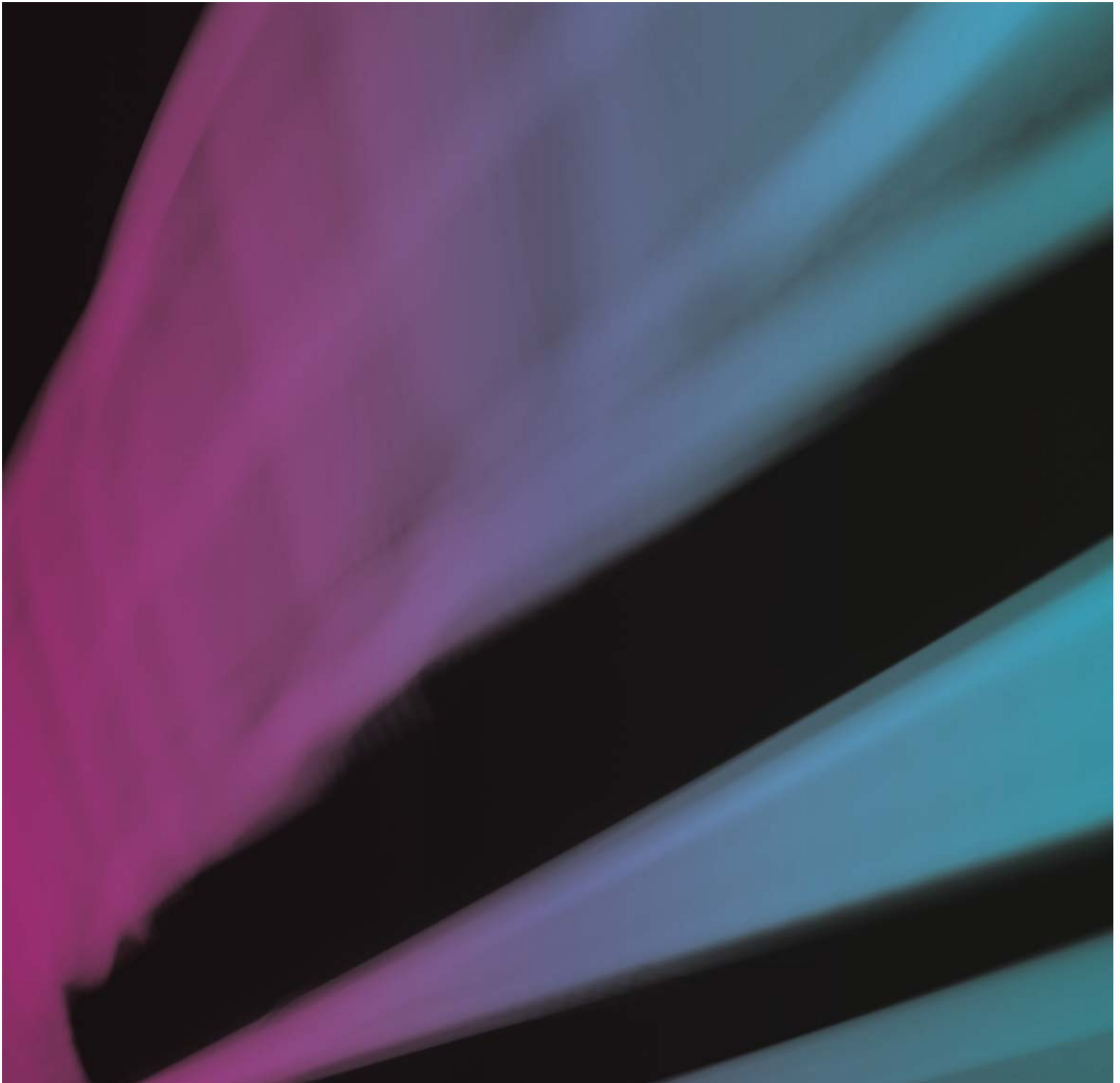


White Bay Berth 6 - Dry Boat Storage Section 75W Modification (06_0037 MOD4)



White Bay Berth 6 - Dry Boat Storage Section 75W Modification (06_0037 MOD4)

Response to Submissions

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Quality Information

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Reviewed by Scott Jeffries

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Executive Summary

In July 2013, White Bay 6 Pty Ltd lodged a modification request with the Department of Planning and Infrastructure (DP&I) relating to an approved boat maintenance and refuelling facility at White Bay (MP06_0037) in accordance with section 75W of the *Environmental Planning and Assessment Act 1979*. The modification (06_0037 MOD4) was to enable alterations to approved buildings and the construction of two additional buildings (3A and 3B) to enable the storage of up to around 150 boats. Other modifications included additional car parking and changes to the wet berth area.

The DP&I publicly exhibited the modification request between 31 July 2013 and 30 August 2013. Fifty submissions were received during this period: 16 from Government, agencies and organisations; and 34 public submissions. Of these submissions, 11 submissions (22 percent) objected to the proposed modification, 29 submissions (58 percent) were in support of the proposed modification, and 10 submissions (20 percent) did not state whether they supported or objected to the proposed modification.

The key issues raised in submissions were focused around:

- Road-based traffic and transport.
- Marine-based traffic and transport.
- Permissibility, land use zoning and strategic planning.
- Landscape character and visual amenity.
- Environmental assessment of the modification.

In response to issues raised in submissions and following a review of the scope of the proposed modification, the following amendments to the works the subject of the modification request have been made:

- The dimensions of Building 1 would remain as originally approved, but would now house the caretaker's accommodation.
- The dimensions of Building 2 would remain as originally approved and would house up to 50 boats in dry storage.
- Building 3A and Building 3B have been removed from the modification request.
- The meet and greet facilities have been relocated along the northern boundary of the site within two office buildings, with a possible alternative configuration.
- Relocation of the car park and gatehouse along the northern boundary of the site.
- James Craig Road would no longer be used by customers of the development during periods when cruise ships are at berth at the adjoining Cruise Passenger Terminal.

The amended modification request would result in only a minor increase in additional built form, and would be limited to the 'meet and greet' area. As such, additional impacts on visual amenity are considered to be minor when compared to the project (as approved). Further, the now proposed 50 boat storage capacity would also result in minimal increases in traffic when compared to the project (as approved).

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1.0 Introduction

In July 2013, White Bay 6 Pty Ltd lodged a modification request with the Department of Planning and Infrastructure (DP&I) relating to an approved boat maintenance and refuelling facility at White Bay (MP06_0037) in accordance with section 75W of the *Environmental Planning and Assessment Act 1979*.

The modification (06_0037 MOD4) was to enable alterations to approved buildings and the construction of two additional buildings (3A and 3B) to enable the storage of up to around 150 boats. Other modifications included additional car parking and changes to the wet berth area (refer to **Section 2.1** for additional detail).

The DP&I publicly exhibited the modification request between 31 July 2013 and 30 August 2013. During the exhibition period, 50 submissions were received from Government agencies, public interest and community groups, and the general public.

This document details changes to the modification request since exhibition, describes the key issues raised in the submissions received on the original modification, and provides a response to the submissions received.

This response to submissions is structured as follows:

- **Section 2** describes the modification as exhibited, and the modification as amended following exhibition.
- **Section 3** provides responses to issues raised by the Department of Planning and Infrastructure.
- **Section 4** responds to the issues raised in the submissions received during the exhibition of the modification.
- **Section 5** provides a summary of additional mitigation and management measures in addition to those contained within the existing Statement of Commitments.
- **Section 6** provides a conclusion.

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2.0 The Modification

2.1 The modification, as exhibited

White Bay 6 Pty Ltd (the Proponent), following a review of the original project (MP06_0037) submitted a request to the Department of Planning and Infrastructure (DP&I) to modify its original approval for the project. The modification (06_0037 MOD4), exhibited between 31 July 2013 and 30 August 2013 was for the following:

- Alteration of the footprint and intended use of Building 1 to allow dry boat storage, with offices, workshops, a showroom and caretakers' accommodation at the eastern end of the building.
- Alteration of the footprint and intended use of Building 2 to allow dry boat storage, with offices, workshops and a showroom at the eastern end of the building.
- Two additional buildings (Buildings 3A and 3B) between Building 1 and Building 2, to be used for dry boat storage. Building 3B would also include offices, workshops and a showroom at the eastern end of the building.
- An increase in the number of car parking spaces from 30 to 68, with a further 10 spaces for motorcycle parking.
- Alteration and augmentation of car parking facilities in the northern section of the site. This would include providing car parking in two locations, with primary parking in the south-eastern area of the site and overflow or peak parking in the area immediately adjacent to the refuelling area on the southern boundary of the site.
- Establishment of new floating pontoons adjacent to the travel lift, for the purpose of providing a temporary tie-up area for launched boats and those waiting to be retrieved.
- Establishment of a 'meet-and-greet' area along the eastern edge of the site for the purpose of providing offices and a waiting area for clients utilising the boat launching facilities on site.

The modification, as exhibited is shown on **Figure 1**.

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AECOM

PROPOSED MODIFICATION
Proposed Modification - White Bay Berth 6 Marine Supply Facility
White Bay, New South Wales

FIGURE 1

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2.2 The modification, as amended

Following the exhibition of the original modification, the following changes have been made to the scope of the modification request and as a result of a broader review of the proposed modification:

- The dimensions and design of Building 1 would remain as originally approved, but would now house the caretaker's accommodation.
- The dimensions and design of Building 2 would remain as originally approved and would house up to 50 boats in dry storage.
- Building 3A and Building 3B have been removed from the modification request.
- The meet and greet facilities have been relocated along the northern boundary of the site within two office buildings, with a possible alternative configuration.
- Relocation of the car park and gatehouse along the northern boundary of the site, and a reduction in the number of car park spaces.
- James Craig Road would no longer be used by customers of the development during periods when cruise ships are at berth at the adjoining Cruise Passenger Terminal.

The layout of the project, as modified, is shown in **Figure 2**. At the time of preparing this report, discussions between the Proponent and Sydney Ports concerning the accommodation of a U-turn facility for the Cruise Passenger Terminal were continuing. To enable sufficient flexibility in the site layout, should Sydney Ports require additional area for the U-turn facility, an alternative layout has been proposed, as shown in **Figure 3**.

Responses to issues raised in submissions, as detailed in **Section 3.0** and **Section 4.0** of this report, are provided in the context of the modification, as amended (as distinct from the modification request in the form that was subject to public exhibition). Overall, the amendments to the modification request do not represent an increase in the potential impacts when compared to the modification (as exhibited) and in some cases, represent a reduction in impacts (such as traffic).

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3.0 Responses to the Department of Planning and Infrastructure

3.1 Visual Impacts

The Department sought consideration of the following:

- Use of the façade and roof treatments and the use of appropriate landscaping, to enhance the visual appearance of the site. In doing so, reference was made to the Sydney Harbour Foreshores Development Control Plan in the context of discouraging rectangular boxy shapes with flat or skillion roofs.
- Amendments to the plans to relocate the meet and greet locations away from the water's edge, noting that the proposed location was inconsistent with the Glebe Island and White Bay Master Plan height and setback controls and considered to result in an adverse visual impact on the point.

Response

In response to these aspects of the Department's request, it is noted that:

- The location and form (external design, height and dimensions) of Building 1 and Building 2 would now remain as approved in 2009. No changes to the visual appearance of the approved Building 1 and Building 2 are proposed as part of the modification request, as amended.
- The design and location of the 'meet and greet' buildings have been amended, with two options identified to enable sufficient flexibility to respond to the requirements of Sydney Ports. The assessment of the visual impacts of these modified buildings is discussed further in Section 4 of this report.

3.2 Traffic

The Department requested an additional assessment that demonstrated the impacts of the proposed modification compared to both existing traffic and potential traffic under the current approval, with:

- Existing impacts including the use of the adjoining Cruise Passenger Terminal, which is now under operation.
- Consideration of the future impacts associated with the likely future traffic generated by other recently approved developments including the Super yacht Marina and the Exhibition Centre.
- Intersection performance of all relevant intersections including James Craig Road for both cruise and non-cruise days, having regard to the variations to the proposed vehicle routes and changes to traffic generation on these days.
- Details on how the variations in traffic routes would be communicated to customers arriving at the site during cruise ship days and non-cruise ship days.

Response

The Modification Report (titled *White Bay Berth 6 – Dry Boat Storage Facilities*, prepared by AECOM Australia Pty Ltd and dated 13 July 2013) provided an assessment of traffic impacts associated with the proposed modification (refer to Section 5.1 of that report). This assessment applied a base case (being 2013) and the worst case scenario, being traffic from the CPT on a cruise ship day with the project as modified with 150 dry berths. This assessment considered all vehicles associated with the project travelling to and from the site using Victoria Road, Robert Street and Mullens Street.

Since the exhibition of the modification, the following amendments have been made:

- The proposed number of dry berths has been reduced from 150 dry berths to 50 dry berths.
- The project (as amended) would continue to use Robert Street as the sole access / egress route. The use of James Craig Road during ship days is no longer a requirement of Sydney Ports.
- The staff numbers would remain at 30 positions, with 27 employees travelling to and from the site during the weekday. During the weekend, 13 staff would travel to and from the site.

AECOM has also been advised by White Bay 6 Pty Ltd that, upon review of demand expectations for the Ro-Ro ramp, the 64 heavy vehicle movements per day during a campaign use of the Ro-Ro ramp would not be realised.

Based on experience at the project, White Bay 6 Pty Ltd has predicted that, on average, around four heavy vehicle movements would occur per day.

As result, the previously predicted increases in daily traffic movements as a result of the modification have significantly decreased, and the modification (as amended) would only result in a net increase of four vehicle movements per day. This is a reduction of 176 vehicle movements when comparing the modification (as exhibited) to the modification (as amended). A comparison of the expected daily traffic movements generated by the project (as approved), the modification (as exhibited) and the modification (as amended) is provided in Table 1.

There would also be a reduction in the number of additional movements during the AM or PM peak, with a net increase of only 11 vehicle movements per peak period when comparing the project (as approved) and the modification (as amended). A comparison of the expected peak hour traffic movements generated by the project (as approved), the modification (as exhibited) and the modification (as amended) is provided in Table 2.

Table 1 Comparison of daily movements (weekday), as approved, as modified and exhibited, and as modified (with amendments)

Source	As approved	Modification, as exhibited (150 berths)	Modification as amended (50 berths)	Change between as approved and as modified (as amended)	Change between the modification (as exhibited) and the modification (as amended)
Staff trips	60	30	54	-6	24
Fuel deliveries	6	6	6	0	0
Ro-Ro ramp	64	64	4	-60	-60
Dry berths	0	210	70	70	-140
Total	130	310	134	4	-176

Table 2 Comparison of peak hour movements (weekday), as approved, as modified and exhibited, and as modified (with amendments)

Source	As approved	Modification, as exhibited (150 berths)	Modification as amended (50 berths)	Change between as approved and as modified (as amended)	Change between the modification (as exhibited) and the modification (as amended)
Staff trips	30	15	27	-3	12
Fuel deliveries	3	3	3	0	0
Ro-Ro ramp			0	0	0
Dry berths		42	14	14	-28
Total	33	60	44	11	-16

Given the very minor increase in the vehicle movements associated with the modification (as amended) (ie only an additional four movements per day, and 11 movements during peak hours), it is not considered necessary to re-assess the intersection performance of Victoria Street/Robert Street and Robert Street/Mullens Street, or to undertake mid-block assessments. Further, the following is noted:

The movements during the peak period are considered conservative and indicative of a worst case traffic generation scenario.

During the AM peak, 11 additional vehicle movements at the two intersections would represent less than 0.2 percent and less than 0.7 percent increase in total movements occurring at Victoria Street/Robert Street and Robert Street/Mullens Street intersections respectively.

During the PM peak, and without considering the Exhibition Centre traffic, 11 additional vehicle movements at the two intersections would represent less than 0.2 percent and less than 0.6 percent increase in total movements occurring at Victoria Street/Robert Street and Robert Street/Mullens Street intersections respectively.

With respect to the Department's specific mention of recently approved developments, the following is noted:

Access and egress to the Super Yacht Marina is via James Craig Road. As such, no further consideration of this development has been given on the basis that Sydney Ports no longer requires use of this route by project traffic.

The approved Exhibition Centre has two egress points, being James Craig Road and Robert Street. Robert Street would be the secondary egress point for the centre and the use of Robert Street is prohibited during the AM peak. During the PM peak period (weekday) around 116 movements would be generated by vehicles exiting the Exhibition Centre, which would be split between James Craig Road and Robert Street.

The Director-General's assessment report for the Exhibition Centre (Department of Planning and Infrastructure, April 2013) notes that the right hand turn movement into Robert Street and into Mullens Street would experience a level of service F during the PM peak when considering the cumulative impact of recent approvals in the White Bay area. However, the Department did concur with the advice of RMS, which noted that only a small portion of Exhibition Centre vehicles would undertake this right turn movement, and that consideration would be given to prohibiting these movements during the PM peak should this become a concern in future. Under the Minister's approval, the operator of the Exhibition Centre could also be required to control or stagger the release of traffic from the site to ensure efficient flows and congestion on neighbouring roads.

The assessment presented in the Modification Report also identified that this turning movement would perform at a Level of Service F. However, only a maximum of six additional movements associated with the worst case scenario presented within the Modification Report was identified as making this turning movement during the PM peak. Therefore, the additional vehicles generated by the modification (as amended) are considered to be a minor contributor to this turning movement and in this context are considered to be acceptable. As such, no further assessment of this intersection has been undertaken.

With respect to the Department's query relating to how access arrangements would be communicated to customers of White Bay 6 Pty Ltd, this issue relates to the requirement to use James Craig Road during cruise ship days. Given access and egress to the project would remain as approved (being Robert Street), this issue is no longer considered to be relevant. In respect to controlling access / egress during cruise ship days for port security purposes, all customers would be provided with a customer card (similar to the current arrangement for fuel access) which would be presented to the Sydney Ports gatehouse on Robert Street.

3.3 Vessel Management Plan

An updated Vessel Management Plan has been provided in Appendix A. White Bay 6 Pty Ltd has consulted with the Roads and Maritime Services, as reflected in the attached VMP and Section 4.2.

3.4 SEPP 55

The Department requested information related to *State Environmental Planning Policy 55 – Remediation of Land* in relation to the caretaker's residence. Advice from HEC Hayes Environmental Consulting to White Bay 6 Pty Ltd, dated 24 October 2013, on the suitability of the site is provided in Appendix B and is discussed in Section 4 of this report. HEC Hayes Environmental Consulting has concluded that the site is suitable for residential use in accordance with clause 7 of SEPP 55, subject to the operating procedures for currently-approved activities being conducted in accordance with the Operational Environmental Management Plan. This advice is provided in Appendix C.

3.5 Section 75W Modification

The Department sought a response to the issues raised in submissions relating to the appropriateness of the modification pathway for the scope of the modification as lodged. This has been addressed in Section 4 of this report, with a full response provided in Appendix D.

