	A	SEDIMENT AND EROSION CONTROL OVERALL PLAN	14/03/2013
PP-CI-0301	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 1	14/03/2013
PP-CI-0302	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 2	14/03/2013
PP-CI-0303	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 3	14/03/2013
PP-CI-0304	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 4	14/03/2013
PP-CI-0305	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 5	14/03/2013
PP-CI-0306	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 6	14/03/2013
PP-CI-0307	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 7	14/03/2013
PP-CI-0308	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 8	14/03/2013
PP-CI-0309	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 9	14/03/2013
PP-CI-0310	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 10	14/03/2013
PP-CI-0311	A	DEMOLITION AND SITE CLEARANCE PLAN SHEET 11	14/03/2013
PP-CI-0401	C	CIVIL WORKS PLAN SHEET 1	07/08/2013
PP-CI-0402	B	CIVIL WORKS PLAN SHEET 2	20/06/2013
PP-CI-0403	B	CIVIL WORKS PLAN SHEET 3	20/06/2013
PP-CI-0404	B	CIVIL WORKS PLAN SHEET 4	20/06/2013
PP-CI-0405	B	CIVIL WORKS PLAN SHEET 5	20/06/2013

PP-CI-0406	B	CIVIL WORKS PLAN SHEET 6	20/06/2013
PP-CI-0407	A	CIVIL WORKS PLAN SHEET 7	14/03/2013
PP-CI-0408	A	CIVIL WORKS PLAN SHEET 8	14/03/2013
PP-CI-0409	A	CIVIL WORKS PLAN SHEET 9	14/03/2013
PP-CI-0410	A	CIVIL WORKS PLAN SHEET 10	14/03/2013
PP-CI-0411	B	CIVIL WORKS PLAN SHEET 11	20/06/2013
PP-CI-0441	A	DETAILED ROAD CROSS SECTIONS DARLING DRIVE	14/03/2013
PP-CI-0445	A	DETAILED FOOTPATH CROSS SECTIONS PUBLIC REALM	14/03/2013
PP-CI-0501	A	STORMWATER DRAINAGE PLAN SHEET 1	14/03/2013
PP-CI-0502	A	STORMWATER DRAINAGE PLAN SHEET 2	14/03/2013
PP-CI-0503	A	STORMWATER DRAINAGE PLAN SHEET 3	14/03/2013
PP-CI-0504	A	STORMWATER DRAINAGE PLAN SHEET 4	14/03/2013
PP-CI-0505	A	STORMWATER DRAINAGE PLAN SHEET 5	14/03/2013
PP-CI-0506	A	STORMWATER DRAINAGE PLAN SHEET 6	14/03/2013
PP-CI-0507	A	STORMWATER DRAINAGE PLAN SHEET 7	14/03/2013
PP-CI-0508	A	STORMWATER DRAINAGE PLAN SHEET 8	14/03/2013
PP-CI-0509	A	STORMWATER DRAINAGE PLAN SHEET 9	14/03/2013
PP-CI-0510	A	STORMWATER DRAINAGE PLAN SHEET 10	14/03/2013
PP-CI-0511	A	STORMWATER DRAINAGE PLAN SHEET 11	14/03/2013
PP-CI-0701	B	PAVEMENT PLAN SHEET 1	20/06/2013
PP-CI-0702	B	PAVEMENT PLAN SHEET 2	20/06/2013
PP-CI-0703	B	PAVEMENT PLAN SHEET 3	20/06/2013
PP-CI-0851	A	SERVICE STRATEGY PLAN CONCEPT SEWER AND WATER	14/03/2013
PP-CI-0852	A	SERVICE STRATEGY PLAN CONCEPT NATURAL GAS	14/03/2013
PP-CI-0853	A	SERVICE STRATEGY PLAN CONCEPT COMMUNICATIONS	14/03/2013
PP-CI-0854	A	SERVICE STRATEGY PLAN CONCEPT ELECTRICAL	14/03/2013
PP-CI-1101	A	INTERNATIONAL CONVENTION CENTRE LOADING DOCK TURNING PATHS SHEET 1	14/03/2013
PP-CI-1102	A	INTERNATIONAL CONVENTION CENTRE LOADING DOCK TURNING PATHS SHEET 2	14/03/2013
PP-CI-1105	A	ICC EXHIBITION CENTRE LOADING DOCK RL6.0 TURNING PATHS	14/03/2013
PP-CI-1110	A	ICC EXHIBITION CENTRE LOADING DOCK RL21.5m TURNING PATHS SHEET 1	14/03/2013
PP-CI-1111	A	ICC EXHIBITION CENTRE LOADING DOCK RL21.5m TURNING PATHS SHEET 2	14/03/2013
PP-CI-1112	A	ICC EXHIBITION CENTRE LOADING DOCK RL21.5m TURNING PATHS SHEET 3	14/03/2013

PP-CI-1113	A	ICC EXHIBITION CENTRE LOADING DOCK RL21.5m TURNING PATHS SHEET 4	14/03/2013
PP-CI-1115	A	MFEC LOADING DOCK TURNING PATHS	14/03/2013

Inconsistency between documents

- A3 If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of approval

- A4 This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.

Prescribed Conditions

- A5 The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Long Service Levy

- A6 A Long Service Levy is required to be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal notices

- A7 Any advice or notice to the consent authority shall be served on the Director-General.

