



COUNCIL SUPPLEMENTARY REPORT

SYDNEY SOUTH PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSSH-154 – DA 2023/0487
PROPOSAL	Demolition works, marina expansion, construction of a new carpark, alterations and additions to the existing club
ADDRESS	2 Wellington Street, Sans Souci (Gorges River LGA) – Lot 1 DP 956068, Lots 1, 2 & 3 DP 1012626, Lot 5A Sec 9 DP 1816, Lot 1 DP 957802, Lot 1 DP 441596, Lot 1 DP 106035, Lot 1 DP 78902
APPLICANT	The St. George Motor Boat Club Ltd
OWNER	The St. George Motor Boat Club Ltd
DA LODGEMENT DATE	25 October 2023
APPLICATION TYPE	Development Application - Designated (s4.10 of EP&A Act & Schedule 3 of Regulations) & Integrated Development (s4.46 of the EP&A Act)
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 7(1)(b) of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares it regionally significant development as it proposes Particular Designated Development being marinas or related facilities that meet the requirements for designated development under Schedule 3, section 32 of the <i>Environmental Planning and Assessment Regulation 2021</i>
CIV	\$11,503,485.00
CLAUSE 4.6 REQUESTS	CI 4.6 variation to height of building development standard requested (CI 4.3(2) of the GRLEP 2021)
KEY SEPP/LEP	<ul style="list-style-type: none"> • SEPP (Planning Systems) 2021 • SEPP (Biodiversity & Conservation) 2021 • SEPP (Resilience & Hazards) 2021 • SEPP (Transport & Infrastructure) 2021 • SEPP (Industry & Employment) 2021 • Georges River Local Environmental Plan 2021 • Georges River Development Control Plan 2021
TOTAL SUBMISSIONS KEY ISSUES IN SUBMISSIONS	41 submissions (all objections) - 27 submissions (1 st notification) & 14 (2 nd notification)
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Architectural Plans (Revision D, 11 November 2024) • Landscape Plans (Revision D, 2 November 2024) • Revised Clause 4.6 Request

	<ul style="list-style-type: none"> Revised Noise Impact Assessment (Revision 8)
RECOMMENDATION	Conditions provided for the Panel
DRAFT CONDITIONS TO APPLICANT	To be provided
SCHEDULED MEETING DATE	15 November 2024
PLAN VERSION	Revision F dated 11 November 2024
PREPARED BY	Kim Johnston (Planning consultant)
DATE OF REPORT	2 December 2024

EXECUTIVE SUMMARY

The proposal seeks the extension of the existing marina facility at the site, alterations and additions to the existing club facility and reconstruction of a car park for the St George Motor Boat Club (**SGMBC**).

Following the preparation of an Assessment Report by Council dated 4 October 2024 recommending refusal (**Council's assessment report**), the Panel deferred their decision at a meeting held on 25 October 2024 in a Record of Deferral dated 28 October 2024. This Deferral was provided to allow the applicant the opportunity to lodge amended plans to address the concerns raised by Council in the assessment report.

Subsequently, the applicant lodged amended plans and additional information on 7 November 2024 in response to the Panel's Record of Deferral.

This Supplementary Report considers the amended plans lodged by the applicant on 7 November 2024, which are considered to satisfy the requirements outlined in the Panel's Record of Deferral.

Recommended draft consent conditions are included at **Annexure A** of this report.

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1. BACKGROUND AND REASON FOR REPORT

1.1 Background

This development application was considered in Council's Assessment Report dated 4 October 2024, which recommended refusal given the significant issues which remained outstanding with the application. These issues remained outstanding despite several requests to the applicant to address such concerns in amended plans.

A public meeting was held on Monday 21 October for the Panel to consider the Council's assessment report and to allow submissions from the community. Following this meeting, the Panel decided to review the matter further and convened on further meeting on Friday 25 October 2024 with Council and the applicant.

At this meeting, the applicant provided draft amended plans noted as Revision D and E (Plan Nos 102, 103, 104, 500, 601 and 800B) which included the following changes for the Panel's consideration:

- Deletion of the first floor roof terrace, associated bar and lift and the addition of a parapet to screen the rooftop servicing
- Amendments to the car parking structure in the eastern corner of the site including:-
 - Lowering of the ground floor level to RL 7.30 and the floor to floor height to 2900mm, resulting in lowering of the first floor FFL to RL 10.20;
 - Deletion of the southern end of the first floor by reducing the length along Plimsoll Street by a minimum of 6525mm (no built form over driveway);
 - Reduction of the parking aisles to a minimum of 6 metres;
 - Increased setback to Wellington Street (by 1 metre) to 2.5 metres and Plimsoll Street (by 400mm) to 1.64 metres;
 - Increased landscaping along the Wellington and Plimsoll Street frontages to screen the car park structure and cars from the street (while reducing view loss);
 - Retention of planter box adjoining the driveway from Plimsoll Street and provision of planting to screen car park and cars from foreshore.
- Ground floor servicing arrangements for SRV access only, with options including an external goods lift to the lower ground floor (Rev D plans) or retention of ground floor loading area for SRVs only (Rev E plans). The applicant preferred Rev E.
- Lowering of the proposed roof over the main entrance by 720mm.

The Panel also discussed the following matters and requested that such matters are clarified:

- Whether the proposed planting areas along the foreshore are of sufficient depth to sustain trees and landscaping with species consistent with Council's requirements;
- Whether the terrace adjoining the St Kilda room will be enclosed;
- The hours of operation proposed and whether the Acoustic report is consistent with those hours, with the following hours considered reasonable by the Panel:
 - Mondays to Thursdays: 11.00am to 12.00am (midnight)
 - Fridays and Saturdays and Public Holidays: 11.00am to 1.00am
 - Sundays: 11.00am to 11.00pm.
- Whether the sandstone entrance feature can be reduced to reduce the bulk and dominance of the element and provide increased landscaping.

Subsequently, the Panel deferred the matter on 28 October 2024 until 4 December 2024

following the issue of the General Terms of Approval (**GTAs**) by the EPA, the lack of draft consent conditions and the provision of further draft amendments and additional information by the applicant to address the outstanding matters in the Council's assessment report.

The Panel provided the following actions to be undertaken:

1. The applicant shall provide Council with amended architectural and landscaping plans and any updated specialists reports (including CI 4.6 request, montages and an updated acoustic report) by 11 November 2024.
2. Council is to provide a supplementary assessment report responding to the additional information and the EPA's GTAs, which is to be uploaded with recommended consent conditions to the Planning Portal three weeks following the receipt of information from the applicant (by 2 December 2024).
3. The applicant is to provide any response to the supplementary report and recommended conditions by 4 December.
4. The Panel will determine the application once the updated assessment report, draft conditions and response from the applicant are received.

The provision of amended plans is discussed in Sections 1.2 and 1.3 below in response to Action 1, while this report seeks to address Action 2.

1.2 Amended and Additional information provided

Following the Panel's deferral, the applicant provided the following information:

- Architectural Plans (Innovate, dated 11 November 2024, Issue F);
- Revised CI. 4.6 Request (Gyde, 7 November 2024);
- Revised Landscape Plans (Site Design Studios, 2 November 2024, Revision D);
- Revised Noise Impact Assessment (Rodney Stevens Acoustics, 6 November 2024, Revision 8);
- Swept Path Assessment and Parking Advice (McLaren Traffic Engineering, 7 November 2024);
- Arboricultural and Pruning Report including the Tree location, Canopy TPZ and Protection Plan (Sydney Landscape Consultants, 29 October 2024); and
- View Loss Photomontage (Rock Hunter Australia Pty Ltd, 1 November 2024 Issue 5)

These plans and reports are further considered in this supplementary report and is referred to as the amended proposal.

1.3 Panel Deferral Requirements

The matters required to be addressed by the applicant as outlined in the Panel's notice of deferral dated 28 October 2024 (item 1 of Actions) are outlined in **Table 1** and further considered in Section 3 of this report. A revised Clause 4.6 request has also been provided following the removal of the first floor roof terrace and is also considered in this report.

The Council also requested that the applicant provide a Tree Pruning Report as there were concerns raised by Council's Landscape Officer that impacts were likely to result from the proposed construction of the car parking structure on the Council's street trees along Plimsoll Street. This is outlined in Table 1.

Table 1: Panel Deferral Requirements

MATTER	REQUIREMENT	AMENDED PROPOSAL	RESOLVED
Rooftop terrace	Removal of rooftop terrace	The rooftop terrace has been removed.	Yes
Car park amendments	<ul style="list-style-type: none"> Lower ground floor to RL 7.30, floor to floor height to 2900mm and first floor to RL10.20 Delete southern end of 1st floor by reducing its length by 6525mm with no built form over access driveway Reduce parking aisle widths to min 6000mm Increase setbacks to Wellington St by min 1000mm (min 2500mm) And Plimsoll St by min 400mm (min 1640mm). Provide increased landscaping along Wellington and Plimsoll Sts to screen car park structure and cars but not additional view loss Retain existing planter box adjoining new access driveway and provide planting to screen car park and cars, particularly from foreshore. 	The amended plans outline the required changes to the car park.	Yes (conditions)
Servicing	Swept paths to be provided and limit use to SRVs and hours between 7.00am and 11.00am. retention of existing service arrangements to the lower ground floor to remain.	These matters have been included in the amended proposal.	Yes (conditions)
Roof to main entrance	Lowering of the proposed roof above the main entrance by 720mm.	The roof has been lowered on the amended plans.	Yes (conditions)
Foreshore landscaping	Confirm whether there is sufficient depth to sustain trees and landscaping with species consistent with Council's requirements.	These matters have been included on the amended architectural and landscape plans.	Yes (conditions)
St Kilda room Terrace	Whether the terrace adjoining the St Kilda room will be enclosed	The applicant confirmed that this terrace area is not to be enclosed.	Yes (conditions)
Hours of Operation	Confirmation of hours of operation as discussed by the Panel to be adopted and a revised Acoustic Report to reflect the updated hours and inclusive of any mitigation measures such as a limitation on operating hours of the ground floor terrace given its increase in size.	A revised Noise Impact Assessment has been provided and the recommended hours of operation adopted.	Yes (conditions)
Entry structure from Plimsoll Street and views into the car park	This structure should be redesigned to reduce its bulk and dominance and increase landscaping.	This feature has been reduced, however, is still unacceptable.	Yes (conditions)
EPA matters	Council's supplementary report is to respond to the EPA GTAs.	The EPA GTAs have been issued and considered below.	Yes (conditions)

2. AMENDED PROPOSAL

2.1 The Amended Proposal

The proposal outlined in the amended plans (Revision F) provides the following changes from plans the subject of the Council's Assessment Report (the Revision C) dated 4 October 2024:

- Removal of the rooftop terrace and installation of a parapet roof to screen existing plant equipment
- Changes to the car parking in the eastern corner of the site comprising:
 - Lowering of the ground floor FFL to RL7.3 and the first floor FFL to RL10.2 (with floor to floor height between 2200mm to 2900mm);
 - Deletion of the southern end of the first floor by 6525mm (no building over driveway) and the removal of 13 car spaces;
 - Reduction of aisle widths to 6m (from 6.2m) on the ground and first floor levels;
 - Increased setback from Wellington Street by 1000mm (to 2500mm) and Plimsoll Street by 400mm (to 1640mm) and additional landscape screening;
 - Retention of existing planter boxes adjoining access driveway (between the loading dock and Plimsoll Street) for screening of carpark from foreshore and installation of aluminium screening to the southern (ground floor) edge of the car park;
 - Removal of ground level accessible space and relocation of the EV charging bays from the ground to first floor;
 - Extension of pedestrian crossing into the ground level of car park; and
 - Removal of stairs from eastern corner of car park
- Reduction in height of wall and signage at the corner of Plimsoll and Wellington Streets to 1.1m (from 1.3m) and the entry structure at the Plimsoll Street vehicle access to 3.92m (from 4.54m)
- Removal of new SRV ramp, separate SRV vehicle access from Plimsoll Street and new ramp to existing ground floor loading dock (from Revision C plans)
- Construction of new driveway and loading bay to the existing ground floor loading dock
- Lowering of roof above main entrance (void) by 720mm (from RL 16.82 to RL 16.10)
- Hours of operation are now proposed as (consistent with the revised Noise Report):
 - Monday to Thursday: 11.00am – 12.00am (midnight)
 - Friday, Saturday, Public Holidays: 11.00am – 1.00am
 - Sunday: 11.00am – 11.00pm

There were no changes to the proposed lower ground floor of the proposal or the marina expansion component of the proposal.

This report considers these amended plans (Revision F), and the application is now referred to as the Amended Proposal, illustrated in **Figures 1 to 4**.



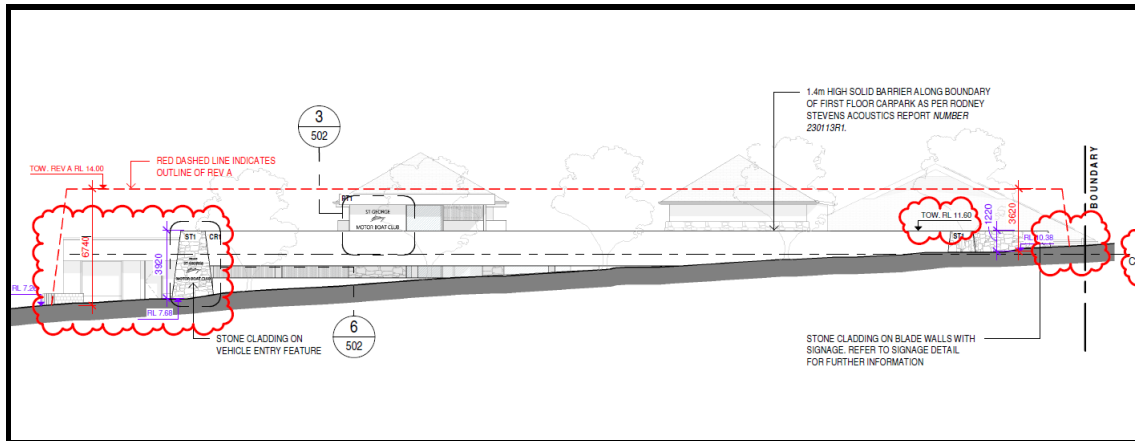


Figure 3: Amended Plimsoll Street elevation (Source: Innovate, Revision F)

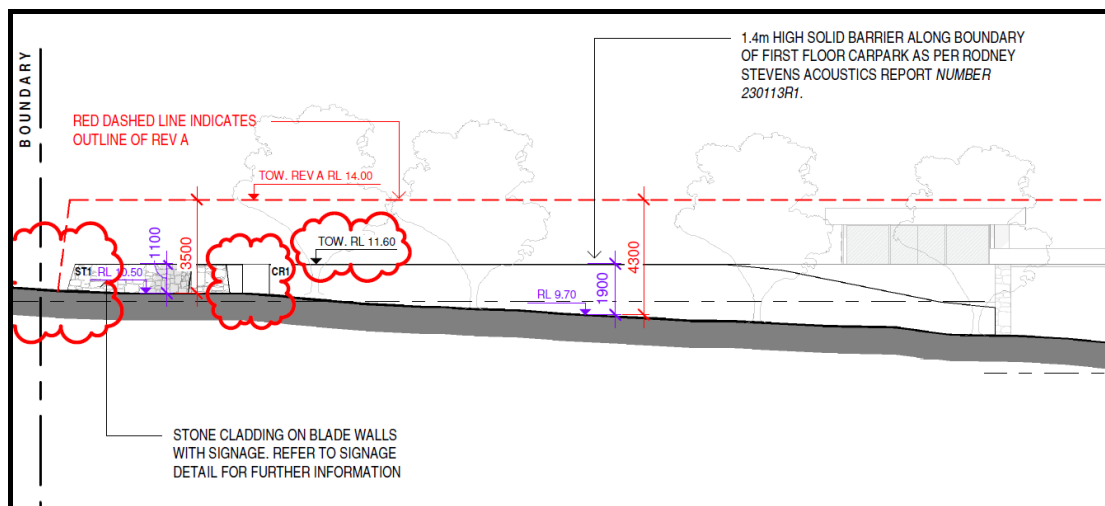


Figure 4: Amended Wellington Street elevation (Source: Innovate, Revision F)

3. MATTERS FOR CONSIDERATION

Following the Panel's deferral and the submission of amended plans, the following matters require further consideration:

- Rooftop terrace and foreshore elevation
- Clause 4.6 Request
- Car Park
- View Loss
- Servicing
- Roof to main entrance
- Foreshore Landscaping
- Acoustic impacts and Operating Hours
- Entry Structure from Plimsoll Street and views into the car park
- EPA's GTAs

These matters are considered below.

3.1 Rooftop Terrace and Foreshore Elevation

Council's assessment report outlined significant concerns with the proposed rooftop terrace given the resulting adverse visual impact to the foreshore arising from the bulk and scale of this proposed addition (**Figure 5**). The Panel's deferral of 28 October 2024 requested amended plans in accordance with the changes outlined to the meeting of 25 October 2024, which included the deletion of this proposed rooftop terrace.



Figure 5: Previous proposed foreshore elevation (Source: Innovate, Revision C)

The rooftop terrace has been removed in the amended proposal and a parapet is proposed to screen the existing plant equipment from the foreshore (**Figure 6**). This has reduced the bulk of the development to the foreshore and is consistent with the Panel's record of deferral dated 28 October 2024 (**Figure 7**).

Council's Senior Specialist Planner (Urban Design) still has some concerns with the horizontality of the design, the proportion of glazing and the lack of details on the landscape plan for planting along the foreshore boundary, which would assist in screening the development. Therefore, consent conditions are recommended including that a schedule of external colours and materials are to be provided and a final landscape which outlines in more detail the tree planting along the foreshore frontage. These details are required to be provided and approved by Council's Urban Design Officer prior to the issue of a Construction Certificate (**Attachment A**).

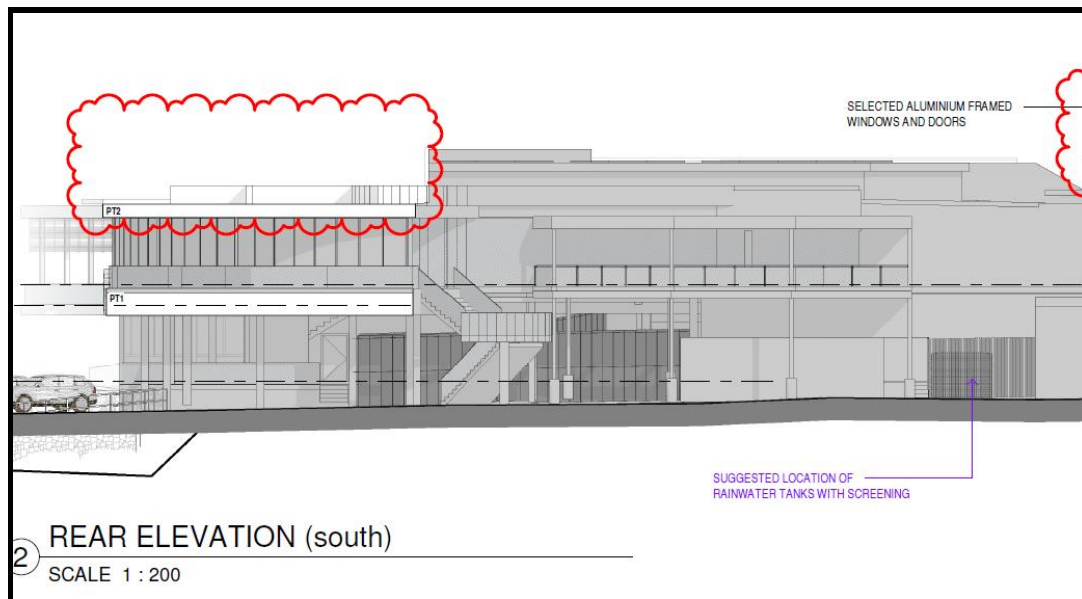


Figure 6: Removal of roof terrace and inclusion of parapet (Source: Innovate, Revision F)



Figure 7: Montage from foreshore (Source: Innovate, Revision F)

3.2 Clause 4.6

A Clause 4.6 has been provided as there are some components of the proposal which exceed the maximum height of building development standards pursuant to Clause 4.3(2) of the GRLEP 2021. While the amended proposal still exceeds the maximum height development standard, the number and extent of these exceedances has been reduced following the deletion of the formerly proposed rooftop terrace and the reduction in the height of the roof over the entry. The height exceedances are illustrated in the height blanket diagram in **Figure 8** below.

As outlined in Council's assessment report, the Clause 4.6 request is not strictly required as the proposal relies on existing use rights, which only require a merit assessment, rather than a formal consideration under Clause 4.6 (*Fodor Investments v Hornsby Shire Council* [2005])

NSWLEC 71, confirmed by Pain J in *Stromness Pty Ltd v Woollahra Municipal Council*). It was also noted Council's assessment report that there are a number of existing height exceedances on the site arising from the existing marina (club) building on the site.