4.0 Response to Submissions

4.1 Overview

During the exhibition period, 50 submissions were received: 16 from Government, agencies and organisations and 34 public submissions. Of these submissions, 11 submissions (22 percent) objected to the proposed modification, 29 submissions (58 percent) were in support of the proposed modification and 10 submissions (20 percent) did not state whether they supported or objected to the proposed modification. A summary of the type and nature of the submissions received on the proposed modification is provided in Table 3 below.

Table 3 Summary of submissions received

Submitter	Nature of submission			Total submissions received
	Objects	Supports	Not stated	
Government, agency and organisation	3	4	9	16
Public	8	25	1	34
Total submissions received	11 (22% of submissions)	29 (58% of submissions)	10 (20% of submissions)	50

The key issues raised in submissions were focused around:

- Road-based traffic and transport.
- Marine-based traffic and transport.
- Permissibility, land use zoning and strategic planning.
- Landscape character and visual amenity.
- Environmental assessment of the modification.

A summary of each of the key issues raised through submissions made during the exhibition of the modification request is provided below. Further details of the issues raised in submissions and a response to the issues raised is provided in Table 4.

4.1.1 Road-based traffic and transport

The key issues raised in submissions related to the assessment of potential impacts generated by additional traffic associated with the modification, particularly as a consequence of the introduction of dry-boat storage at the site. Issues related to traffic impacts included changes to the level of service at key existing intersections, and traffic volumes on, and the traffic performance of, James Craig Road and Robert Street.

The lack of cumulative traffic assessment associated with the amount of traffic generated at peak activity times by the concurrent use of the site for the purpose of the modification works and the operation of the cruise passenger terminal and other recently approved developments was also raised.

4.1.2 Marine-based traffic and transport

Key marine-based traffic and transport issues raised were based around impacts of the modification on maritime conditions, particularly impacts to congestion and navigation. Several submissions requested that a Vessel Management Plan be prepared, to address safety issues associated with vessels queuing during peak periods while waiting to be loaded and unloaded from dry storage. Submissions also suggested that the Vessel Management Plan should consider impacts of recreational vessels sharing waters, and operating concurrently with, cruise liners and associated vessels.

4.1.3 Section 75W pathway, permissibility, land use zoning and strategic planning

Issues around the modification pathway, the land use zoning and permissibility were raised in submissions, mainly around the change in use, the consistency with zoning objectives, and the appropriateness of the modification pathway for the proposed scope of changes to the approved project.

Other issues around the original Expressions of Interest (EOI) for the site were raised, and the lease conditions of the site.

For strategic planning matters, issues around the consistency with the Master Plan for Rozelle and Blackwattle Bays Maritime Precincts 2002 and the soon-to-be released final Sydney Harbour Boat Storage Strategy were identified in submissions.

4.1.4 Landscape character and visual amenity

Submissions raised concerns regarding the visual Impacts of the proposed modification. The issues raised were associated with the location and amount of car parking on the site, the location and scale of the meet and greet facilities as well as proposed landscaping for the site. The compatibility of the project with the objectives of the Leichardt DCP was also raised.

4.1.5 Environmental assessment of the modification

The extent of environmental assessment undertaken as part of the modification was raised in several submissions. The submissions raised concerns regarding impacts associated with the modification in relation to:

- Noise.
- Air quality.
- Social and economic impacts.
- Light spill.
- Aquatic ecology.

Other issues raised in submissions regarding the preparation of the environmental assessment of the modification included:

- The community consultation process that was undertaken.
- The requirement for the site to be remediated to accommodate the introduction of caretaker accommodation in accordance with *State Environmental Planning Policy No. 55 – Remediation of Land*.
- The cumulative implications of successive modifications relating to the operation of the site should be considered together to be able to appreciate the combined impact of these approvals on the operations of the site, and the fact that this could be potentially resulting in a change in focus of the site's operations.
- A draft statement of commitments was not provided as part of the modification.

4.2 Issues response

The issues raised in the 50 submissions received regarding the modification (as exhibited) have been categorised into key issues. Details of the concerns raised in the submissions received, a response to each of these concerns, and where relevant, a reference to the section of the exhibited modification request report where this has been assessed is provided in **Table 4**.

Table 4 Response to issues raised throughout exhibition of the modification

Issue	Response	Reference section of Modification Report
Road-based Traffic and Transport		
Additional traffic impacts associated with the introduction of dry-boat storage at the site, including impacts to the level of service at key existing intersections. Specifically: – Intersections are currently at a poor level of service. – Assumptions concerning the typical peak hour movements, and rate of usage.	It was acknowledged in the Modification Report that the current performance of the Victoria Road / Robert Street intersection is at Level of Service F during the AM peak period, and a Level of Service E during the PM peak period. The modification (as amended) would only result in an additional 11 movements during a peak period, which is around 0.2 percent of the total traffic moving through this intersection. The overwhelming majority of delays at this intersection during peak times will continue to be generated by other existing sources of traffic through this intersection. Existing traffic volumes and background traffic growth over time will continue to adversely affect the performance of this intersection, with negligible contribution from the modified project (as amended). Further, the expected trip generation for the modification (as amended) is considered to be a typical worst case scenario, and therefore the impacts are likely to be less significant during these peak periods than assessed for the purpose of this modification. A submission discussed the assumptions around the likely anticipated movements associated with customers accessing the dry berths during peak periods and that the assessment has under-estimated the likely traffic generation of the modification. The submission did not suggest what alternative assumption should be applied. The assumptions about trip generation from the modified project used as part of the traffic impact assessment were based on guidance provided in the RMS Guide to Traffic Generating Developments. In particular, it was assumed that 20 percent of movements would occur in peak periods, although it is unlikely that this level of peak period movements would occur in reality. As such, the traffic impact assessment is considered to have presented a conservative, worst-case assessment of peak impacts from the modified project. For the modification (as amended), this would represent 70 movements per day, or 35 vehicles travelling to and from the site per day. Of these, 14 movements would occur during peak	Section 5.1

Issue	Response	Reference section of Modification Report
	periods (totalling 44 movements for the project as modified). White Bay 6 Pty Ltd has estimated based on the operational experience of Coriolis Marine, that 15 to 25 percent of boats stored at the facility would likely be accessed during popular boating days during peak seasons (summer). It is acknowledged that boat usage above this percentage could occur from time to time, however, these situations would be infrequent and specific to exceptional harbour events – such as New Year's Eve. In the context of the modification (as amended), 25 percent of boats accessed per day during a peak season would equate to 13 boats across one day in peak season, and more likely to be presented on a weekend. Customers would also be associated with fishing and recreation, which would influence the likely arrival and departure times. with: – Boat movements associated with fishing activities would represent an early morning and early afternoon departure. – Boat movements associated with recreational boats would be further split between day recreation, and afternoon-evening recreation. Although noting that the dry boat storage would only be accessible between 7am – 6pm Monday to Saturdays, and 8am and 6pm Sundays. Given the staggering of likely customer access / departure requirements in the context of a likely 25 percent usage rate on a busy day in peak season (or 13 boats), the worst-case assumption of 35 vehicles travelling to/ from the site per day (in accordance with the RMS Guide to Traffic Generating Developments) is considered to be conservative and an overestimate of likely traffic generation.	
Inadequate assessment of traffic volumes and the traffic performance of James Craig Road and Robert Street as a result of the modification. Specifically: – Consideration of traffic volumes, or approved and operational uses along James Craig Road for cruise ship days and non-cruise ship days	The use of James Craig Road is no longer proposed as part of the modification. As such, no further assessment has been undertaken in relation to issues associated with James Craig Road. The traffic impact assessment undertaken for the modified project indicates a traffic contribution to the two key intersections of less than 0.7 percent of current traffic volumes during peak periods. Given this negligible contribution to traffic volumes, consideration of impacts across the broader road network is not	Section 5.1

Issue	Response	Reference section of Modification Report
– No predictions across the road network.	considered warranted.	
Lack of cumulative traffic assessment associated with the volume of traffic generated at peak activity times by the concurrent use of the site for the purpose of the modification works, the operation of the cruise passenger terminal, and other recently approved developments (such as the Exhibition Centre and the Super Yacht Marina). Impacts to intersections as a result of cumulative impacts from other recently approved developments.	The Modification Report presented an assessment of the Robert Street / Mullens Street intersection and the Victoria Road / Robert Street intersection. This assessment included consideration of traffic movements from the Cruise Passenger Terminal, based on the assumptions presented in the environmental assessment undertaken for that project. As noted above, the use of James Craig Road is no longer proposed, and the consideration of cumulative impacts along that road is no longer relevant. In relation to the Robert Street / Mullens Street intersection and the Victoria Road / Robert Street intersection, it was acknowledged that these intersections or specific turning movements are currently at a poor level of service. This poor level of service exists based on current traffic volumes, before consideration of additional traffic that may be generated by operation of the Exhibition Centre. As noted in Section 3.2 of this report, the additional traffic generated by the modification (as amended) represents a very small increase in traffic when considering the total movements at these intersections, with: – Four additional movements per day as a result of the proposed modification (as amended) when compared to the project (as approved). – 11 additional peak hour movements as a result of the proposed modification (as amended) when compared to the project (as approved). This would total 44 movements for the project, should the modification be approved. As such, it is not considered necessary to undertake an updated traffic intersection assessment.	Section 5.1
Preparation of a traffic management plan in consultation with RMS and Transport Management Centre, Council and other agencies prior to the commencement of construction.	The preparation of a Construction Traffic Management Plan is an existing Statement of Commitment and a condition of approval for the approved project (condition B4). White Bay 6 Pty Ltd will prepare a Construction Traffic Management Plan (or amended an existing Construction Traffic Management Plan, as appropriate) prior to the commencement of construction works associated with the	Not applicable

Issue	Response	Reference section of Modification Report
	modification in accordance with the existing condition of approval. The Statement of Commitments has been modified to include consultation with TfNSW and NSW Roads and Maritime Services in relation to the preparation of the Construction Environmental Management Plan.	
Marine-based traffic and transport		
Impacts of the proposal on maritime conditions, including: - Congestion of the waterway generally and due to recreation vessels queuing during peak periods to be loaded and unloaded from dry-stack storage areas. - Impacts to water navigation particularly as a result of the interface of recreational boats with cruise liners.	The Marine Traffic Management Plan (MTMP) prepared for White Bay Berth 6 included an estimate of the vessel movements within White Bay and Rozelle Bay from dry boat storage facilities. This is provided in Appendix B, and has been reviewed by Roads and Maritime Services. The assessment of the simultaneous operation of White Bay Berth 6 and Sydney Boat House found that when both facilities are operating at capacity, vessel movements associated with White Bay Berth 6 would account for six percent of the total movements within the White Bay and Rozelle Bay areas. The MTMP indicates that during the weekend peak periods, approximately 4.3 percent of boats on the Sydney Harbour would originate from Sydney Boat House (90 boats) and White Bay Berth 6 (six boats), based on usage rates expected during weekend peak periods. As such, the impact of both facilities is expected to be minimal, with any impacts likely to be localised given the proximity of the two facilities. In addition, White Bay Berth 6 offers a structured and safe way for vessel owners to schedule their boating activities, reducing waiting times experienced at boat ramps, and allowing the facility to stagger the entry of boats into the water so as to reduce congestion.	Vessel Management Plan (Appendix B)

Issue	Response	Reference section of Modification Report
	Operation of the facility with regard to maritime traffic and navigation would be undertaken in accordance with the MTMP. Operational management measures specific to avoiding and managing waterway congestion and waterway navigation during operation include: - Implementation of an operations plan (prepared in consultation with the Harbour Master), which includes protocols for the management of vessels departing and arriving from White Bay Berth 6. - In the event of an incident, relevant authorities would be contacted immediately including the Harbour Master. - White Bay Berth 6 management would communicate any incidents or accidents that may impact on the safe passage of vessels moving from Sydney Boat House past the White Bay 6 facility. - Information would be provided on a day to day basis to vessel owners (that are customers of the facility) on shipping traffic, in particular if cruise ships or other large vessels are known to be using the area, and vessel owners warned not to impede the movement of these vessels.	
Permissibility/Land Use Zoning/Strategic Planning		
The modification represents a change in use of the site, potentially changing the definition of the activity on the site from a refuelling facility as originally approved, to become a marina, which is prohibited on the site.	A response to this matter is provided in Appendix D, however, a summary is provided below. With regard to the permissibility of the modification request, the project as modified must be classified as "generally consistent" with at least one of the SREP 26 zone objectives. Whilst ultimately a matter for the Minister's discretion, it is clear that the project as modified is generally consistent with one or more of the objectives. The test of 'generally consistent' does not require that the project as modified promotes or is ancillary to one or more objectives, or even that is compatible with those objectives. Rather the development must be generally consistent with the zone objective outlined in the Section 75 Modification Request, dated 12 July 2013, being 'to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses'. In addition, the modification would not change the land use to a marina.	

Issue	Response	Reference section of Modification Report
	Regardless, clause 20C of SREP 26 does not expressly prohibit marinas. Accordingly, there are no issues with regard to the permissibility of the modification request, as amended.	
<u>Dry-storage of boats</u> The use of the site for dry-stack boat storage is considered unsuitable. This is supported by the Masterplan for Rozelle and Blackwattle Bays and the soon-to-be released final Sydney Harbour Boat Storage Strategy. This is particularly the case when considering the alternative areas for boat storage facilities, which has been planned for, and in some instances has already been approved (such as the Rozelle Bay dry-stack boat storage facility). The Master Plan for Rozelle and Blackwattle Bays Maritime Precincts 2002 identifies sites more suitable for dry boat storage than White Bay 6 that would not impact on operations of port and marine facilities.	A response to this matter is provided in Appendix D, however, a summary is provided below. The amended modification would result in the amount of dry boat storage at White Bay Berth 6 being reduced from 150 to 50. The site would be used primarily for port and marine related activities as originally approved, with a small amount of additional boat storage. The small amount of boat storage would not detract from other larger planned dry-storage facilities at Rozelle and Blackwattle Bay. Further, the project (as modified) would not be considered as an alternate dry storage facility to those at Rozelle and Blackwattle Bay as the amount of dry storage to be provided at the site under the modification, as amended, is minor when compared to those facilities. A submission was received during the exhibition period from TfNSW which noted that generally speaking, TfNSW would support development applications that seek to increase appropriate boat storage capacity on Sydney Harbour in the short, medium and long term. TfNSW's submission also noted that this in-principle support is founded on the storage demand estimates contained in the NSW Boat Ownership and Storage: Growth Forecasts to 2026 and the Draft Storage Strategy.	Not applicable
Dry boat storage is not classified as port or maritime use, for which the site is zoned.	A response to this matter is provided in Appendix D, however, a summary is provided below. The site is zoned as 'Port and Employment' under clause 20C of SREP 26. It is not zoned as port or maritime use. SREP26 indicates that this zone should 'encourage a mix of land uses which generate employment opportunities'. The modification will encourage a mix of land uses on the White Bay Berth 6 site, as well as generating employment opportunities for tenants on the site.	

Issue	Response	Reference section of Modification Report
	Accordingly, the development does not raise issues in relation to the permissibility of the modification, as amended.	
The large number of vessels proposed for dry-stack storage cannot be described as ancillary to the predominant vessel refuelling function.	A response to this matter is provided in Appendix D, however, a summary is provided below. The test for permissibility is whether the proposal is generally consistent with one or more zone objectives. As noted in the previous response, the modification satisfies the zone objectives. Accordingly, no issues arise in relation to the permissibility of the modification, as amended. Neither SREP 26, nor the now repealed Part 3A of the EP&A Act, requires a modification request to result in development that is ancillary to the original project approval. However, in the instance that SREP 26 or Part 3A of the EP&A Act did require a proposed modification to be ancillary to the original project approval, the reduction in dry boat storage from 150 to 50 in the current modification request is such that the modification could be said to be ancillary to the original project approval. However, as this is not the test for the permissibility of the modification, no issues arise in relation to permissibility for the site.	
The site has been previously excluded from being used for the purposes of dry boat storage by the Sydney Ports Corporations' Expression of Interest for the lease of White Bay.	This matter is outside the scope of the environmental planning assessment process for the modification request under the <i>Environmental Planning and Assessment Act 1979</i> .	
The Minister for Planning needs to enforce the originally approved lease conditions for the White Bay Berth 6 site.	This matter is outside the scope of the environmental planning assessment process for the modification request under the <i>Environmental Planning and Assessment Act 1979</i> .	
The modification request does not align with the objectives of SREP No. 26 – City West, including a reduction in the number of full time operational staff.	A response to this matter is provided in Appendix D, however, a summary is provided below. Employment, across a seven day operation, would not change and would remain at 30 positions. However, not all positions would be full time positions, with 27 employees associated with weekday operations, and 13 staff associated with weekend operations.	