B REMEDIAL WORKS

- B1 The works shall be undertaken in accordance with the Remedial Works Plan prepared by AECOM, and Site Audit Report prepared by ENVIRON Australia Pty Ltd both submitted with the EIS.

C PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Changes

- C1 Prior to the issue of the relevant Construction Certificate, amended plans and documentation are required to be submitted to the Director General of the Department of Planning and Infrastructure for approval. This shall include:
- a) A revised design scheme providing a revised ground surface treatment and alignment of the northern termination point of The Boulevard, at Cockle Bay.
 - b) An amended alignment and pathway geometry in and around Tumbalong Green including a widened footpath at The Boulevard (consistent with the alignment as provide in the RtS).
 - c) An extension of the median island along Darling Drive up to the mid block pedestrian crossing to prevent vehicles from turning right from the proposed loop road at Harbourside Place.
 - d) Signalised pedestrian crossings at Darling Drive (adjacent to the Convention Centre and proposed Hotel) and Darling Drive (adjacent to the Exhibition Centre and The Theatre).

All revised design schemes shall be developed in close consultation with SHFA, and any other relevant agencies.

- C2 Prior to the issue of the relevant Construction Certificate, amended plans and documentation are required to be submitted to the Director General of the Department of Planning and Infrastructure for approval, for the proposed VIP drop off loop road (between the Exhibition Centre and The Theatre) showing the following:
- Bollards installed at the layback connections with Darling Drive outside of event periods; and
 - Appropriate devices (including landscaping and street furniture) in place to minimise the areas of conflict between pedestrians and vehicles on the proposed drop off loop road.

Reflectivity

- C3 In order to manage the reflectivity impacts of the development:
- a) The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of:
 - i) 20 percent for all surfaces;and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers;
 - b) Screens or other suitable treatments shall be applied to the top of the glazed roof section of the western podium to ensure potential glare impacts are managed in accordance with the recommendations of the Solar Light Reflectivity Analysis in the Response to Submissions; and
 - c) A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for any facade works.

Outdoor Lighting

- C4 All outdoor lighting within the site shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for above ground works.

Access for People with Disabilities

- C5 Prior to the issue of the relevant construction certificate, detailed design documentation demonstrating compliance with the recommendations of the Access Review Report submitted with the EIS shall be submitted. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the Construction Certificate drawings.

Erosion and Sedimentation Control

- C6 Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater–Soils & Construction Volume 1 (2004) by Landcom. Details are to be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for below ground works.

Pre-Construction Dilapidation Reports

- C7 The Applicant is to engage a suitably qualified person to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum excavation depth. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate. A copy of the report is to be forwarded to the Council and SHFA.

Bicycle Spaces

- C8 The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
- a) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities; and
 - b) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Facilities for Cyclists

- C9 The number of storage, change room and shower facilities for the commercial use shall comply with the details provide in the RtS. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for services and finishes works

Construction over the Western Distributor

- C10 The proposed development shall be designed such that road traffic noise from the Western Distributor is mitigated by durable materials to satisfy the performance standards under Clause 102(3) of State Environmental Planning Policy (Infrastructure) 2007. Details are to be submitted to the PCA prior to the issue of the relevant Construction Certificate for above ground work.

Note: the RMS's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.

Protection of TfNSW land, easements or infrastructure

- C11 Prior to the issue of the relevant Construction Certificate or the commencement of works (whichever occurs first) the Applicant shall liaise with TfNSW to ascertain its requirements in relation to the protection of TfNSW land, easements or infrastructure. The Applicant is to submit to TfNSW all relevant documentation as requested prior to the issuing of the relevant Construction Certificate or commencement of works, as the case may be.
- C12 Prior to the issue of the relevant Construction Certificate, a Rail Safety Interface Agreement will be required for any works craning over the corridor and/or construction of the new loading dock apron over the rail corridor. This shall include development and implementation of a Rail Safety Interface Agreement between DHL, TfNSW and the Light Rail operator (TransDev) prior to works commencing. Consultation with these agencies is required throughout the detailed design developments.

Urban Design and Pedestrian Accessibility

- C13 Prior to the issue of the relevant Construction Certificate, an Urban Design and Pedestrian Accessibility Plan (UDPAP) is required to be submitted to the Director General of the Department of Planning and Infrastructure for approval. The UDPAP shall demonstrate the following urban design improvements:
- a) improvements to pedestrian access and legibility of the light rail stops; and
 - b) the provision of pedestrian accessibility improvements between the western end of Tumbalong Place and Pyrmont Street.

Car Park and Service Vehicle Layout

- C14 Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the PCA prior the issue of the issue of the relevant Construction Certificate for above ground works:
- a) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the Subject Site in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - b) parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - c) appropriate pedestrian advisory signs are to be provided at the egress from parking areas;

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- d) All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority.
 - e) The swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS;

Bus and Coach Parking

C15 Prior to the issue of the relevant construction certificate, evidence that the Applicant has consulted with TfNSW and the Bus and Coach Association (following the release of the City Centre Bus Plan) to confirm bus/coach parking in the Subject Site shall be submitted to the PCA.

Road Safety

C16 Prior to the issue of the relevant construction certificate, a Road Safety Audit shall be submitted to the PCA

Cycle Routes

C17 Prior to the issue of the relevant construction certificate, evidence that the Applicant has consulted with the Council's cycling team to ensure the appropriate provision of bicycle parking and end of trip facilities within the development shall be submitted to the PCA

Driveway Crossovers on Darling Drive

C18 All driveway crossovers on Darling Drive shall be designed with continuous footpath paving ensuring that the driveway entrances are fully integrated with the adjoining footpath.