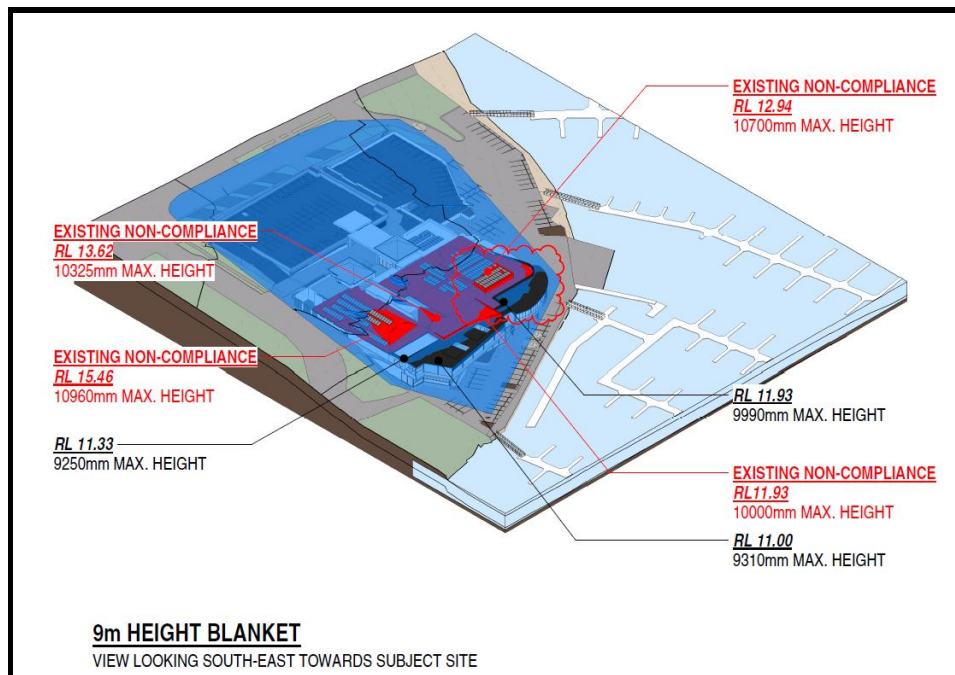


Figure 8: Proposed Height exceedances - Amended Proposal (Source: Innovate, Revision F)

The amended proposal involves the following exceedances of the maximum height limit of nine (9) metres:

- Proposed parapet on the south-western elevation to screen services – 0.99 metre variation to RL 11.93 (9.990 metre overall height),
- Proposed roof over the ground floor terrace to the western side adjacent to the foreshore – 0.31 metre variation to RL 11.00 (9.310 metre overall height), and
- Proposed parapet on the north-western corner to screen services – 0.25 metre variation to RL 11.33 (9.250 metre overall height).

The applicant's Clause 4.6 request generally states that:

- The proposed height exceedances are generally lower than the existing built form and will not significantly alter the bulk or scale of the existing development.
- The variations to the height standard are related to isolated built structures at the upper most level as a result of site topography, previous site works and a need to connect to the existing floor and roof RLs.
- The works aim to integrate and link to the existing rhythm of building, mimicking character, height and scale and work to hide existing services on the roof.
- Overshadowing impacts are minimal and complies with Councils DCP provisions.
- View loss has been significantly reduced arising from the changes made in the amended proposal (including the reduction in areas exceeding the height limit).

- There will be no adverse privacy impacts arising from the height exceedances.
- The objectives of the height of building development standard are achieved notwithstanding the proposed variation.
- The environmental planning grounds relied upon for each height exceedances comprise the following:
 - Roof parapets - Minimal bulk and dimension and will tie in with some of the existing roof parapet, with exceedances ranging from 250mm-999mm to screen existing roof services. This will improve the appearance of the building from the water and will not be visible from the street due to existing other roof features closer to the streets.
 - Ground Floor Terrace Roof - Necessary for its practicable use and amenity for patrons, the exceedance is minor (0.31m), and necessary in order to align the extension with existing building windows and wall heights and to achieve the minimum depth required to facilitate an awning. The terrace is not proposed to be enclosed and therefore the roof will be of minimal bulk and dimension, is compatible with the design of the existing building and will have no additional amenity impacts to neighbours given it is situated on the western side of the development with views overlooking the Georges River.
- The proposal is consistent within the zone objectives in that it provides continued and enhanced access to aquatic recreational facilities and services for local residents, in the foreshore location and is therefore in the public interest.

Given the reductions to the areas of the proposal which exceed the maximum height limit and the reasons set out above, it is considered that the proposal is satisfactory having regard to the maximum height, notwithstanding the height exceedances proposed.

These exceedances are relatively minor, being less than 1 metre, and are generally located such that they do not contribute to view loss or significantly increase the bulk and scale of the proposal when viewed from the foreshore.

3.3 Car Park Amendments

There are a number of issues in relation to car parking which are required to be considered for the amended proposal as outlined below.

(a) Car Parking Structure

A significant concern throughout the assessment of this development application has been the proposed car parking structure in the eastern corner of the site given the lack of adequate setbacks to the street and the obstruction of view corridors for surrounding properties arising from the proposed structure.

Since the original proposal was lodged, there have been incremental reductions in the height of this car parking structure, arising from a reduction in the headroom between the levels as well as the lowering, through additional excavation, of the ground floor level. The levels of the car park structure from the original proposal (Revision A), the initial amendments (Revision C) and the amended proposal (Revision F) are outlined in **Table 2** below. There has been an overall reduction of 2.4 metres for the height of the proposed car park structure.

Table 2: Comparison of Car Park Heights

PLANS (REVISION)	GROUND FLOOR FFL	1ST FLOOR FFL	OVERALL HEIGHT	HEIGHT AT CORNER	MIN HEADROOM
A (Original)	8.60	12.60	14.00 (TOW)	3.50m (Wellington) 3.62m (Plimsoll)	4m
C (July 2024)	7.40	10.40	11.80 (TOW)	1.3m (Wellington) 1.42m (Plimsoll)	3.5m
F (Amended Proposal)	7.30	10.20	11.60 (TOW)	1.1m (Wellington) 1.22m (Plimsoll)	2.2m-2.9m
Reduction	1.3m	2.4m	2.4m	2.4m	1.8m (min)

The Panel's deferral requested that the applicant undertake the changes as outlined at the meeting of 25 October 2024 which included:

- (a) Lowering of the ground floor FFL to RL 7.30, and floor to floor height to 2900mm, thereby lowering the first floor FFL to RL 10.20;
- (b) Delete the southern end of the first floor of the car park by reducing its length along Plimsoll Street by a minimum of 6525mm so that it is not built across the driveway;
- (c) Reduce parking aisle widths to the minimum 6000mm;
- (d) Increase the setback from Wellington Street by a minimum of 1000mm (min width 2500mm) and Plimsoll Street by min 400mm (min width 1640mm);
- (e) Provide increased landscaping along Wellington and Plimsoll Streets to screen car park structure and cars but not additional view loss;
- (f) Retain existing planter box adjoining new access driveway and provide planting to screen car park and cars, particularly when viewed from the foreshore.

The amended proposal provides a ground floor finished floor level (**FFL**) of RL 7.30, a floor to floor height to 2900mm and first floor FFL to RL 10.20, minimum aisle widths to 6 metres and deletion of the southern end of the first floor so that the access driveway is clear of the upper car park level (**Figure 9**). The setback to Wellington and Plimsoll Streets has also been increased by 1 metre to Wellington Street and 400mm to Plimsoll Street. Therefore, the car park on the amended proposal is consistent with (a), (b), (c) and (d) of the Panel's deferral (**Figure 10**).

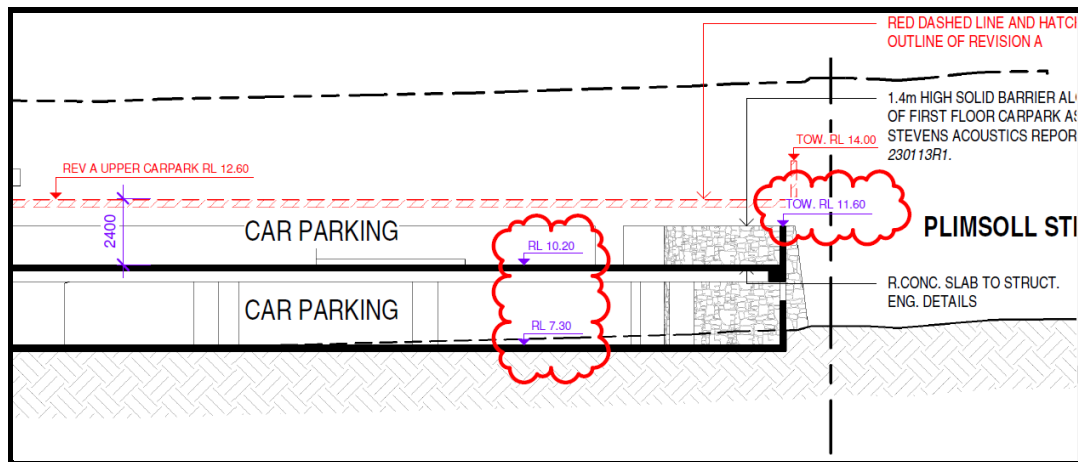


Figure 9: Car Park level (Source: Innovate, Revision F)

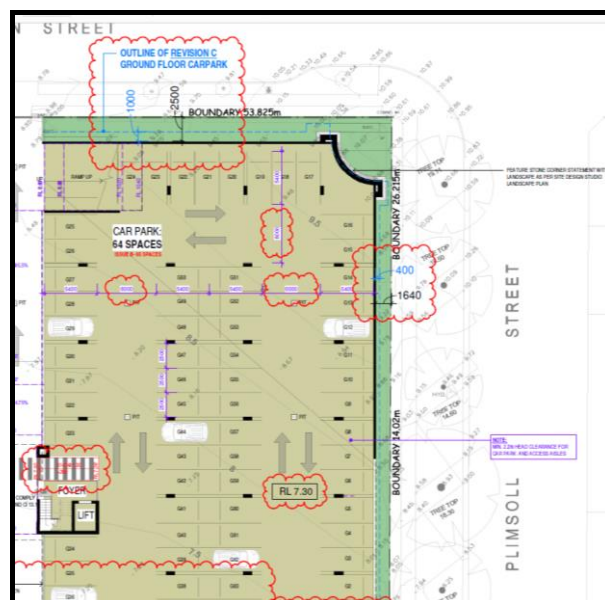


Figure 10: Increased setback to Plimsoll and Wellington Streets (Source: Innovate, Revision F)

While the setbacks to the street have been increased in accordance with the Panel's deferral, the revised Landscape Plan does not illustrate any additional planting in these setback areas, which was requested in the Panel's deferral (point (e)). In particular, the Plimsoll Street boundary still consists only of the Lilly Pilly straight and narrow trees and a single row of Blue Flax Lily's (grasses), with the dusky coral pea (climber or groundcover) having been removed from the Plan.

It is considered that greater layers of landscaping should be provided particularly along the Plimsoll Street boundary to provide screening of the blank wall and lower level of cars when viewed from the street. This is included as a recommended consent conditions in **Attachment A**.

(b) Car Park Screening and Landscaping

The amended proposal involves the provision of aluminium screening adjoining the driveway entry along the southern section of the car park to screen the car park from the foreshore (Figure 11). The amended proposal also includes the reinstatement of the existing planters

along the southern edge of the access driveway from Plimsoll Street (**Figure 12**). This will assist in screening the car park and access driveway from the foreshore consistent with the Panel's deferral (outlined in (f) above). Relevant consent conditions are recommended in **Attachment A** for the proposal to be consistent with the landscape plan.

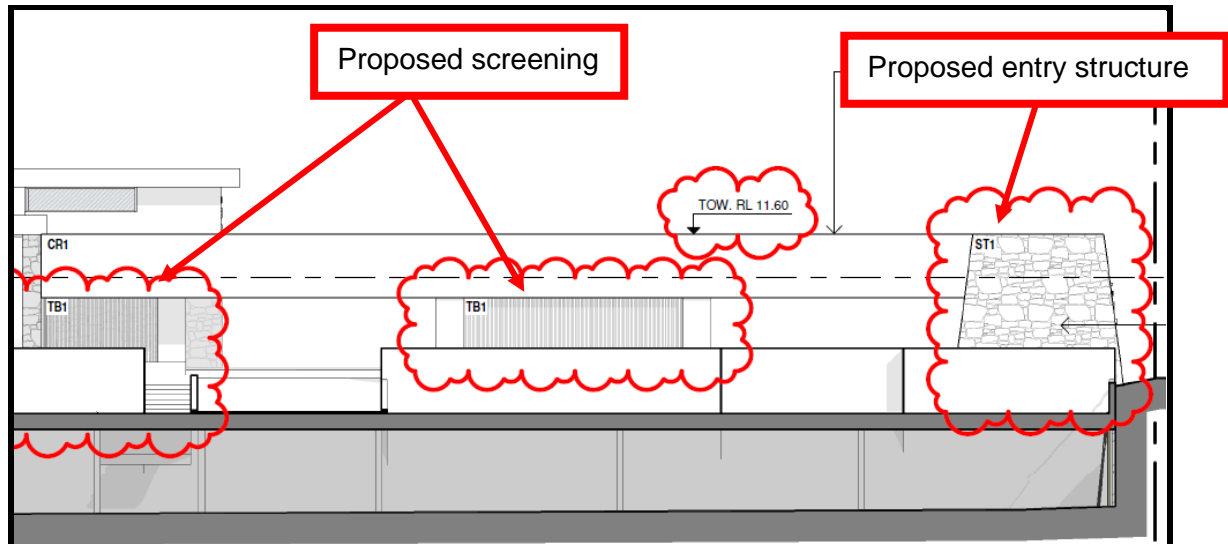


Figure 11: Proposed Car Park elevation to the foreshore (south) (Source: Innovate, Revision F)

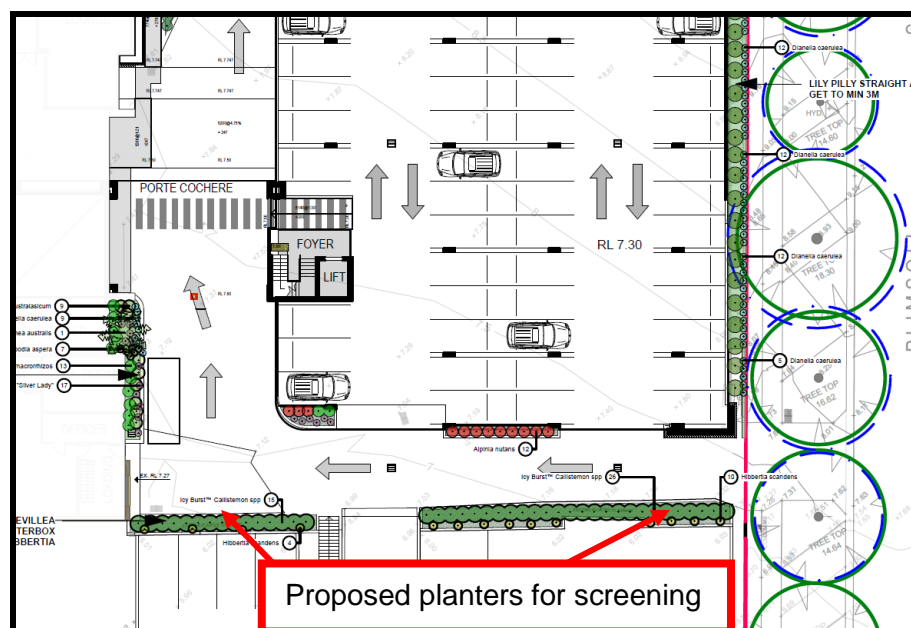


Figure 12: Amended Landscape Plan with landscaping adjoining the access driveway (Source: Site Design Studios, Revision D)

(c) Car Parking Provision

The amount of car parking provided has been amended given the changes to the car parking structure with the removal of the southern section. The amended proposal provides 35 additional (new) car parking spaces, which when combined with existing car spaces, results in a total of **276 car parking spaces on the site**, outlined in **Table 3**.

Table 3: Existing and Proposed Car Parking Provision

LOCATION	EXISTING CAR PARKING	PROPOSED PARKING CHANGES	PROPOSED CAR PARKING
Lower Ground Floor	121	+1 (11 new spaces & loss of 10 spaces (6 car & 4 trailer for planter boxes))	122
Ground Floor	120	-19 (ground floor changes including ramps to car park etc)	101
First Floor	0	+53 (new car park in eastern corner)	53
Total	241	+35 new spaces	276

This total number of car parking spaces achieves the requirement of 34 spaces as calculated having regard to the DCP and the *Traffic and Parking Study* prepared by McLaren Traffic Engineers dated 18 August 2023 and updated in letter reports dated 8 May 2024 and 7 November 2024 (**Table 4**). Council's Traffic Engineer considers the proposed car parking provision on the site as satisfactory.

Table 4: Car Parking Requirements (Source: Adapted from Traffic Report, 7 Nov 2024)

LAND USE	SCALE	RATE	SPACES REQUIRED	NEW SPACES PROVIDED
Club	312m ²	4.54 spaces per 100m ² (based on current GFA and parking spaces)	14.2 (10 spaces based on DCP restaurant rate)	35
	6 staff	1 per staff	6	
Marina	81 (84 new & 3 removed)	1 per 6.2 berths (Easter data)	13.1	
Total	-	-	33.3 (34)	35

(d) Car Parking Layout

Council's Traffic Engineer has considered the layout and design of the proposed car parking spaces including parking space dimensions, aisle widths, blind aisle extensions, ramp widths and gradients, disabled persons parking spaces and head clearances and considers the proposal satisfies the requirements of *AS/NZS 2890.1:2004*.

However, Council's Traffic Engineer considers that minor adjustments will need to be made to the planter box widths and/or the position of the aluminium privacy screens proposed adjacent to car parking spaces at the southern end of the multi-storey car park in order for the spaces to comply with the Australian Standard width of 2.7 metres.

While the provision of electric vehicle spaces are supported, the number of these spaces appears excessive, representing approximately 11.3% of the spaces on the first floor of the proposed car park. Council's Traffic Engineer considers that these spaces should be made available to both electric and non-electric vehicles given their relatively low ownership at present. It is also considered that the Club should consider measures that manage the potential use of these charging stations by persons not associated with a club visit. Relevant recommended consent conditions in relation to these matters are included in **Attachment A**.

(e) Vehicle Access

The proposal involves the retention of the existing vehicle access points, including the entry from Plimsoll Street and the exit via Wellington Street for the car parking in the eastern corner

of the site. There are, however, concerns with the existing vehicle access via Vista Street which provides access to the subject site across Crown Land (south-eastern corner of Lot 75A) and land known as Anderson Park. This is a narrow, one-way southbound roadway constructed between the bend on Vista Street/Wellington Street and the northern end of the lower ground level car park. There is no evidence that demonstrates the site has legal vehicle access to the site via this narrow access road including across the portion of Crown Land (**Figure 13**).



Figure 13: Portion of the road to be closed

Since the amended proposal intensifies the use of the site, particularly the likely heavy vehicle construction traffic that will be required to access the site for the construction of the proposal, the roadway should be permanently closed to public vehicle access prior to works commencing. Installation of a barrier at both the Vista Street boundary and along part of the northern boundary of the site of this narrow roadway should also be undertaken.

This will also prevent heavy vehicles damaging the pavement and conflict occurring between the public using Anderson Park, including children, and construction related vehicles using the roadway. Relevant consent conditions are included in the recommended conditions in **Attachment A**.

A temporary ramp and vehicle crossing is also proposed at the southern end of the Plimsoll Street boundary of the site, shown as “*Stage 3 Construct Temporary Ramp to Access Southern Carpark*” on “*Construction Management Plan -Stage 3 - Sheet 54*” (**Figure 14**). This access point will require approval from officers in Council’s Assets and Infrastructure Directorate with relevant consent conditions recommended included in **Attachment A**.

It is also noted that the construction staging is inconsistent between the architectural plans and the Construction Noise and Vibration Management Plan (**CNVMP**), with the plans indicating the marina works are to be in Stage 2, while the CNVMP outlines the marina works are to be carried out in Stage 3. Relevant consent conditions recommended are included in **Attachment A**.

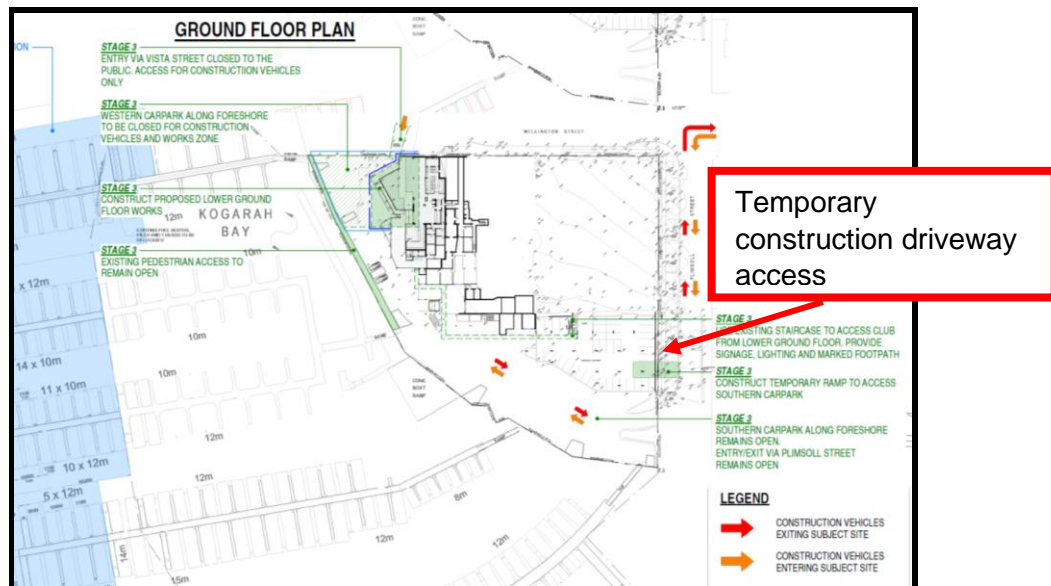


Figure 14: Proposed temporary construction vehicle access (Source: Innovate, Revision F)

3.4 View Loss

A fundamental issue with this proposal has been the significant view loss experienced by properties along Plimsoll and Wellington Streets as well as from the public domain, particularly at the corner of Plimsoll and Wellington Streets, arising from the height of the proposed car park structure. This issue was raised in the majority of the public submissions received.