Issue	Response	Reference section of Modification Report
	The project, as proposed to be varied by the modification, will continue to be generally consistent with one or more objectives of the Port and Employment Zone under SREP 26, which is the test for the permissibility of the development. Accordingly, no issues arise in relation to the permissibility of the development.	
Scope of the proposal and its suitability to be assessed as a Section 75W modification	A response to this matter is provided in Appendix D, however, a summary is provided below. It is within the Minister's power to approve the modification as amended. The modification as amended would have limited environmental consequences compared to the proposal as originally approved. Accordingly, while the decision is ultimately one for the Minister's discretion, it is well within the Minister's power to approve the modification, as amended.	
Landscape character and visual amenity		
<u>Meet and greet facilities</u> Avoid locating a meet and greet building on the point of the site. There is a long-term community desire for this area to be turned into public green space in the long term. Little justification for a meet and greet building on the hardstand in the context of existing approvals for two large scale buildings. Visual impact of the meet and greet building on the cruise terminal and local residence	As part of the amended modification (refer to Figure 2) the meet and greet facilities would be relocated into two office buildings along the northern boundary of the site, adjacent to the proposed car-park and wash down bay. These are non-permanent structures. Office 1 would comprise the gatehouse and induction centre and would be located immediately west of the proposed car-park. Office 2 would be located north of the existing approved wash down bay and would include staff and customer amenities, a secure waiting area, first aid facilities, an assembly area and operations office. The amended configuration of the office buildings would reduce the size of the meet and greet facilities. The meet and greet facilities have been amended to align with the guidelines of the Sydney Harbour Foreshores and Waterways Area DCP. Specifically, the buildings have been designed with curved rooves, which would complement the design of the adjacent Passenger Cruise Terminal. Further, the site would be	Not applicable

Issue	Response	Reference section of Modification Report
	landscaped where practicable in consultation with Sydney Ports and would be single storey buildings, which can be considered sympathetic to the surrounding streetscape and other buildings and infrastructure on the site. The site is located outside of land to which the Leichardt DCP 2013 applies. The Sydney Harbour Foreshores and Waterways Area DCP states that in the absence of controls set by council, the maximum wall height for buildings other than workshops should be eight metres. The amended meet and greet facilities would be single storey and less than eight metres in height. The amended meet and greet facilities are therefore considered to be compliant with the Sydney Harbour Foreshores and Waterways Area DCP. Figure 10 of the Glebe Island and White Bay Master Plan details the maximum building heights for White Bay Berth 6. Office 1 would comply with the specified maximum building height of 12 metres. Office 2 is located in an area with a building height of 0 metres. It is noted that Office 2 is not compliant with the Glebe Island and White Bay Master Plan at this location. Due to the nature of the operations of the site, sufficient control of visitor movements is required, particularly with regards to safety. The position of Office 2 at this location is considered the most suitable in this context when compared to other possible locations on the site. Office 2 would be a small, single-storey building which would be screened to an extent by the adjacent vegetation to the north of the building. The amended meet and greet facilities have been designed so as to have a better visual appearance than the exhibited meet and greet building. The new buildings are small, individual buildings which are less bulky than the exhibited building and would generally align with the principles of the Glebe Island and White Bay Master Plan.	
<u>Car parking location</u> The DCP requires that the visual impact of car parking when viewed from the water be minimised. The modification proposes to expand the two car parking areas which are in a highly exposed viewing corridor. Additional parking indicates overdevelopment.	The number of car parking spaces has been reduced from the 68 originally proposed as part of the modification (as exhibited) down to 42, in response to a reduction in the amount of dry-boat storage to be provided at the site. Some motorcycle parking would also be provided as part of the amended modification.	Not applicable

Issue	Response	Reference section of Modification Report
Location of car-parking within the site does not align with the objectives of the DCP. Further, the location of car parking has visual impacts and presents safety issues.	Car parking would be located along the northern boundary of the site, immediately south of the potential U-turn facility. This would reduce the visibility of car-parking from the water and would be located within proximity to other built structures on the site, including the two office buildings. This would result in the concentration of these project elements to one location, and would provide more open space within the southern half of the site, limiting the visual impact of the project. In determining the number of required car parks, it is noted that: – 27 spaces would be required for employees. – Five spaces would be reserved for visitors and deliveries. – Ten would cater for dry boat storage customers, applying the likely 12 percent usage rate outside peak periods. For peak periods (being 25 percent of boats being accessed), an additional seven spaces would be required and catered for within an overflow car park. The use of this space would likely only occur during peak seasons, and on weekends. The Sydney Harbour Foreshores and Waterways Area DCP states that for waterfront industry, car parking should not be visible from the waterway. Car parks should be located away from the waterfront and setback a minimum of three metres from any foreshore access to allow mass plantings to screen car parking. The amended modification includes the relocation of car parking facilities along the northern boundary of the site, away from areas in close proximity to the waterway, aligning with the Sydney Harbour Foreshores and Waterways Area DCP. The southern hardstand portion of the site would be used for overflow parking in the unlikely circumstance that the designated parking spaces are occupied during peak periods. The use of this area would be temporary and would be required infrequently.	
Impact of increased on-site density of buildings and structures on visual amenity	As part of the amended modification, Building 3A and Building 3B have been removed from the project. Further, the footprint of Building 1 and Building 2 would remain as originally approved. The modification would include the introduction of the meet and greet facilities on	Not applicable

Issue	Response	Reference section of Modification Report
	the site. As detailed above, the amended meet and greet facilities have been designed so as to have a better visual appearance than the exhibited meet and greet building. The new buildings are small, individual buildings which are less bulky than the exhibited building and would generally align with the principles of the Sydney Harbour Foreshores and Waterways Area DCP and the Glebe Island and White Bay Master Plan.	
<u>Landscaping</u> Need for more detail with regards to landscape planting, including locations, width of planting, type of planting	The site is predominantly hardstand with limited opportunity for landscaping. However, landscaping would be provided where reasonable and feasible, including: – Within the north-eastern section of the site adjacent to the waterway, to provide screening and some mitigation of the visual impacts of the built elements of the project. – Surrounding the proposed office buildings. The type, location and width of plantings would be considered in further detail in consultation with Sydney Ports prior to construction of the proposed modification.	Not applicable
Hazard and Risk		
Risk of combustion and fire relating to the stacking of boats which contain fuel.	Building 1 and Building 2 are located about 25 metres apart, which would reduce the likelihood of a fire spreading between the two buildings and would minimise the impact of a fire event in the unlikely circumstance that it occurs. Mitigation measures for the prevention of ignition: - Locate maintenance areas outside of dry boat storage buildings. A rule would be enforced which ensures no boat maintenance would occur within buildings. - Dry boat storage sheds would be designated no smoking areas. - The use of electrical equipment within dry boat storage buildings would be restricted to only machinery required to access boats in storage. - Install signage and demarcate areas around the dry boat storage buildings as ignition free.	

Issue	Response	Reference section of Modification Report
	- Store combustible materials away from dry boat storage buildings. - All vessels stored within Building 2 with an LPG cylinder would be required to have a gas detector and/or alarm installed. - Building 2 would have solar panels on the roof and a power outlet at each storage point. All boats stored within Building 2 would be connected to a 12 volt solar charger to prevent vessel batteries from going flat and creating a potential ignition source. - Prior to dry boat storage: Prior to dry boat storage, boat owners are to be directed to remove any items stored in vessels that could pose a fire threat, such as removable fuel stoves or lamps. - Prior to storage, boats would be inspected by the site officer for any items that could potentially pose a combustion risk. - Prior to storage, vessel would be cleaned by boat owners to remove any residual fuel or oil spilled during refuelling or maintenance works. - White Bay would advise boat owners not to refuel immediately prior to storage to minimise the amount of fuel stored in racks. - Ensure vessels stored in Building 1 and Building 2 are registered and meet the relevant Australian Standards. - White Bay would install an automated sprinkler system within in Building 1 and Building 2. Further, selected site personnel would undertake the Boating Industry Association of NSW Marina Fire Safety Management Programme. The Fire Safety Study (FSS) would be reviewed and updated by a suitably qualified fire and/or risk engineer to encompass the dry boat storage racks and emergency response in the instance of a fire caused by combustion of a boat within the storage area. This would be assessed as an incidence on site that would have the potential to impact offsite or result in excessive heat radiation at fire-fighting equipment (thus making equipment inaccessible during the fire events). Prior to construction, the need for additional fire safety infrastructure would be confirmed based on the updated assessment.	

Issue	Response	Reference section of Modification Report
Environmental assessment of the modification		
Lack of environmental assessment associated with the proposal.	The modification included assessment of the following environmental issues: - Traffic and transport - Noise and vibration - Visual amenity - Water quality - Waste management - Energy and water consumption - Safety and risk. Issues analysed in the environmental assessment for the proposed modification were identified based on an assessment of those most likely to undergo a change in impact as a result of the proposed modification. The environmental assessment pertained only to the changes to potential environmental impacts from those that were originally identified as part of the approved project. Specific issues relating to individual environmental matters are addressed below.	Section 5.0
Operational noise (both on land and as a result of water-based activities), including a need for on-going assessment and monitoring.	The operational noise assessment for the original Environmental Assessment for the project considered the generation of noise from both land and water-based activities including car, truck and forklift movements, manoeuvring and movement of boats and barges, material handling impacts, electrical power tools, high pressure water spray guns, refrigeration and air conditioning units, fuel, sewage and sillage pumps and travel lifts. The movement of boats in and out of dry storage would be facilitated by infrastructure included in the operational noise assessments of the original Environmental Assessment. Changes to plant on the site as a result of the proposed modification included one additional forklift, which was assessed in the Modification Report based on the assumption of a sound power level of 98dB(A), operating for 7.5 minutes in every 15 minute period.	Section 5.2.3

Issue	Response	Reference section of Modification Report
	The operational noise assessment for this modification took into account the predicted cumulative noise profile of the site and its surrounds, considering the location of the site within an industrial environment. Since the public exhibition of the proposed modification, cumulative operational noise at the site as a result of the modification would likely be less than original estimates due to the reduction in the number of vessels catered for by the dry boat storage facility (from 150 to 50). Fewer vessels would potentially result in less frequent use of forklifts, the travel lift and less associated noise generated during the transfer of boats in and out of storage. The noise assessment conducted for the modification (as exhibited) would therefore overestimate the noise generated by the current modification (as amended). Potential noise exceedances identified in the noise assessment for the modification (as exhibited) reflect the same exceedances as assessed and approved as part of the original Environmental Assessment for the project. The underlying drivers for these exceedances would not change as a result of the modification (as exhibited or as amended). Noise exceedances predicted as part of the original Environmental Assessment were considered by a Panel of Experts at the time and deemed to be marginal and manageable. In response to that issue, a limit was imposed operational hours as a condition of approval. This condition is not proposed to be affected by the current modification request (refer to Table 7 of Modification Report). Other design and mitigation measures would assist in minimising potential operational noise impacts including muffling of plant engines, shielding of noise by building walls and quiet driving and unloading techniques. In light of fewer vessels and utilisation of noise management on site, ongoing assessment and monitoring of operational noise (beyond that which has already been conducted) is not considered necessary.	
Air quality and odour-related impacts on residential receivers, particularly as a result of fuel vapours from dry-boat storage.	The design of Building 2 is such that the building would be well ventilated, with the southern side of the building wholly open to the outside, allowing air circulation within the space. As such, any fuel vapour created would have space to dissipate, lowering the overall concentration and density of the vapour. This would result in a lower risk of odour impacts being generated, or reaching residents on the northern, elevated cliff if odour does result from the dry boat	Not applicable.

Issue	Response	Reference section of Modification Report
	storage racks.	
Social and economic impacts.	The existing social and economic environment and local community have been considered for impacts that may experience a change as a result of the proposed modification, including traffic and transport, noise and vibration, visual amenity and safety and risk. In the context of the proposed modification (as amended), the project (as modified) would introduce competition in Sydney Harbour for dry boat storage, as well as providing necessary infrastructure required to meet the predicted growing demand in Sydney's boat ownership market.	Sections 5.1, 5.2, 5.3 and 5.7.
The combined impact of previous approvals and current operation of the facility, which is potentially leading to a change in focus. Assessment of the cumulative implications of successive modifications and current practice should be considered together.	The environmental assessment for modification was undertaken with reference to existing approvals and the current operation of the facility. The methodology applied for the cumulative impact assessment was to address the combined impact of approved and proposed activities/facilities within the assessment of separate environmental issues, where relevant (e.g. noise, traffic, visual and waste). The latest modification has taken into account the development as a whole, and design amendments have occurred since publication of the environmental assessment for modification (outlined in Section 2.2 of this document). The changes have considered the greatest possible reduction of cumulative impacts, particularly in relation to visual amenity, traffic and transport, noise and air quality.	Section 5.1, 5.2, 5.3 and 5.5.
Light spill and the need for flood light design.	No significant additional lighting is proposed as part of the modification, other than lighting associated with the meet and greet area, navigational lights and low-lit lighting bollards on the floating pontoons for safety reasons. Flood lighting as part of new buildings at the site is not deemed necessary. In addition, due to the proposed changes to retain previously approved dimensions of Buildings 1 and 2, and the removal of Building 3A and 3B, additional lighting for buildings is not expected to be necessary on site. Light spill and any additional lighting would be managed and designed in accordance with Australian Standards (AS 4282-1997 <i>Control of the Obstructive Effects of Outdoor Lighting</i>). As such, all lighting on the site would take into consideration potential impacts on surrounding	Section 5.3.3

Issue	Response	Reference section of Modification Report
	residences in accordance with applicable standards. Directing lights away from residences is one measure that would be considered during design finalisation.	
Impacts of the floating pontoon and marine forklift trucks on water quality and aquatic ecology.	The potential aquatic ecology impacts associated with the new floating pontoons adjacent to the travel lift are expected to be similar to those outlined in the aquatic ecology assessment undertaken for original project (as detailed in Section 7.3 of the original Environmental Assessment). Impacts may include the potential shading of a portion of the sea floor, and rocks below sea level. However, as identified in the original Environmental Assessment, the existing sea bed consists of soft silty sand, with sparse aquatic fauna existing beneath the sub-tidal algae zone. Due to the size and location of the new pontoons next to the operational travel lift, and within an area that does not currently support extensive aquatic fauna habitat, the structure is not expected to result in significant impacts on aquatic ecology. In addition, the pontoon would provide underside habitat, which has been found to support encrusting biota, which in turn provide valuable habitat for juvenile fish. The proposed modification poses no additional risk to water quality. It should be noted that the travel lift, functioning as a marine forklift, and its associated impacts was incorporated as part of a previously approved modification. The proposed modification would be operated in accordance the Environment Protection Licence (EPL) for the site and managed within the existing engineering measures and operational procedures in place to minimise potential surface water and associated aquatic ecology impacts. These include the use of a washdown bay, catchment sump, containment bunds and spill response equipment on the site.	Not applicable.
Requirement for the site to be remediated to accommodate the introduction of caretaker accommodation in accordance with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> .	Hayes Environmental Consulting conducted an assessment of the site in relation to its suitability for residential use (October, 2013) (refer to Appendix B). The assessment found that based on previous contamination investigations the site (including fill and natural soils) is not regarded as being contaminated by contaminants of potential concern, and does not represent a significant risk to human health or the environment (as at most recent investigation dated 2009).	Not applicable.

Issue	Response	Reference section of Modification Report
	In its current state, the advice concludes that the site does not represent a significant hazard with respect to soil/dust release and exposure. The ground surface is mostly covered by buildings and pavement, resulting in very low potential for soil disturbance. As such, the site is considered to be suitable for residential use in accordance with clause 7 of the <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> .	
Lack of community consultation throughout the preparation and assessment of the modification request to-date.	Consultation undertaken to date by Baileys Marine Fuels during the preparation and assessment of the modification is detailed below. Consultation has included correspondence and meetings with the Sydney Ports Corporation and separate briefings on the modification to the White Bay and/or Glebe Island Community Liaison Groups on 22 February 2012, 28 May 2012, 13 August 2012, 12 November 2012, 11 February 2013, 13 May 2013 and 12 August 2013. Consultation with these groups is ongoing. Topics covered during consultation included reporting on consultation with Sydney Ports Corporation, the layout of the development, environmental issues and the planning approval process. Questions and comments were fielded from attendees and incorporated into the overall design of the proposed modification.	Section 4.0
No draft statement of commitments provided as part of modification.	The draft Statement of Commitments has been updated with management measures, and is provided in Section 5.0 of this document.	Not applicable.
Other issues raised		
Continuing unlawful use of the site, relating to the dry storage of more than the approved number of boats.	Alleged unlawful use raised in the submissions is denied by White Bay 6. White Bay 6 has advised that no unlawful activity has been conducted on site, nor has there been any regulatory enforcement action taken by the Department with regard to the site or activities conducted on site. This matter has not been raised with the proponent or regulatory agencies by any party and therefore cannot be substantiated through this submission. In any event, past unlawful use is not a relevant consideration for the assessment or permissibility of this modification.	Not applicable.

5.0 Proposed Amendments to the Existing Statement of Commitments

Measures contained in the most recent Statement of Commitments contained in the *Determination of the Major Project No. 06-0037* document, apply to the project (as modified), and as such, have not been reproduced here. The following additions to the existing Statement of Commitments (refer to Table 5) are proposed for the management of potential environmental impacts associated with previously approved modifications and the current proposed modification (as amended).

Table 5 Amendments to the Statement of Commitments

Item	Commitment	Timing
Code of Practice	The Code of Practice would set out the following procedures with regard to dry boat storage activities and clients: - Dry boat storage would be accessible between: • 7:00am and 6:00pm on Mondays to Saturdays. • 8:00am and 6:00pm on Sundays. - In the event that boats return the facility after 6:00pm, they would be required to tie up to the wharf to be lifted out of the water and transferred to dry storage the following day during operational hours. - Access times and security arrangements. - Car parking locations. - Safe pedestrian access. - Arrangements for late returns. - Noise considerations for neighbouring properties.	Prior to the commencement of relevant operations.
Light spill	Additional lighting required for the project would be designed in accordance with Australian Standards (AS 4282 – 1997 <i>Control of the Obstructive Effects of Outdoor Lighting</i>).	Prior to the commencement of construction.
Hydrology and water quality	The OEMP would include the following measures specific to the minimisation of hydrology and water quality impacts during the operation of the de-fouling and anti-fouling activities. BMFA would undertake the following: - Installation of a filtering system before runoff from the wash down bay enters the waste water treatment system, so large solids and biota are separated for easy collection and disposal; - De-fouling would occur only within the bunded wash down area. - Disposing of the remaining waste water to be disposed of to the sewer following treatment, subject to approval from Sydney Water. - Classifying and storing solids removed from the wash down bay within bunded waste disposal area for collection from a licensed waste disposal contractor. - Applying anti-foul paint using rollers, brushes or airless spray guns, and not traditional automotive compressed air spray guns. This would minimise emissions to hardstand surfaces. - If vessel spray painting is required, spraying would be conducted as far away from open water as possible. - Using vacuum sanders to capture dust emissions where mechanical sanding is required, to eliminate the risk of dust particles settling on	Prior to the commencement of operation and during operation.

Item	Commitment	Timing
	hardstand areas and being transported by stormwater. - Using a containment tray during the application of anti-foul paint, with brushes, rollers and paint. The tray would be placed in the immediate area of the paint application to minimise the potential for spillage. - Storing and preparing all anti-fouling paint within a covered bunded area. - Sweeping hardstand areas daily and/or following the completion of the activity (whichever is the sooner). - Implementing protocols to respond to environmental conditions, such as rescheduling de-fouling and application of anti-foul paint to avoid periods of windy weather or using a temporary structure (tarpaulins) to minimise potential water quality impacts. - Providing spill response equipment for any spills during anti-fouling activities. - Incorporating de-fouling and anti-fouling activities into the Incident Response Plan and staff training. - The OEMP would also include the following measures specific to washdown of boats coming in and out of dry storage racks: - All vessels would be washed down in the allocated wash down bay. This water would drain to the specified tank for treatment prior to disposal or re-use.	
Air quality	The OEMP would include the following measures specific to the minimisation of air quality impacts during the operation of the de-fouling and anti-fouling activities. BMFA would undertake the following: - Applying anti-foul paint using rollers, brushes or airless spray guns. These would reduce the amount of overspray, paint usage and the release of volatile organic compounds and odours. - Using vacuum sanders to capture dust emissions where mechanical sanding is required. - Implementing protocols to respond to environmental conditions, such as rescheduling de-fouling and application of anti-foul paint to avoid periods of windy weather or using a temporary structure (tarpaulins) to prevent spray drift during painting and sanding. - Sweeping hardstand areas daily and/or following the completion of the activity (whichever is the sooner) to minimise the accumulation of dust and/or paint chips (with all paint chips collected for appropriate disposal). - Ensuring lids are placed on all chemical containers so vapour cannot escape unnecessarily.	Prior to the commencement of operations.
Waste	The Waste Management Plan for the operation of the Project, which would be included in the OEMP, would include the following measures for the management of biological and contaminated wastes associated with de-fouling and anti-fouling activities: - Waste materials requiring removal from the site would be classified, handled and stored onsite in accordance with the Waste Classification Guidelines: Part 1 Classifying Waste (DECCW, 2009) until collection by a contractor for disposal at a suitability licensed landfill or waste management facility. - Biological and contaminated wastes of all types would be kept in sealed	Prior to the commencement of relevant operations.