Taxis

C19 Prior to the issue of the relevant construction certificate, evidence that the Applicant has consulted with NSW Taxi Council to ensure that sufficient taxi storage is provided within the Subject Site shall be submitted to the PCA.

Structural Details

C20 Prior to the issue of a relevant Construction Certificate, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:

- a) the relevant clauses of the BCA, and
- b) the development consent.

Mechanical Ventilation

C21 All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for above ground services and finishes works.

Design of Food Premises

- C22 The fitout of food premises shall be carried out in accordance with AS 4674 Design, construction and fit-out of food premises. Details of compliance with the relevant provisions of the Code shall be prepared by a suitably qualified person and submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for above ground works.

Storage and Handling of Waste

- C23 The building plans and specifications accompanying the relevant Construction Certificate shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. Requirements of City of Sydney *Policy for Waste Minimisation in New Developments 2005* shall be met, including:
- a) rendering all internal walls of the storage area are to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
 - b) provision for the separation and storage, in appropriate categories, of material suitable for recycling;
 - c) provision for separate storage and collection of organic/food waste.

Sydney Water Notice of Requirements

- C24 An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 (Compliance Certificate) prior to the issue of the relevant Construction Certificate for any works.

The Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site www.sydneywater.com.au then follow the “e-Developer” icon or telephone 13 20 92 for assistance.

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

Installation of Dual-Flush Toilets

- C25 All toilets installed within the development must be of water efficient dual flush capacity with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Certifying Authority, prior to the relevant Construction Certificate being issued for above ground works.

Installation of Water Efficient Taps

- C26 All taps and shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS), where available. The details are to be submitted for the approval of the Certifying Authority, prior to the issue of the relevant Construction Certificate for services and finishes works.

Installation of Water Efficient Urinals

- C27 New urinal suites, urinals and urinal flushing control mechanisms must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS).
- C28 Systems must include “smart controls” to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the Certifying Authority, prior to the issue of a Construction Certificate for services and finishes works.

Internal Lighting System

- C29 The proposed internal lighting system for the commercial office spaces must be designed to provide for the efficient use of energy including the use of energy efficient light fittings, zoned lighting and controls and sensors to ensure automatic switch off during non-working hours. Details of the internal lighting system must be submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate for services and finishes works.

Heritage

- C30 Prior to the issue of the relevant Construction Certificate, a programme of Aboriginal archaeological sub-surface testing and monitoring should be undertaken to the western side of the site within the area of the original foreshore, in areas where piling or other ground disturbance (which will penetrate below the fill) is to be undertaken. If during the course of the redevelopment, and previously undetected Aboriginal ‘objects’, artefacts or sites are uncovered, work must cease in the vicinity of that object, artefact or site and further advice sort from the archaeologist who undertook the program of sub-surface testing. The programme of monitoring, recording and testing should be undertaken in partnership with the Metropolitan Local Aboriginal Land Council.
- C31 Prior to the issue of a Construction Certificate, an archival photographic recording of the exterior of each identified heritage item (including the existing Exhibition and Convention Centres) on the development site shall be undertaken in accordance with the Heritage Council document “Photographic Recording of Heritage Items using Film or Digital Capture.” Copies of the archival recording shall be lodged with the Heritage Branch, SHFA and Council.
- C32 All work to heritage items shall be carried out by suitably qualified tradesmen with practical experience in the conservation and restoration of similar heritage items. The nominated heritage consultant shall be consulted prior to the selection of appropriate tradesmen.
- C33 Significant built elements are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.
- C34 Prior to the issue of the relevant Construction Certificate, more detailed research and other investigations are to be undertaken for each identified heritage item or areas with archaeological fabric or deposits of heritage significance which would be negatively affected by the proposal, to address specific impacts arising from more detailed design development and to provide mitigation and management measures for those impacts.

Archival Photographic Recording of the Exhibition and Convention Centres

- C35 Prior to the issue of a Construction Certificate, an archival photographic recording of the existing Exhibition and Convention Centres shall be undertaken. Copies of the archival recording shall be lodged with the Heritage Branch, SHFA and Council.

Water Quality and Site Management

C36 Prior to issue of the relevant Construction Certificate, a detailed Erosion and Sediment Control Plan for the project site shall be prepared in accordance with Landcom (2004) 'Soils and Construction,' and shall also address the water quality issues including water discharge during construction, location or design of sediment basins; the location of any proposed discharge points; the volume of water to be discharged and proposed frequency of discharges; the background water quality conditions of the receiving environment and an assessment of impacts on Cockle Bay, and specific treatment levels required.

Civil and Traffic Signal Works

C37 Prior to issue of the relevant Construction Certificate, evidence of any proposed civil works to the Western Distributor viaduct including the proposed new signalised crossings along Darling Drive shall be designed in accordance with Austroads with RMS supplements, RMS's Traffic Signal Design Manual and Australian Codes of Practice. Design plans shall be prepared by a suitably qualified practitioner and submitted to RMS for consideration and approval prior to commencement of any road works in relation to the Western Distributor.

The Applicant will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned traffic signal excluding Darling Drive. The Works Authorisation Deed (WAD) will need to be executed prior to RMS' assessment of the detailed design plans.

D PRIOR TO COMMENCEMENT OF WORKS

Certified Plans

- D1 Plans certified in accordance with section 109C of the EP&A Act are to be submitted to the PCA and the Department prior to commencement of each stage of the works and shall include details as required by any of the following conditions.