Council's assessment report outlined that there were view loss concerns for the following locations:

- (g) View from corner of Wellington and Plimsoll Streets;
- (h) No 38 Plimsoll Street (ground floor) (corner of Wellington St);
- (i) No 40 Plimsoll Street (ground floor);
- (j) No 40A Plimsoll Street (ground floor);
- (k) No 44 Plimsoll Street (ground floor);
- (l) No 43 Wellington Street (ground floor); and
- (m) No 42 Plimsoll Street (ground floor).

Council's assessment report concluded that the view loss for No 44 Plimsoll Street and No 43 Wellington Street was considered unreasonable pursuant to the *Tenacity* Planning Principle. The amended proposal now proposes further changes to the height of the car park structure (indicated by the red line in the photographs) and is accompanied by a revised Photomontage Verification in relation to view loss, prepared by Rock Hunter Australia Pty Ltd dated 1 November 2024 (Issue 5).

The extent of the impact on views from the corner of Plimsoll and Wellington Streets and the identified private domain properties in relation to the amended proposal is considered below:

- Corner of Plimsoll and Wellington Streets – The existing view from this intersection provides water views through the street trees over the existing ground level car parking area, as well as down the alignment of Plimsoll Street to the southeast and Wellington Street to the northwest (**Figure 15**). The original proposal obstructed all views to the water and the surrounding area over the site from this public domain viewpoint as a result of the then proposed high walls for the car parking structure (**Figure 16**).



Figure 15: Existing view from corner of Plimsoll and Wellington Streets (Source: Google Maps)



Figure 16: Montage of original proposal (Source: Innovate, Revision A)

The amended proposal retains water views through the street trees along Plimsoll Street, including views of Tom Ugly's Bridge. The proposed roof over the entry area obstructs views towards Blakehurst, however, does not contribute to any significant loss of water views from this location. The main portion of water view lost from this location now comprises the glimpses through the canopy of the tree along Plimsoll Street closest to the intersection (**Figure 17**). Since there are water views retained in a number of directions from this location, including over the car park structure given its reduced height, view sharing is considered satisfactory.



Figure 17: Proposed montage - Intersection of Plimsoll and Wellington Streets (Source: Innovate, Revision F)

- No 38 Plimsoll Street – The use of the room at ground level is unknown, although it is assumed to be a living room. There are no photos of the ground floor view from this dwelling, although the public domain view in close proximity to this site provides an indication of the likely view over the car park structure (**Figure 18**). While at least half of the westerly view over the existing club car park area is likely to be obstructed by the proposal, there are water views still available down Plimsoll Street and Wellington Street as well as potentially over the car park structure.



Figure 18: Montage of impact from amended proposal for ground floor of No 38 Plimsoll St (Source: Rock Hunter Australia, Nov 2024)

The views from the first floor are now retained from the existing balcony (likely to a living area) (**Figure 19**). Since there are views retained in a number of directions and from different levels of the dwelling, view sharing is considered satisfactory.



Figure 19: Montage of impact from amended proposal for first floor of No 38 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)

- No 40 Plimsoll Street - The room at ground level is a living room, however, the view is small and restricted to a small patch of water through street trees and therefore the value of this view is reduced under the Tenacity Principle. The amended proposal essentially retains this ground floor view and the first floor view is also now retained (Figures 20 & 21) This view sharing is satisfactory.



Figure 20: Montage of impact from amended proposal for ground floor of No 40 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)



Figure 21: Montage of impact from amended proposal for first floor of No 40 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)

- No 40A Plimsoll Street – The room at ground level affected is assumed to be a living room, however, the view is small and restricted to a small patch of water through street trees and therefore the value of this view is reduced under the Tenacity Principle. The amended proposal essentially retains this ground floor view and the first floor view is also now retained (**Figures 22 & 23**). This view sharing is satisfactory.



Figure 22: Montage of impact from amended proposal for ground floor of No 40A Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)



Figure 23: Montage of impact from amended proposal for first floor of No 40A Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)

- **No 42 Plimsoll Street** – The room at ground level affected is assumed to be living room, with the view being small and restricted to a small patch of water through street trees and therefore the value of this view is reduced under the Tenacity Principle. The ground floor view is now largely retained in the amended proposal (through the trees) over the existing lower ground car park area (**Figure 24**). The view at the first floor is also now generally retained, with the exception of minor views towards Blakehurst which are blocked by the proposed roof over the main entry area (**Figure 25**). It is considered that the view sharing for this property is satisfactory having regard to the amended proposal.



Figure 24: Montage of impact from amended proposal for ground floor of No 42 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)



Figure 25: Montage of impact from amended proposal for first floor of No 42 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)

- **No 44 Plimsoll Street** – The ground floor view is assumed to be from a living room and includes the land water interface on the opposite side of the River (near Tom Ugly's Bridge). This view is more highly valued as it is more of a whole view than the other views enjoyed along this road. The ground floor view is now retained given the removal of the southern section of the first floor of the car park (**Figure 26**), while the first floor view is now also retained by the amended proposal (**Figure 27**). This was one of the properties which experienced unacceptable view loss under the previous version of

the proposal, however, it is now considered that the view sharing for this property is satisfactory having regard to the amended proposal.

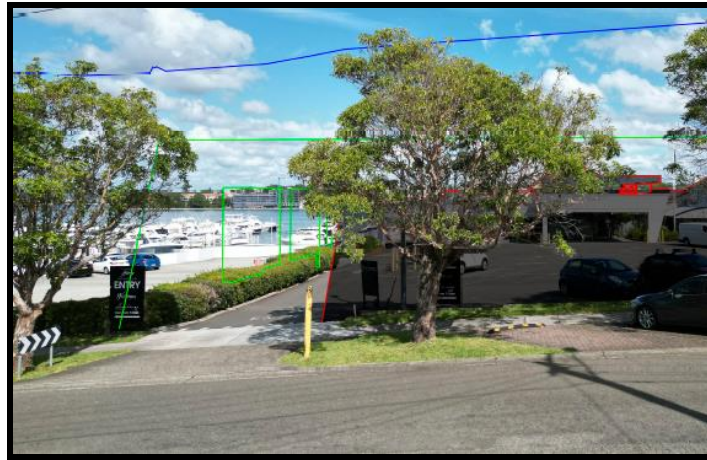


Figure 26: Montage of impact from amended proposal for ground floor of No 44 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)



Figure 27: Montage of impact from amended proposal for first floor of No 44 Plimsoll St
(Source: Rock Hunter Australia, Nov 2024)

- **No 43 Wellington Street** - The view is from a living room and includes the land water interface on the opposite side of the River (Sylvania area). This view is more highly valued as it is more of a whole view than the other views enjoyed along this road. The ground floor view, including the land water interface, is now largely retained by the amended proposal (red line) (**Figure 28**), while the first floor view is now also largely retained by the amended proposal, with some minor view loss arising from the proposed new roof over the entry area, although the land water interface and the view of Tom Ugly's Bridge is retained (**Figure 29**).

This was one of the properties which experienced unacceptable view loss under the previous version of the proposal, however, it is now considered that the view sharing for this property is satisfactory having regard to the amended proposal.



Figure 28: Montage of impact from amended proposal for ground floor of No 43 Wellington St
(Source: Rock Hunter Australia, Nov 2024)



Figure 29: Montage of impact from amended proposal for ground floor of No 43 Wellington St
(Source: Rock Hunter Australia, Nov 2024)

3.5 Servicing – Ground Floor

There were concerns with the previously proposed extension to the existing ground floor loading dock as there were pedestrian safety issues arising from the manoeuvring across the main pedestrian crossing under the porte cochere from the new car park (**Figure 30 & 31**).

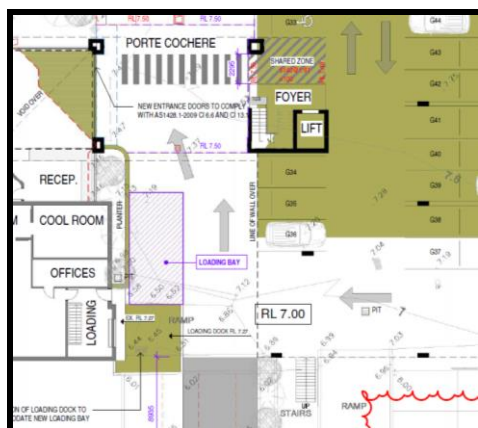


Figure 30: Previous proposal (Source: Innovate, Revision C)

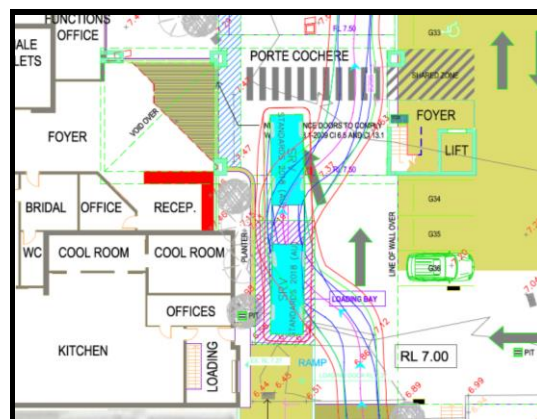


Figure 31: Previous Swept paths (Source: McLaren, 23 July 2024)

The amended proposal involves SRV access from Plimsoll Street from the existing vehicle access driveway (and removal of the previously proposed internal ramps and separate SRV access in Revision C). The amended proposal also involves minor filling in front of this existing ground floor loading dock to allow SRV's to access this loading dock in a parallel position, with manoeuvring paths to be slightly more distant to the pedestrian crossing than the previous proposal (Figures 32 & 33).

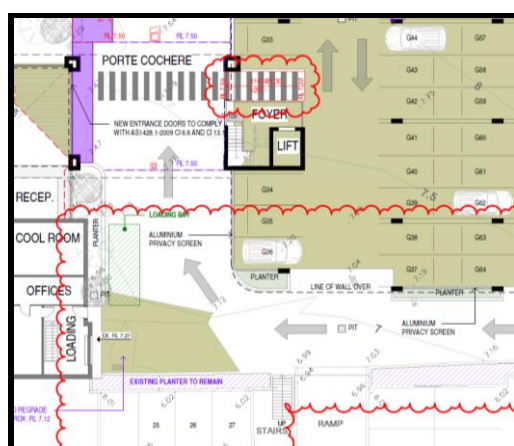


Figure 32: Amended Proposal (Source: Innovate, Revision F)

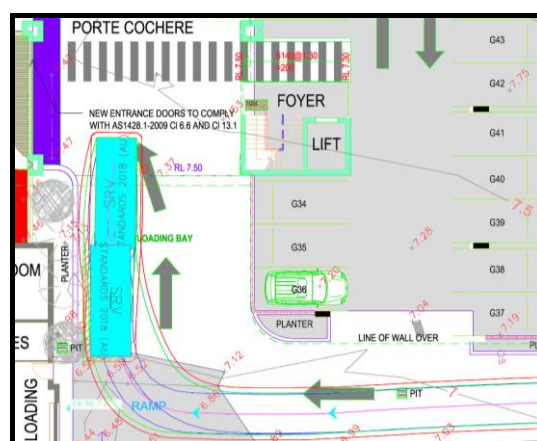


Figure 33: Proposed Swept Paths (Source: McLaren, 7 November 2024)

Council's Traffic Engineer has considered the swept paths provided which were completed using *AutoTURN 11* software, the standard SRV template in accordance with AS2890.2:2018 and the standard B99 template in accordance with AS2890.1:2004. The resultant swept paths are successful, with an SRV able to enter and exit the proposed loading bay in a total of three (3) manoeuvres which is the minimum number of possible manoeuvres. Simultaneously, a B99 vehicle is able to manoeuvre past the proposed SRV loading bay without vehicular conflict. Therefore, the proposed loading dock and subsequent circulation roads are considered acceptable.

Council's Traffic Engineer considered that the continued use of the ground floor loading dock in the amended proposal is satisfactory, subject to the limited hours of 7.00am to 11.00am (also suggested by the Panel) and limited to SRVs only as outlined at the Panel meeting of 25 October 2025. This will ensure there are no service vehicles larger than SRVs in size and there will be no adverse impacts on pedestrian safety as this loading area can only be used outside of the operating hours of the club. The headroom under the proposed porte cochere is 4 metres, which is sufficient to accommodate access for an SRV, which requires a design

height headroom of 3.5 metres.

Consent conditions have been recommended by Council's Traffic Engineer which are included in **Attachment A**.

3.6 Roof to main entrance

The applicant's draft amendments presented to the Panel meeting on 25 October 2024, lowered the proposed new roof over the main entrance by 720mm in response to concerns in Council's assessment report having regard to the bulk and exceedance of the maximum height limit of this new roof portion.

These concerns stated:

While this is only a minor variation to the height limit, it is considered that this roof form is unnecessarily high and bulky given it is over a void area with no floor area below. This proposed new roof form is also significantly higher than the lift well from the car park adjoining to the east as well as the existing roof form over the existing office area to the north on the first floor. While the pitched form of the roof is supported, as it is compatible with the existing roof on the club building as well as the residential dwellings in the area, the overall height is excessive and unnecessary.

The original roof was proposed at a height of 9.49 metres (RL 16.82) (**Figure 34**), which exceeded the height limit as shown on the height blanket diagram (**Figure 35**).

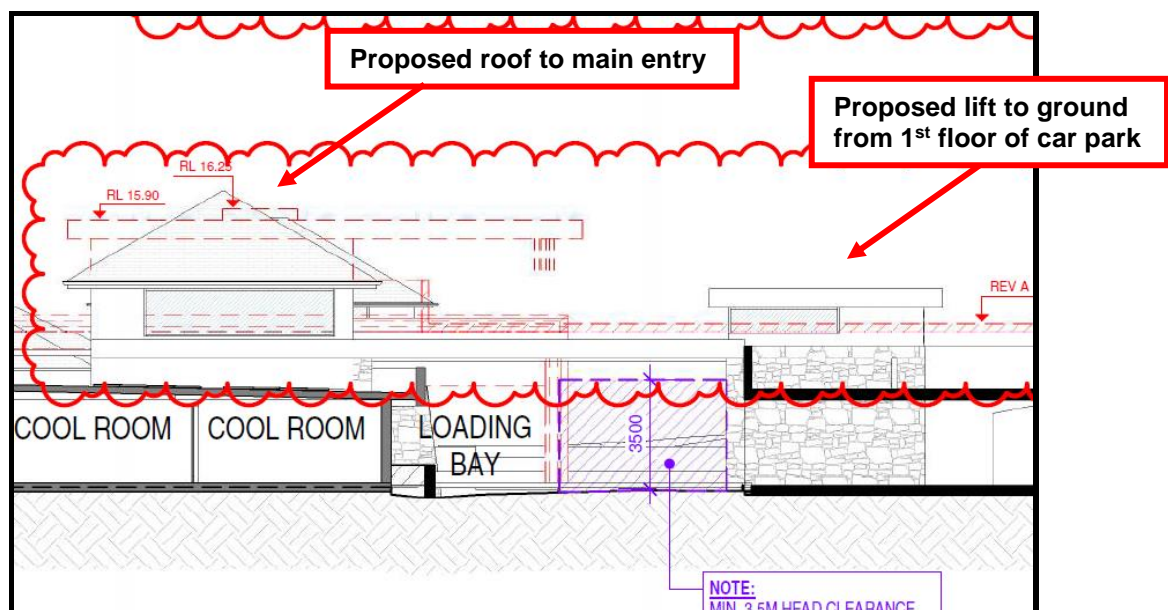


Figure 34: Previous proposed roof over main entry (Source: Innovate, Rev F)

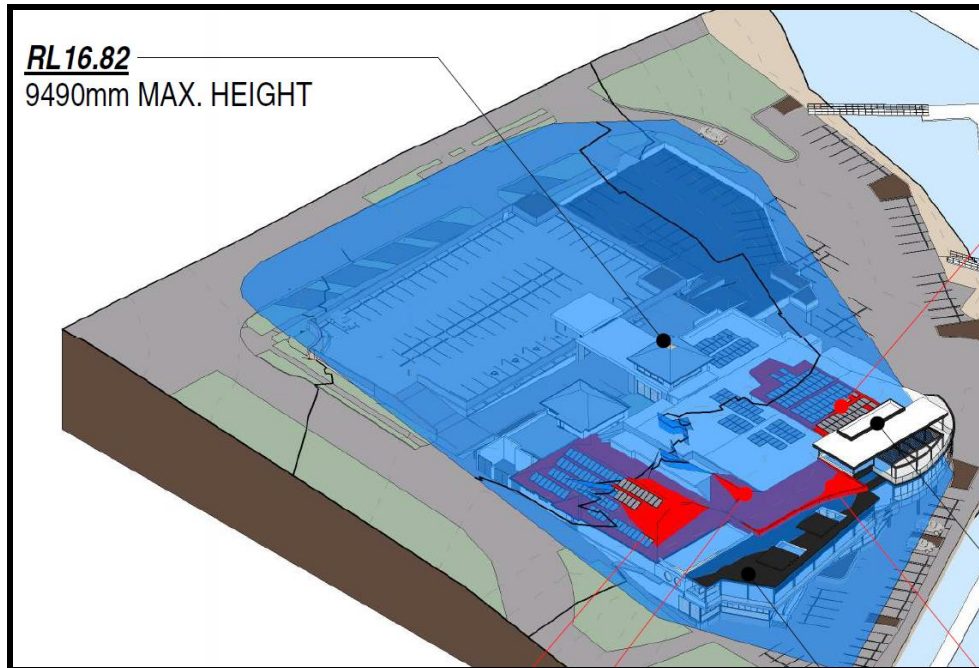


Figure 35: Previous height blanket (Source: Innovate, Revision C)

The amended proposal involves the lowering of this roof over the main entry to a height of 8.77 metres (RL 16.1), which is below the maximum height limit of 9 metres (Figure 36). Council's Senior Specialist Planner (Urban Design) still has concerns regarding this proposed new roof, given the potential impact to views and the proposed height of the roof. The revised photomontages in relation to view loss indicate that this proposed new roof has only a minor impact on distant views towards Blakehurst and does not significantly impact water views from properties along Plimsoll and Wellington Streets.

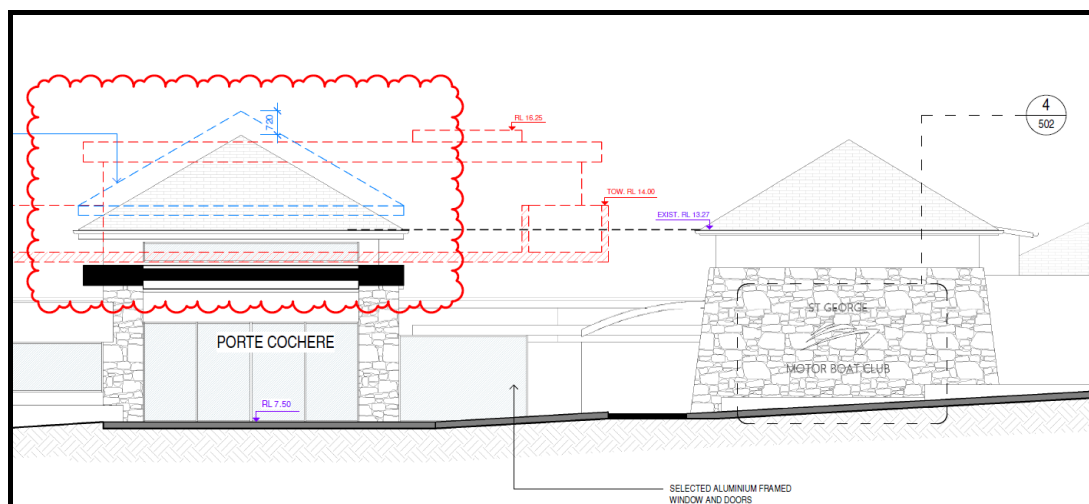


Figure 36: Proposed new roof over entry (Source: Innovate, Revision F)

However, the height of this new roof and the existing roof on the first floor (over the existing office area) are not shown on the plans (height is calculated from the height blanket diagrams) and therefore it is unclear whether the proposed new roof is the same height or higher than the existing first floor roof. It is considered that this new roof over the entry should be limited in height to that of the existing first floor roof (over the office on the first floor). Accordingly, a consent condition is recommended in **Attachment A**.