Item	Commitment	Timing
	containers and removed by licensed contractors who are advised of the type of waste, and records would be kept of all such disposed wastes. - All waste from the project would be stored undercover to prevent rain running through the waste and polluting the surrounding waters. - Waste would be secured onsite at all times to prevent litter and water pollution. - Regular sweeping and vacuuming of hardstand areas following anti-fouling application. - Anti-fouling residues would be classified as contaminated wastes due to the presence of biocides. These residues would be collected and safely stored to prevent them entering surrounding waters, and would be disposed of offsite. - When antifouling paints have been removed from old vessels (more than 10 years old), it would be assumed that the paint residue contains tributyltin unless tests prove otherwise, and the paint residue would be disposed of at facility that is licensed to accept this type of waste. Anti-foulants removed from vessels constructed before the 1970s may contain a variety of hazardous substances including arsenic, mercury and DDT, and would be disposed of at facility that is licensed to accept this type of waste. - To keep with the facility being as waste-minimal as possible, the following practices would be implemented during anti-fouling activities to limit the amount of waste produced: • Reusing plastic trays. When dried product builds up in the tray, the tray would be flexed to break the bond between the product and the tray. The product would then be removed and disposed of appropriately and the tray would be reused. • Saving excess or unused anti-fouling paint for future uses. • Maintaining and reusing paint brushes. There would be one brush for each antifouling product used, and they would be stored in a tin of water so paint does not harden on the brush and can be reused.	
Traffic and transport	The Construction Traffic Management Plan would be reviewed and updated if required, prior to the start of construction as part of the Construction Environmental Management Plan. As part of the preparation of the CTMP, consultation would be undertaken with Sydney Ports, TfNSW and NSW Roads and Maritime Services.	Prior to the commencement of construction.
Visual	BMFA would ensure that: - Consultation is undertaken with Sydney Ports Corporation with regard to landscaping across the site.	Prior to commencement of construction.
Hazard and risk	BMFA would review the Fire Safety Study (FSS) and confirm the need for additional infrastructure (including water pressure requirements) prior to the commencement of construction. BMFA would also ensure that the following measures are implemented: - The proposed buildings would be designed and provided with fire fighting equipment in order to meet the relevant Australian Standards and the Building Code of Australia Standards. - The floating pontoons would be equipped with appropriate fire fighting	Prior to the commencement of construction.

Item	Commitment	Timing
	equipment such as fire hose reels. - The OEMP/Code of Practice would contain the following: • All safety requirements of staff and site managers to minimise risk during operation of the boat storage facilities and vessel transport vehicles on site. • Engineering loadings for the stacks to which the facility would comply. • Commitments and guidelines for customers. • Role and guidelines for the 24/7 occupation of the caretakers' residence.	

6.0 Conclusion

Following the exhibition of the modification request relating to the marine refuelling and supply facility at White Bay (MP06_0037 MOD 4), the modification has been amended. Amendments to the modification include:

- The external design and dimensions of Building 1 would remain as originally approved, but would now house the caretaker's accommodation.
- The design and dimensions of Building 2 would remain as originally approved and would house up to 50 boats in dry storage.
- Building 3A and Building 3B have been removed from the modification request.
- The meet and greet facilities have been relocated along the northern boundary of the site within two office buildings, with a possible alternative configuration.
- Relocation of the car park and gatehouse along the northern boundary of the site.
- James Craig Road would no longer be used by customers of the development during periods when cruise ships are at berth at the adjoining Cruise Passenger Terminal.

The amended modification would result in only a minor increase in additional built form, and limited to the 'meet and greet' area. As such, the additional impacts on visual amenity are considered to be minor when compared to the project (as approved). Further, the now proposed 50 boat storage capacity would also result in minimal increases in traffic when compared to the project (as approved).

Based on the submissions raised throughout the exhibition of the modification, White Bay would undertake the following:

- Preparation of construction traffic management plan in consultation with Sydney Ports, RMS and Transport Management Centre, Council and other agencies prior to the commencement of construction.
- Consultation with Sydney Ports regarding landscaping design across the site.
- Update the Code of Practice to include procedures to which customers must adhere with regard to the dry boat storage facility, including operational and safety requirements.
- Design any additional lighting required for the project in accordance with relevant Australian Standards.
- Update the Fire Safety Study and OEMP with appropriate measures to minimise risks associated with the dry boat storage facility.
- Install appropriate fire-fighting equipment to service new infrastructure on the site.

Appendix A

Site Plans

Appendix A Site Plans

WHITE BAY 6

MARINE PARK

DRAWING SCHEDULE

LEASE AREA C AND LICENCE AREA 3

100	DRAWING SCHEDULE + NOTES	
101	SITE PLAN	APPROVED STRUCTURES + PROPOSED AMENDMENTS
102	STORMWATER CONTROL PLAN + EROSION & SEDIMENT CONTROL PLAN	
103	SITE DRAINAGE SCHEMATIC	
	BUILDING 1 - ADMIN	
	refer ARCHITECTURAL ADDENDUM BELOW	
110	BUILDING 1	LEVEL 2 PLAN - CARETAKERS SUITE INCLUSION
	BUILDING 2 - BOAT STORAGE	
120	BUILDING 2	LAYOUT
121	BUILDING 2	ELEVATIONS
122	BUILDING 2	ELEVATION + SECTION
	OFFICE 1 - GATE HOUSE	
130	OFFICE 1	SHEET 1
131	OFFICE 1	SHEET 2
	OFFICE 1 - INDUCTION, STAFF & GUEST AMENITIES	
140	OFFICE 2	SHEET 1
141	OFFICE 2	SHEET 2
	BUILDING 1 - ADDENDUM ARCHITECTURALS	
A2101	BUILDING 1	LEVEL 1 PLAN
A2102	BUILDING 1	LEVEL 2 PLAN
A2103	BUILDING 1	ROOF PLAN
A2201	BUILDING 1	ELEVATIONS - NORTH & SOUTH
A2202	BUILDING 1	ELEVATIONS - EAST & WEST
A2301	BUILDING 1	SECTIONS

NOTES

SPECIFICATION TYPICAL TO ALL STRUCTURES

- STRUCTURAL DETAILS
- STRUCTURAL DETAILS TO ENGINEERS DESIGN.
- CONCRETE
- TO AS.3600 - CONCRETE CODE.
- TIMBER
- TO AS.1684 - TIMBER CODE.
- INSULATION
- ROOF FOIL + R1.0 BATTS
- EXTERNAL WALLS FOIL + R1.0 BATTS
- DRAINAGE
- TO AS.3500 - DRAINAGE CODE
- TO TANKS WITH OVERFLOW TO HARBOUR
- ELECTRICAL
- TO AS.3000 - WIRING RULES.
- GENERAL
- VERIFY ALL SCHEDULES & DIMENSIONS ON SITE BEFORE COMMENCEMENT OF WORKS OR ORDERING OF MATERIALS.
- ALL WORKS IN A TRADESMAN LIKE MANNER.
- ALL WORKS TO BE DESIGNED AND BUILT IN ACCORDANCE WITH THE PROVISIONS OF THE
- BUILDING CODE OF AUSTRALIA
 - DISABILITY DISCRIMINATION ACT
 - ANY AUSTRALIAN STANDARD
 - & COUNCIL REQUIREMENTS.
- ALL WORKS TO BE CERTIFIED BY A PCA PRIOR TO FINAL SIGN.

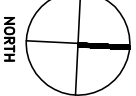
DRAWING SCHEDULE + NOTES

PAUL CARPICK ASSOCIATES building designers 04122 41514 pcodesign@ozemail.com.au			
scale	date	revision	project no.
project	NOV 2013	A	839
WHITE BAY 6 MARINE PARK			sheet 100

GRASSED FORESHORE

OFFICE 2
STAFF & CUSTOMER AMENITIES
SECURE WAITING AREA
FIRST AID
ASSEMBLY AREA
OPERATIONS OFFICE

OFFICE 2
STAFF & CUSTOMER AMENITIES
SECURE WAITING AREA
FIRST AID
ASSEMBLY AREA
OPERATIONS OFFICE



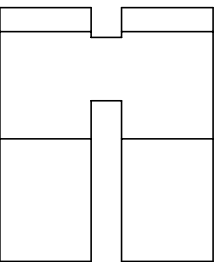
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04122 41514
pcadsign@ozemail.com.au

scale	date	revision	project no.
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project			sheet
WHITE BAY 6 MARINE PARK			10

**SITE PLAN - LEASE AREA C & LICENCE AREA 3
APPROVED STRUCTURES &
PROPOSED AMENDMENTS
ALTERNATE LOCATION OF OFFICES**

BALMAIN

Camrons Cove



GRASSSED FORESHORE

OFFICE 1
GATE HOUSE &
INDUCTION CENTRE

OFFICE 2
STAFF & CUSTOMER AMENITIES
SECURE WAITING AREA
FIRST AID
ASSEMBLY AREA
OPERATIONS OFFICE

63000

15000

RAILWAY TRACKS

BOAT STORAGE

BLG 2 BUILDING LOCATION AS PER
APPROVAL MP 06.0037
20.6 X 47.35 975.4 85.00

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

NEW SWP

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NEW SWP

NEW SWP

NEW SWP

White Bay

LEGEND

EXISTING STORMWATER DRAIN PIT

SEDIMENT & EROSION CONTROL

TYPICAL SWDP ISOLATION

EACH PIT TO BE ISOLATED WITH STRAW BAILS AS SHOWN

AND / OR GEOTEXTILE BARRIER

MAINTENANCE PROGRAM TO BE CARRIED OUT TO ENSURE

EFFECTIVE CONTROL OF CONSTRUCTION SEDIMENT

PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
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OVERFLOW TO HARDESTAND

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FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

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10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDESTAND

TYPICAL HARDESTAND RUNOFF ISOLATION

GEOTEXTILE BARRIER LAID AT OVERLAND

FLOW PATH AS SHOWN ABOVE

SECURED BY SAND BAGS AND HAY BAILS

LOCATED AT HARBOURSIDE RUNOFF EXIT AND

LOCATE ON LOW SIDES

SITE CROSS FALL

SEDIMENT & EROSION
CONTROL BARRIER
TO HARDESTAND CATCHMENT

SEDIMENT & EROSION
CONTROL BARRIER
TO HARDESTAND CATCHMENT

SEDIMENT & EROSION
CONTROL BARRIER
TO HARDESTAND CATCHMENT

SEDIMENT & EROSION
CONTROL BARRIER
TO HARDESTAND CATCHMENT

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CONTROL BARRIER
TO HARDESTAND CATCHMENT

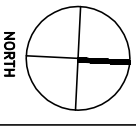
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CONTROL BARRIER
TO HARDESTAND CATCHMENT

SEDIMENT & EROSION
CONTROL BARRIER
TO HARDESTAND CATCHMENT

VERSION 4

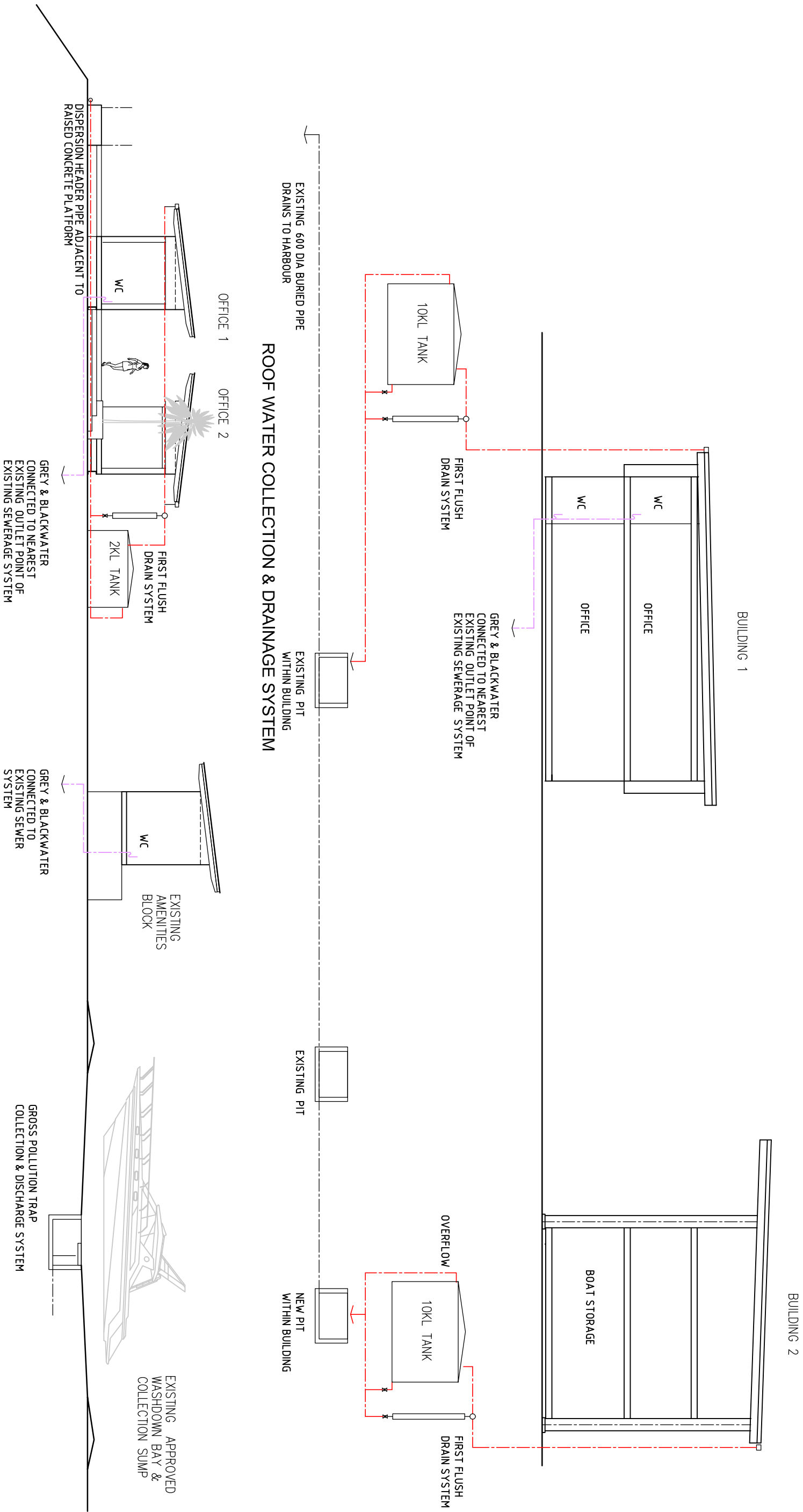
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SITE PLAN - LEASE AREA C & LICENCE AREA 3
APPROVED STRUCTURES &
PROPOSED AMENDMENTS
STORMWATER DRAINAGE PLAN
EROSION & SEDIMENT CONTROL PLAN



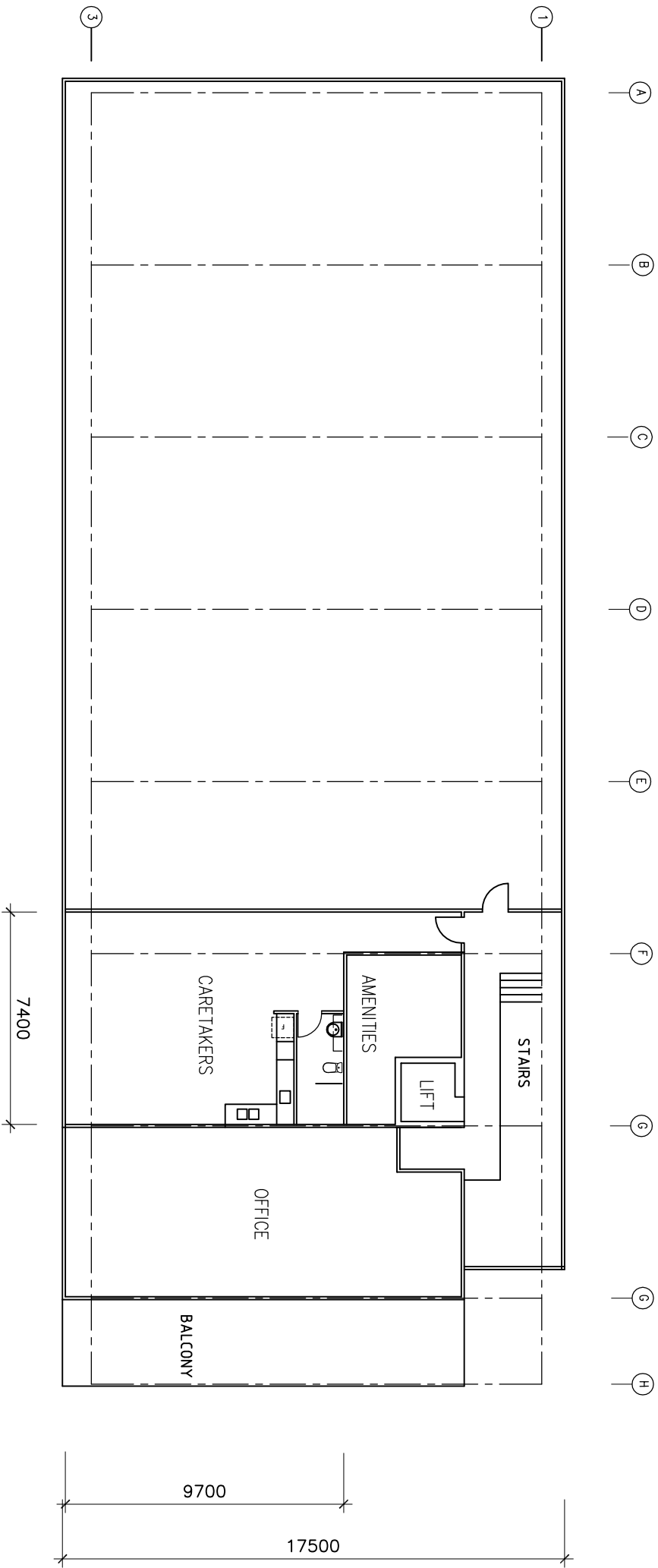
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04122 41514
prodesign@ozemail.com.au

scale	date	revision	project no.
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project			sheet
WHITE BAY 6	MARINE PARK		102

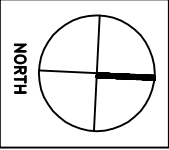


DRAINAGE SCHEMATIC

PAUL CARPICK ASSOCIATES building designers 04122 41514 pcdesign@ozemail.com.au					
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project				sheet	103
WHITE BAY 6				MARINE PARK	