Demolition

- D2 The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of any demolitions.

Notice of Commencement of Works

- D3 The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of building or subdivision works on the Subject Site.

Construction Environmental Management Plan

- D4 Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA. The CEMP shall be informed by the Construction Management Plan submitted with the EIS. The Plan shall address, but not be limited to, the following matters where relevant:
- a) hours of work,
 - b) 24 hour contact details of site manager,
 - c) traffic management, in consultation with the Council,
 - d) construction noise and vibration management, prepared by a suitably qualified person
 - e) management of dust to protect the amenity of the neighbourhood
 - f) erosion and sediment control,
 - g) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - h) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting;
 - i) flora and fauna management;
 - j) works in accordance with the Remedial Works Plan submitted with the EIS;
 - k) air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works; and
 - l) incorporation of all acoustic management and treatment in accordance with the recommendations of the supplementary acoustic report prepared by Acoustic Logic and submitted with the RfS.

The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

The Applicant shall submit a copy of the CEMP to the Department, SHFA and the Council, prior to commencement of work.

Construction Noise and Vibration

D5 Prior to the commencement of construction activities, a detailed Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person shall be submitted to the PCA. The Plan shall include, but not be limited to:

- a) Identification of each work area, site compound and access route (both private and public);
- b) Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes;
- c) Identification of all potentially affected sensitive receivers;
- d) The construction noise objectives identified in accordance with the *Interim Construction Noise Guidelines* (DECC 2009);
- e) Assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d);
- f) Where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts;
- g) Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers;
- h) Procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity; and
- i) Measures to monitor noise performance and respond to complaints.

The CNVMP should also include demolition methods that do not require the use of rock breakers or other similar high noise generating equipment, such as rock (or concrete) splitting of building sections for transport and break up off site, unless not feasible and reasonable. Where rock breakers or other high noise generating equipment are to be used such that the appropriate criteria are exceeded, the hours of operation for high noise generating equipment must include respite periods.

D6 Prior to the commencement of construction and operation activities, the Applicant must develop a Traffic Noise Management Strategy (TNMS), to ensure that feasible and reasonable noise management strategies for vehicle movements associated with the facility are identified and applied, that include but are not necessarily limited to the following:

- driver training to avoid noisy practices such as the use of compression engine brakes near sensitive receivers, slamming or banging of tailgates / truck doors, loud radios or shouting during the night period,
- best noise practice in the selection and maintenance of vehicle fleets;
- movement scheduling where practicable to reduce impacts during sensitive times of the day;
- design of the site layout and heavy vehicle movement paths so as to, as much as practicable, maximise forward movements and minimise reversing (to minimise potential impacts from reversing beepers);

- implementation, as much as possible, of alternatives to tonal movement alarms (“reversing beepers”) such as non-tonal reversing alarms, reversing cameras and/or proximity alarms;
- appropriate speed restrictions on light and heavy vehicles to minimise noise impacts;
- communication and management strategies for non licensee/ Applicant owned and operated vehicles to ensure the provisions of the TNMS are implemented;
- a system of audited management practices that identifies non conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimisation procedures) and assesses the implementation and improvement of the TNMS;
- specific procedures for drivers to minimise impacts at identified sensitive receivers; and
- clauses in conditions of employment, or in contracts, of drivers that require adherence to the noise minimisation procedures and facilitate effective implementation of disciplinary actions for breaches of the procedures.

Waste Management Plan during construction

D7 Prior to the commencement of any works on the Subject Site, a detailed Construction Waste Management Plan prepared by a suitably qualified person, in consultation with SHFA, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:

- a) Recycling of demolition materials including concrete; and
- b) Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.

The Applicant shall submit a copy of the Plan to the Department, SHFA and the Council, prior to commencement of work.

D8 Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.

D9 The Applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

Construction Traffic & Pedestrian Management Plan

D10 Prior to the commencement of any works on the Subject Site, a Construction Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the PCA. The Plan must be prepared in consultation with the Council, the RMS, and the Transport Management Centre.

The Plan shall address, but not be limited to, the following matters:

- a) ingress and egress of vehicles to the Subject Site,
- b) loading and unloading, including construction zones,
- c) predicted traffic volumes, types and routes, and
- d) pedestrian and traffic management methods.

The Applicant shall submit a copy of the final Plan to the Council, prior to the commencement of work.

D11 A Construction Traffic Management and Pedestrian Management Plan should be prepared in consultation with RMS and the TMC prior to the commencement of construction to address transport and access issues. The plan should take into account and be comparable with the Construction Traffic Management and Pedestrian Management Plan for the cumulative impacts of all the projects listed below:

- Barangaroo, now to at least 2020;
- CBD & South East Light Rail (CSELR), 2014/15 to 2020;
- Central Park (former Carlton United Brewery), now to 2016;
- Four Points by Sheraton, 2013 to 2015;
- Harold Park redevelopment, now to 2017;
- IMAX redevelopment, 2014 to 2016;
- Sydney City Centre Bus Plan, 2014 to 2015;
- Sydney Harbour Bridge Toll Plaza upgrade, now to 2015;
- Wynyard Walk, now to 2015; and
- Temporary Exhibition Centre, 2014 to 2016.

Note: Dates above are indicative and are subject to confirmation with project owners.