3.7 Foreshore landscaping

The amended proposal includes the following landscaping information:

- Landscape Plan prepared by Site Design Studios dated 2 November 2024 (Revision D) (**Revised Landscape Plan**); and
- *Arboricultural Report & Pruning Specification* prepared by Sydney Landscape Consultants dated 29 October 2024 (**Tree Pruning Specification**);

Revised Landscape Plan

The changes on the amended landscaping plan (Revision D) from the Landscaping Plan the subject of the Council's Assessment Report (Revision C) comprise the following:

- Planters added to the southern edge of the car park in the eastern corner of the site (hedge planting);
- TPZs shown for the street trees along Wellington and Plimsoll Streets;
- Replacement of some of the Tuckeroos with Coastal Banksias along the foreshore;
- Planters on first floor of car park reduced in size with smaller shrubs and removal of tuckeroo trees.

The concerns raised in Council's Assessment Report in relation to the foreshore landscaping involved the lack of soil depth for the planting of significant trees to screen the development from the foreshore (**Figure 37**). In the deferral, the Panel specifically sought clarification in relation to whether the proposed planting areas along the foreshore are of sufficient depth to sustain trees and landscaping with species consistent with Council's requirements.

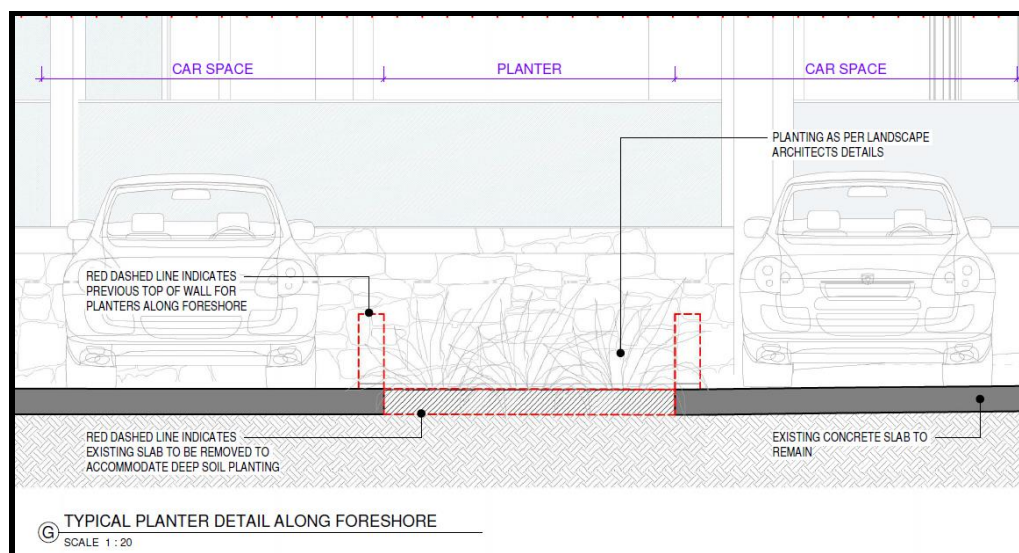


Figure 37: Previous Planter detail (Source: Innovate, Revision C)

The amended proposal now illustrates a planting depth of 1 metre below the proposed foreshore planters (**Figure 38**), with Tuckeroos replaced with Coastal Banksias. Council's Landscaping Officer supports the Revised Landscape Plan, including the proposed Coastal Banksia trees. However, the tying of 100L trees to stakes outlined in the Revised Landscape Plan is not supported as 100L trees are self-supporting when grown in accordance with AS2303 – 2018, *'Tree stock for landscape use'*. There were also concerns raised from Council's urban design officer that these trees were not adequately outlined on the revised Landscape Plan and that the trees are to be a minimum of medium trees which are capable

of a mature height of between 8 and 12 metres. This is required to providing screening to the development. Landscape consent conditions are included in the draft consent conditions in **Attachment A**.

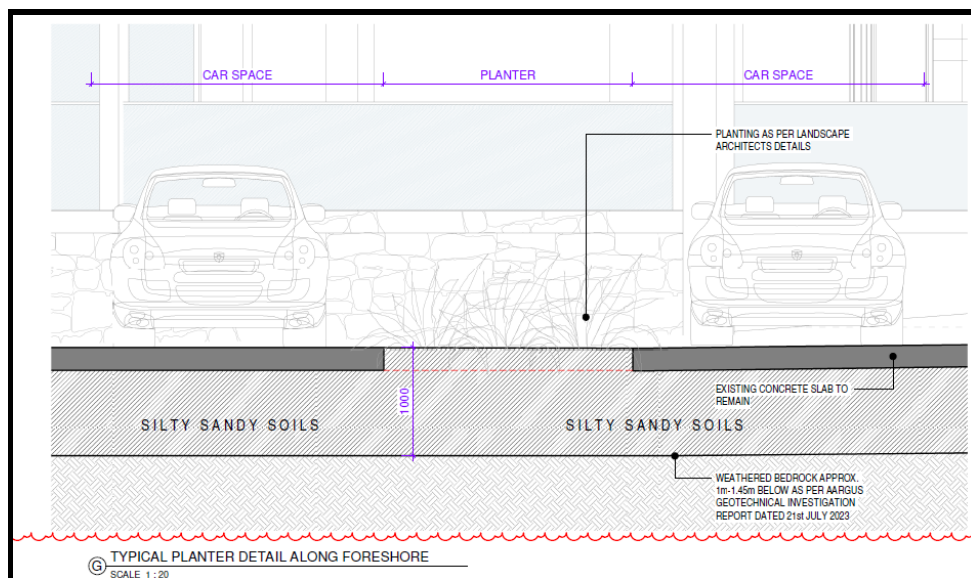


Figure 38: Amended Foreshore Planter (Source: Innovate, Revision F)

Tree Pruning Specification

The Pruning Report considered 10 trees which are located on Council's nature strip and adjoin the site along the Wellington and Plimsoll Street frontages. The report concluded that pruning is only required to Tree 2, comprising two (2) limbs of diameter 60mm and 90mm, extending over the existing driveway from Plimsoll Street. Since the canopies of Trees 3 to 10 do not extend into the site, there is no pruning required to these trees.

The Pruning Report also concluded that the calculated TPZs for Trees 3 to 10 are not impacted by proposed works/walling/excavations at 1.640 metres into the site from the boundary. It appears Tree 1 is located further to the south along the Plimsoll Street frontage and will not be affected by the proposed works (and is not considered in the Pruning Report).

Council's Landscape Officer supports the amended proposal having regard to the required tree pruning and has recommended tree protection consent conditions, which are included in the recommended draft consent conditions in **Attachment A**.

3.8 Acoustic impacts and hours of operation

Council's assessment report raised concerns with the potential acoustic impacts arising from the proposal given the proximity to surrounding residential development and the proposal to operate 24 hours, the extensive terrace areas proposed and the documented exceedances with the relevant acoustic criteria outlined in the Noise Impact Assessments.

As a result, the Panel required that the Acoustic report is to be updated to reflect the recommended hours (discussed below) and include any mitigation measures such as a limitation on operating hours of the ground floor terrace given its increase in size.

A revised *Noise Impact Assessment*, prepared by Rodney Stevens Acoustic dated 6 November 2024 (Revision 8) (**Revised Noise Report**), has been provided which included the following revisions to the previous Noise Report (Revision 6, dated 10 May 2024):

- Rooftop terrace removed from Section 2.2 (Proposed Development);
- Hours of operation amended in Section 2.3 to the following (from proposed 24 hour operation):
 - Monday to Thursday: 11.00am – 12.00am (midnight),
 - Fri/Sat/Public Holidays: 11.00am – 1.00am;
 - Sundays: 11.00am – 11.00pm.
- Amended plans provided in Section 2.3
- Rooftop terrace removed from Sections 2.4 (noise generating sources), 5.3 (Music Sound Power Level) and 5.4 (Predicted Noise Impacts).
- Predicted noise impact levels for residential (night time) all reduced, with only recorded noise level exceedances, both internal and external, for R1 (74-76 Vista Street).
- Car park emission of noise (Section 5.5), with increase to the number of car parking spaces to 154 spaces.
- Recommendation 6.2 for the ground floor terrace has been revised to state “no music to be played on the GF terrace during the night time hours of 12am (midnight) onwards (instead of no “*live music*”) and recommendations relating to the Rooftop Terrace have been removed.

These matters are further considered below.

Hours of Operation

The current operating hours of the club are as follows as outlined in the EIS:

- Monday to Thursday 11:00am to 10:30pm;
- Friday, Saturday & Public Holidays: 11:00am to 12:00am (midnight); and
- Sunday 11:00am to 9:30pm.

The EIS also stated that the current operation of the premises has no restriction on security, cleaning, maintenance, functions or emergency responses, and has an unrestricted, 24 hour liquor licence. It is noted by Council that a 24 hour liquor licence is not development consent for a 24 hour operation. The EIS and the Noise Impact Report lodged with the original application indicated that the proposal involved the premises trading on a 24 hour basis, including the ground floor and rooftop terrace areas.

Following the Panel meetings on 21 and 25 October 2024, the hours of operation which were considered reasonable by the Panel comprised:

- Monday to Thursday 11:00am to 12:00am (midnight) (increase of 1.5 hours closing);
- Friday, Saturday & Public Holidays: 11:00am to 1:00am (increase of 1 hour closing);
- Sunday 11:00am to 11.00pm (increase of 1.5 hours closing).

The Revised Noise Report concluded that compliance with the specific noise criteria is achieved by the proposal with the implementation of the recommendations provided in this report. The recommendations of the Revised Noise Report, including the hours of operation as outlined above, are included in the recommended consent conditions in **Attachment A**.

Acoustic Exceedances

The previous Noise Impact Assessment (Revision 5) predicted noise level exceedances, both internal and external, at all residential receivers for the night time period, with such exceedances ranging from 4 to 10dBA at R1, 7dBA at R2, 3dBA at R3, 5dBA at R4 and 8dBA at R5. These exceedances were likely due to the long hours of operation and the proposed extensive terrace areas, including the rooftop terrace.

While the Revised Noise Report still predicts some noise level exceedances, both internal and external, such exceedances are now limited to R1 only and are between 1 to 3dBA for the night time period. The Revised Noise Report concluded that compliance is achievable for all periods with the implementation of recommendations.

These recommendations, however, still allow for the use of the terrace areas until the premises close up to 1.00am (Fridays, Saturdays and Sundays) and only limiting music (including a one-piece band) on the ground floor terrace from 12am (midnight) onwards, which is considered further below.

Terrace Area

The original application involved two (2) new outdoor terrace areas, comprising the ground floor terrace and the rooftop terrace. Since the amended proposal removes the rooftop terrace, only the ground floor terrace remains as part of the proposal.

The recommendations of the Revised Noise Report in relation to the Ground Floor Terrace (Section 6.2) include the following:

- *A noise limiter is to be installed to ensure music does not exceed 85 dB(A) in the 63Hz-250Hz range at the centre of the terrace. All amplified equipment must be connected to the limiter.*
- *No music to be played on the GF terrace during the night time hours of 12am (midnight) onwards.*

There are concerns with these recommendations in that:

- The second recommendation is inconsistent with the proposed hours of operation in that it allows the use of the ground floor terrace beyond the operating hours for Mondays to Thursdays and Sundays.
- The predicted noise impact levels outlined in the Revised Noise Report were carried out as *daytime assessments (7.00am to 12.00am)* and *night-time assessments (12.00am to 7.00am)*, however, the EPA's *Noise Policy for Industry (2017) (NPfI)* defines *Assessment period* as:

The period in a day over which assessments are made: day (7 am to 6 pm); evening (6 pm to 10 pm); or night (10 pm to 7 am).

Therefore, the Revised Noise Report has not adequately considered the potential acoustic impacts arising from the day, evening and night periods in accordance with the requirements of the NPfI. Therefore, it is unclear when the exceedances arise and when impacts are likely to occur.

- It is considered that the use of the terrace areas up until the various closing times of midnight on Mondays to Thursdays, 1.00am on Fridays, Saturdays and Public Holidays and 11pm on Sundays is beyond the *evening* assessment period and is considered may result in adverse acoustic impacts to surrounding residents. This is particularly relevant to No 74-76 Vista Street (R1) which is located in close proximity to the proposed ground floor terrace and experiences exceedances in the noise criteria during the *night-time assessment* period.
- There has been insufficient acoustic assessment undertaken in accordance with the NPfI to demonstrate that the use of the ground floor terrace can be undertaken beyond

the evening assessment period given the large area proposed and lack of mitigation measures to prevent acoustic exceedances (notwithstanding that such exceedances have been reduced in the amended proposal).

Accordingly, it is considered that the use of the ground floor terrace shall cease, including for all types of music (live and amplified) and for patrons at 11pm. This cessation of use of the ground floor terrace area exceeds the evening assessment period by 1 hour, however, is considered reasonable given the existing hours of operation for the current ground floor terrace. Relevant recommended draft consent conditions are included in **Attachment A**.

3.9 Vehicle Entry Structure from Plimsoll Street and views into the car park

The size and composition of the proposed vehicle entry structure from Plimsoll Street is of concern, with the Panel deferral requesting the applicant reconsider the design of this sandstone vehicle entry structure to the car park to reduce its bulk and dominance.

The deferral also requested that landscaping should be increased, while still enclosing and screening views into the car park from the street. Enclosing the car park along the access driveway was also requested to be considered to limit views into the car park, as well as increasing opportunities for landscaping along the foreshore (considered in Section 3.3(b) of this Report). These matters are considered in further detail below.

Vehicle Entry Structure from Plimsoll Street

A sandstone entry structure of approximately 8.2 metres in length and 4.54 metres high in which vehicles would pass under to enter the site from Plimsoll Street (**Figure 39**) was outlined in the previous (Revision C plans) proposal.

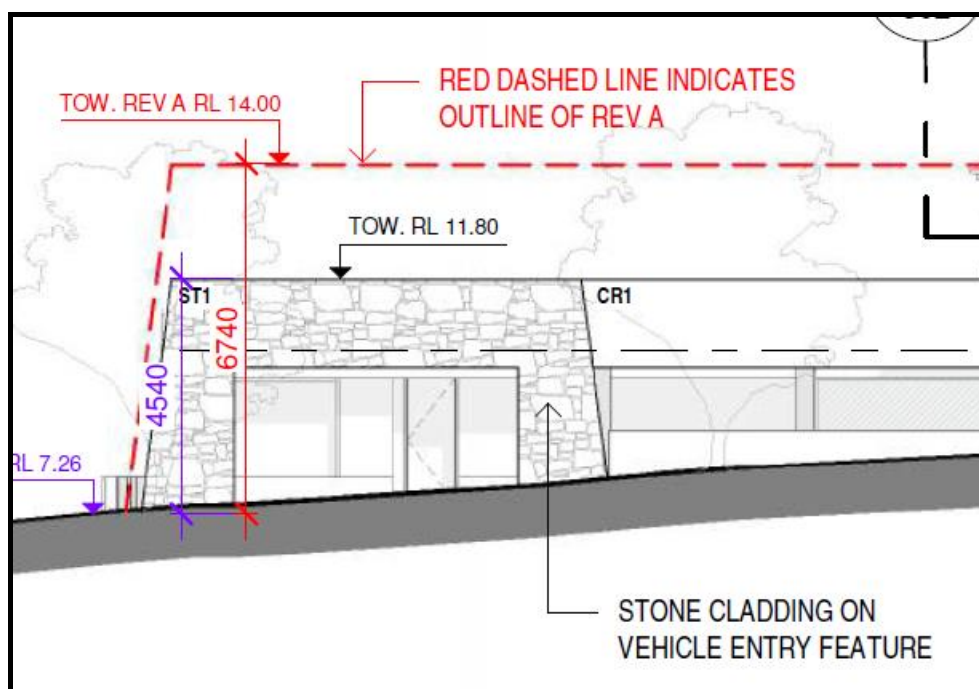


Figure 39: Previous Entry Structure (Source: Innovate, Revision C)

The amended proposal involves the removal of a 6.25 metre length of the southern portion of the first floor of the car park, which in turn reduces the size of this proposed entry structure (**Figure 40**).

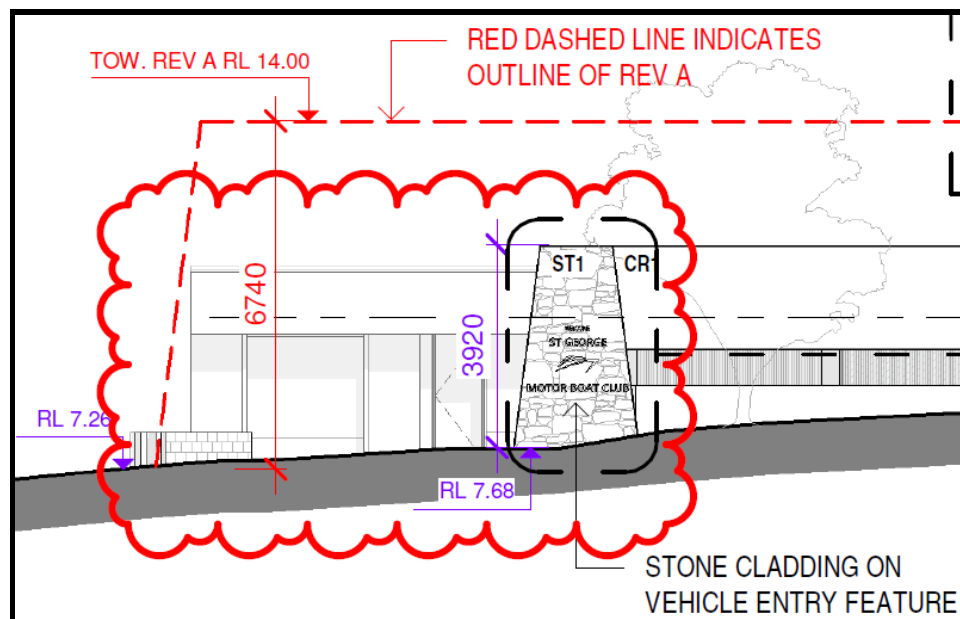


Figure 40: Proposed entry structure (Source: Innovate, Revision F)

While this entry feature has been reduced in size, it still comprises an additional building element to, and forward of, the wall of the first floor of the car park, which is already a significant structure and is forward of the prevailing front building setback for the area (Figure 41). This additional building structure further encroaches into this front setback area (Figure 42) and reduces the opportunities for landscaping along the Plimsoll Street boundary (Figure 43). This position forward of the remaining sections of the proposed new car park structure and the lack of landscaping, exacerbates the bulk and scale of the proposed structure to the street.

Further, this vehicle entry structure, similar to the original proposal, still consists of stone cladding at a height of 3.92 metres, a base of 2.5 metres and narrowing to 1.955 metres at the top of the structure. Business identification signage of a height of 1270mm is proposed to be constructed on the vehicle entry structure (Figure 44). Such cladding and signage adds further bulk to the structure.