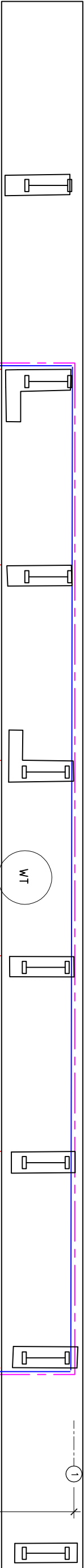
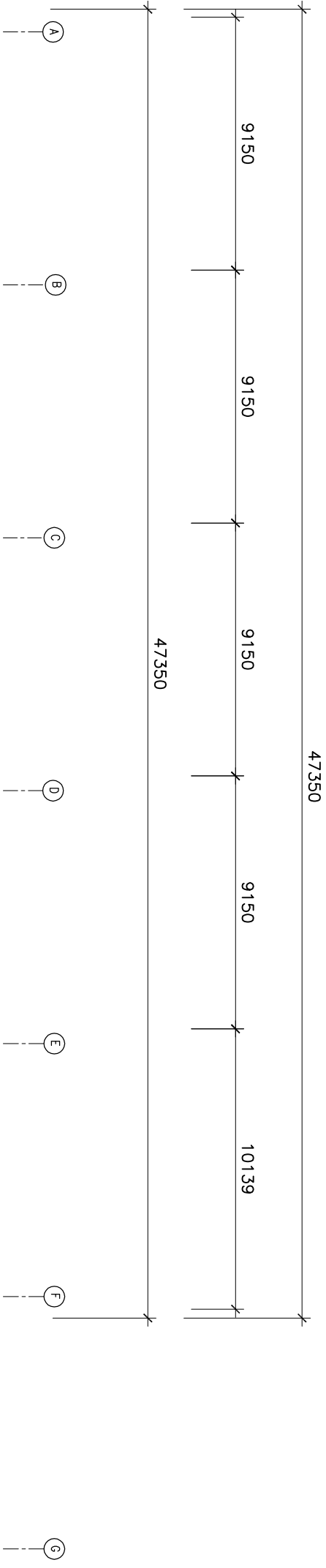


BUILDING 1
CARETAKERS SUITE - INCLUSION



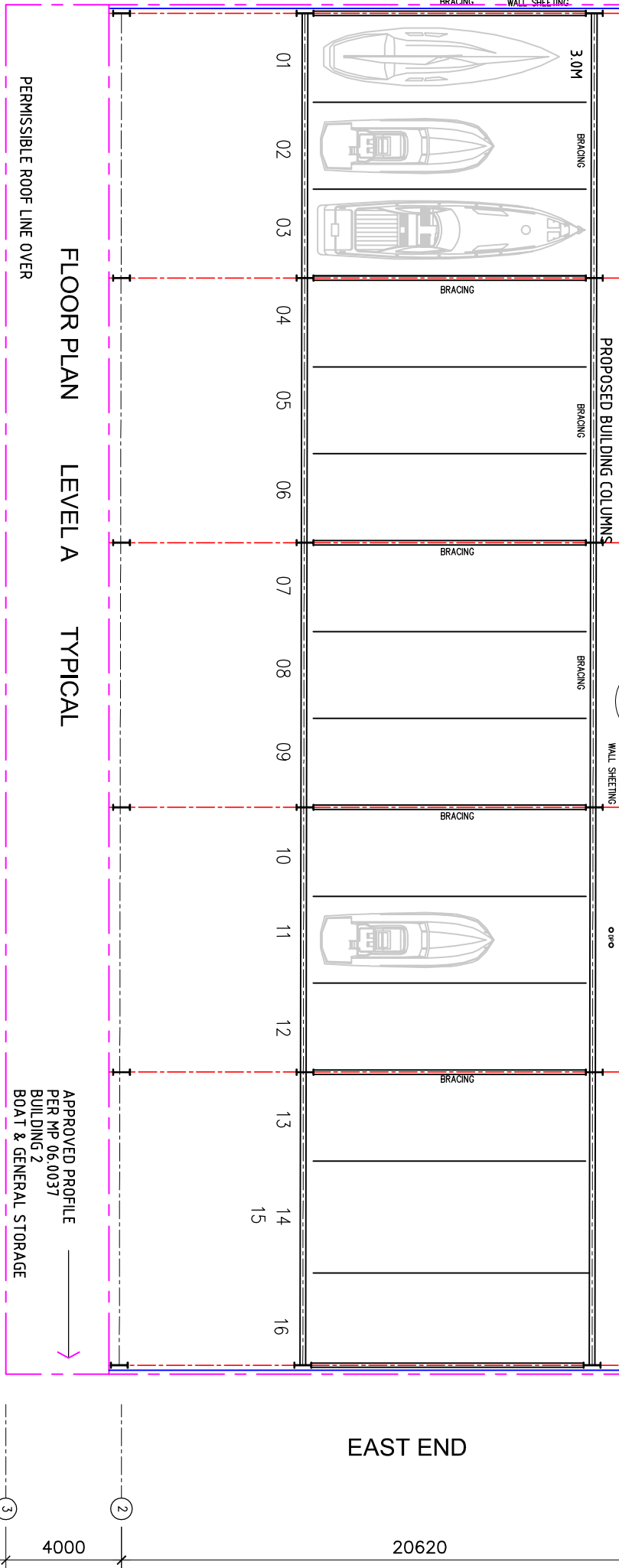
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scale	date	revision	project no.
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project	WHITE BAY 6 MARINE PARK		sheet
110			



SPECIFICATION TYPICAL TO ALL STRUCTURES

- STRUCTURAL DETAILS
STRUCTURAL DETAILS TO ENGINEERS DESIGN.
- CONCRETE
TO AS.3600 - CONCRETE CODE.
- TIMBER
TO AS.1684 - TIMBER CODE.
- INSULATION
ROOF FOIL + R1.0 BATTS
EXTERNAL WALLS
- DRAINAGE
TO AS.3500 - DRAINAGE CODE
TO TANKS WITH OVERFLOW TO STORMWATER
- ELECTRICAL
TO AS.3000 - WIRING RULES.
- GENERAL
VERIFY ALL SCHEDULES & DIMENSIONS ON SITE BEFORE
COMMENCEMENT OF WORKS OR ORDERING OF MATERIALS.
ALL WORKS IN ACCORDANCE WITH PROVISIONS OF
BUILDING CODE OF AUSTRALIA, DISABILITY DISCRIMINATION ACT
ANY AUSTRALIAN STANDARD & COUNCIL REQUIREMENTS.
ALL WORKS IN A TRADESMAN LIKE MANNER.



LEGEND SURFACE FINISHES

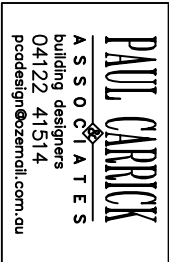
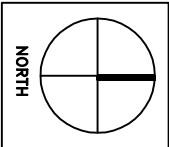
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WC1	WALL CLADDING TYPE 1	COLORBOND WINDSPRAY - MID GREY
WC2	WALL CLADDING TYPE 2	COLORBOND SHALE GREY - LIGHT GREY
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY

VESSEL STORAGE

LEVEL C	16 BAYS
LEVEL B	16 BAYS
LEVEL A	16 BAYS
TOTAL	48 VESSELS
SITE TOTAL	150 VESSELS

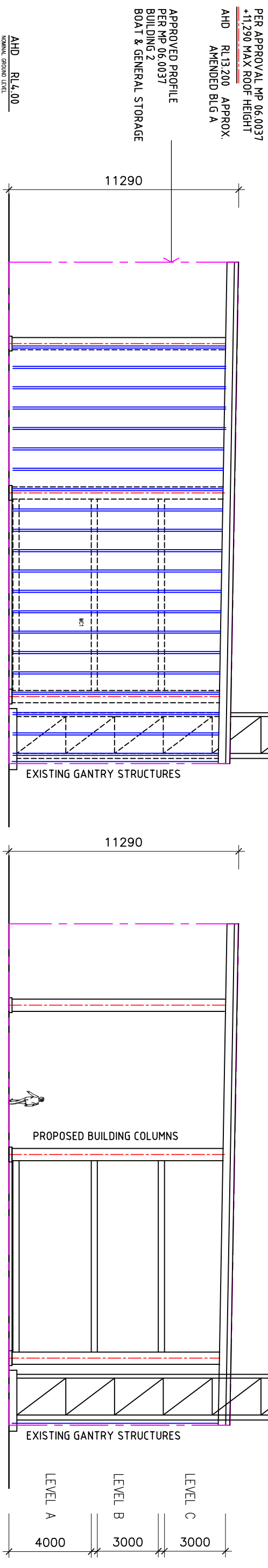
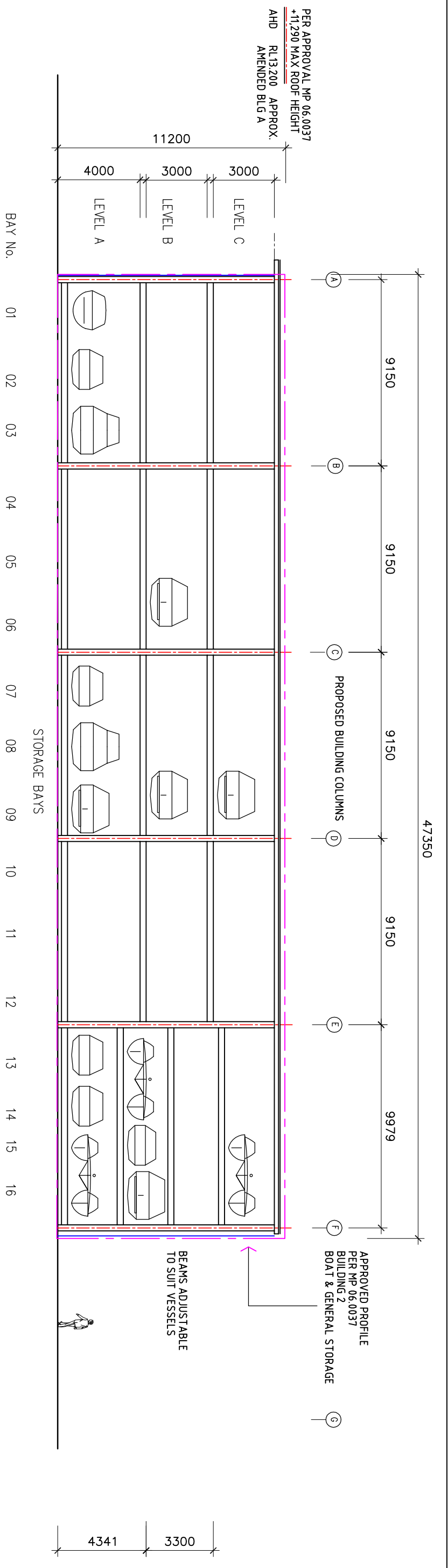
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PLANS, ELEVATIONS & SECTIONS ARE
TYPICAL ONLY AND MAY BE REVISED
SUBJECT TO ENGINEERS DESIGN & DETAIL
OFFICE SPACE NOMINATED TO BE
USED FOR SHOWROOM, WORKSHOP
OR VESSEL STORAGE PURPOSES



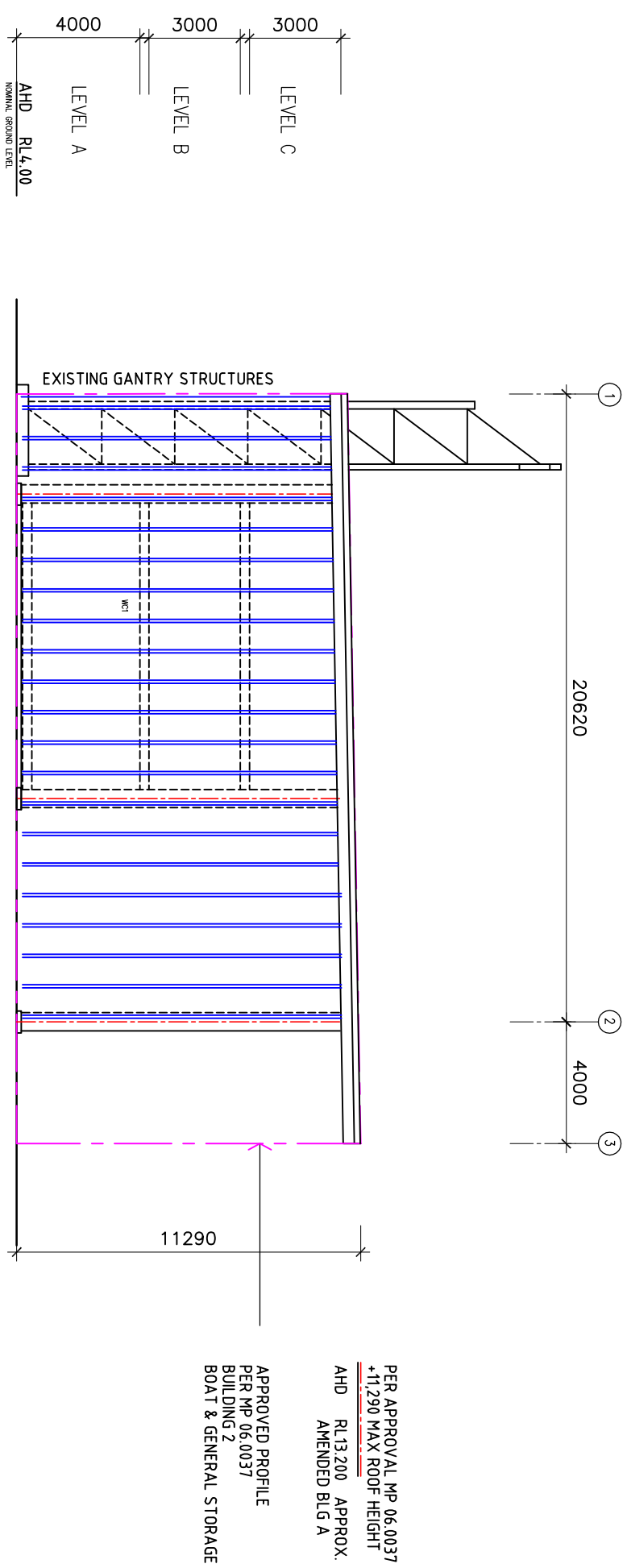
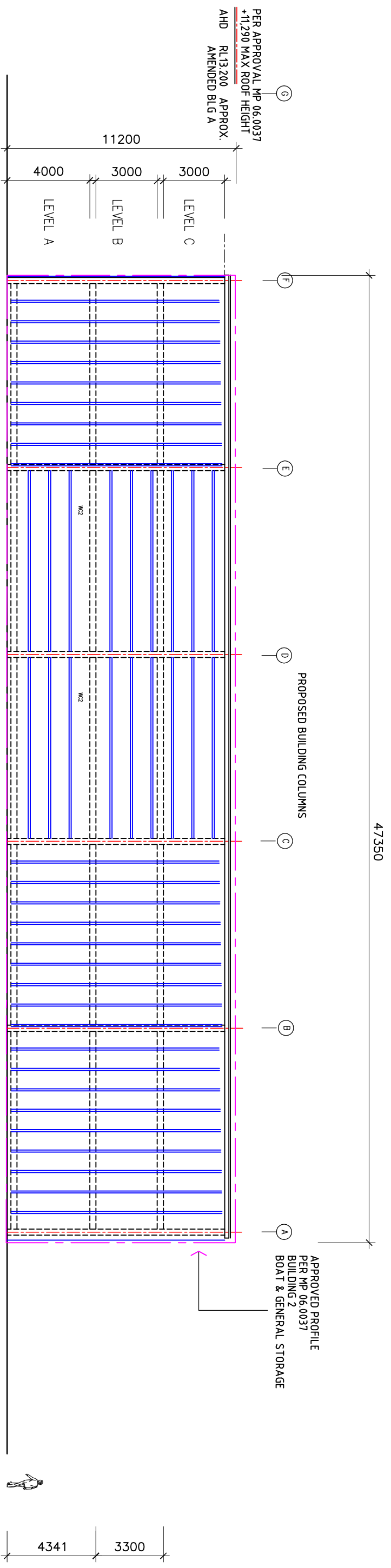
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1:200	NOV 2013	A	839
project			sheet
WHITE BAY 6 MARINE PARK			120

BUILDING 2 47.35M X 20.62M
FLOOR PLAN



LEGEND		SURFACE FINISHES	VESSEL STORAGE
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT	LEVEL C 14 BAYS
WC1	WALL CLADDING TYPE 1	COLORBOND WINDSPRAY - MID GREY	LEVEL B 14 BAYS
WC2	WALL CLADDING TYPE 2	COLORBOND SHALE GREY - LIGHT GREY	LEVEL A 14 BAYS
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY	TOTAL 42 VESSELS
DP	DOWNPIPE	TO MATCH ADJACENT WALL SHEET	SITE TOTAL 150 VESSELS
HR	HANDRAIL BALUSTRADING	HD GALVANISED	
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY	