Acid Sulfate Soils

D12 Prior to commencement of works, an Acid Sulfate Soil Assessment and Management Plan in accordance with *Acid Sulfate Soils Manual* (Stone *et al.* 1998), is to be submitted to the PCA. The Plan shall include laboratory testing of soil samples.

Community Consultation

D13 A Community Consultation and Engagement Plan shall be prepared prior to commencement of works and shall include how notification of residents and complaints associated with other elements of the SICEEP project (i.e. The Haymarket and Hotel components) will be managed.

Utility Services

D14 Prior to the commencement of work the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

D15 Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) indicating that satisfactory arrangements have been made to ensure provision of adequate services.

D16 Prior to the commencement of works, the Applicant:

- a) Shall confirm with Ausgrid the location and status (e.g. live, de-energised, isolated, abandoned) of existing Ausgrid infrastructure;
- b) Shall liaise with Ausgrid in relation to any aspects of the development that may impact or potentially impact Ausgrid's infrastructure or ability to safely operate and maintain its infrastructure. This includes but is not limited to effects of vibration, excavation, constructions works;
- c) Shall liaise with Ausgrid to determine the relocation of any existing infrastructure; and
- d) Shall liaise with Ausgrid to agree appropriate work methodologies in the vicinity of Ausgrid's infrastructure.

Heritage

- D17 The Applicant shall prepare a Heritage Management Plan in consultation with the Heritage Branch of the Office of Environment & Heritage as part of the Construction Environmental Management Plan. That document shall include details of all procedures to be implemented during the works in relation to heritage items and historical archaeology.
- D18 A specialist heritage manager and an archaeological consultant shall be nominated for the works. The consultants shall have appropriate qualifications and experience commensurate with the scope of the Major Project works. The heritage consultants shall advise on the detail design resolution of new works, and manage the implementation of the conditions of approval for the Project. A report by the heritage manager (illustrated by works' photographs) shall be submitted to the Director-General within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out.
- D19 All construction contractors, subcontractors and relevant personnel are to be inducted and informed by the nominated archaeological consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW.
- D20 All affected historical archaeological 'relics' and/or deposits of Local and State significance are to be subject to professional archaeological excavation and/or recording before construction works commence which will impact those 'relics'. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines. Those documents shall be submitted to the Director-General of the Department of Planning & Infrastructure and Heritage Branch of the Office of Environment & Heritage (as the staff for the Heritage Council of NSW).

E DURING CONSTRUCTION

Hours of Work

- E1 All work, including demolition, excavation and building 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 proposed development must only be carried out:
- a) between 7:00 am and 7:00 pm, Mondays to Fridays inclusive; and
 - b) between 7:00 am and 5:00 pm, Saturdays; and
 - c) no work is to be undertaken on Sundays and public holidays; and
 - d) works may be undertaken outside these hours where:
 - i) it is required by a major works authorisation deed executed with the RMS; or
 - ii) the delivery of materials is required outside these hours by the Police or other authorities; or
 - iii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - iv) variation is approved in advance in writing by the Director General.

Lighting of Site during Construction

- E2 The intensity of lighting of the site, the hours of illumination and the location of the lighting must not cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of the PCA or the Director General, 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.

Erosion and Sediment Control

All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction 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.

Acid Sulfate Soils

- E3 All works during construction shall comply with the Acid Sulfate Soils Management Plan. All water discharge is to comply with section 120 of the *Protection of Environment Operations Act 1997* is appropriate.

Monitoring of Groundwater

- E4 A report shall be submitted for groundwater monitoring, in accordance with the recommendations of the Remedial Works Plan submitted with the EIS. The report shall also provide any recommendations or actions required to address groundwater quality in accordance with the Remedial Works Plan.

Waste Disposal

- E5 All waste generated on site must be classified and disposed of in accordance with the *Waste Classification Guidelines* (DECC 2008).

Disposal of Seepage and Stormwater

- E6 Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council (in relation to any drains it manages) or SHFA (in relation to any drains it manages).

Approved Plans to be On-site

- E7 A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

Site Notice

- E8 A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.

The notice(s) is to satisfy all but not be limited to, the following requirements:

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

Utilities

- E9 During works within the development site, the Applicant shall ensure the work in the vicinity of Ausgrid's underground infrastructure, is undertaken in accordance with Ausgrid's Network Standard NS156 – Working Near or Around Underground Cables.
- E10 The Applicant shall be responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.
- E11 The relocation of any TfNSW services or infrastructure are to be at the Applicant's cost and to TfNSW requirements and standards.
- E12 All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW or RMS.

Protection of Trees

- E13 No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from the relevant Authority is obtained or is required in an emergency to avoid the loss of life or damage to property.
- E14 All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of the relevant Authority.

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- E15 All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Construction Noise Management

- E16 The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan, approved by the Director-General.

All feasible and reasonable noise mitigation measures shall be implemented and any activities that have the potential for noise emissions that exceed the above criteria must be identified and managed in accordance with a Construction Noise and Vibration Management Plan.

- E17 If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- E18 The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours and must include respite periods unless otherwise approved in the Construction Noise and Vibration Management Plan.
- a) 8.00 am to 12.00 pm, Monday to Friday;
 - b) 1.00 pm to 6.00 pm Monday to Friday; and
 - c) 8.00 am to 12.00 pm, Saturday; or
 - d) as required by a major works authorisation deed executed with the RMS.
- E19 Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- E20 Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the Subject Site.
- E21 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'.

Vibration Criteria

- E22 Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

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- c) Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
 - d) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved by the Director-General.