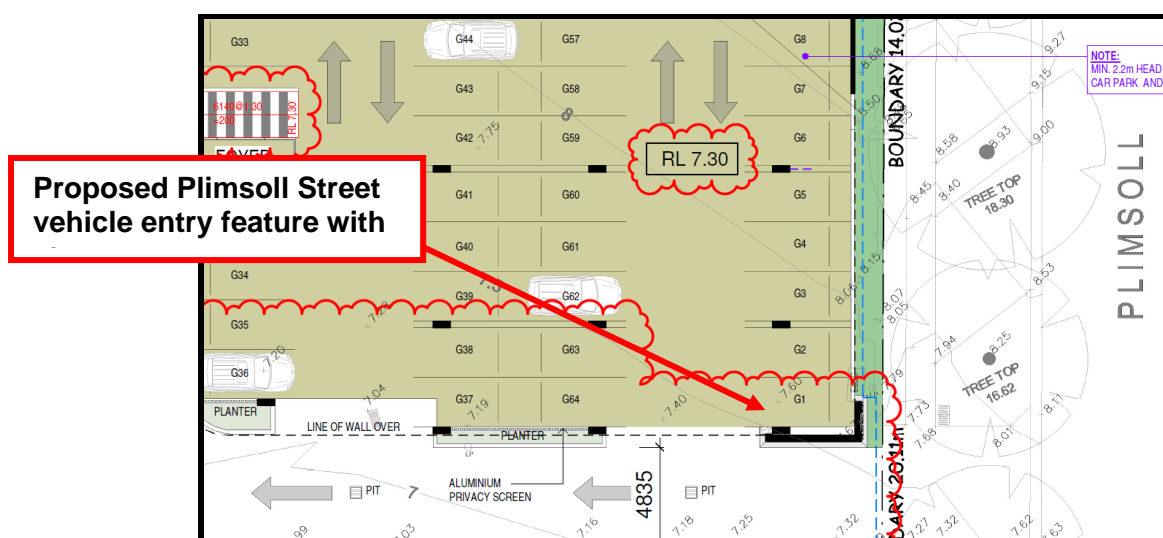


Figure 41: Proposed signage wall (Source: Innovate, Revision F)

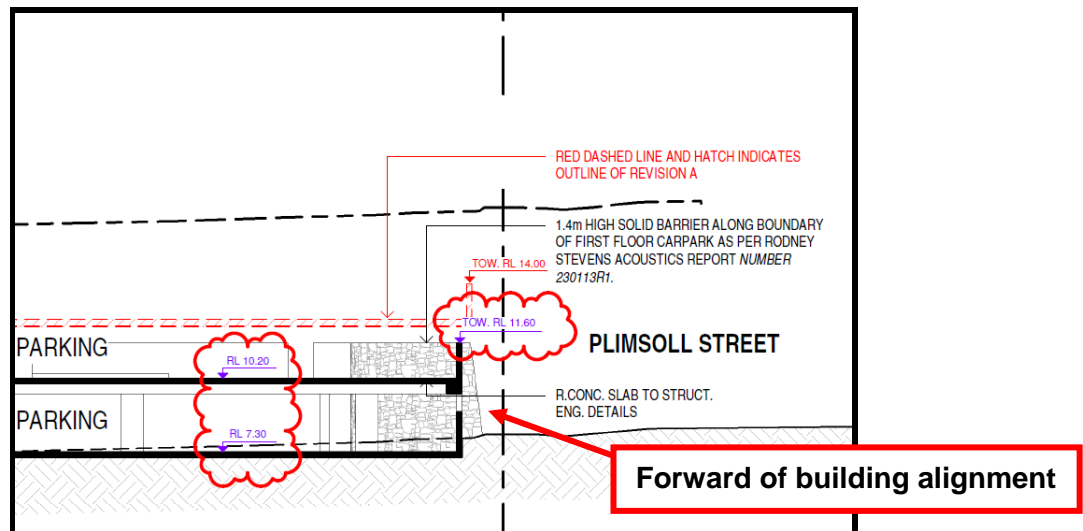


Figure 42: Proposed Vehicle Entry Structure - Plimsoll Street (Source: Innovate, Revision F)

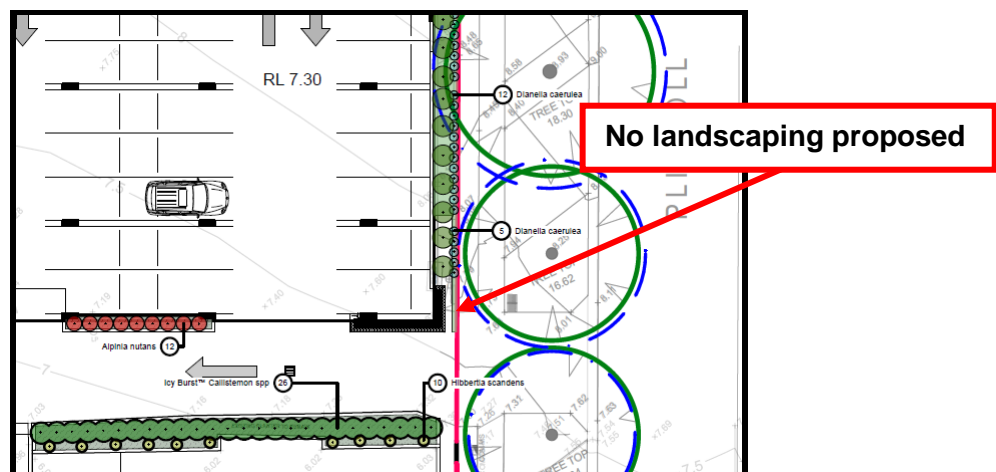


Figure 43: Landscape Plan (Source: Site Design Studio, Revision D)

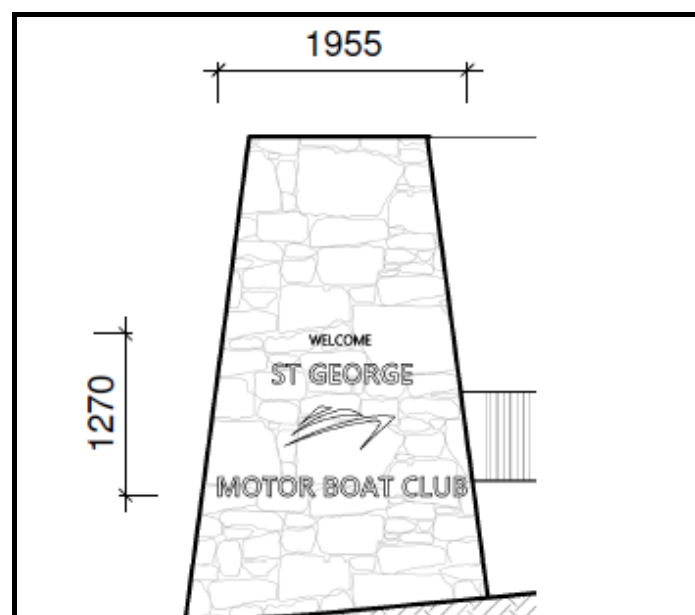


Figure 44: Proposed Signage at the Plimsoll Street vehicle entry (Source: Innovate, Revision F)

Council's Senior Specialist Planner (Urban Design) considers that this vehicle entry structure should be setback around 2.5 metres from the street boundary to minimise the dominance on the streetscape, however, this setback cannot be accommodated as the car park structure is only 1.64 metres from the Plimsoll Street boundary. Relocating the feature wall/vehicle entry structure to another position on the site would likely result in the loss of car parking or manoeuvring area or reduce the proposed landscaping through the car park area (discussed below).

It was also recommended that landscaping should be incorporated to minimise the impact of the bulk of the feature wall and that such details should be provided to Council for approval.

Having taken all of these factors into consideration, it is considered that this vehicle entry feature is still imposing in the streetscape, adds unnecessary bulk and scale to the development and prevents landscaping from screening the car park wall in this location. There would also not appear to be any other locations on the site for such a feature.

Therefore, this vehicle entry feature is not supported and is recommended to be removed from the proposal and replaced with sandstone flagging on the southern edge of the car park structure. A relevant design change consent condition is recommended in **Attachment A**.

3.10 Environmental Matters (Increased use of Sliprail)

The EPA have issued GTAs for the proposal in correspondence dated 21 October 2024. The requirement to comply with the GTAs is included in the recommended draft consent conditions in **Attachment A**.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The application is for integrated development as an Environment Protection Licence (**EPL**) is required pursuant to Clause 25(2) of Schedule 1 of the *Protection of the Environment Operations Act 1997* (**POEO Act**) as the proposal involves *marinas and boat repairs* for boat mooring and storage with a capacity to handle more than 80 vessels at any time (as a scheduled activity (premises-based) under section 48.

The EPA raised several concerns with the proposal over the course of the assessment, primarily in relation to the additional use of the sliprail and the Construction Noise and Vibration Management Plan (CNVMP) being unacceptable.

Following provision of additional information, the EPA provided General Terms of Approval in correspondence dated 21 October 2024. The requirement to comply with the GTAs is included in the recommended draft consent conditions in **Attachment A**.

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review of the amended plans (November 2024) as outlined **Table 5**. There were continuing concerns raised by Council's urban design officer, however, consent conditions are recommended to address these matters prior to issue of a Construction Certificate. The consent conditions recommended by Council's referral officers are included in **Attachment A**.

Table 5: Consideration of Council Referrals

OFFICER	COMMENTS	RESOLVED
Urban Design	<p>Still concerns in relation to lack of detail on landscape plans (particularly along the foreshore), streetscape and setbacks still significantly less than DCP control of 5.5m or prevailing setback and min 2m to secondary street. The setbacks are still inconsistent with streetscape character and do not provide adequate depth for meaningful landscaping.</p> <p>The public / private interface treatment is still unsatisfactory, with the blade wall height at the corner of Wellington St reduced to max 1.2m height, however, is still 3.92m high at the Plimsoll Street entry. Given the inadequate street setback (1.64m), this height is still considered excessive especially given its impact on the streetscape, views and results in a significant change to existing streetscape. This is considered unsuitable for low-density residential area and inconsistent with existing and future desired character and poor urban design outcome.</p> <p>Consideration should be given to deleting the pitched roof and lowering the height to improve views to the water. The external finished schedule provided (Refer Drawing 400) does not include the details of external materials and finished on elevations, which are required to be approved by Council.</p> <p>Following conditions are recommended:</p> <ul style="list-style-type: none"> • Feature wall at vehicular entrance off Plimsoll Street should be setback around 2.5m from street boundary to minimise dominance on streetscape. Landscaping incorporated to minimise impact of bulk of feature wall. • Solid acoustic barrier should include change in materiality especially warm material (timber or timber -like) to minimise bulk (considering time for landscaping to establish and if landscaping fails). • Planters along foreshore - min 8 x medium (6-8m) trees. • Detailed schedule of external and finished and photomontages or rendered elevations required. • External terraces should not be enclosed other than balustrade and blinds (should be roll up blinds and not fixed and not be installed on external façade of building). Blinds light weight with receding or earthy tones. • To minimise horizontality and proportion of glazing when viewed from foreshore, materiality of balustrade should include variation preferable similar to aluminium screen colour / timber look materials. 	<p>No</p> <p>Conditions to be imposed</p>
Traffic	Car parking provision and layout/design, loading dock (ground floor), EV parking spaces, temporary construction ramp to southern car park and restricting vehicle access from Vista Street were considered to be satisfactory subject to consent conditions. No objections are raised on traffic and parking grounds subject to consent conditions.	<p>Yes</p> <p>Conditions to be imposed</p>
Health	There were no further concerns raised and the proposed hours of operation were considered more in line with the acoustic report. The site is a licenced premises and therefore the EPA referral and licence will cover all environmental matters. Consent conditions in relation to compliance with the acoustic report, food premises, underground storage tanks, contaminated land (unexpected discovery), general amenity and lighting were recommended and have been included in Attachment A .	<p>Yes</p> <p>Conditions to be imposed</p>

Landscape	Consideration of the Arboricultural Report & Pruning Specification and Tree Protection Plan has been undertaken and found to be satisfactory subject to recommended consent conditions.	Yes Conditions to be imposed
Property	Concerns were raised with the use of the driveway from Vista Street which does not have any legal mechanism for the club to use. There is no evidence of an easement or ROW allowing access over the adjoining public reserve. A condition has been provided by Council's Traffic Engineer to prevent vehicle access from this road.	Yes Conditions to be imposed
Environment	No objections to the original proposal, subject to recommended consent conditions. The amended proposal was not referred for further comments.	Yes Conditions to be imposed
Waste	No objections to the original and initial amended proposal, subject to recommended consent conditions. The amended proposal was not referred for further comments.	Yes Conditions to be imposed
Building	No objections to the original proposal, subject to recommended consent conditions. The amended proposal was not provided for further comments.	Yes Conditions to be imposed

4.3 Community Consultation and Submissions

The Amended Proposal was not readvertised or renotified in accordance with the Council's *Community Engagement Strategy (Part C: Notification Plan)* (page 43). The provisions relating to *Amendments Prior To Determination* states:

Where Council receives amended plans prior to determination, Council:

a. Will re-notify the application if, in the opinion of the Council officer, the amendments are considered to result in significant additional environmental impacts.

It is considered that the amendments do not result in significant additional environmental impacts and there was insufficient time to renotify the application.

5. CONCLUSION

The matters required to be addressed by the Panel's deferral of the application dated 28 October 2024 have been satisfied. Recommended draft consent conditions are outlined in **Annexure A**.

- **Annexure A: Draft consent conditions**

Annexure A: Draft consent conditions

Draft conditions – St George Motor Boat Club - DA2023/0487

GENERAL CONDITIONS

1. Approved Plans

The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Drawing No.	Date	Rev	Prepared by
Architectural Plans				
Site Plan	100	11/11/24	F	Innovate
Proposed Roof Plan	101	11/11/24	F	Innovate
Proposed Lower Ground Floor Plan	102	11/11/24	F	Innovate
Proposed Ground Floor Plan	103	11/11/24	F	Innovate
Proposed First Floor Plan	104	11/11/24	F	Innovate
Elevations & External Finishes Schedule	400	11/11/24	F	Innovate
Sections	500	11/11/24	F	Innovate
Height Blanket Diagrams	501	11/11/24	F	Innovate
Signage	502	11/11/24	F	Innovate
Sections	503	11/11/24	F	Innovate
Shadow Diagrams	600	11/11/24	F	Innovate
Calculations	601	11/11/24	F	Innovate
Proposed Car Parking	800B	11/11/24	F	Innovate
Photographic Montage 01 – View from Georges River	01	11/11/24	F	Innovate
Photographic Montage 02 – View from Wellington and Plimsoll Street intersection	02	11/11/24	F	Innovate
Photographic Montage 03 – Porte Cochere View	03	11/11/24	F	Innovate
Construction Management Plan – Stage 1	52	11/11/24	F	Innovate
Construction Management Plan – Stage 2	53	11/11/24	F	Innovate
Construction Management Plan – Stage 3	54	11/11/24	F	Innovate
Marina Plans				
Proposed Extensions Layout	6225-01	24/4/24	C	International Marina Consultants Pty Ltd
Proposed Extension Elevation	6225-02	23/6/23	A	International Marina Consultants Pty Ltd
Proposed Marina Extensions Fire Services	6225-03	11/9/23	-	International Marina Consultants Pty Ltd
Arm A Relocated Fuel Line and Race Tower Layout	6225-04	24/4/24	-	International Marina Consultants Pty Ltd
Stormwater Plans				

Cover Sheet (Project No 23H5606)	SW00	8/6/23	A	Hyten Engineering
Stormwater Plan Sheet 1 (Project No 23H5606)	SW01	8/6/23	A	Hyten Engineering
Stormwater Plan Sheet 2 (Project No 23H5606)	SW02	8/6/23	A	Hyten Engineering
Landscape Plans				
Cover Sheet	L-01	2/11/24	D	Site Design Studios
Lower Floor Detailed Plan	L-02	2/11/24	D	Site Design Studios
Ground Floor Detailed Plan	L-03	2/11/24	D	Site Design Studios
Ground Floor Section	L-03.1	2/11/24	D	Site Design Studios
First Floor Detailed Plan	L-04	2/11/24	D	Site Design Studios
Planting Details	L-05	2/11/24	D	Site Design Studios
Existing Tree	L-06	2/11/24	D	Site Design Studios
Notes	L-07	2/11/24	D	Site Design Studios
Specification	L-08	2/11/24	D	Site Design Studios
Other Plans				
Survey	9963-005-TOPO	15/6/20	D	Boxall Surveyors
Hydrographic Survey	9963-010	9/3/23	-	Boxall Surveyors
Reports				
Environmental Impact Statement	-	22/9/23	-	Gyde
Clause 4.6 Request	P-22099	7/11/24	-	Gyde
Aboriginal Cultural Heritage Report	-	Sept 2023		Dominic Steele Consulting Archaeology
Access Report	22431	18/7/24	1.2	Code Performance
Air Quality Report	610.031409.000 01	11/9/23	2.1	SLR Consulting Australia
Aquatic Ecology and Sediment Quality Assessment	311015-00420	July 2023	0	Advisian
Arborists Report	-	10/7/22	V2	Sydney Landscape Consultants
Arboricultural Report & Pruning Specification	-	29/10/24	-	Sydney Landscape Consultants
Potential Acid Sulphate Soils Report (Land Portion)	ES8866/3	27/6/23	0	Aargus Pty Ltd
Acid Sulphate Soils Report (Marina Portion)	ES8866/3	12/4/24	1	Aargus Pty Ltd
Fuel Facilities Letter Report	ES8866/4	12/4/24	1	Aargus Pty Ltd
BCA and Access Compliance Report	J4553	27/7/23	Final	DPC
Coastal Risk Management Report	311015-00420	8/9/23	2	Advisian
Construction Management Plan (Marina Expansion)	6225R02A	11/9/23		International Marina Consultants Pty Ltd
CPTED Report	-	19/7/24	-	Gyde
Geotechnical Report	GS8874-1A	21/7/23	1	Aargus Pty Ltd

Marine Navigation Report	6225R01B	11/9/23	-	International Marina Consultants Pty Ltd
Noise Impact Assessment	R230113R1	6/11/24	8	Rodney Stevens Acoustics
Construction Noise and Vibration Management Plan	R230113R1	3/10/24	3	Rodney Stevens Acoustics
Social Impact Assessment	-	24/7/24	-	Gyde
Traffic and Parking Report (incl Gyde letter - 8/5/24)	230126.01	18/8/23	A	McLaren Traffic Engineering
Swept path Analysis and Parking Advice	240206.03FB	7/11/24		McLaren Traffic Engineering
Visual Analysis (& Gyde cover letter dated 13/5/24)	-	29/4/24	3	Rockhunter Australia P/L
Photomontage Verification	-	1/11/24	5	Rockhunter Australia P/L
Waste Classification (Marina Portion)	ES8866/2	5/7/23	-	Aargus Pty Ltd
Waste Classification (Land Portion)	ES8866/2	12/4/24	1	Aargus Pty Ltd
Operational Waste Management Plan	5039	24/7/23	D	Elephant's Foot Consultants Pty Ltd
Construction and Demolition Waste Management Plan	-	-	-	Innovate

Reason: To ensure the development is constructed in accordance with the approved plans and supporting documentation that applies to the development

2. Vehicle Access adjoining Anderson Park

There shall be no vehicle access provided to the site via the bitumen driveway/road from Vista Street adjoining Anderson Park.

Reason: There is no legal agreement for the use of this roadway for vehicular access to the site.

SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION

3. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993 (APR7.2)

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the *Roads Act 1993* and/or Section 68 of the *Local Government Act 1993* for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work

- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a "works zone";
- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate. The relevant Application Forms for these activities can be downloaded from Council's website www.georgesriver.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9330 6222.

Reason: To ensure the development is constructed in accordance with Council's requirements and other the legislative requirements.

4. Road Opening Permit (APR7.5)

A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from the RMS, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

Reason: To ensure the development is constructed in accordance with Council's requirements and other the legislative requirements.

5. Building – Hoarding Application (APR7.7)

Prior to demolition of the buildings on the site, or the commencement of work above ground level, a separate application for the erection of an 'A class' (fence type) or a 'B class' (overhead type) hoarding or 'C type' scaffold, in accordance with the requirements of SafeWork NSW, must be erected along that portion of the footways/roadway where the building is within 3 metres of the street boundary.

An application for this work under Section 68 of the *Local Government Act 1993* and the *Roads Act 1993* must be submitted for approval to Council.

The following information is to be submitted with a Hoarding Application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993*:

- (a) A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to/from the site, vehicle access points, location of public utilities, electrical overhead wire protection, site management plan and builders sheds location; and
- (b) Hoarding plan and details that are certified by an appropriately qualified engineer; and
- (c) The payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges (available at www.georgesriver.nsw.gov.au) before the commencement of work; and
- (d) A Public Risk Insurance Policy with a minimum cover of \$20 million in relation to the

occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained a copy provided to Council. The Policy is to note Council as an interested party.

Reason: To ensure the development is constructed in accordance with Council's requirements and other the legislative requirements.

6. Below ground anchors – Information to be submitted with S68 Application under LGA 1993 and S138 Application under Roads Act 1993 (APR7.8)

In the event that the excavation associated with the basement carpark is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways, an application must be lodged with Council under Section 68 of *the Local Government Act 1993* and the *Roads Act 1993* for approval, prior to commencement of those works. The following details must be submitted.

- (a) That cable anchors will be stressed released when the building extends above ground level to the satisfaction of Council.
- (b) The applicant has indemnified Council from all public liability claims arising from the proposed works, and provide adequate insurance cover to the satisfaction of council.
- (c) Documentary evidence of such insurance cover to the value of \$20 million.
- (d) The applicant must register a non-terminating bank guarantee in favour of Council for the amount of [\$50,000]. The guarantee will be released when the cables are stress released. In this regard it will be necessary for a certificate to be submitted to Council from a structural engineer at that time verifying that the cables have been stress released.
- (e) That in the event of any works taking place on Council's roadways/footways adjoining the property while the anchors are still stressed, all costs associated with overcoming the difficulties caused by the presence of the 'live' anchors will be borne by the applicant.

Reason: To ensure the development is constructed in accordance with Council's requirements and other the legislative requirements.

REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES

7. General Terms of Approval (GOV8.1)

The development shall be carried out in accordance with the requirements of the General Terms of Approval (GTA) outlined below.

Approval Body	Date of GTA
NSW Environment Protection Authority	21 October 2024

A copy of the requirements of the approval Authority is attached to this consent.

Reason: To ensure the requirements of the EPA under integrated development are considered.

8. Sydney Water – Tap in TM (GOV8.12)

The approved plans must be submitted to a Sydney Water Tap inTM to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be

appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with the legislative requirements.

9. Notice of Requirements for a Section 73 Certificate (GOV8.13)

A Notice of Requirements of what will eventually be required when issuing a Section 73 Compliance Certificate under the [Sydney Water Act 1994](http://www.sydneywater.com.au) must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the 'Plumbing, building and developing' section of the web site www.sydneywater.com.au then refer to 'Providers' under 'Developing' 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 Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Notice of requirements must be submitted prior to the commencement of work. A Section 73 Compliance Certificate will be required at the completion of development in accordance with further conditions.

Reason: To ensure the development is constructed in accordance with Council's requirements and other the legislative requirements.

10. Ausgrid Requirements

There is an existing kiosk style electricity substation that may be impacted by the proposed construction. Subsidence and vibration must be minimised at the substation site. The use of ground anchors under a substation is generally not permitted due to the presence of underground cabling and earthing conductors which may be more than 10 metres deep. A further area of exclusion may be required in some circumstances.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings – Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA Class 10a structure constructed from non-combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 1—kHz) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

Reason: To ensure the development is constructed in accordance with requirements of service providers.

11. Electricity Supply (GOV8.15)

An application is required to be made to Ausgrid for a network connection. This may require the network to be extended or its capacity augmented. Evidence of this application being lodged with Ausgrid is required to be provided to the Certifying Authority prior to the issue of a Construction Certificate. For further details, you are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services).