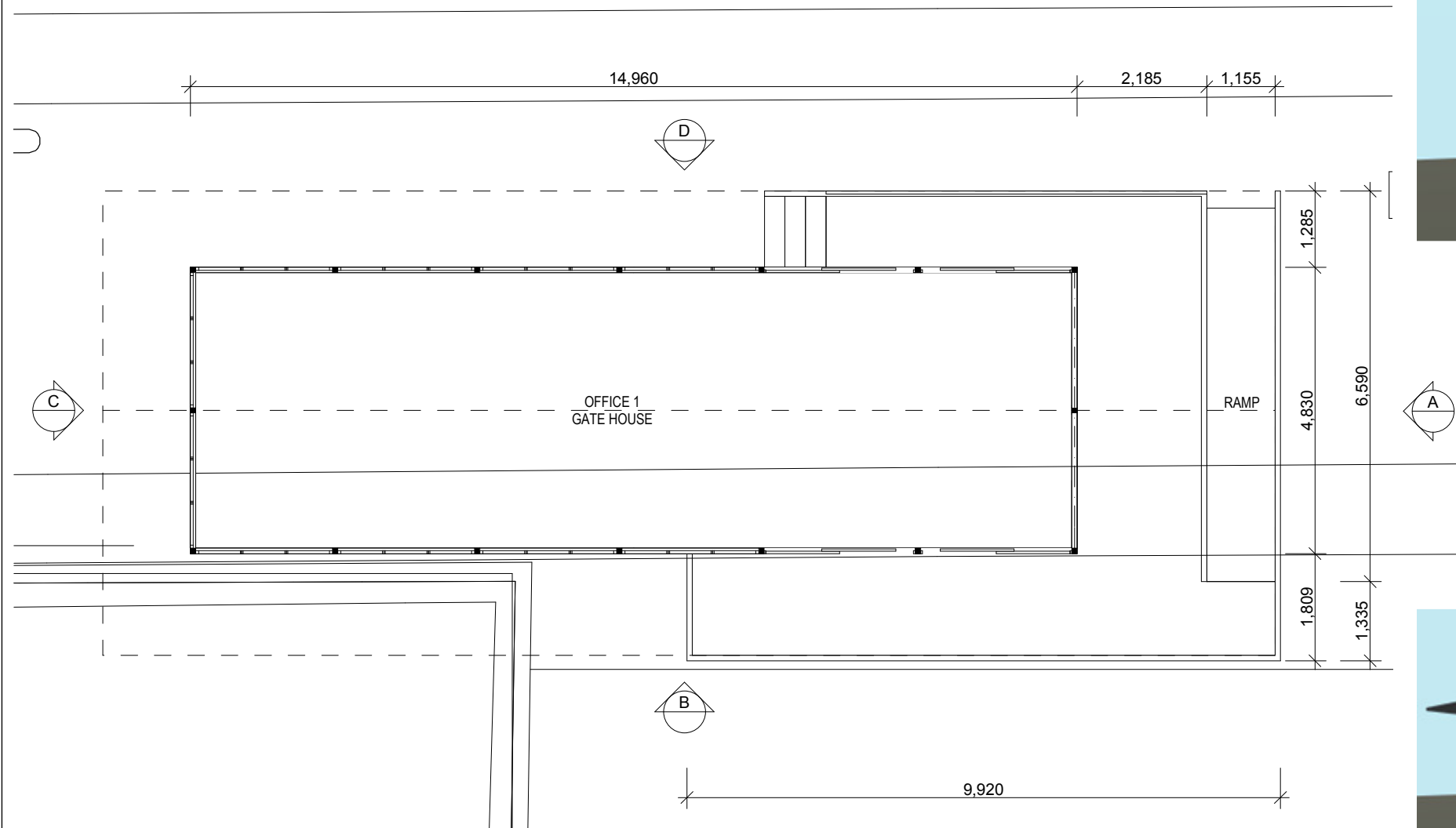
PAUL CARBICK A S S O C I A T E S building designers 04122 41514 pcdesign@ozemail.com.au			
scale	date	revision	project no.
1:200	NOV 2013	A	839
project WHITE BAY 6 MARINE PARK			sheet 121



LEGEND		SURFACE FINISHES		VESSEL STORAGE		NOTES
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT		LEVEL C	14 BAYS	PLANS, ELEVATIONS & SECTIONS ARE TYPICAL ONLY AND MAY BE REVISED SUBJECT TO ENGINEERS DESIGN & DETAIL
WC1	WALL CLADDING TYPE 1	COLORBOND WINDSPRAY - MID GREY		LEVEL B	14 BAYS	
WC2	WALL CLADDING TYPE 2	COLORBOND SHALE GREY - LIGHT GREY		LEVEL A	14 BAYS	
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY				
DP	DOWMPIPE	TO MATCH ADJACENT WALL SHEET		TOTAL	42 VESSELS	
HR	HANDRAIL BALUSTRADING	HD GALVANISED		SITE TOTAL	150 VESSELS	
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY				

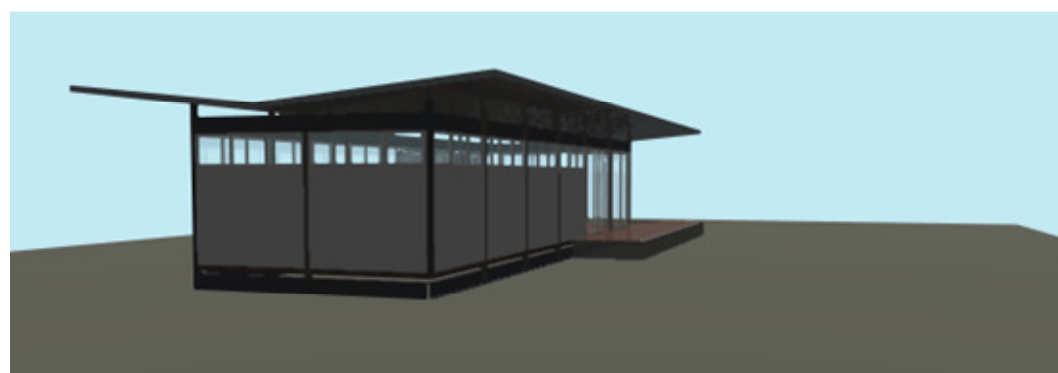
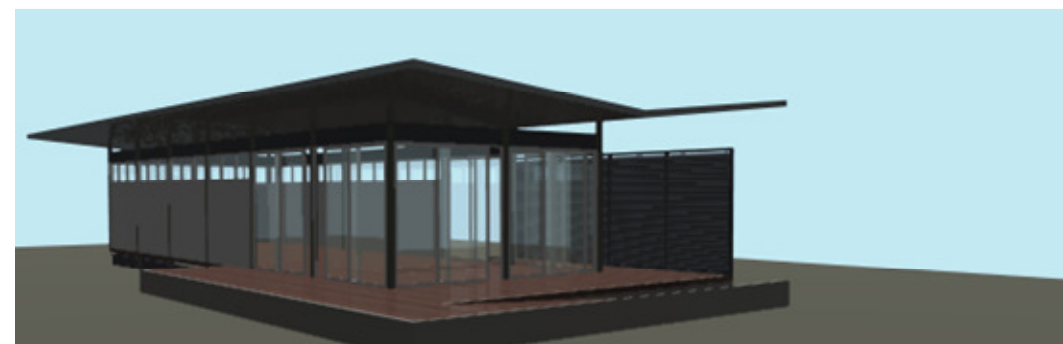
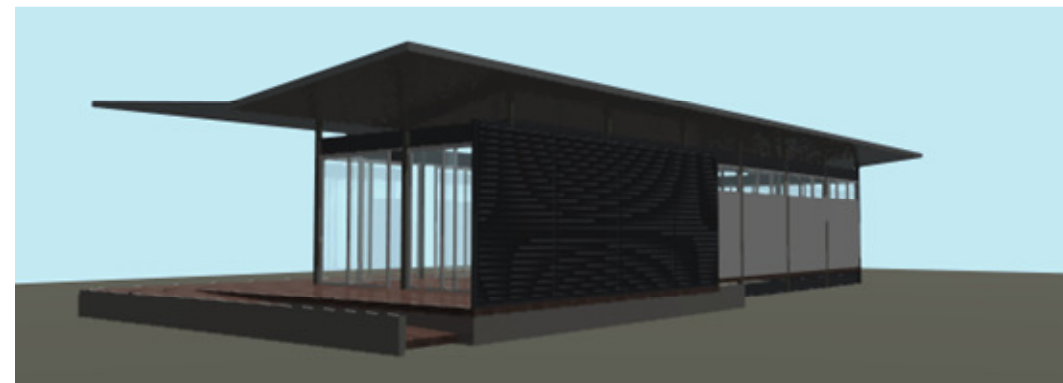
PAUL CARPICK
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building designers
04122 41514
pcdesign@ozemail.com.au

scale	date	revision	project no.
1:200	NOV 2013	A	839
project			sheet
WHITE BAY 6 MARINE PARK			122



1

Ground Level Plan
1:100



NOTES:
All dimensions to be checked on site. Do not obtain dimensions by scaling drawings. Structure to be removed shown dotted. Existing walls to be retained unless structurally unsound. These drawings are to be read in conjunction with all other consultants drawings and specifications. All workmanships and materials shall be in accordance with the requirements of current editions including amendments of the relevant Australian Standards Codes of Practice and the Building Code of Australia. IF IN DOUBT ASK.

AMENDMENTS			NOT FOR CONSTRUCTION
DATE	REVISION	DESCRIPTION	
30/05/13	A	Preliminary DESIGN DEVELOPMENT to Client	



**BLANI BLU
DESIGN & ARCHITECTURE**
33 Lantana Avenue Collaroy Plateau NSW 2100 Australia
telephone: 61 02 99715499 mobile: 0412 701 120
email: blani.blu@hotmail.com

Project:
PROPOSED BOAT STORAGE
WHITE BAY 6 MARINA PARK - LEASE AREA C & LICENCE AREA 3

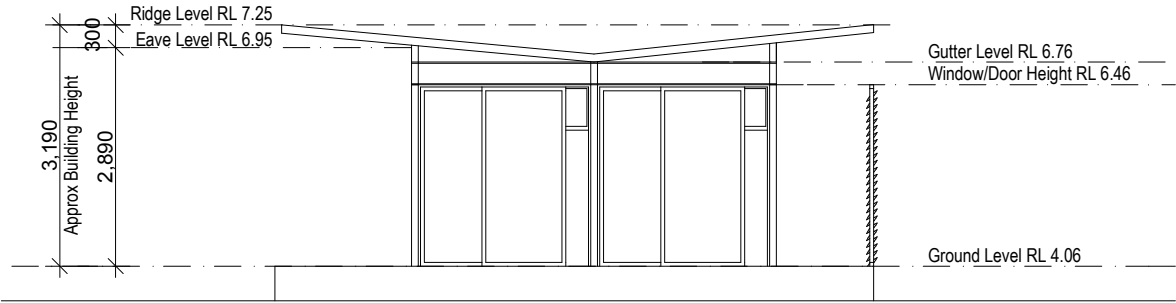
Job No.
1308

Drawing:
Office 1 - Sheet 1

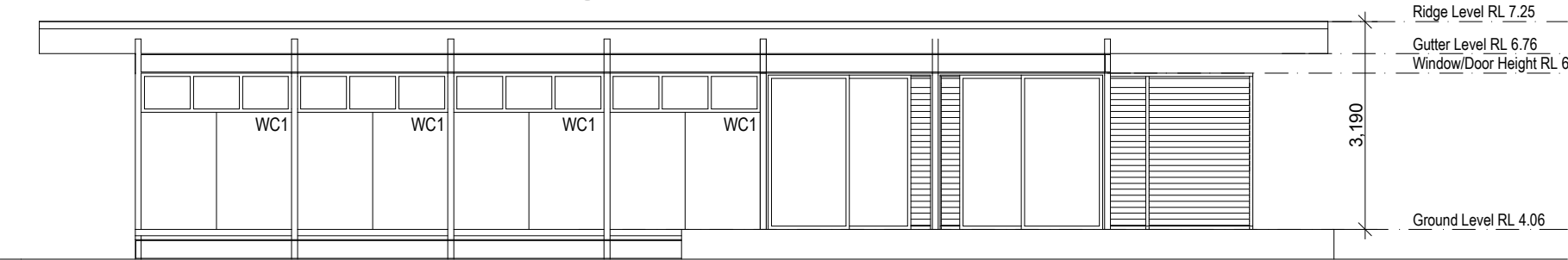
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BM	8/11/2013	1:100, 1:2	130

OFFICES

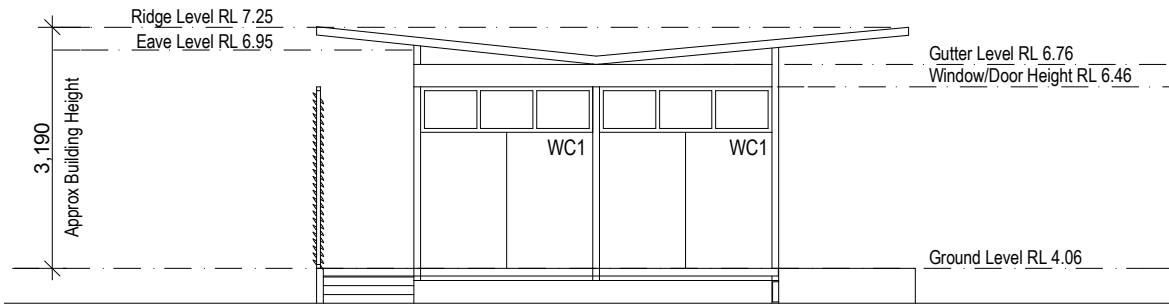
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- SKID 300 HD GALV PFC CHANNELS
- 150 PFC BEARERS
- 90 TP FLOOR JOISTS
- HARDIE SCYON CLADDING
- INSULATED WALL & ROOF
- COLORBOND ROOFING 7 DEGREE PITCH
- ALUM POWDER COATED WINDOWS AND DOORS
- MODWOOD TYPE DECKING AND STAIRS



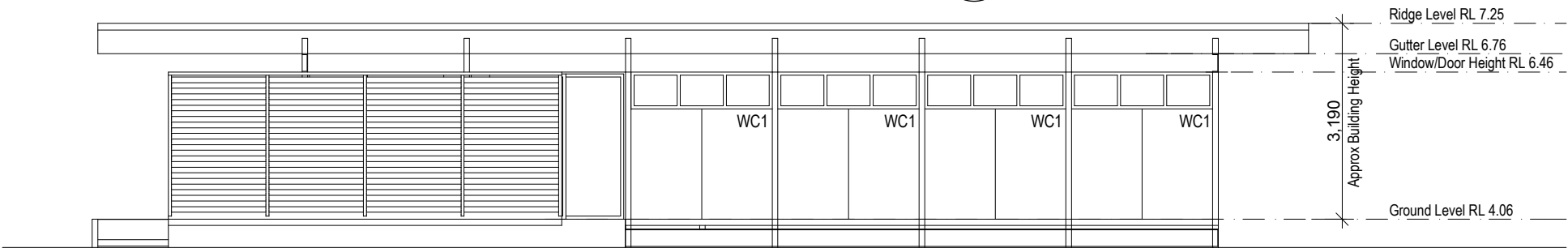
1 Elevation A
1:100



2 Elevation B
1:100



3 Elevation C
1:100



4 Elevation D
1:100

LEGEND		SURFACE FINISHES
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT
WC1	WALL CLADDING TYPE 1	SCYON MATRIX - LIGHT GREY
SCRN	ALUMINUM LOUVRE SCREEN	ZINCALUME
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWNPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY

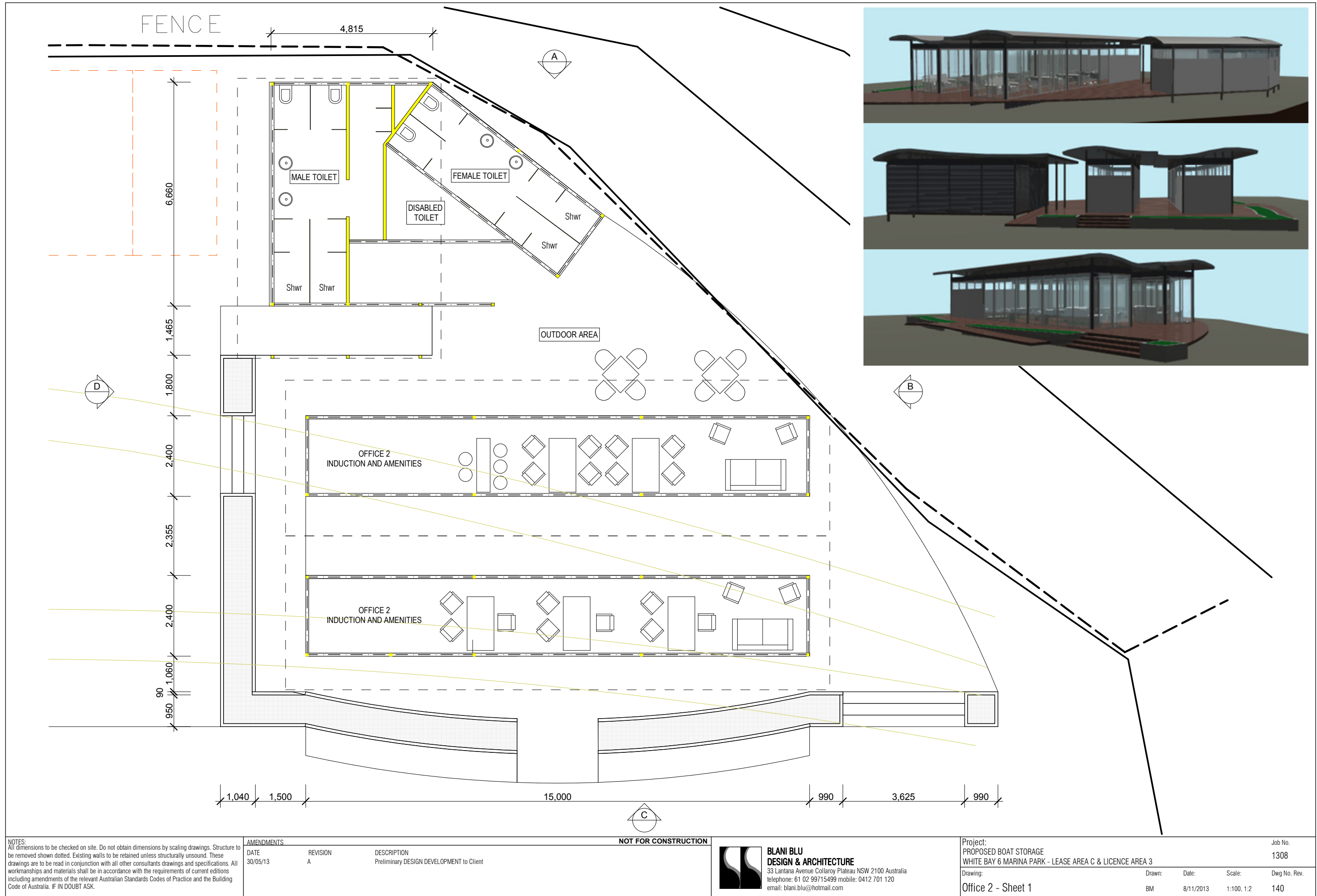
NOTES:
All dimensions to be checked on site. Do not obtain dimensions by scaling drawings. Structure to be removed shown dotted. Existing walls to be retained unless structurally unsound. These drawings are to be read in conjunction with all other consultants drawings and specifications. All workmanships and materials shall be in accordance with the requirements of current editions including amendments of the relevant Australian Standards Codes of Practice and the Building Code of Australia. IF IN DOUBT ASK.

