

Modification of Minister's Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I approve the modification of the project application referred to in Schedule 1, subject to amendments to conditions in Schedule 2.



Ben Lusher
Acting Director
Key Site Assessments

Sydney

9 June

2015

SCHEDULE 1

Application No.:	MP05_0187
Proponent:	Longitude Rozelle Bay Pty Ltd
Approval Authority:	Minister for Planning
Land:	36 James Craig Road, Rozelle
Project:	Construction and operation of a marine maintenance facility.
Modification Number:	MP05_0187 MOD 3
Modification:	Modification of the project approval to allow the construction of a light box feature for business identification signage.

SCHEDULE 2

AMENDMENTS TO CONDITIONS

1. **In Schedule 2 – Administrative Conditions, delete Condition 2 in its entirety and insert the following conditions:**

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - a) Major Project Application 05_0187;
 - b) Environmental Assessment: Sydney Slipways Pty Ltd, Boat Repair Facility upon Lots 31 and 34;
 - c) Preferred Project Report: Sydney Slipways Marine Repair Facility at Rozelle Bay, October 2006;
 - d) The Statement of Commitments, prepared by Global Perspectives, October 2006
 - e) Response to Submissions: Sydney Slipways Marine Repair Facility at Rozelle Bay, July 2006;
 - f) Modification application titled *Section 75W Environmental Assessment Marine Maintenance Facility Rozelle Bay*, prepared by Urban Perspectives Pty Ltd, dated June 2007;
 - g) Modification application titled *Section 75W Environmental Assessment Water Extension*, prepared by Urban Perspectives, dated March 2008;
 - h) Additional Statement of Commitment, prepared by Urban Perspectives dated June 2007;
 - i) Modification application titled *Longitude Building Light Box: Application to modify consent*, prepared by Urban Perspectives dated 23 December 2014;
 - j) Response to Submissions made for Section 75W application to modify development consent for MP05_0187, prepared by Urban Perspectives dated 30 April 2015;
 - k) The following Section 75W modified approved plans prepared by Scott Carver;
 - (i) Drawing No A-001 (A) dated 24 October 2007
 - (ii) Drawing No A-003 (C) dated 13 September 2007
 - (iii) Drawing No A-200 (E) dated 28 June 2007
 - (iv) Drawing No C-100 (F) dated 27 June 2007
 - (v) Drawing No E-100 (E) dated 28 June 2007
 - (vi) Drawing No E-102 (E) dated 28 June 2007
 - (vii) Drawing No E-201 (E) dated 28 June 2007
 - (viii) Drawing No E-202 (E) dated 6 July 2007
 - (ix) Drawing No F-100 (A) dated 27 June 2007
 - (x) Drawing No AD-DA00 (A) dated 17 October 2014
 - (xi) Drawing No AD-DA01 (A) dated 17 October 2014
 - l) conditions of this approval.

Structural Adequacy

- 6A. Prior to the commencement of construction of the light box, the Proponent shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:
 - a) any relevant clauses of the BCA;
 - b) the development consent; and
 - c) approved drawings and specifications.

Advertising

9. The use of the light box for general advertising is prohibited. At no time is the sign to be used for advertising, third-party or otherwise.

Right to Re-Assess the Sign

10. At any time, including where the speed limit in the vicinity of the sign is changed, if a detrimental effect is identified on road safety following installation of the light box signage, the RMS or the Minister reserves the right to re-assess the site.

Approved Plans to be On-site

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

Notice of Commencement of Works

12. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building works on the subject site.

Contact Telephone Number

13. Prior to the commencement of works, the Proponent shall forward to the Council a 24 hour telephone number to be operated for the duration of construction works.

Long Service Levy

14. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 131 441.

2. In Schedule 3 – Specific Environmental Conditions, insert the following new Conditions:

- 27A. The visible light reflectivity from the proposed light box and materials used on the signage structure shall not exceed 20 per cent and shall be designed so as to minimise glare.

- 32A. The light box shall not be illuminated past 1am, 7-days-a-week.

Signage – Traffic Control Device or Driving Instructions

38. Business Identification signage must not be capable of being mistaken:
 - i) for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device; or
 - ii) as text providing driving instructions to drivers.

Signage – Dazzle or Distract Drivers

39. The content of the signage must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.

Signage Content

40. The approved light box structure must not have or use:
 - a) flashing lights;
 - b) animated display or simulated movement;
 - c) complex displays that hold a drivers attention beyond “glance appreciation”;
 - d) displays resembling traffic signs or signals, or giving instructions to traffic by using words such as “halt” or “stop”; and
 - e) a method of illumination that distracts or dazzles.

Development Near Busy Roads

41. The sign must comply with all requirements of the NSW Department Planning Development near Rail Corridors and Busy Roads – Interim Guidelines, December 2008 (DNRCBR 2008).
3. **In Schedule 4 – Environmental Monitoring and Management, insert the following new Condition:**
- 6A. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to commencement of use. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:
 - 1) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
 - 2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.