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

12. Design Changes

The following design changes and information are required to be provided to Council's Senior Specialist Planner (Urban Design) for approval prior to the issue of a Construction Certificate:

- (a) The vehicle entry structure at Plimsoll Street must be removed and replaced with stone cladding on the southern edge of the car park structure only. Landscaping shall be incorporated along the frontage of the site at this Plimsoll Street vehicle entry point and is to be outlined on the Final Landscape Plan;
- (b) The 1.4 metre high solid barrier of the first floor of the car park to Plimsoll Street and Wellington Streets shall comprise a variety of materiality to reduce the amount of brushed concrete finish to the street and to minimise the bulk;
- (c) To minimise horizontality and the proportion of glazing when viewed from the foreshore, the materiality of the balustrades shall incorporate variation, similar to the aluminium screen colour / timber look materials;
- (d) The roof over the main entry area (first floor level) shall be the same (or lower) than the height of the existing roof over the first floor office;
- (e) A detailed schedule of external colours, finishes and materials shall be provided; and
- (f) External terraces shall not be enclosed (other than the balustrade and the blinds). The blinds shall be roll-up blinds and not fixed and should not be installed on the external façade of the building. The blinds should be light weight with receding or earthy tones.

Reason: To ensure visual impacts on the surrounding streetscape and foreshore are minimised.

13. Fees to be paid (CC9.1)

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.georgesriver.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate.

Please contact Council prior to the payment of Section 7.12 Levy to determine whether the amounts have been indexed from that indicated below in this consent and the form of payment that will be accepted by Council. Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Builders Damage Deposit (\$1236 per lineal metre of site frontage)	\$ 306,090.46
Inspection Fee for Refund of Damage Deposit	\$ 371 per inspection
DEVELOPMENT CONTRIBUTIONS	
Georges River Council Local Development Infrastructure Contributions Plan 2021	\$115,034.85

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

A Section 7.12 contribution has been levied on the subject development pursuant to the *Georges River Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12)* (Contributions Plan).

Indexation

Indexation of the estimated cost of works to which a s7.12 levy relates between the date of the granted development consent and the date of payment will be undertaken by Council. The indexation of the cost of works will be conducted according to the formula in the Contributions Plan.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *all current Development Contributions Plans* may be inspected or a copy purchased at Council's offices (Civic Centre, MacMahon Street, Hurstville and 2 Belgrave Street, Kogarah) or viewed on Council's website www.georgesriver.nsw.gov.au.

Reason: To ensure the appropriate fees are paid for the development.

14. Damage Deposit – Major Works (CC9.5)

In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$306,090.46.
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee to enable assessment of any damage and repairs where required: \$371 per inspection.
- (c) Submit to Council, before the commencement of work, a dilapidation report of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will review the dilapidation report and the Works-As-Executed Drawings (if applicable) and inspect the public works. The damage deposit will be refunded in full upon completion of work where no damage occurs and where Council is satisfied with the completion of works. Alternatively, the damage deposit will be forfeited or partly refunded based on the damage incurred.

Reason: To ensure the appropriate fees are paid for the development.

15. Site Management Plan (CC9.6)

A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment;
- (c) location of building materials for construction, e.g. stockpiles
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

Reason: To ensure the development minimises impacts on the environment and public safety.

16. Erosion & Sedimentation Control (CC9.32)

Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water run-off is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with *Managing Urban Stormwater – Soils and Construction (Blue Book)* produced by Landcom 2004.

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

Reason: To ensure the development minimises impacts on the environment.

17. Construction Management Plan

Prior to the issue of the Construction Certificate, a final Construction Management Plan (consistent with the approved plans) is required which outlines:

- (a) Construction equipment, staging and timing information; and
- (b) All of the required mitigation measures recommended in the *Aquatic Ecology and Sediment Quality Assessment* prepared by Advisian dated July 2023.

Reason: To ensure the development minimises impacts on the environment.

18. Construction Vehicle and Pedestrian Plan of Management

Prior to the issuing of a Construction Certificate, a *Construction Vehicle and Pedestrian Plan of Management (CVPPM)* shall be submitted to Council for the approval of Council's Senior Traffic and Parking Assessment Officer. The CVPPM shall be prepared for the various stages of the development and include, but not be limited to, the following:

- (a) Show access for all demolition, excavation, fit out and other works related vehicles not being obtained via the access road located between the bend on Vista Street/Wellington Street and the northern end of the lower ground level car park.
- (b) Details of the scope of works to be undertaken during the demolition, excavation, construction stages etc., and the duration of each.
- (c) Indicate the consent approved hours of work.
- (d) Identify the routes to be travelled within the Council area for trucks travelling to and from the site.
- (e) Identify other developments occurring concurrently in the area including those within the street and up to 500m from the site. The developer/builder shall liaise fortnightly with other identified developers/builders to minimize any cumulative traffic impacts.

- (f) Include a plan showing the location of any schools, preschools and long day care centres within 200m of the site.
- (g) Detail the number of and where construction worker vehicles will be parked during the various stages of the development.
- (h) Identify any proposed temporary road closures, temporary changes to traffic flow and loss of pedestrian or cyclist access likely to occur as a result of works being undertaken during the various work stages.
- (i) Detail the size (including dimensions), number and frequency of trucks movements to and from the site during the various stages of work.
- (j) Include copies of all required Traffic Control Plans (TCPs). All TCP's shall be prepared by RMS accredited persons.
- (k) Provide swept wheel path drawings for the different types of vehicles accessing the site. The swept wheel path drawings:
 - Are required to confirm truck movements into and out of the site associated with the various stages of development will not damage public or private infrastructure/property.
 - Are required to confirm truck movements into and out of the site can be carried out without a loss of on street vehicle parking spaces either in close proximity to or removed from the site.
 - Shall be prepared by a suitably qualified and experienced traffic engineering consultant.
- (l) Show the location and length of any proposed Works Zones including any adjustments required to Council's infrastructure, parking control signs etc. to implement the zones.
NOTE: Works Zones require the approval of the Georges River Council Traffic Committee prior to installation.
- (m) Show the locations of where it is proposed to stand trucks remote from the site should they be unable on arrival to immediately enter the site or an approved Works Zone. Double parking, parking in NO STOPPING/NO STANDING zones or across neighboring property driveways is not permitted.

NOTE: A copy of the approved CVPPM must be kept at the site and made available to the Principal Certifying Authority or Council on request.

Reason: To ensure the safety of the surrounding road network during construction.

19. Amended Construction Noise and Vibration Management Plan

Prior to the issue of a Construction Certificate, an amended *Construction Noise & Vibration Management Plan* (CNVMP) must be submitted to Council and the EPA (in accordance with the General Terms of Approval). The amended CNVMP must include details and timeframes to implement all feasible and reasonable mitigation measures to manage construction noise, including respite periods where high impact activities such as piling and jack/rock hammering are proposed.

The amended CNVMP must also accurately reflect the stages of construction outlined in the Construction Management Plan required by this consent.

Reason: To ensure construction noise and vibration is minimised during construction.

20. Temporary Ramp – southern car park

Detailed engineering drawings of the works proposed within the site to provide the temporary ramp to access the southern car park shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

The engineering drawings shall include the extent of works and structural details of the section of wall on the boundary to be demolished and works required to reinstate the wall.

Reason: To ensure full details of these proposed works are provided to protect public safety.

21. Amendments to Car Spaces

Prior to the issue of a Construction Certificate, amendments shall be carried out to the design of planter boxes and /or the aluminium privacy screen to make provision for car spaces G36, G37, G64, F17 and F18 to have a minimum width of 2.7 metres. Plans showing the amended widths of the spaces shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure compliance with relevant Australian Standards for car parking spaces.

22. Vehicle Movement and Pavement Markings Signage

The following matters are to be outlined on the Construction Certificate plans:

- (a) Vehicle movement signage - Signs shall be installed within the site to prevent the following vehicle movements at the ground floor level carpark:
 - (i) Entry from Wellington Street
 - (ii) Exit to Plimsoll Street
 - (iii) Left turns from both access aisles at the southern end on the ground floor of the car park and left turns from the ramp providing access down from the first floor level at the northern end.

Details of the location, size and wording of the signs shall be submitted to the Principal Certifying Authority for approval on the Construction Certificate plans.

- (b) Pavement Markings - Directional arrows shall be painted on the ground floor level both inside and outside the multi-storey car park and on the first floor level to ensure vehicles travel in the directions shown on the approved plans. Details of the location and dimensions of the markings shall be submitted to the Principal Certifying Authority for approval.
- (c) Vehicle Turning Bay - The vehicle turning bay on the first floor level shall be provided with pavement markings and signage to prevent it from being used for parking. Details of the pavement markings and signage shall be submitted to the Principal Certifying Authority for approval.
- (d) EV Parking Spaces - The six (6) electric vehicle (EV) parking spaces on the first floor level of the car park shall not be limited to the parking only of electric vehicles. The spaces shall be made available for the parking electric and non-electric vehicles. Details of the signage required to inform drivers the spaces are not restricted to the parking only of electric vehicles shall be submitted to the Principal Certifying Authority for approval.

The signage shall be installed prior to the issue of the Occupation Certificate.

Reason: To ensure car park safety and compliance with relevant Australian Standards for car parking.

23. Pedestrian Access Pathway (Wellington Street)

Full engineering details including materials of construction, dimensions and levels of the pedestrian pathway proposed from Wellington Street to the club entry shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure car park safety and compliance with relevant Australian Standards for pedestrian safety.

24. Safety and Security Measures

The following safety and security measures are to be implemented at the site and reflected on the Construction Certificate plans:

- (a) CCTV cameras are to be installed at the entry / egress points, external areas of the building, including the car parks, and other strategic areas of congregation to provide maximum surveillance.
- (b) Appropriately trained security guard(s) shall be provided on site for the purpose of random patrols.
- (c) Install appropriate wayfinding signage to clearly distinguish entry points from the lower ground, ground and first floor to create pedestrian channelling into relevant entries.
- (d) Access controls such as gates and doors must be designed and fitted to meet the relevant Australian Standards.
- (e) Prepare a plan of management to assist with achieving suitable territorial reinforcement, including ensuring continued site cleanliness, rapid repair of vandalism and graffiti, the prompt replacement of broken light fixtures/globes and the removal or refurbishment of decayed physical elements.
- (f) Install appropriate lighting to Australian Standards at entry/exits and throughout the car parks (particularly the area on the ground floor under the ramp to the first floor).
- (g) Ensure adequate lighting is provided along pedestrian access points and entry / egress points from the car parks.
- (h) Use materials and techniques to reduce the incidence of vandalism (particularly graffiti) and suitably maintained landscaping.

Reason: To ensure the safety of patrons using the site and residents in the surrounding area during operation of the development.

25. Low reflectivity roof (CC9.13)

Roofing materials must be low glare and reflectivity. Details of finished external materials including colours and texture must be provided to the Certifying Authority.

Reason: To ensure reflectivity is minimised in the area.

26. Service Utilities (CC9.14)

Arrangements shall be made to the satisfaction of all Service Utility Authorities in respect to the services supplied by those authorities to the development

Reason: To ensure the development is constructed in accordance with requirements of service providers.

27. Stormwater System (CC9.34)

The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans

of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

- (a) All stormwater shall drain by gravity to the proposed kerb inlet pit located in front of the property in accordance with the *Australian/New Zealand Standard AS/NZS 3500.3: 2015 (as amended)*.
- (b) Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineer who specialises in Hydraulic Engineering in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (2016) and Council's Stormwater Drainage Guidelines, shall accompany the application for the Construction Certificate.

Reason: To ensure the development is constructed in accordance with Council's requirements.

28. Council Property Shoring (CC9.45)

Prior to the issue of the Construction Certificate, plans and specifications prepared by a professional engineer specialising in practising structural engineering must detail how Council's property shall be supported at all times.

Where any shoring is to be supporting, or located on Council's property, certified structural engineering drawings detailing; the extent of the encroachment, the type of shoring and the method of removal, shall be included on the plans. Where the shoring cannot be removed, the plans must detail that the shoring will be cut to 150mm below footpath level and the gap between the shoring and any building shall be filled with a 5MPa lean concrete mix.

Reason: To ensure public safety and that the development is constructed in accordance with Council's requirements..

29. Fire Safety Measures (CC9.47)

Prior to the issue of a construction certificate, a list of the essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such a list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.

Reason: To ensure the development is safe for public use in accordance with the legislative requirements.

30. Structural details (CC9.48)

Engineer's details prepared by a practising Structural Engineer for all reinforced concrete work, structural beams, columns & other structural members is required prior to the issue of the Construction Certificate. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works. A copy shall be forwarded to Council where Council is not the PCA.

Reason: To ensure the development is structurally sound.

31. Engineer's Certificate (CC9.51)

A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed

loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is structurally sound.

32. Access for Persons with a Disability (CC9.52)

Access and sanitary facilities for persons with disabilities must be provided to the premises/building in accordance with the requirements of:

- (a) *The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards),*
- (b) *the Building Code of Australia, and*
- (c) *AS 1428.1: Design for access and mobility.*

Details must be submitted with the Construction Certificate Application.

Reason: To ensure the development is accessible in accordance with legislative requirements. .

33. Geotechnical report (CC9.54)

The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who is registered on the National Engineering Register in relation to dilapidation reports, all site works and construction. This is to be submitted before the issue of the Construction Certificate and is to include:

- (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.
- (b) On-site guidance by a vibration specialist during the early part of excavation.
- (c) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (d) Sides of the excavation are to be pierced prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

Reason: To ensure the development is constructed in accordance with site-specific geotechnical advice.

34. Traffic Management – Compliance with AS2890.2 (CC9.61)

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1 (*for car parking facilities*) and AS 2890.2 (*for commercial vehicle facilities*). A certification is to be submitted from a qualified consulting traffic engineer outlining that traffic management systems design complied with AS2890.2 prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with the relevant Australian Standards for car parking and vehicle access.

35. Stormwater Drainage Application (CC9.91)

This Development Consent does not give approval to undertake works on public infrastructure. A separate approval of a Stormwater Drainage Application is required under Section 138 of the *Roads Act 1993* and/or Section 68 of the *Local Government Act 1993* to undertake:

- (a) Stormwater & ancillary works in the road reserve. This includes new pits/pipes and associated connections to Council's drainage systems.
- (b) Stormwater & ancillary to public infrastructure on private land

The Stormwater Drainage Application approval must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate. The Application Form for this activity can be downloaded from Council's website www.georgesriver.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9330 6400.

Reason: To ensure the development is constructed in accordance with Council's requirements.

36. Compliance with submitted Acoustic Report (CC9.68)

The Construction Certificate plans must demonstrate compliance with the approved Acoustic Report, titled *Noise Impact Assessment*, prepared by Rodney Stevens Acoustic, dated 6 November 2024 (Revision 8) and must be accompanied by certification from a suitably qualified and experienced acoustic consultant, to the satisfaction of the Certifying Authority prior to the release of the Construction Certificate.

Reason: To ensure the design of the development incorporates the measures outlined in the Acoustic Report and to ensure appropriate acoustic levels to maintain the surrounding amenity.

37. Food Premises – Details and Fit-Out (EHB0015)

Details of the construction and fit-out of food premises must be submitted to the satisfaction of Council's Environmental Health Officer. The plans and specifications must demonstrate compliance with the:

- a. [Food Act 2003](#) (NSW) (as amended),
- b. [Food Regulation 2015](#) (NSW) (as amended),
- c. [Food Standards Code](#) – Standard 3.2.3 (as amended) - published by Food Standards Australia, and
- d. Sydney Water – Trade Waste Requirements.

Prior to the release of the Construction Certificate, written approval of Council's Environmental Health Officer must be provided to the Certifying Authority, and the plans approved by Council's Environmental Health Officer must be incorporated into the Construction Certificate documentation.

Reason: To ensure food premises are fitted out in accordance with legislative requirements.

38. Food Premises - Waste Facility (EHB0017)

Details of the construction and fit-out of the waste storage facility must demonstrate compliance with the following:

- (a) [Food Act 2003](#) (NSW) (as amended),
- (b) [Food Regulation 2015](#) (NSW) (as amended),

- (c) AS4674:2004 – Design, Construction and Fit out of Food Premises, and
- (d) The current or most recent version of the [Food Standards Code](#) – Standard 3.2.3 - published by Food Standards Australia.

and must be:

- (e) provided with a hose tap connected to the water supply, and
- (f) paved with impervious floor materials, and
- (g) coved at the intersection of the floor and the walls, and
- (h) graded and drained to a waste disposal system in accordance with the requirements of Sydney Water, and
- (i) adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the [Protection of the Environment Operations Act 1997](#) (as amended), and
- (j) large enough to accommodate the bins required.

Prior to the release of the Construction Certificate, the written approval of Council's Environmental Health Officer must be provided to the Certifying Authority. The plans approved by Council's Environmental Health Officer must be incorporated into the Construction Certificate documentation.

Reason: To ensure the provision of appropriate and sanitary waste storage facilities.

39. Underground Petroleum Storage Systems (EHB0026)

Detailed plans and specifications for the proposed Underground Petroleum Storage System (UPSS) must be submitted to the satisfaction of the Certifying Authority prior to the issue of the construction certificate, demonstrating compliance with the:

- (a) [Protection of the Environment Operations \(Underground Petroleum Storage System\) Regulation 2019](#) (NSW) (as amended),
- (b) the current or most recent version of AS1940 – *The storage and handling of flammable and combustible liquids*,
- (c) the current or most recent version of AS4897 – *The design, installation and operation of underground petroleum storage*, and
- (d) any other relevant standards (as amended) - SafeWork NSW (13 10 50) is to be contacted separately to obtain any additional requirements for the installation of underground storage tanks.

Detailed plans and specifications for the Underground Petroleum Storage System must be incorporated into the Construction Certificate documentation.

Reason: To ensure the impacts on the environment are minimised and the storage of petroleum products are in accordance with the legislative requirements.

40. Waste Management during construction and demolition

The applicant must provide details of the proposed contractors used for managing demolition/construction wastes to Council prior to the issue of a Construction Certificate. The applicant must maintain records of licensed waste management disposal for up to 7 years as evidence of correct management of wastes from the development. Copies of all receipts for the disposal, or processing of all such materials shall be submitted to the PCA and Council, where Council is not the Principal Certifying Authority.

Reason: To ensure waste is appropriately managed during construction and demolition.

41. Final Landscape Plan

A Final Landscape Plan must be submitted with the Construction Certificate which is consistent with the Landscape Plans prepared by *Site Design and Studios* dated 2 November 2024 'Revision D' and which illustrates the following:

- (a) The planting of a total of eight (8) medium trees along the foreshore boundary of the site comprising the following:
 - (i) Planting of a *Banksia integrifolia* (coastal banksia) in each of the planting areas adjoining the waterfront between the northern site boundary and the existing boat ramp, with 2 trees to be planted in the area closest to the ramp (five (5) trees in total). The trees are to be medium trees, capable of a mature height of between 8 metres and 12 metres; and
 - (ii) Planting of a *Cupaniopsis anacardioides* (tuckeroo) in each of the planting areas to the south of the existing boat ramp (three (3) trees in total). The trees are to be medium trees, capable of a mature height of between 8 metres and 12 metres;

Details of each of these trees is to be clearly shown in each planting area.

- (b) Planting along the Plimsoll Street and Wellington Street boundaries is to comprise greater layering of landscaping (i.e. medium sized plants, in addition to the Lilly Pilly Straight and Narrow and grasses) to ensure the car park wall and lower level are screened from the street;
- (c) The 20 new trees as shown on Landscape Plans must be fully self-supporting without being tied to a prop (i.e. steaked);
- (d) New tree plantings must be grown to *AS2303: 2018 - Tree Stock For Landscape Use* and be planted by a Horticulturalist or AQF level 3 Arborist.

The Final landscape plan must be approved by Council's Senior Landscape and Arboricultural Assessment Officer prior to the issue of a Construction Certificate.

Reason: To ensure the landscaping on the site is satisfactory.

PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)

42. Demolition & Asbestos (PREC10.1)

The demolition work shall comply with the provisions of Australian Standard *AS2601:2001 – Demolition of Structures*, *NSW Work Health & Safety Act 2011* and the *NSW Work Health & Safety Regulation 2017*. The work plans required by *AS2601:2001* shall be accompanied by a written statement by 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 safety statement shall be submitted to the PC prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the *NSW Work Health & Safety Act 2011* and the *NSW Work Health & Safety Regulation 2017* unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with

the Demolition Code of Practice (NSW Work Cover August 2019). **Note:** Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the *Work Health and Safety Regulation 2017*.

Reason: To ensure waste is appropriately managed during construction and demolition.

43. Demolition Notification Requirements (PREC10.2)

The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining occupants five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

Reason: To ensure waste is appropriately managed during construction and demolition.

44. Before You Dig Australia (PREC10.10)

The applicant shall contact "Before You Dig Australia" at <https://www.byda.com.au/> to obtain a Service Diagram prior to the issuing of the Construction Certificate. The reference number for the enquiry obtained from "Before You Dig Australia" shall be forwarded to the Principal Certifying Authority (PCA) and Council for their records.

Reason: To ensure existing services are protected during construction of the development.