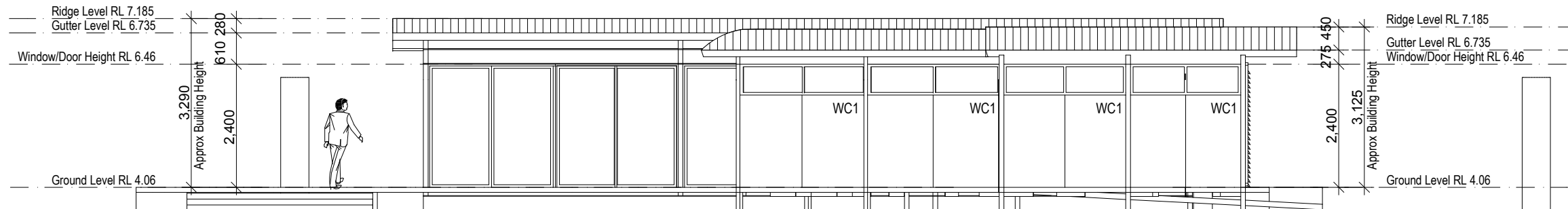
AMENDMENTS			NOT FOR CONSTRUCTION
DATE	REVISION	DESCRIPTION	
30/05/13	A	Preliminary DESIGN DEVELOPMENT to Client	



**BLANI BLU
DESIGN & ARCHITECTURE**
33 Lantana Avenue Collaroy Plateau NSW 2100 Australia
telephone: 61 02 99715499 mobile: 0412 701 120
email: blani.blu@hotmail.com

Project: PROPOSED BOAT STORAGE WHITE BAY 6 MARINA PARK - LEASE AREA C & LICENCE AREA 3		Job No. 1308	
Drawing: Office 1 - Sheet 2	Drawn: BM	Date: 8/11/2013	Scale: 1:100 Dwg No. Rev. 131





OFFICES

DEMOUNTABLE TYPE UNITS
SKID 300 HD GALV PFC CHANNELS
150 PFC BEARERS
90 TP FLOOR JOISTS
HARDIE SCYON CLADDING
INSULATED WALL & ROOF
COLORBOND ROOFING 7 DEGREE PITCH
ALUM POWDER COATED WINDOWS AND DOORS
MODWOOD TYPE DECKING AND STAIRS

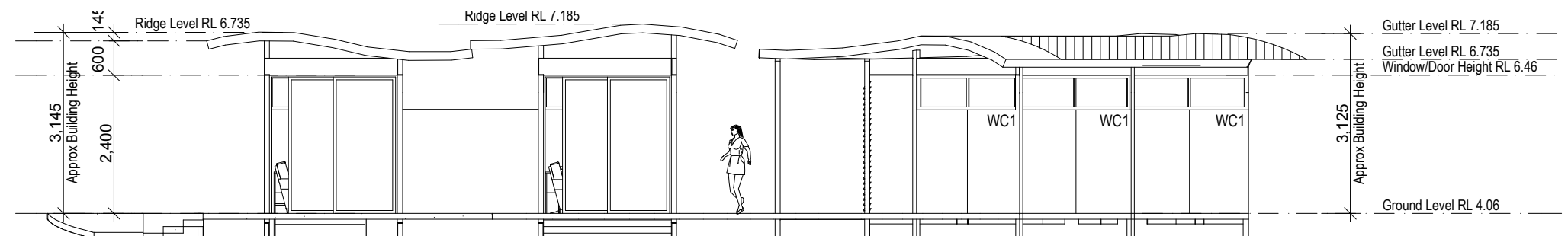
1

Elevation A
1:100

LEGEND

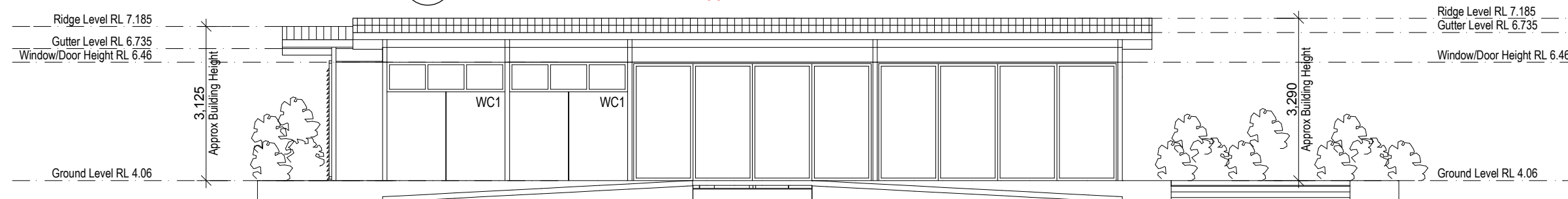
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT
WC1	WALL CLADDING TYPE 1	SCYON MATRIX - LIGHT GREY
SCRN	ALUMINUM LOUVRE SCREEN	ZINCALUME
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWNPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY

SURFACE FINISHES



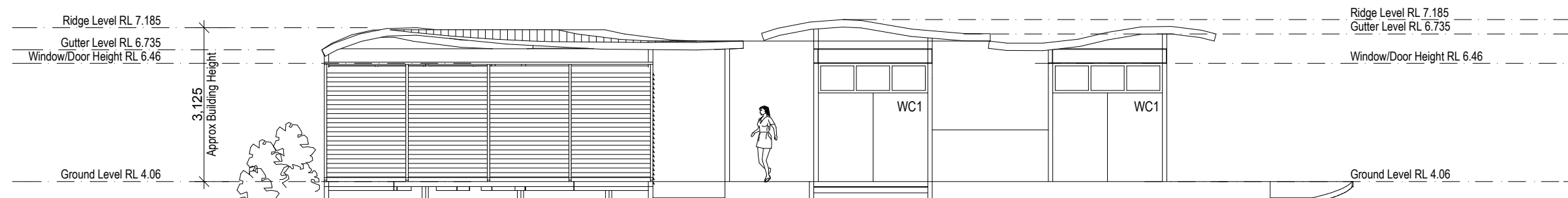
2

Elevation B
1:100



3

Elevation C
1:100



4

Elevation D
1:100

NOTES:
All dimensions to be checked on site. Do not obtain dimensions by scaling drawings. Structure to be removed shown dotted. Existing walls to be retained unless structurally unsound. These drawings are to be read in conjunction with all other consultants drawings and specifications. All workmanships and materials shall be in accordance with the requirements of current editions including amendments of the relevant Australian Standards Codes of Practice and the Building Code of Australia. IF IN DOUBT ASK.

AMENDMENTS			DESCRIPTION
DATE	REVISION		
30/05/13	A		Preliminary DESIGN DEVELOPMENT to Client

NOT FOR CONSTRUCTION



**BLANI BLU
DESIGN & ARCHITECTURE**
33 Lantana Avenue Collaroy Plateau NSW 2100 Australia
telephone: 61 02 99715499 mobile: 0412 701 120
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Project:
PROPOSED BOAT STORAGE
WHITE BAY 6 MARINA PARK - LEASE AREA C & LICENCE AREA 3

Job No.
1308

Drawing:
Office 2 - Sheet 2

Drawn:	Date:	Scale:	Dwg No. Rev.
BM	8/11/2013	1:100	141

DRAWING SCHEDULE

LEASE AREA C

200	DRAWING SCHEDULE + NOTES	
201	SITE PLAN	APPROVED STRUCTURES + PROPOSED AMENDMENTS
202	STORMWATER CONTROL PLAN + EROSION & SEDIMENT CONTROL PLAN	
203	SITE DRAINAGE SCHEMATIC	
	<u>BUILDING 1 - ADMIN</u>	
	refer ARCHITECTURAL ADDENDUM BELOW	
210	BUILDING 1	LEVEL 2 PLAN - CARETAKERS SUITE INCLUSION
	<u>BUILDING 2 - BOAT STORAGE</u>	
220	BUILDING 2	LAYOUT
221	BUILDING 2	ELEVATIONS
222	BUILDING 2	ELEVATION + SECTION
	<u>OFFICE 1 - GATE HOUSE</u>	
230	OFFICE 1	SHEET 1
231	OFFICE 1	SHEET 2
	<u>OFFICE 1 - INDUCTION, STAFF & GUEST AMENITIES</u>	
240	OFFICE 2	SHEET 1
241	OFFICE 2	SHEET 2
	<u>BUILDING 1 - ADDENDUM</u>	<u>ARCHITECTURALS</u>
A2101	BUILDING 1	LEVEL 1 PLAN
A2102	BUILDING 1	LEVEL 2 PLAN
A2103	BUILDING 1	ROOF PLAN
A2201	BUILDING 1	ELEVATIONS - NORTH & SOUTH
A2202	BUILDING 1	ELEVATIONS - EAST & WEST
A2301	BUILDING 1	SECTIONS

NOTES

SPECIFICATION TYPICAL TO ALL STRUCTURES

- STRUCTURAL DETAILS
- STRUCTURAL DETAILS TO ENGINEERS DESIGN.
- CONCRETE
- TO AS.3600 - CONCRETE CODE.
- TIMBER
- TO AS.1684 - TIMBER CODE.
- INSULATION
- ROOF FOIL + R1.0 BATTS
- EXTERNAL WALLS FOIL + R1.0 BATTS
- DRAINAGE
- TO AS.3500 - DRAINAGE CODE
- TO TANKS WITH OVERFLOW TO HARBOUR
- ELECTRICAL
- TO AS.3000 - WIRING RULES.
- GENERAL
- VERIFY ALL SCHEDULES & DIMENSIONS ON SITE BEFORE COMMENCEMENT OF WORKS OR ORDERING OF MATERIALS.
- ALL WORKS IN A TRADESMAN LIKE MANNER.
- ALL WORKS TO BE DESIGNED AND BUILT IN ACCORDANCE WITH THE PROVISIONS OF THE
- BUILDING CODE OF AUSTRALIA
- DISABILITY DISCRIMINATION ACT
- ANY AUSTRALIAN STANDARD
- & COUNCIL REQUIREMENTS.
- ALL WORKS TO BE CERTIFIED BY A PCA PRIOR TO FINAL SIGN.

DRAWING SCHEDULE
+ NOTES

PAUL CARPICK

ASSOCIATES

building designers

04122 41514

pcodesign@ozemail.com.au

scale	date	revision	project no.
	NOV 2013	A	839
project	WHITE BAY 6 MARINE PARK		sheet 200

Camerons Cove



**SITE PLAN - LEASE AREA C
APPROVED STRUCTURES &
PROPOSED AMENDMENTS
ALTERNATE LOCATION OF OFFICES**



NORTH



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04122 41514
pcdesign@pccarrick.com.au

scale	date	revision	project no.
1:750	NOV 2013	B	839

project

WHITE BAY 6 MARINE PARK

sheet

201

Cameron's Cove



White Bay

LEGEND

- PROPOSED WATER TANKS
10 KL HDPE 2.5 DIA
FIRST FLUSH BYPASS SYSTEM
OVERFLOW TO HARDSTAND

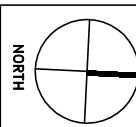
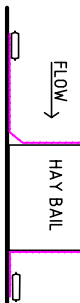
SEDIMENT & EROSION CONTROLS

החלטת המועצה

EACH PIT TO BE ISOLATED WITH STRAW BALLS AS SHOWN
AND / OR GEOTEXTILE BARRIER
MAINTENANCE PROGRAM TO BE CARRIED OUT TO ENSURE
EFFECTIVE CONTROL OF CONSTRUCTION SEDIMENT

החלטות ועד הפועים

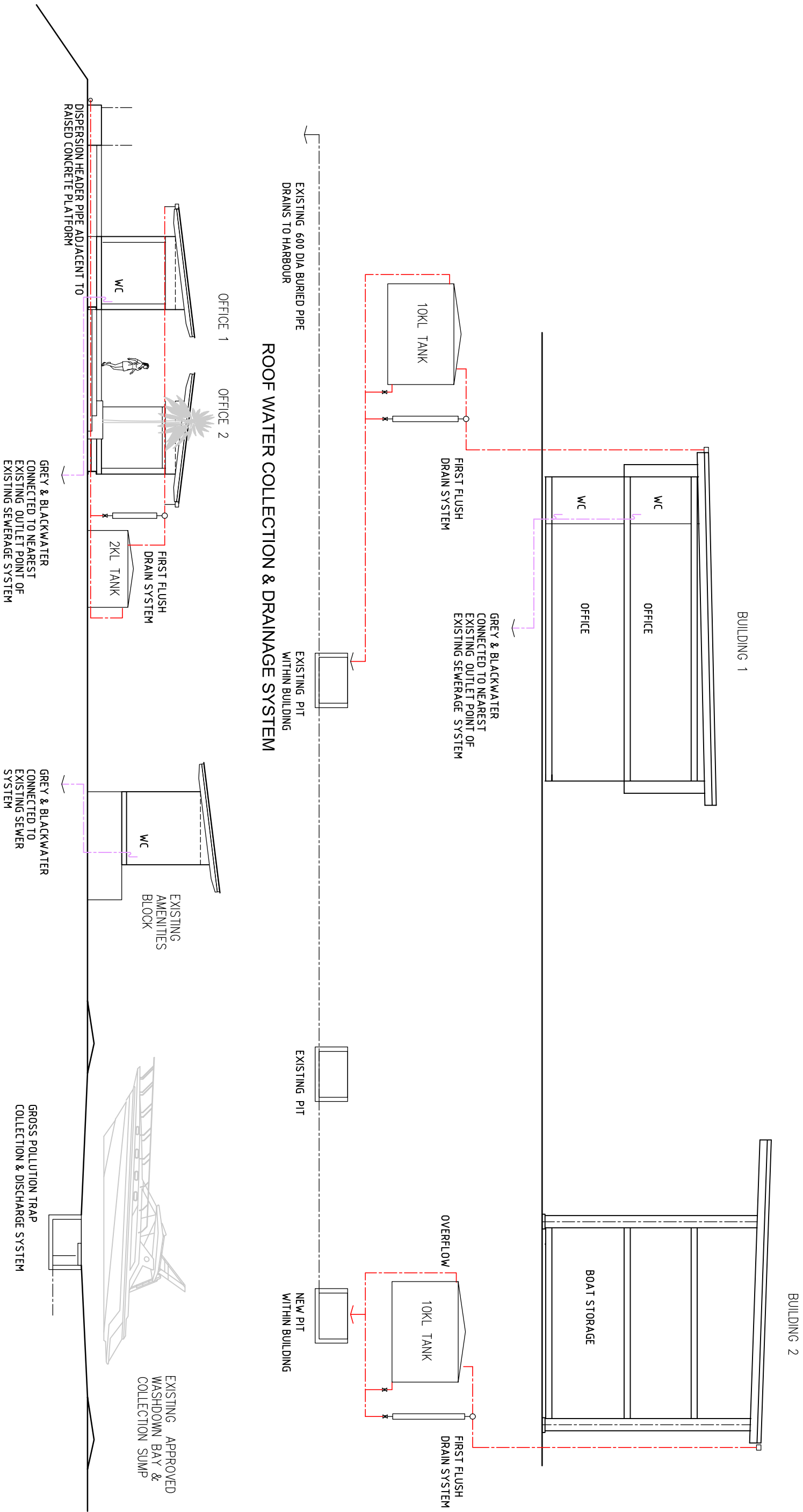
GEOTEXTILE BARRIER LAID AT OVERLAND
FLOW PATH AS SHOWN ABOVE
SECURED BY SAND BAGS AND HAY BAILS
LOCATED AT HARBOURSIDE RUNOFF EXIT AND
ANY TEMPORARY SPOIL HEAP
LOCATE ON LOW SIDES



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1: 750	NOV 2013	B	839
project			sheet
WHITE BAY 6 MARINE PARK			202

STORMWATER DRAINAGE PLAN
EROSION & SEDIMENT CONTROL PLAN



Drainage Schematic

PAUL CARPICK

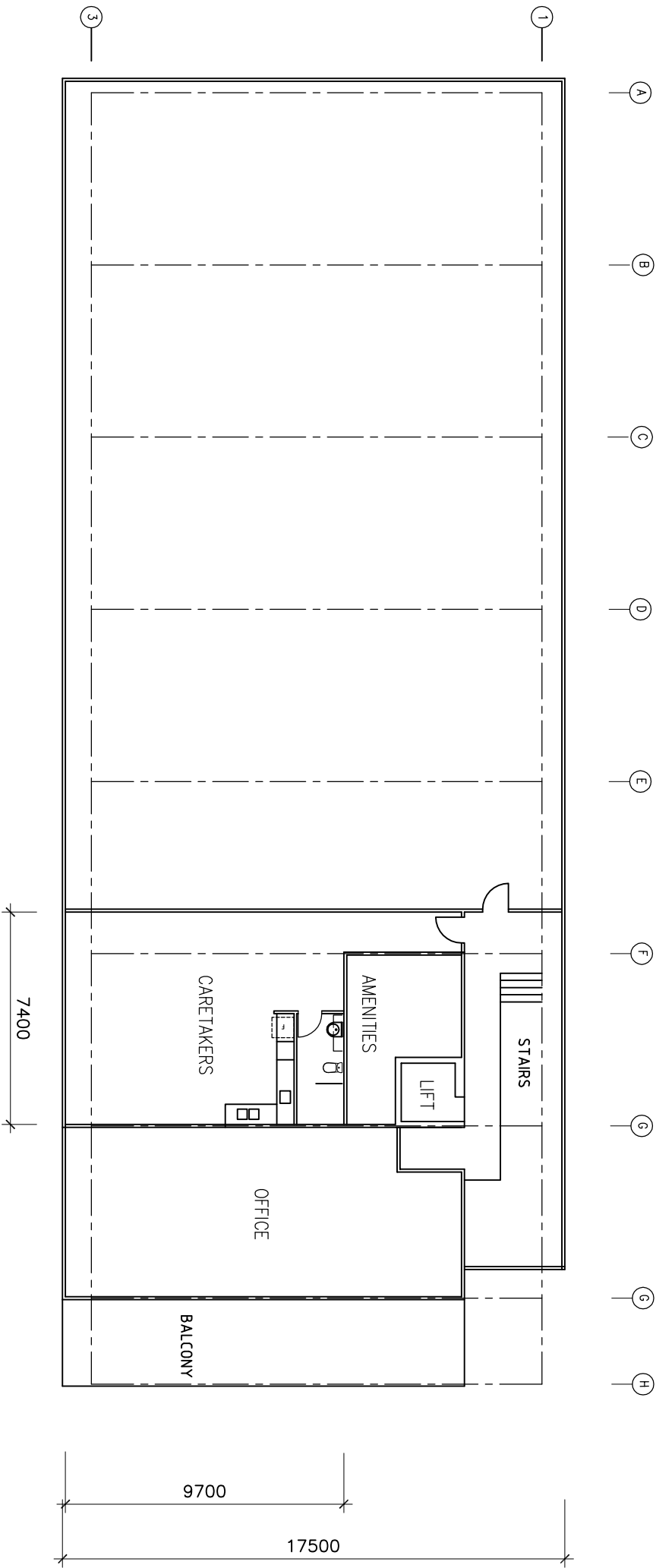
ASSOCIATES

building designers

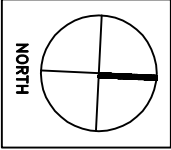
04122 41514

pcodesign@ozemail.com.au

scale	date	revision	project no.
1:200	NOV 2013	A	839
project			sheet
WHITE BAY 6 MARINE PARK			203