Heritage Superintendent

E23 Works on heritage components of the Subject Site shall be superintended by a consultant(s) experienced in the conservation of similar heritage buildings.

Work Cover Requirements

E24 To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

E25 The following hoarding requirements shall be complied with:

- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

Road Occupancy License

E26 A Road Occupancy Licence (ROL) must be obtained from the TMC for any activity likely to impact on the operational efficiency of the road network.

Archaeology

E27 Prior to the commencement of the proposed works, all contractors and relevant personnel involved must be made aware of the existence of potential and historical archaeological remains at the site by way of an induction process to be undertaken by a nominated archaeologist. The induction must also make the personnel aware of the possibility that as yet unidentified archaeological remains may still exist and of the requirements of S146 of the Heritage Act 1977 in relation to archaeological relics in the event that they are uncovered.

E28 Where substantial intact archaeological relics of State or local significance are discovered during excavation, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the Heritage Act 1977. Depending on the nature of the discovery, additional assessment may be required prior to the recommencement of excavation in the affected area.

E29 If intact archaeological relics or deposits are uncovered then an archaeological Excavation Director must be engaged to undertake archaeological monitoring of the excavation works associated with the project and an archaeological salvage program as necessary. A methodology and archaeological Research Design should be prepared to guide such investigations and should be provided for the approval of the NSW Heritage Council or its Delegate ahead of commencement of any archaeological monitoring program. The nominated Excavation Director must meet the NSW Heritage Council Criteria for Excavation Directors.

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- E30 After any archaeological works have been undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, Council, SHFA, and the Department of Planning & Infrastructure. The Applicant shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The final excavation report shall include the following:
- a) An executive summary of the archaeological programme;
 - b) Due credit to the client paying for the excavation, on the title page;
 - c) An accurate site location and site plan (with scale and north arrow);
 - d) Historical research, references, and bibliography;
 - e) Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
 - f) Nominated repository for the items;
 - g) Detailed response to research questions (at minimum those stated in the Department of Planning & Infrastructure approved Research Design);
 - h) Conclusions from the archaeological programme. This information must include an assessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site; and
 - i) Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

Discovery of Aboriginal Heritage

- E31 In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

F PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Operation of the Facility

- F1 Prior to the issue of the relevant Occupation Certificate, a Community Engagement and Consultation Plan for the operation of the facility shall be submitted to the PCA. The plan should ensure that the community is able to contact the SICEEP facility operators at all times that activities are taking place (including bump in/ bump out and during exhibitions and events) to make complaints and provide feedback via email and telephone. The plan should include a community complaints and feedback management procedure and procedures for notifying the community of events that are likely to cause concern due to noise, congestion or other issues. Community contact numbers and email addresses should be made publically available via the facility website.

Operation Noise Management Plan

- F2 Prior to the issue of the relevant Occupation Certificate for use of the Event Deck, an Operational Noise Management Plan (ONMP) shall be submitted and approved by the Environmental Protection Authority. The ONMP must apply to all outdoor events to be held on the Event Deck.

The ONMP shall contain, but not be limited to, the following:

- a) The ONMP shall be prepared in consultation with all relevant stakeholders, including the local community, EPA and SHFA.
- b) In developing the ONMP, the applicant must take into account the existing requirements of any relevant development consent or approval and any noise monitoring data.
- c) The ONMP must obtain, but does not need to be limited to, the following:
 - (i) A brief description of each of Event Deck venue including: venue layout, description of permanent amplification systems and the types of activities to be held in the venue;
 - (ii) Identification of noise sensitive receivers (such as residences, schools, hospitals, churches), existing and proposed, likely to be adversely affected by activities at the venue;
 - (iii) Details of a noise monitoring program that monitors sound levels from outdoor entertainment activities held at the Event Deck, and retains records of the results and details of the monitoring equipment used, including its location and settings;
 - (iv) Clearly defined noise management objectives for the Event Deck;
 - (v) The maximum allowable sound levels and limitation level of excessive low frequency (bass) noise;
 - (vi) A procedure or noise model (or other means of assessment) that allows for the prediction and assessment of noise levels for proposed activities;
 - (vii) The operating hours for different events to be held at the Event Deck;
 - (viii) A procedure for notifying potentially affected residents and other sensitive noise receivers of activities to be held at the venue;
 - (ix) Details of a noise complaints handling procedure and actions to be taken at the time of each complaint to monitor and minimise noise impact;
 - (x) Details of the community consultation procedure used after the event to obtain additional information relating to the noise impact as well as to provide the complainant with information on proposed actions to prevent a recurrence of the impact;

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- (xi) Identification and prioritisation of noise management problems and issues, including a summary of the outcomes from monitoring and community consultation, undertaken in preparing the ONMP;
 - (xii) A mechanism for reporting the effectiveness of the ONMP to stakeholders, including the local community, the EPA and SHFA; and
 - (xiii) A program for review of the ONMP, including ongoing assessment and improvement of the ONMP. The program must address the effectiveness of:
 - Community consultation (consultation prior to, during (complaints handling and response) and after outdoor events and consultation as part of the plan review process),
 - The use of technology or the set up of equipment prior to events to mitigate or prevent noise impact;
 - The use of real time mitigation measures to mitigate or prevent noise impact; and
 - The use of monitoring programs, the monitoring data records and community consultation information to prevent or mitigate noise impacts from outdoor events.