45. Dilapidation Report on Public Land (PREC10.11)

Prior to the commencement of works (including demolition and excavation), a dilapidation report must be prepared for the Council infrastructure adjoining the development site, within:

- (a) Plimsoll Street
- (b) Wellington Street

The report must include the following:

- (c) Photographs showing the existing condition of the road pavement fronting the site,
- (d) Photographs showing the existing condition of the kerb and gutter fronting the site,
- (e) Photographs showing the existing condition of the footpath pavement fronting the site,

- (f) Photographs showing the existing condition of any retaining walls within the footway or road, and
- (g) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site,
- (h) The full name and signature of the structural engineer,
- (i) The Dilapidation Report must be prepared by a qualified structural engineer. The report must be provided to the PCA and a copy provided to the Council.

The Dilapidation Report must be prepared by a professional engineer. The report must be provided to the PCA and a copy provided to the Council. The report is to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

Note: Council will use this report to determine whether to refund the damage deposit after the completion of works.

Reason: To ensure protection of public assets during construction.

46. Temporary ramp – Southern carpark

Prior to carrying out works on Council's road reserve associated with the provision of the temporary vehicle access on Plimsoll Street, a "Driveway Crossing and Associated Works on Council Road Reserve Application Form" shall be submitted to Council to obtain the required approval, plans and specifications.

Reason: To ensure the required consent is obtained for works in Council's road reserve.

47. Utility Arrangements (PREC10.15)

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

Reason: To ensure the development is constructed in accordance with requirements of service providers.

DURING CONSTRUCTION

48. Site sign – Soil & Erosion Control Measures (CON11.1)

Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.

Reason: To ensure the development is constructed in accordance with Council's requirements.

49. Hours of Construction (demolition, excavation and building work) (CON11.2)

All construction works and activities must be undertaken within standard hours, as defined by the *Interim Construction Noise Guideline* (2009) and must adhere to the following requirements:

- (a) Monday to Friday: 7.00am to 6.00pm
- (b) Saturday: 8.00am to 1.00pm
- (c) No work on Sundays or public holidays

Note: A penalty infringement notice may be issued for any offence.

Reason: To ensure the amenity of the area is protected during construction and the development is constructed in accordance with Council's requirements.

50. Environmental Impact Mitigation Measures

To limit the impact to the waterway of Georges River and natural environment, the following safeguards measures must be implemented during building works:

- (a) All the mitigation measures outlined in the *Aquatic Ecology and Sediment Quality Assessment* prepared by Advisian dated 17 July 2023;
- (b) Silt curtains must be put in place to minimise siltation on nearby habitats during works with potential to mobilise sediments;
- (c) No materials must be stored or placed on the seabed; and
- (d) All construction works must be done without excavation and by driving any required footings to minimise potential disturbance to the seabed. Pile driving techniques must be used to for the installation of pilings during construction to limit disturbance of Class 1 acid sulfate soils sub-surface.

Reason: To ensure the amenity of the area is protected and environmental impacts are minimised during construction.

51. Physical connection of stormwater to site (CUSTOM)

No work is permitted to proceed above the ground floor slab level of the building/car park until there is physical connection of the approved stormwater drainage system from the land that is the subject of this consent to existing satisfactory drainage system.

Reason: To ensure impacts to the environment are minimised during construction.

52. Cost of work to be borne by the applicant (CON11.12)

The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.

Reason: To ensure protection of public assets and public safety during construction.

53. Obstruction of Road or Footpath (CON11.13)

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the *Roads Act 1993* and/or under Section 68 of the *Local Government Act 1993*. Penalty infringement Notices may be issued for any offences and severe penalties apply.

Reason: To ensure protection of public safety during construction.

54. Worksite Traffic and Pedestrian Control

Traffic and pedestrian control shall be in accordance with TfNSW 'Traffic Control at Works Sites- Technical Manual' version 6.1-February 2022.

Reason: To ensure pedestrian safety during construction.

55. Road Opening Permit (CON11.15)

A Road Opening Permit must be obtained from Council for every opening of a public road reserve to access services including sewer, water mains, gas mains, connecting of stormwater to the kerb and telecommunication. This is for any work that involves excavation through or within a public road, kerb and gutter, and or the public footway between the road and the property boundary. The permit is to be lodged prior to the commencement of works. Additional approval is required from Roads and Maritime Services for works on a State Road.

Reason: To ensure compliance with the legislative requirements.

56. Contaminated Land – Unexpected Contaminants (EHD0001)

Any new information that is identified during demolition, excavation or construction which has the potential to alter previous conclusions about site contamination and remediation, must be notified to the Certifying Authority (and Council if Council is not the Certifying Authority) immediately.

All works must cease and a qualified Land Contamination Consultant (certified under the consultant certification schemes recognised by the NSW EPA), must be engaged to assess and provide a Remedial Action Plan on the management of the contamination in accordance with any relevant NSW EPA adopted guidelines.

Works on site must not recommence until such time as the contaminants are managed in accordance with:

- (a) the Remedial Action Plan, and
- (b) a Validation Report and or Environmental Management Plan is obtained, and
- (c) both Remedial Action Plan and Validation Report are provided to the Certifying Authority. If the Council is not the Council, then a copy of the Remedial Action Plan and the Validation Report is to be provided to Council.

Reason: To ensure land contamination is adequately managed and to minimise impacts on the environment.

57. Site Maintenance (EHD0005)

The premises shall be maintained in a manner that will not adversely impact upon public health and safety until such time as an occupation certificate is issued. The premises shall be maintained during construction in accordance with the following:

- (a) There must be no burning of any material.
- (b) All putrescible waste must be disposed of in a suitable manner within 24 hours of generation.
- (c) All grass and vegetation must be maintained within the development site so the grass and vegetation (excluding trees, shrubs and any other protected vegetation) does not exceed a height of 100mm above ground level, until such a time that all approved

landscaping works have been completed in accordance with the approved landscaping plan.

- (d) Any accumulated or ponded water must be removed within 5 days (weather permitting). The removal of any water must comply with the *Protection of the Environment Operations Act 1997* (NSW) so as to not cause a pollution incident.
- (e) Fencing must be provided and installed within the boundary of the premises. Fencing must be maintained so as to eliminate access to the public.
- (f) All Activity associated with the development including storage or depositing of any goods or maintenance of any machinery and equipment must be conducted wholly within the site boundaries.

Reason: To protect the environment and maintain public health and safety.

58. Underground Storage Tanks and associated pipework (CON11.19)

The underground storage tanks and/or any associated pipework must be installed in accordance with:

- (a) *Protection of the Environment Operations (Underground Petroleum Storage System) Regulation 2014*
- (b) *AS 1940-2004 - The storage and handling of flammable and combustible liquids, AS4897-2008 – The design, installation and operation of underground petroleum storage* (as amended) and
- (c) any other relevant standards (as amended).

SafeWork NSW (13 10 50) are to be contacted separately to obtain any additional requirements for the installation of underground storage tanks. Certification from a professional engineer or consultant shall be submitted to the PCA to verify compliance with the relevant Australian Standards.

Reason: To ensure the impacts on the environment are minimised and the storage of petroleum products are in accordance with the legislative requirements.

59. Waste Management Facility (CON11.21)

All materials removed from the site as a result of demolition, site clearing, site preparation and, or excavation shall be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like shall be ignited or burnt. Copies of all receipts for the disposal, or processing of all such materials shall be submitted to the PCA and Council, where Council is not the Principal Certifying Authority.

Reason: To ensure waste is appropriately managed during construction and demolition.

60. Damage within Road Reserve and Council Assets (CON11.30)

The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.

Reason: To ensure public safety and that the development is constructed in accordance with Council's requirements..

61. Public Utility and Telecommunication Assets (CON11.31)

The owner shall bear the cost of any relocation or modification required to any Public Utility

Authority assets including telecommunication lines and cables and restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site.

Reason: To ensure the development is constructed in accordance with requirements of service providers.

62. Landscape Plans (CC9.84)

All landscape works shall be carried out in accordance with the approved landscape plans. The landscaping shall be maintained in accordance with the approved plans in perpetuity.

Reason: To ensure the development is constructed in accordance with the requirements of the approved landscape plan.

63. Tree Removal prohibited (CC9.85)

No tree on Council's public footway, public reserves or on neighbouring properties and protected under the Georges River Tree Management Policy may be removed, pruned or otherwise damaged without Council consent.

Reason: To ensure all of Council's trees and trees located on adjoining properties are retained.

64. Tree Removal on site

Permission is granted for the removal of the following trees as outlined in the *Arboricultural Impact Assessment Report (AIA)* prepared by Sydney Landscape Consultants dated 22 June 2023 Version V2 for tree numbering and location only:

Tree No.	Species	Location
11	<i>Phoenix roebelenii</i>	Garden bed within site

All tree removal shall be carried out by a minimum AQF Level 3 Arborist with appropriate insurance. Tree removal is to be undertaken safely and in compliance with AS 4373-2007 - *Pruning of Amenity Trees* and *Tree Works Industry Code of Practice (Work Cover NSW 1.8.98)*.

Reason: To ensure all other trees are retained.

65. Tree Pruning

Permission is granted for the pruning of two (2) branches as specified in 'Section 2' of the *Arboricultural Report & Pruning Specification* prepared by Sydney Landscape Consultants dated 29 October 2024 and as detailed below:

Tree No.	Species	Branch diameter & Location
2	<i>Lophostemon confertus</i> (Brush Box)	One (1) 60mm and one (1) 90mm branch over the driveway

All tree pruning shall be carried out by a minimum AQF Level 3 Arborist with appropriate insurance. Tree pruning is to be undertaken safely and in compliance with AS 4373-2007 - *Pruning of Amenity Trees* and *Tree Works Industry Code of Practice (Work Cover NSW 1.8.98)*.

Reason: To ensure all other trees are protected.

66. Tree Protection

The tree protection measures must be implemented throughout the relevant stages of construction in accordance with Section 4 - *Australian Standard AS 4970-2009: Protection of trees on development sites*.

The following trees must be **protected** in accordance with the conditions of consent throughout the construction and development (as outlined in the *Arboricultural Impact Assessment* prepared by Sydney Landscape Consultants dated 22 June 2023 Version V2 for tree numbering and location only).

Tree No.	Species	Location
1, 2, 3, 4, 5, 6, 7	<i>Lophostemon confertus</i> (Bruch Box)	Plimsoll Street trees
8, 9, 10	<i>Tristanopsis laurina</i> (Water Gum)	Wellington Street trees

Reason: To ensure specific trees are protected.

67. Street Tree Protection

All street trees directly outside the site must be retained and protected in accordance with *Australian Standard AS 4970-2009: Protection of trees on development sites*. The street trees must be protected during the construction works as follows:

- (a) Tree protection installation must be undertaken prior to the commencement of any works. The protection must be installed and certified by a qualified AQF Level 5 Arborist.
- (b) All hoarding support columns must be placed a minimum of 300mm from edge of the existing tree pit/setts, to prevent sinking or damage to existing tree setts/pits. Supporting columns must not be placed on any exposed tree root.
- (c) Nothing is to be attached or fixed to any street tree.
- (d) The storage or mixing of materials, washing equipment, disposal of liquids or building materials, site sheds etc. must not occur under/around the tree canopy or within 7 meters of the trucks of any street trees.
- (e) Any excavation works (including stormwater infrastructure) within the Tree Protection Zone (TPZ) of any tree must be referred to the Site Arborist with regards to tree protection, prior to the commencement of the works.
- (f) Any excavation work suspected/ known to have tree roots greater than 30mm diameter must be undertaken by hand and supervised by Project Arborist.
- (g) Alternative installation methods for services, such as redirection or services or directional drilling/boring must be employed where large woody roots greater than 30mm diameter are encountered during installation of any services adjacent to the specified TPZ.

- (h) Footings/piers/posts must be relocated / realigned if any tree root greater than 30mm diameter is present. A minimum of 150mm clearance must be provided between the footing/piers/posts and tree root.
- (i) Existing kerb sections adjacent to any street tree must not be removed without approval from Council. Removal of kerbs adjacent to mature trees can cause trees to become unstable.
- (j) Any damage to street trees as a result of construction activities must be immediately reported to Council's Landscape & Arboriculture Assessment Officer. Any damage to street trees as a result of construction activities may result in a prosecution under the Local Government Act 1993 and/or the Environmental Planning Assessment Act 1979
- (k) Trees specified for retention are to be inspected, monitored and remedial work undertaken as required during and after completion of development works by a qualified AQF Level 5 Project Arborist. Regular inspections and documentation from the Arborist to the PCA and Council's Tree Compliance Officer are required at the following hold points:

HOLD POINT	ACTION REQUIRED BY AQF LEVEL 5 PROJECT ARBORIST
1. a) Prior to commencement of demolition/construction works.	Site meeting with builder to discuss and confirm understanding of tree protection measures required.
1. b) Prior to commencement of demolition/construction works.	Supervise and certify installation of tree protection measures. Tree protection measures are to be installed as per the Tree Protection Conditions. Clear and dated photographs of the installed tree protection fencing must be submitted to Council.
2. Works within the TPZ areas of trees to be retained.	Supervise, direct and photograph all approved works within the TPZ areas of tree to be retained. <ul style="list-style-type: none"> a) During demolition of any existing structure within close proximity to Tree Protection Zones (TPZ); b) During any excavation, trenching or construction that has been approved by Council within the TPZ of any tree to be retained; c) During any landscape works within the TPZ of any tree to be retained.
3. Arboricultural Compliance Report.	Inspect, photograph and report on tree health and condition, maintenance of tree protection measures and remedial tree works as required. <ul style="list-style-type: none"> a) Certification tree protection measures have been installed in accordance with the conditions prior to the commencement of works; b) Certification of compliance with each key milestone listed above within 48 hours of completion; c) Details of any other works undertaken on any tree to be retained or with TPZ(s); d) A final compliance report shall be submitted prior to the issuing of the Occupation Certificate.

4. Prior to issue of Occupation Certificate	Final inspection of trees to be retained and provision of follow up report detailing activities during construction including any damage to the trees and any remedial work required to ensure the ongoing health and structural stability of the trees and/or replacement trees required. Any recommendations for remedial work and/or replacement trees will be required to be approved by Council's Tree Compliance Officer and actioned prior to the issue of an occupation certificate for the development
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Reason: To ensure all of Council's trees are protected and retained.

68. Landscape Works

All landscape works shall be carried out in accordance with the approved landscape plans (submitted for CC), subject to the following -

- (a) A licensed and reputable nursery grower must be engaged early within the build phase and order all trees and plant material early to ensure that all tree and plant material, pot/bag sizes and quantities are guaranteed at the time of the landscape and planting phase.
- (b) All trees proposed upon the approved landscape plan shall comply with AS 2303 – 2018, *Tree Stock for Landscape use* and be fully self-supporting without being tied to a prop (i.e. steaked).

Reason: To ensure landscaping is provided in accordance with Council's requirements.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

69. Arborist Supervision and Reporting

An Arboricultural Compliance Report prepared by an AQF Level 5 Arborist which includes photographic evidence and details of the health and condition of trees to be retained and protected, must be submitted to the PCA for approval prior to the issue of an Occupation Certificate. Documentation must also be submitted to Council.

The Arborist must certify compliance with each key milestone below:

- (a) Installation of tree protection measures in accordance with conditions;
- (b) During demolition of structures and/or excavation of ground surfaces that has been approved by Council within the TPZ of any tree to be retained;
- (c) During any other works including landscaping within the TPZ of any tree to be retained;

Reason: To ensure specific trees are protected and retained.

70. Completion of Landscape Works (OCC12.6)

All landscape works, the planting of all tree and plant material in accordance with approved landscape plans and specifications and conditions of consent, must be completed prior to the issue of a final occupation certificate for the site. A certificate of compliance for the planting of

all trees and shrubs proposed for the site must be prepared by a qualified Horticulturist, Landscape Designer or AQF Level 5 Arborist and forwarded to the PCA for approval prior to the issue of an occupation certificate. Documentation must also be submitted to Council.

Reason: To ensure landscaping is provided in accordance with Council's requirements.

71. Dilapidation Report on Public Land for Major Development Only (OCC12.31)

Upon completion of works, a follow up dilapidation report must be prepared for the items of Council infrastructure adjoining the development site including:

- (a) Plimsoll Street
- (b) Wellington Street

The dilapidation report must be prepared by a professional engineer specialising in structural engineering, and include:

- (c) Photographs showing the condition of the road pavement fronting the site,
- (d) Photographs showing the condition of the kerb and gutter fronting the site,
- (e) Photographs showing the condition of the footway including footpath fronting the site,
- (f) Photographs showing the condition of retaining walls within the footway or road,
- (g) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site, and
- (h) The full name and signature of the structural engineer.

The Report must be provided to the PCA and a copy provided to the Council. The reports are to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

Note: Council will use this report to determine whether or not to refund the damage deposit. Council's Assets and Infrastructure Division must advise in writing that the works have been completed to their satisfaction prior to the issue of an Occupation Certificate.

Reason: To ensure protection of public assets during construction.

72. Requirements prior to the issue of the Occupation Certificate - Stormwater Works (OCC12.26)

The following shall be completed and or submitted to the PCA prior to the issue of the Occupation Certificate:

- (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans including a certificate from consulting stormwater drainage engineer submitted to Council prior to the issue of the Occupation Certificate.
- (b) Work as Executed Plans jointly prepared and duly signed by a Chartered Consulting Stormwater Drainage Engineer and Registered Surveyor when all the site engineering works are complete shall be submitted to the PCA and the Council (for Council's final approval of WAE plans) prior to the issue of the Occupation Certificate.

Reason: To ensure stormwater management for the site is in accordance with Council's requirements.

73. Stormwater drainage works – Works As Executed (OCC12.32)

Prior to the issue of the Occupation Certificate, storm water drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (c) Pipe invert levels and surface levels to Australian Height Datum;
- (d) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink;
- (e) This Plan and Certification shall confirm that the design and construction of the stormwater drainage system satisfies the conditions of development consent and the Construction Certificate stormwater design details approved by the Principal Certifier.

Council must advise in writing that they are satisfied with the Works-As-Executed plans (with copies of plans & certifications to Council for record) prior to the issue of an Occupation Certificate.

Reason: To ensure stormwater management for the site is in accordance with Council's requirements and are adequately documented.

74. Driveways, ramp design and certification

The design and construction of the vehicle crossings/driveways and internal driveways and ramps shall comply with the requirements of *AS/NZS 2890.1:2004 Parking Facilities, Part 1- Off street car parking*.

Prior to the issue of an Occupation Certificate, documentation from a suitably qualified and experienced engineering consultant shall be submitted to the Principal Certifying Authority certifying the footpath crossing/driveway and internal driveways and ramps have been constructed in accordance with the approved plans and the above Australian Standard.

Reason: To ensure car parking and vehicle access and manoeuvring for the site is in accordance with relevant Australian Standards and Council's requirements.

75. Carpark layout, design and certification

The layout and design of off street car parking areas shall comply with the requirements of *AS/NZS 2890.1:2004 Parking Facilities, Part 1- Off street Car parking* and other Australian Standards as applicable.

Prior to the issue of an Occupation Certificate, documentation from a suitably qualified and experienced Traffic Engineering consultant shall be submitted to the Principal Certifying Authority certifying the carparking facilities have been constructed in accordance with the approved plans and the above Australian Standard.

Reason: To ensure car parking and vehicle access and manoeuvring for the site is in accordance with relevant Australian Standards and Council's requirements.

76. Traffic Control Devices (OCC12.30)

The internal road network, pedestrian facilities and parking facilities (including visitor parking

and employee parking) shall be designated and line marked in accordance with *Australian Standard - AS1742, Manual of Uniform Traffic Control Devices*.

If an exit from car park utilises a pedestrian footpath, then a warning system such as flashing light and/or 'alarm sound' must be installed on the subject property to alert pedestrians of vehicles exiting the car park. The Alarm System must be designed and installed in accordance with AS2890.1 -2004.

Reason: To ensure car parking and vehicle access and manoeuvring for the site is in accordance with relevant Australian Standards and Council's requirements.

77. Contaminated Land – Site Validation Report (for contaminants found during demolition or construction) (EHE0006)

Where any unexpected contaminants (defined under the *Contamination Lands Act*) are found during demolition or construction, a Site Validation Report prepared by a Contaminated Land Consultant (certified under the consultant certification schemes recognised by the NSW EPA) in accordance with the [*Protection of the Environment Operations \(Clean Air\) Regulation 2022*](#) (NSW) (as amended), must be submitted to the satisfaction of the Certifying Authority.

The Site Validation Report must be incorporated into the Occupation Certificate documentation and provided to Council.

Reason: To ensure site remediation works are appropriately completed, to protect the environment and maintain public health.

78. Fire Safety Certificate before Occupation or Use (OCC12.34)

In accordance with Clause 41 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Part 11 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 86 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.
- (b) That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that is required.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

Reason: To ensure the development/building is safe for occupation.

79. Slip Resistance (OCC12.35)

At completion of work an in-situ (on-site) test, in wet and dry conditions, must be carried out on the pedestrian floor surfaces used in the foyers, public corridors/hallways, stairs and ramps as well as the floor surfaces in wet rooms in any commercial/retail/residential units to ascertain the actual slip resistance of such surfaces taking into consideration the effects of grout, the

gradients of the surface and changes from one material to another. The in-situ test must be carried out in accordance with *AS/NZS 4663:2004: Slip resistance measurement of existing pedestrian surfaces*. Proof of compliance must be submitted with the application for the Occupation Certificate.

Reason: To ensure the development is safe for occupation.

80. Easement – Stormwater Infrastructure

Subject to the conditions in this easement, the Proprietor of the lot burdened grants the Authority Benefited and its Authorised Users the right to enter, pass and repass through and across the Easement Site to access the Lot Burdened for the following purposes:

- (a) to carry out an inspections of the Authorities Stormwater infrastructure within the Lot Burdened; and
- (b) in order to install, connect, replace, inspect, clean, repair, maintain or renewing any of the Authorities Stormwater infrastructure within the Lot Burdened; and
- (c) to enter, pass and repass through and across the Easement Site' with or

without vehicles and equipment for such reasonable time as may be necessary for the purpose of installing, connecting, replacing, inspecting, cleaning, repairing, maintaining or renewing the Authorities Stormwater infrastructure within the Lot Burdened.

In exercising those powers, Authority Benefited and its Authorised Users must:

- (d) cause as little inconvenience as practicable to the owners or an occupier of the Lot Burdened;
- (e) cause as little damage as is practicable to the Lot Burdened and any improvements on it;
- (f) make good any collateral damage as is practicable to its former condition;
- (g) except in an emergency, give the owners or an occupier of the lot burdened or its nominee at least 48 hours' notice of their intention to enter the Lot Burdened;
- (h) comply with all reasonable requirements and directions of the owners or an occupier of the Lot Burdened.

In exercising those powers, the Authority Benefited and its Authorised Users must not:

- (i) park or stand motor or other vehicles and equipment on the Easement Site unless agreed to by the owner or an occupier of the Lot Burdened,
- (j) obstruct use of the Easement Site by any person and equipment unless agreed to by the owners or an occupier of the Lot Burdened.

Georges River Council is to be nominated as the Authority to release, vary or modify this Easement.

Reason: To ensure stormwater management for the site is in accordance with Council's requirements and is adequately documented.

81. Acoustic Certification (EHE0007)

Prior to the issue of any Occupation Certificate, or use of the premises, the following reports/certification must be provided:-

- (a) Recommendations of the Noise Impact Assessment - A report prepared by a suitably qualified acoustic consultant or engineer must be submitted to the Certifying Authority,

certifying that the construction has incorporated the recommendations in the approved Noise Impact Assessment as referenced in this consent; and

- (b) **Plant and Equipment** - The operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997 (as amended)* and Regulations. A suitably qualified person shall certify that the operation of the plant equipment shall not give rise to sound pressure level at any affected premises that exceeds the background LA90, 15 min noise level, measured in the absence of the noise sources under consideration by more than 5dB. The source noise level shall be assessed as an LAeq, 15 min in accordance with the NSW Environment Protection Authority's *NSW industrial Noise Policy*.

This Acoustic Certification must be incorporated into the Occupation Certificate documentation and provided to Council and the PCA.

Reason: To ensure appropriate acoustic level to surrounding amenities.

82. Food Premises – Environmental Health Inspection and Notification (EHE0013)

Prior to the issue of any Occupation Certificate or occupation or use of the food premises, evidence demonstrating compliance with the following requirements must be provided to the satisfaction of the Certifying Authority:

- (a) Written confirmation of a satisfactory final inspection of the food premises fit out by Council's Environmental Health Officer; and
- (b) Notification of the food business with Council as required under Section 100 of the *Food Act 2003 (NSW)* (as amended).

Reason: To ensure the food premises fit-out complies with legislative requirements.

83. Installation of Underground Storage Tanks (EHE0020)

Prior to the issue of any Occupation Certificate or the use of the underground storage tank and/or associated pipework, certification from a suitably qualified engineer or consultant must be submitted to the satisfaction of the Certifying Authority, verify that the installation of underground storage tanks is compliant with the:

- (a) *Protection of the Environment Operations (Underground Petroleum Storage System) Regulation 2019 (NSW)* (as amended);
- (b) The current or latest version of AS1940 - *The storage and handling of flammable and combustible liquids*; and
- (c) The current or latest version of AS4897 – *The design, installation and operation of underground petroleum storage*.

The Certification for the installation of the Underground Storage Tanks must be incorporated into the Occupation Certificate documentation and provided to Council.

Reason: To comply with legislative requirements and to ensure the tanks are safe and will not adversely impact the environment.

OPERATIONAL CONDITIONS (ON-GOING)

84. Hours of operation (ONG14.2)

The approved hours of operation shall be restricted to the following:

- (a) Monday to Thursday – 11.00am to midnight
- (b) Friday, Saturday, and Public Holidays – 11.00am to 1.00am
- (c) Sunday – 11.00am to 11.00pm.

Use of the ground floor terrace area shall cease, including for all types of music (live and amplified) and for patrons, at 11.00pm.

Reason: To ensure the amenity of the surrounding area is protected.

85. Use of Ground Floor Loading Dock

The ground floor loading dock shall only be used between 7.00am to 11.00am Mondays to Sundays and is only to be used by small rigid vehicles.

Reason: To protect pedestrian safety in the vicinity of the pedestrian crossing facility at the entrance to the club.

86. Vehicle Access to Vista Street

The road/driveway through Anderson Park shall not be used for vehicle access to the club.

Reason: To protect pedestrian safety in the vicinity of the site and to ensure only legal vehicle access is used by the development

87. Ongoing Tree & Landscape Maintenance Works

- (a) All newly planted trees and plants must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilising, pest and disease control, replacement of dead or dying trees and plants and other operations required to maintain healthy trees, plants and turfed areas.
- (b) Trees must be maintained until they reach a height where they are protected by Councils Tree Management Controls. If any trees are found to be faulty, damaged, dying or dead before they are protected by Councils Tree Management Controls then they must be replaced with the same species and pot/bag size.
- (c) Mature trees shall be inspected for health and structural integrity by an AQF Level 5 Arborist 12 month post completion of works. A certificate of compliance and/or report with recommendations for remedial work will be required to be approved by Council's Tree Compliance Officer.
- (d) The Lilly Pilly Straight and Narrow trees along Plimsoll Street shall be maintained to a height of approximately 500mm above the car park wall height.

Reason: To ensure landscaping is provided and maintained in accordance with Council's requirements.

88. Acoustic Report – Commercial/industrial - Verification of Noise report (EHF0009)

Within 90 days from the date of issue of an Occupation Certificate, an acoustic assessment

must be carried out by an appropriately qualified acoustic consultant, in accordance with the NSW Environment Protection Authority's "[Noise Policy for Industry \(2017\)](#)" (Policy) submitted to Council for consideration.

The report should include, but not be limited to, details verifying that the noise control measures as recommended in the approved acoustic report referenced in this consent have been achieved and if not, provide further information on works required to achieve the required outcome/s. **Note:** Where rectification works require further development consent or owners' consent these must be sought prior to such works being carried out.

Reason: To ensure the premises complies with the Acoustic Report and reduces adverse impacts upon the environment and surrounding neighborhood.

89. Acoustic mitigation infrastructure – Maintenance (EHF0010)

Noise mitigation measures must be maintained at all times to ensure their acoustic performance does not diminish.

Reason: To provide appropriate acoustic levels to maintain the surrounding amenity.

90. Offensive Noise (EHF0008) and (ONG 14.12)

The use of the premises must not give rise to the transmission of Offensive Noise to any place of different occupancy. Offensive Noise is defined in the *Protection of the Environment Operations Act 1997* (NSW) (as amended).

Reason: To ensure the protection of neighbourhood amenity.

91. Amenity of the neighbourhood (ONG14.27)

The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

Reason: To protect the neighbourhood amenity.

92. Underground storage tanks – maintenance and testing (F0037) & (ONG14.17)

The underground storage tank/s must be maintained, operated, monitored, and tested in accordance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (NSW) (as amended).

***Reason:** To ensure impacts on the environment are minimised.*

93. Outdoor Lighting (ONG14.25)

To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*.

Reason: To protect the neighbourhood amenity.

94. Lighting – General Nuisance (ONG14.26)

Any lighting on the site shall be designed and installed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare. Flashing, moving or intermittent lights or signs are prohibited.

Reason: To protect neighbourhood amenity and road safety.

95. Activities and storage of goods outside buildings (ONG14.28)

There shall be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

Reason: To protect public amenity.

96. Loading & Unloading of vehicles (ONG14.62)

All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within the dedicated loading dock/areas.

Reason: To ensure the surrounding road network is not impacted by the development and for the protection of the amenity of the area.

97. Entering & Exiting of vehicles (ONG14.63)

All vehicles shall enter and exit the premises in a forward direction.

Reason: To ensure the surrounding road network is not impacted by the development and for the protection of the amenity of the area.

98. Maximum Vehicle Size (ONG14.64)

The maximum size of truck using the ground floor loading area shall be limited to Small Rigid Vehicle as denoted in AS2890.2-2018: *Parking Facilities, Part 2 – Off-street commercial vehicle facilities.*

Reason: To protect pedestrian safety in the vicinity of the pedestrian crossing facility at the entrance to the club.

99. Food Premises - Air Quality – Odour Control - Maintenance (EHF0002)

The operation of the premises must not cause Offensive Odour as defined under the *Protection of the Environment Operations Act 1997* (NSW) (as amended). Any fitted odour control equipment must be operated, maintained and serviced in accordance with the manufacturer's specifications.

Reason: To protect the environment, maintain public health and prevent offensive odour.

100. Food Premises – Cleaning of waste receptacles (EHF0025)

The cleaning of waste receptacles must be conducted in a designated waste storage area. The washing of waste receptacles must be conducted so not allow or have the potential to allow polluted water to enter the stormwater drainage system. Where this cannot be achieved, a waste contractor must be engaged to remove and clean waste receptacles off-

site. The cleaning of waste receptacles must be carried out comply with the *Protection of the Environment Operations Act 1997* (NSW) (as amended).

Reason: To ensure appropriate wastewater containment and disposal. To protect the environment and maintain public health.

101. Food premises – maintenance of food premises (ONG14.45)

The food premises must be maintained in accordance with the *Food Act 2003* (as amended), *Food Regulation 2015* (as amended); the *Food Standards Code* as published by Food Standards Australia & New Zealand and Australian Standard AS 4674-2004: *Construction and fit out of food premises* (as amended).

Reason: To ensure the protection and maintenance of public health.

102. Food premises – Removal of waste and prevention of offensive Garbage Odour (EHF0029) and (ONG14.46)

A waste contractor must be engaged to remove all waste from the garbage storage area on a regular basis so to eliminate the overflow of rubbish. Practical measures are also to be taken to ensure that odour emission from the garbage storage area does not cause offensive odour as defined under the provision of the *Protection of the Environment Operations Act, 1997* (NSW) (as amended).

Reason: To protect the neighbourhood amenity and maintain public health.

103. Food premises – Storage of waste – used cooking oil (ONG14.47) & (EHF0024)

Used oil shall be contained in a leak proof container and stored in a covered and bunded area prior to off-site disposal. Copies of receipts for the disposal of used cooking oil shall be kept on-site and made available to Council Officers upon request.

Reason: To ensure appropriate wastewater containment and disposal, to protect the environment and maintain public health and safety.

104. Retail/Commercial - Outdoor Gaming/Smoking Area – Smoke-Free Compliance (EHF0027)

This development consent does not imply or otherwise verify compliance with the *Smoke-Free Environment Act 2000* (NSW) (as amended) and/or the *Smoke-Free Environment Regulation 2016* (NSW) (as amended). The applicant and/or owner of the premises should seek their own legal advice as to compliance with Act and/or Regulation if proprietors of the premises intend to allow smoking in any area of the premises, including that area subject to this consent.

Reason: To comply with legislative requirements.

105. Waste Management

Waste management at the site shall be undertaken in accordance with the *Operational Waste Management Plan* prepared by Elephants Foot Consulting Pty Ltd dated 24 July 2024 and must comply with the following requirements at all times:

- (a) All Marina Arms as described in the Architectural Plans must have access to general waste and co-mingled recycling bins located at entry/exit points.

- (b) Patrons utilising the trailer boat access ramp must have access to general waste and co-mingled recycling bins.
- (c) All waste and recycling containers located on or near the Marina Arms shall be secured so as to prevent unintentional mobilisation and pollution of waterways.
- (d) Dedicated space within food preparation areas as well as waste and recycling storage areas is to be provided for the storage and recycling of food waste for collection.
- (e) All waste and recycling containers shall be stored in the approved waste storage area.

Reason: To ensure waste management is adequate for the site.

106. Waste Collection

Waste collection from the site must comply with the following requirements at all times:

- (a) Private waste collection services provided for the commercial waste from the premises are restricted to a maximum of thrice weekly between Monday – Friday and within the hours of 6am – 10pm.
- (b) Private waste collection services are to occur entirely within the confines of private property with bins or waste originating from commercial tenants prohibited from being placed on Council land.
- (c) Private waste collection services must occur in a source separated manner with all wastes collected separately according to the following streams: general waste, commingled recycling and organics at a minimum.

Reason: To ensure waste management is adequate for the site.

107. Waste Handling Systems (CC9.82)

All waste handling equipment and systems used in conjunction with the provision of waste and recycling services shall be manufactured, installed and maintained in accordance with any applicable regulatory requirements, relevant Australian Standards, and relevant manufacturer's specifications.

Reason: To ensure waste management is adequate for the site.

108. Emergency Spill Response Management Plan (ONG14.19)

An Emergency Spill Response Management Plan shall be prepared and submitted to Council within three months of the issuing of the Occupation Certificate. The Plan shall include the following:

- (a) list of chemicals and maximum quantities to be stored at the site;
- (b) identification of potentially hazardous situations;
- (c) procedure for incident reporting;
- (d) details of spill stations and signage;
- (e) containment and clean-up facilities and procedures; and
- (f) the roles of all staff in the Plan and details of staff training.

Reason: To ensure there are minimal impacts to the environment arising from the development.

109. Bunding Work Areas (ONG14.21)

All work areas where spillage is likely to occur shall be bunded. This is to be done by way of speed humps, grading the floor area or by any other appropriate means, to prevent contaminated water entering the stormwater system. The bunded area is then to be drained to a sump for collection and appropriate disposal of the liquid.

Reason: To ensure there are minimal impacts to the environment arising from the development.

110. Storage and handling of flammable and combustible liquids (EHF0031) and (ONG14.22)

The storage and handling of flammable and combustible liquids must be in accordance with the current or latest version of Australian Standard AS1940 - *The storage and handling of flammable and combustible liquids*.

Reason: To protect the environment and public safety.

111. Annual Fire Safety Statement (ONG14.67)

The owner of the building premises must ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement must be given:

- (a) Within 12 months after the date on which the fire safety certificate was received.
- (b) Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
- (c) An annual fire safety statement is to be given in or to the effect of Section 89 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*
- (d) A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

Reason: To ensure the development/building is safe for occupation.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

112. Requirement for a Construction Certificate (OPER15.1)

The erection of a building must not commence until a Construction Certificate has been issued.

Reason: To ensure compliance with legislative requirements.

113. Appointment of a PCA (OPER15.2)

The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the *Home Building Act 1989*) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

An Information Pack is attached for your convenience should you wish to appoint Georges River Council as the PCA for your development.

Reason: To ensure compliance with legislative requirements.

114. Notification of Critical Stage Inspections (OPER15.3)

No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

Reason: To ensure compliance with legislative requirements.

115. Notice of Commencement (OPER15.4)

The applicant must give at least two days' notice to the Council and the PCA of their intention to commence the erection of a building. A Notice of Commencement Form is attached for your convenience.

Reason: To ensure compliance with legislative requirements.

116. Critical Stage Inspections (OPER15.7)

The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Section 61 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Reason: To ensure compliance with legislative requirements.

117. Notice to be given prior to critical stage inspections (OPER15.8)

The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out. Where Georges River Council has been appointed as the PCA, 48 hours' notice in writing, or alternatively 24 hours' notice by facsimile or telephone, must be given when specified work requiring inspection has been completed.

Reason: To ensure compliance with legislative requirements.

118. Occupation Certificate (OPER15.9)

A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part. Only the

PCA appointed for the building work can issue the Occupation Certificate. An Occupation Certificate Application Form is attached for your convenience.

Reason: To ensure compliance with legislative requirements.

PRESCRIBED CONDITIONS

119. Section 69 – Building Code of Australia & Home Building Act 1989 (PRE16.2)

Requires all building work to be carried out in accordance with the *Building Code of Australia*. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.

120. Section 70 – Erection of Signs (PRE16.3)

Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.

121. Section 73 – Maximum Capacity Signage (PRE16.6)

This prescribed condition applies to entertainment venues, function centres, pubs, registered clubs and restaurants. This condition requires the erection of a sign which states the maximum number of persons (as specified in the consent) that are permitted in the building.

122. Section 74 – Protection & support of adjoining premises (PRRE16.7)

If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

Ms Linley Love
Georges River Council
24 Macmahon St
HURSTVILLE NSW 2220

By email: llove@georgesriver.nsw.gov.au

21 October 2024

Dear Ms Love

General Terms of Approval: St George Motor Boat Club Ltd - DA 2023/0487 – CNR-61693

I am writing in response to the Georges River Council (Council) referral of the above development application to the Environment Protection Authority (EPA) dated 12 March 2024. The development proposal (Proposal) includes demolition works, marina expansion, construction of a new carpark and alterations and additions to existing club facilities at the St George Motor Boat Club & Marina (Proponent).

The Proponent holds Environment Protection Licence (EPL) 11166 for the schedule-based activity of boat mooring and storage at 2 Wellington Street, Sans Souci (the Premises). The EPL would need to be varied should the proposal be approved.

The EPA has requested additional information in relation to the Proposal several times. Most recently, the Proponent has provided a response to the Request for Additional Information sent by the EPA on 13 September 2024. The Proponent provided the following documents:

- *EPA RFI Response 241003* from GYDE Consulting dated 3 October 2024.
- *Revision 3 Construction Noise & Vibration Management Plan | Proposed Additions & Alterations | St George Motor Boat Club* by Rodney Stevens Acoustics (ref. R23011R1), 3 October 2024.
- *Proposed New Slipway | St George Motor Boat Club* by International Marina Consultants (ref. 6225-05) dated 18 September 2024.

The EPA has reviewed the above documents and is satisfied that the Proponent has addressed each of the environmental matters raised by the EPA in relation to the Proposal. The EPA has included recommended conditions of approval in Attachment A to this letter for Council to consider in its assessment of the Proposal.

If you have any further questions about this issue, please contact Miranda James on 02 8275 1078 or at miranda.james@epa.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Newman', written over a horizontal line.

Greg Newman
Unit Head Regulatory Operations

Attachment: General Terms of Approval

General Terms of Approval - DA 2023/0487 – CNR-61693 St George Motor Boat Club Ltd**General**

1. The development must be undertaken in accordance with the *Protection of the Environment Operations (POEO) Act 1997* (POEO Act) and associated regulations as well as EPA Environment Protection Licence (EPL) (No. 11166).
2. Should the development be approved, the Proponent will be required to make a separate application to the EPA to vary the existing EPL. The EPL variation must include a commitment to undertake an options assessment for an improved slipway arrangement at the Premises in alignment with current best practice guidelines which must be completed by December 2027.
3. Except as expressly provided by these conditions, works and activities must be carried out in accordance with the Proposal contained in:
 - a. *Revision 3 Construction Noise & Vibration Management Plan | Proposed Additions & Alterations | St George Motor Boat Club* by Rodney Stevens Acoustics (ref. R23011R1) dated 3 October 2024.
 - b. *EIS STGMBC Marina DDA 2 Wellington St and Waterway_PAN-379562* by GYDE Consulting dated 22 September 2024.
 - c. *St George Motorboat Club Aquatic Ecology and Sediment Quality Assessment* by Advisian Worley Group (ref. 311015-00420) dated 17 July 2023; and
 - d. All other documents supplied to the EPA in relation to the development.

Air

4. All development works and activities must be undertaken in a manner which minimises or prevents the emission of dust and odour from the Premises.

Water

5. Except as may be expressly provided by a licence under the POEO Act in relation to the development, Section 120 of the POEO Act must be complied with in and in connection with the carrying out of the development.
6. Unless otherwise agreed in writing by the EPA, by 1 January 2027, the Proponent must submit a proposed design which incorporates vessel maintenance on a bunded hardstand (which does not slope to the water), with a water collection and management system.
7. Upgraded Vessel Maintenance Facility
Unless otherwise agreed in writing by the EPA, by 1 January 2028, the applicant must undertake any vessel maintenance on a bunded hardstand (which does not slope to the water), with a water collection and management system.

Noise

8. Construction Noise & Vibration Management Plan
Prior to the commencement of construction, an amended *Construction Noise & Vibration Management Plan* (CNVMP) must be submitted to the EPA. The amended CNVMP must include: a details and timeframes to implement all feasible and reasonable mitigation measures to manage construction noise, including respite periods where high impact activities such as piling and jack/rock hammering are proposed.

Note: The EPA may implement further EPL conditions on review of the CNVMP.

9. All development works and activities undertaken must adhere to the *CNVMP*, including the following requirements:
- a. All construction works must be completed within standard hours, as defined by the *Interim Construction Noise Guideline* (2009):

Monday to Friday 7am to 6pm
Saturday 8am to 1pm
No work on Sundays or Public Holidays.
 - b. Attended noise monitoring must be undertaken in the event of a complaint being received by the construction contractor.
 - c. Attended vibration monitoring must be undertaken in the event of a complaint being received by the construction contractor.
 - d. Effective mitigation strategies must be adopted to minimise noise and vibration impacts on surrounding sensitive receivers.