The program of review must also provide an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes. The specific management actions must incorporate best management practice that adequately addresses the identified problems and issues with both non-structural and structural aspects of noise management, such as community consultation, equipment set up, use of technology, real time noise mitigation measures, and monitoring program.

Events Management Plan

- F3 Prior to the issue of the relevant Occupation Certificate, an Events Management Plan (EMP) for the subject site shall be submitted and approved by SHFA. The EMP shall be informed by the draft EMP submitted with the EIS and RtS, and developed in consultation with the Environmental Protection Authority.

The EMP shall also demonstrate that noise emanating from the use of equipment, functions, concerts and large events on the site (include the Event Deck) will comply with the EPA Industrial Noise Policy and the recommendations of the Supplementary Acoustic Report prepared by Acoustic Logic submitted with the RtS. Any specifications for the use of loudspeakers/amplification systems is design similar to those for the FIFA Fan festival held in Darling Harbour.

Traffic and Pedestrian Management Plan

- F4 Prior to the issue of an Occupation Certificate, an updated Traffic and Pedestrian Management Plan for the Core Facilities shall be submitted to the Director General of the Department of Planning and Infrastructure for approval. This shall include updates to public transport, traffic and crowd management and pedestrian safety measures, access for emergency vehicles for large events.

Event Deck - Community and Pedestrian Access

- F5 Prior to the issue of the relevant Occupation Certificate, an Event Deck Community and Public Pedestrian Access Plan, for access and use of the Event Deck by the community and pedestrians, shall be submitted to the Director General of the Department of Planning and Infrastructure. The Event Deck Community and Public Pedestrian Access Plan shall:
- a) demonstrate that the Event Deck is publically accessible between the Quarry Street link and the Boulevard (including during the operation of events);

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- b) demonstrate how public pedestrian access as set out in (a) will be maintained and managed during the operation of events on the Event Deck; and
 - c) seek to maximise community access to and use of the Event Deck outside of event periods.

Evidence of consultation with Council in respect of (c) shall be provided to the satisfaction of the Director General.

Mechanical Ventilation

F6 Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of the relevant Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- a) The Building Code of Australia;
- b) Australian Standard AS1668 and other relevant codes;
- c) The development consent and any relevant modifications; and
- d) Any dispensation granted by the New South Wales Fire Brigade.

Road Damage

F7 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 construction works associated with the approved development is to be met in full by the Applicant/developer prior to the issue of the final Occupation Certificate.

Note: Should the cost of damage repair work not exceed the road maintenance bond, the relevant authority will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

Registration of Easements

F8 Prior to the issue the final Occupation Certificate, the Applicant shall provide to the PCA evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

Sydney Water Compliance

F9 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the PCA prior to issue of the occupation certificate.

Post-construction Dilapidation Report

F10 Prior to the issue the final Occupation Certificate:

- a) The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions;
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- c) A copy of this report is to be forwarded to the Council.

Fire Safety Certification

F11 Prior to the issue the relevant Occupation Certificate, a Fire Safety Certificate shall be obtained for all the relevant Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council and be prominently displayed in the building.

Structural Inspection Certificate

F12 A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of the relevant Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:

- a) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
- b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Release of Security Bond

F13 The applicant shall arrange for an appropriate public authority officer to inspect all rectification works or other works for which a security bond is being held and release the security bond if the works have been completed to the satisfaction of the relevant authority or release of the remaining funds, if funds have been deducted from the Security Bond for the cost of replacement of the works.

Workplace Travel Plan

F14 To encourage travel modes other than private vehicle the Applicant shall prepare and implement a work place travel plan and transport access guide. Details are to be submitted to the PCA prior to the issue of the final Occupation Certificate.

Car Parking Management

- F15 Evidence of external signage which advises the number of car spaces available, which is visible to drivers along Pier Street, Darling Drive and a dynamic parking assist system which includes parking aisle sensors indicating whether spaces are available or occupied be installed by the Applicant, shall be submitted prior to the issue of the relevant occupation certificate.
- F16 Prior to the issue of the relevant Occupation Certificate, an External Electronic Car Parking Detection System Plan shall be submitted to the PCA. The plan shall demonstrate a scheme for advertising the number of car parking spaces available in both the Exhibition Centre and Theatre car parks provided within the Core Facilities and the public car park within The Haymarket precinct. The resulting signage should be visible to drivers along Pier Street and Darling Drive as they approach SICEEP.

Heritage

- F17 Prior to the issue of the relevant Occupation certificate, an Interpretation Plan should be prepared and approved by the Director-General, Department of Planning & Infrastructure, upon receipt of advice from the Heritage Branch of the Office of Environment & Heritage (as the staff for the Heritage Council of NSW). The Interpretation Plan should be prepared in accordance with the Guidelines issued by the Heritage Council of NSW and shall consider the results of the archaeological fieldwork, the history of the site to inform the Interpretation Plan to guide the future incorporation of the findings from the works in communicating the significance of the Darling Harbour SICEEP Precinct to future visitors.

Public Domain

- F18 Prior to the issue any Occupation Certificate, an Art and Interpretation Strategy should be prepared in consultation with the SHFA and the Heritage Branch of Office of Environment and Heritage, and approved by the Director General of the Department of Planning and Infrastructure. The Strategy shall include appropriate treatment to provide visual interest and amenity for pedestrians for the underside of the Pier Street overpass.

Waste Management

- F19 Prior to the issue of the relevant Occupation Certificate, a detailed Waste Management Plan for operation of the site shall be submitted to the PCA. The plan shall be developed in consultation with SHFA.

Loading Dock Management

- F20 Prior to the issue of the relevant Occupation Certificate, a Loading Dock Management Plan shall be submitted to the PCA to promote safe and efficient operation of the proposed loading docks and to minimise disruption to traffic and shall include the following:
- Allocation of loading spaces;
 - Delivery times;
 - Controls on duration of stays;
 - Controls on the placement of skips, pallets, etc.;
 - Procedures for tradesman access and parking;
 - Operating times; and
 - Truck access routes.

G POST OCCUPATION

Compliance with Food Code

- G1 The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 Design, construction and fit-out of food premises. The Applicant shall provide evidence of receipt of the certificate to the satisfaction of the PCA prior to the occupation of the building(s) or commencement of the use.

Loading and Unloading

- G2 All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

Unobstructed Driveways and Parking Areas

- G3 All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Darling Drive/Pier Street roundabout Intersection Monitoring (post occupation)

- G4 Following the completion of the development, the operation of the Darling Drive/Pier Street roundabout shall be monitored for a period of 12 months (from the date of first use of the Core Facilities) during the event peak hour at SICEEP. The monitoring shall be periodic and shall record the average queue length from the intersection's eastern approach. Should the average queue length exceed 170m (i.e. the distance to the end of the Pier Street off-ramp) for more than 50% of the monitored event peak hours, thereby restricting left and right turn traffic movements out of Harbour Street, traffic modelling and analysis which quantifies the potential benefits from introducing traffic signals at this location should then be undertaken in consultation with RMS.

Noise Control – Plant and Machinery

- G5 Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of adjacent sites.

Storage of Hazardous or Toxic Material

- G6 Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- G7 The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- G8 External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

Operation Noise Management

- G9 The development shall at all times comply with the approved Operational Noise Management Plan for the Event Deck.

Signage

- G10 The development shall provide wayfinding signage within the Subject Site in accordance with SICEEP Wayfinding and Signage Guidelines, including signage to other destinations external to the site including transport nodes and tourist destinations.

ADVISORY NOTES

Appeals

- AN1 The Applicant 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).

Other Approvals and Permits

- AN2 The Applicant shall apply to the relevant authority for any necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

Responsibility for other consents / agreements

- AN3 The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

- AN4 An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained 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.
- AN5 Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

- AN6 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 Applicant/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.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

- AN7 The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

AN8 This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

AN9 All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN10 Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.

Road Assets

AN11 Any activity that has the potential to affect RMS maintained road and Western Distributor infrastructure, (which includes any support columns, footings or piers), shall be investigated for integrity and serviceability by a qualified practicing bridge structural and geotechnical engineer(s). These activities must comply with RMS Technical Direction GTD2012/001 – Excavation adjacent to RMS infrastructure. This will require the Applicant to submit geotechnical investigation reports, design drawings to RMS for assessment. If any new structures or footings are proposed near or adjacent to the existing deep raked piles and other foundations associated with the Western Distributor piers, then RMS approval must be obtained at the preliminary and detailed design stages.

AN12 The proposed Exhibition / Convention centre structures shall be designed to provide noise insulation to a degree that ensures compliance with the NSW Road Noise Policy.

AN13 The proposed Convention centre / Exhibition centre structures shall be provided with fire protection and exhaust systems such that heat, smoke and exhaust from the proposed development do not endanger RMS structures and vehicles on the structure (a qualified Fire Engineer's Certificate is required). RMS should be consulted at the preliminary and detailed design stages to ensure that the appropriate systems are incorporated as per the relevant Australian standards.

AN14 All external facades of the proposed Convention centre / Exhibition centre shall be positioned/lined to have a reflectivity that ensures that motorists on the viaduct shall not be blinded or adversely affected whilst driving. To ensure compliance, assessment of the potential effects of the proposed façade of the Convention centre / Exhibition centre on the reflectivity and glare environment in the surrounding area should be undertaken and submitted to RMS for review prior to the issue of any construction certificate.

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- AN15 The proposed Convention centre / Exhibition centre shall be designed to prevent any falling object from impacting adversely onto the Western Distributor or members of the public from the development, during construction and in operation. Please also refer to WHS requirement guidelines which shall be provided upon request from RMS.
- AN16 Prior to the commencement of works, further consultation between DHL, RMS and SHFA is required regarding maintenance and rehabilitation works on the Western Distributor by RMS.
- AN17 Appropriate protection screens shall be installed in the building to prevent access between the Western Distributor and Exhibition / Convention centre by vandals to graffiti any part of the Western Distributor where appropriate.
- AN18 For inspections, maintenance and rehabilitation works, RMS requests that access to the substructure and superstructure of the Western Distributor, including access via the Exhibition Centre roof be facilitated by the Applicant. RMS will provide at least 48 hours of notice for these works and will be coordinated with events.
- AN19 For emergency works, typically in response to a traffic incident, RMS requests that immediate access to the substructure and superstructure of the Western Distributor structure (24 hours a day) in order to do urgent repair works be facilitated by the Applicant as appropriate.
- AN20 For maintenance works, as some parts of the Western Distributor structure's columns/piers and the superstructure are within and in close proximity to the proposed Exhibition / convention centre, RMS requests that access to carry out investigation and maintenance activities at the same time as the work on the rebuilding of convention centre be facilitated by the applicant. The maintenance activities will depend on the results of the investigation and would most likely involve applying a coating system to the bridge structure and/or cathodic protection to the bridge.