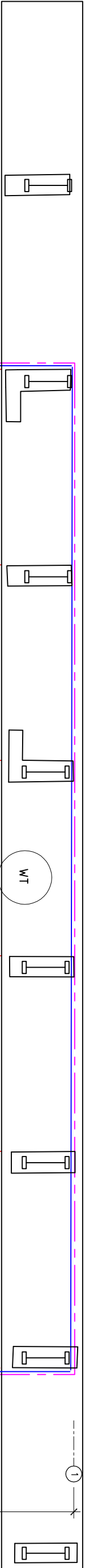
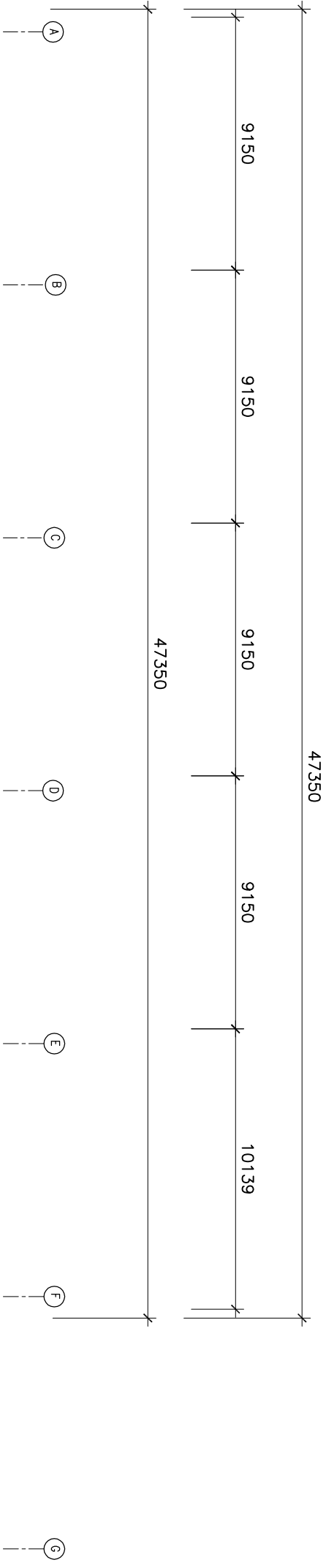


BUILDING 1
CARETAKERS SUITE - INCLUSION



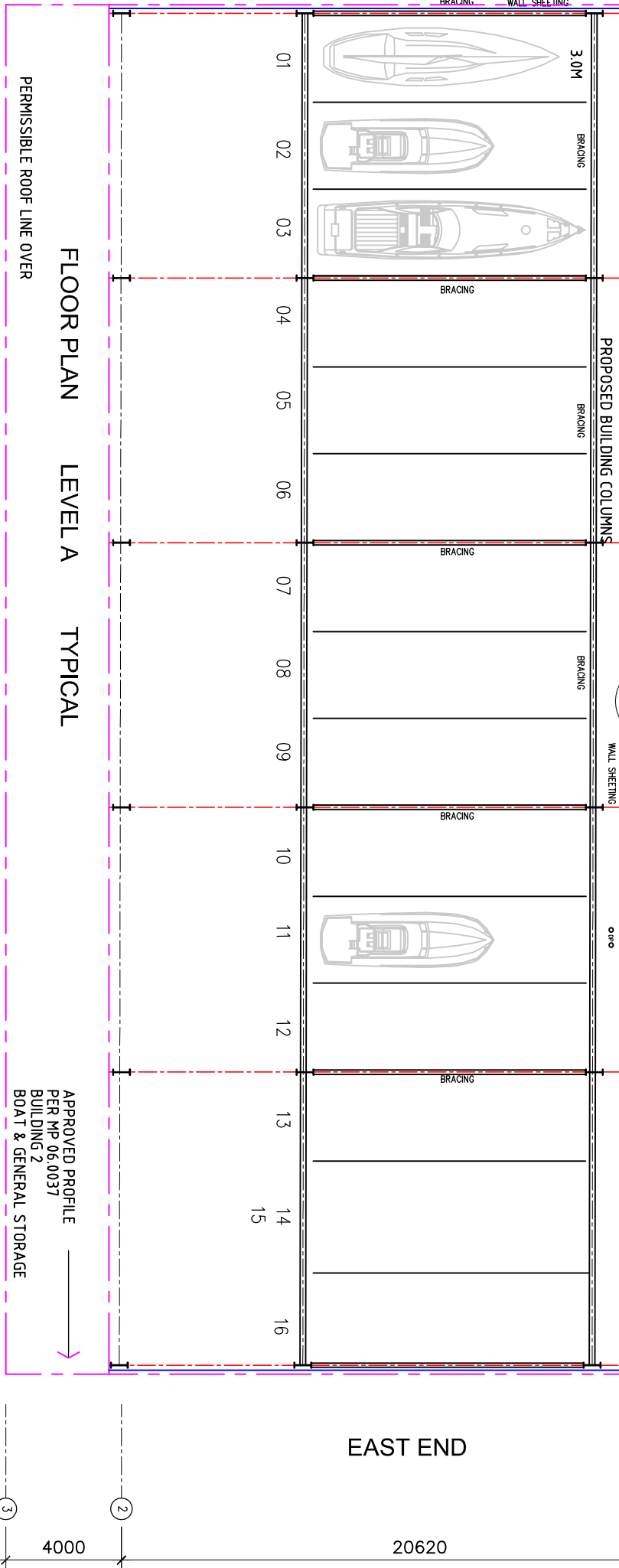
PAUL CARBRICK
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04122 41514
pcdesign@ozemail.com.au

scale	date	revision	project no.
1:200	OCT 2013	A	839
project	WHITE BAY 6 MARINE PARK		sheet
210			



SPECIFICATION TYPICAL TO ALL STRUCTURES

- STRUCTURAL DETAILS
STRUCTURAL DETAILS TO ENGINEERS DESIGN.
- CONCRETE
TO AS.3600 - CONCRETE CODE.
- TIMBER
TO AS.1684 - TIMBER CODE.
- INSULATION
ROOF FOIL + R1.0 BATTS
EXTERNAL WALLS
- DRAINAGE
TO AS.3500 - DRAINAGE CODE
TO TANKS WITH OVERFLOW TO STORMWATER
- ELECTRICAL
TO AS.3000 - WIRING RULES.
- GENERAL
VERIFY ALL SCHEDULES & DIMENSIONS ON SITE BEFORE
COMMENCEMENT OF WORKS OR ORDERING OF MATERIALS.
ALL WORKS IN ACCORDANCE WITH PROVISIONS OF
BUILDING CODE OF AUSTRALIA, DISABILITY DISCRIMINATION ACT
ANY AUSTRALIAN STANDARD & COUNCIL REQUIREMENTS.
ALL WORKS IN A TRADESMAN LIKE MANNER.



LEGEND SURFACE FINISHES

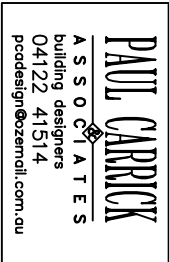
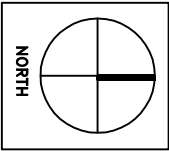
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT
WC1	WALL CLADDING TYPE 1	COLORBOND WINDSPRAY - MID GREY
WC2	WALL CLADDING TYPE 2	COLORBOND SHALE GREY - LIGHT GREY
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY

VESSEL STORAGE

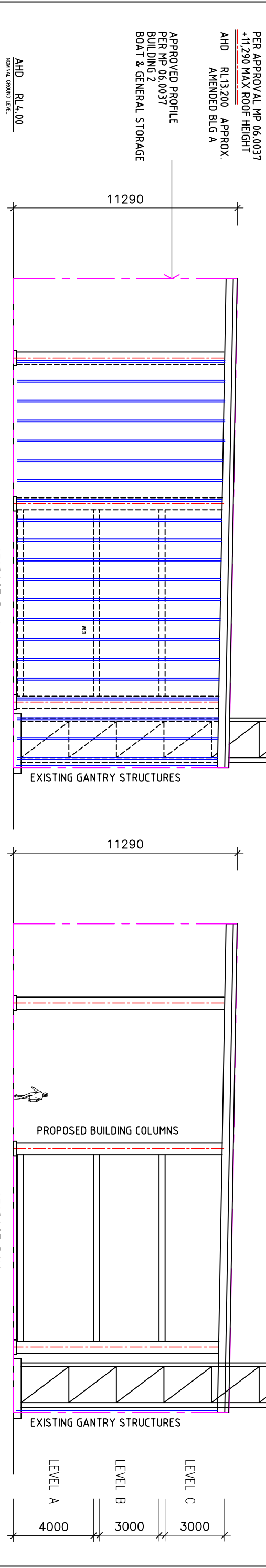
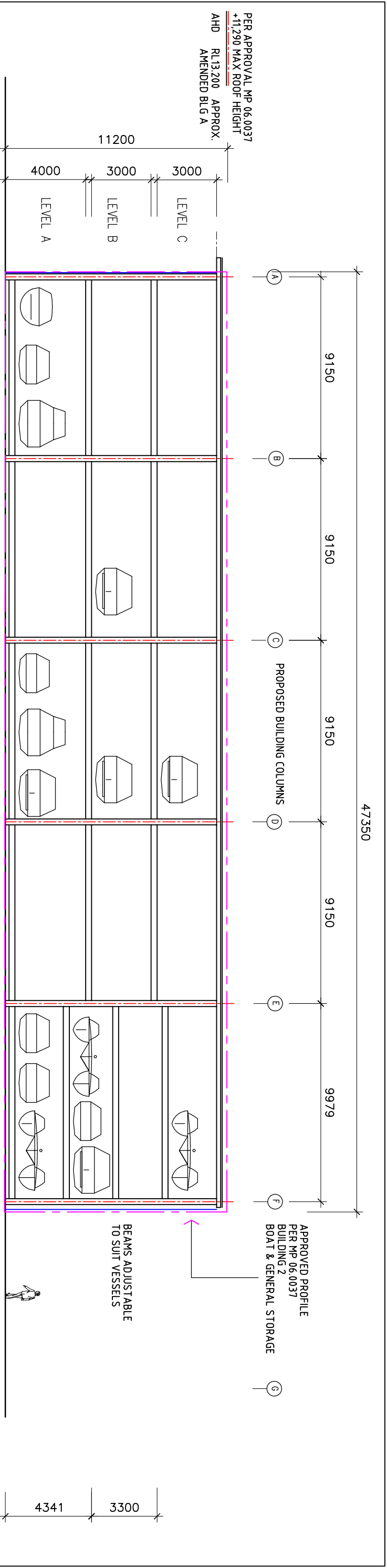
LEVEL C	16 BAYS
LEVEL B	16 BAYS
LEVEL A	16 BAYS
TOTAL	48 VESSELS
SITE TOTAL	150 VESSELS

NOTES

PLANS, ELEVATIONS & SECTIONS ARE
TYPICAL ONLY AND MAY BE REVISED
SUBJECT TO ENGINEERS DESIGN & DETAIL
OFFICE SPACE NOMINATED TO BE
USED FOR SHOWROOM, WORKSHOP
OR VESSEL STORAGE PURPOSES



scale	date	revision	project no.
1:200	NOV 2013	A	839
project			sheet
WHITE BAY 6 MARINE PARK			220



EAST ELEVATION

SECTION

LEGEND

SURFACE FINISHES

VESSEL STORAGE

NOTES

	GLAZING ALUM FRAMED	WHITE POWDER COAT	LEVEL C	14 BAYS
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT	LEVEL C	14 BAYS
WC1	WALL CLADDING TYPE 1	COLORBOND WINDSPRAY - MID GREY	LEVEL B	14 BAYS
WC2	WALL CLADDING TYPE 2	COLORBOND SHALE GREY - LIGHT GREY	LEVEL A	14 BAYS
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY	TOTAL	42 VESSELS
DP	DOWNPipe	TO MATCH ADJACENT WALL SHEET	SITE TOTAL	150 VESSELS
HR	HANDRAIL BALUSTRADING	HD GALVANISED		
WT	10KL WATER TANK	HDP 2.5 DIA X 2.3H GREY		

PAUL CARBICK

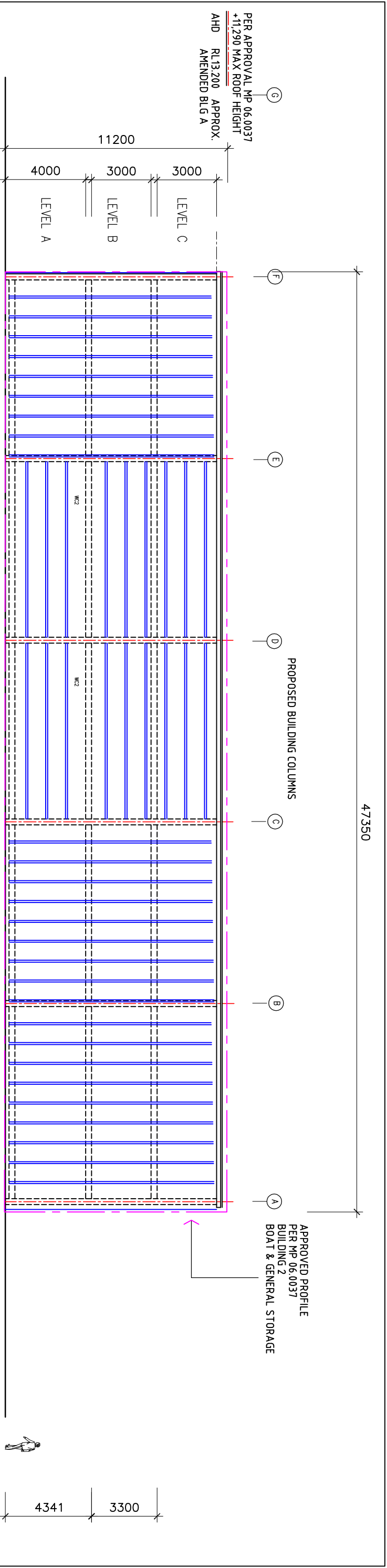
ASSOCIATES

building designers

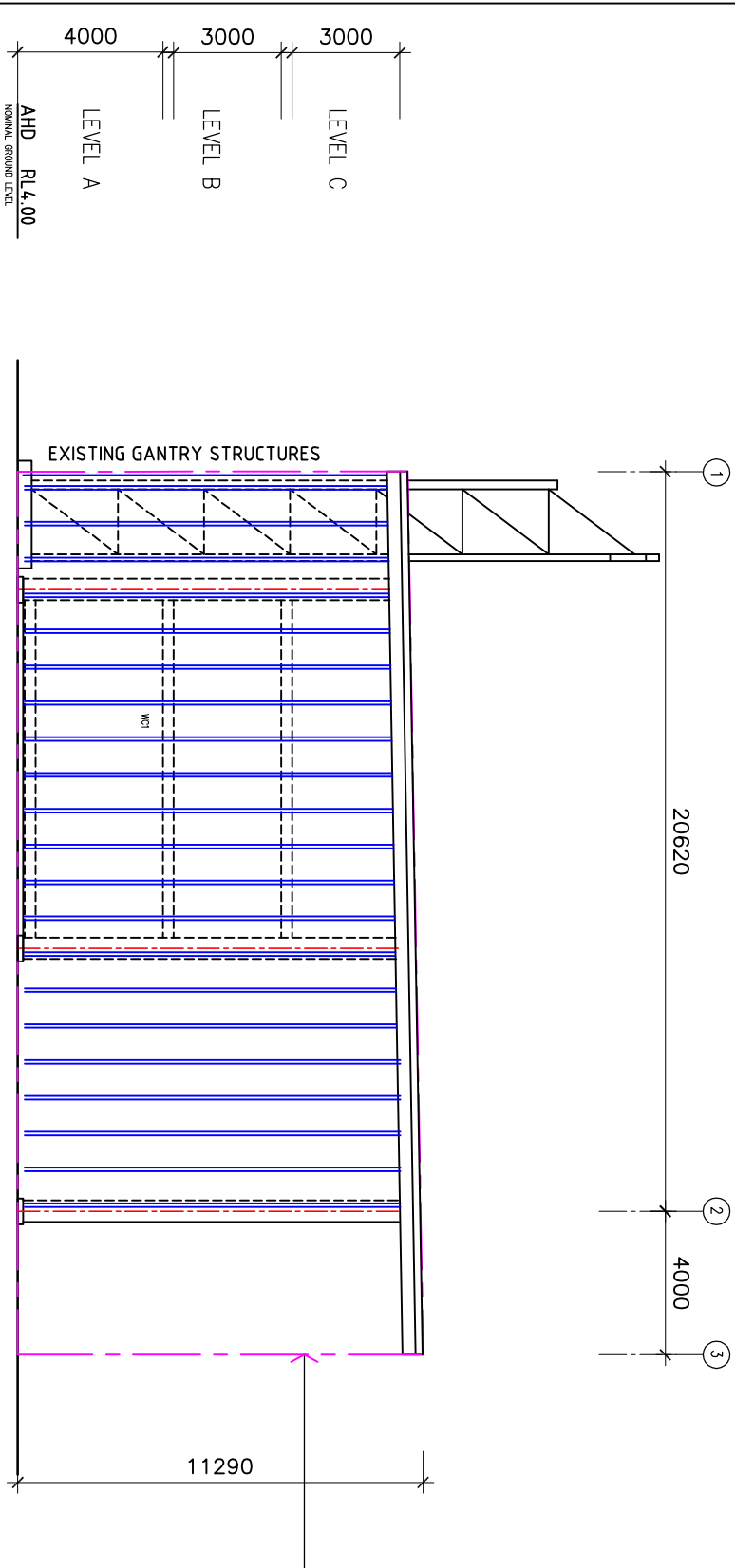
04122 41514

pcdesign@ozemail.com.au

scale	date	revision	project no.
1:200	NOV 2013	A	839
project			
WHITE BAY 6 MARINE PARK			sheet
			221



NORTH - REAR ELEVATION



WEST ELEVATION

AHD RL0.0	
FDIG	FDIG +325
TYPIC DIMENSION TIDE GAUGE	
LEGEND	
SURFACE FINISHES	
GAF	GLAZING ALUM FRAMED
WC1	WALL CLADDING TYPE 1
WC2	WALL CLADDING TYPE 2
RS	ROOF SHEETING
DP	DOWNPIPE
HR	HANDRAIL BALUSTRADING
WT	10KL WATER TANK
VESSEL STORAGE	
LEVEL C	14 BAYS
LEVEL B	14 BAYS
LEVEL A	14 BAYS
TOTAL	42 VESSELS
SITE TOTAL	150 VESSELS
NOTES	
PLANS, ELEVATIONS & SECTIONS ARE TYPICAL ONLY AND MAY BE REVISED SUBJECT TO ENGINEERS DESIGN & DETAIL	
OFFICE SPACE NOMINATED TO BE USED FOR SHOWROOM, WORKSHOP OR VESSEL STORAGE PURPOSES	

PER APPROVAL MP 06.0037
+11,290 MAX ROOF HEIGHT
AHD RL13.200 APPROX.
AMENDED BLG A

APPROVED PROFILE
PER MP 06.0037
BUILDING 2
BOAT & GENERAL STORAGE

PAUL CARBRICK

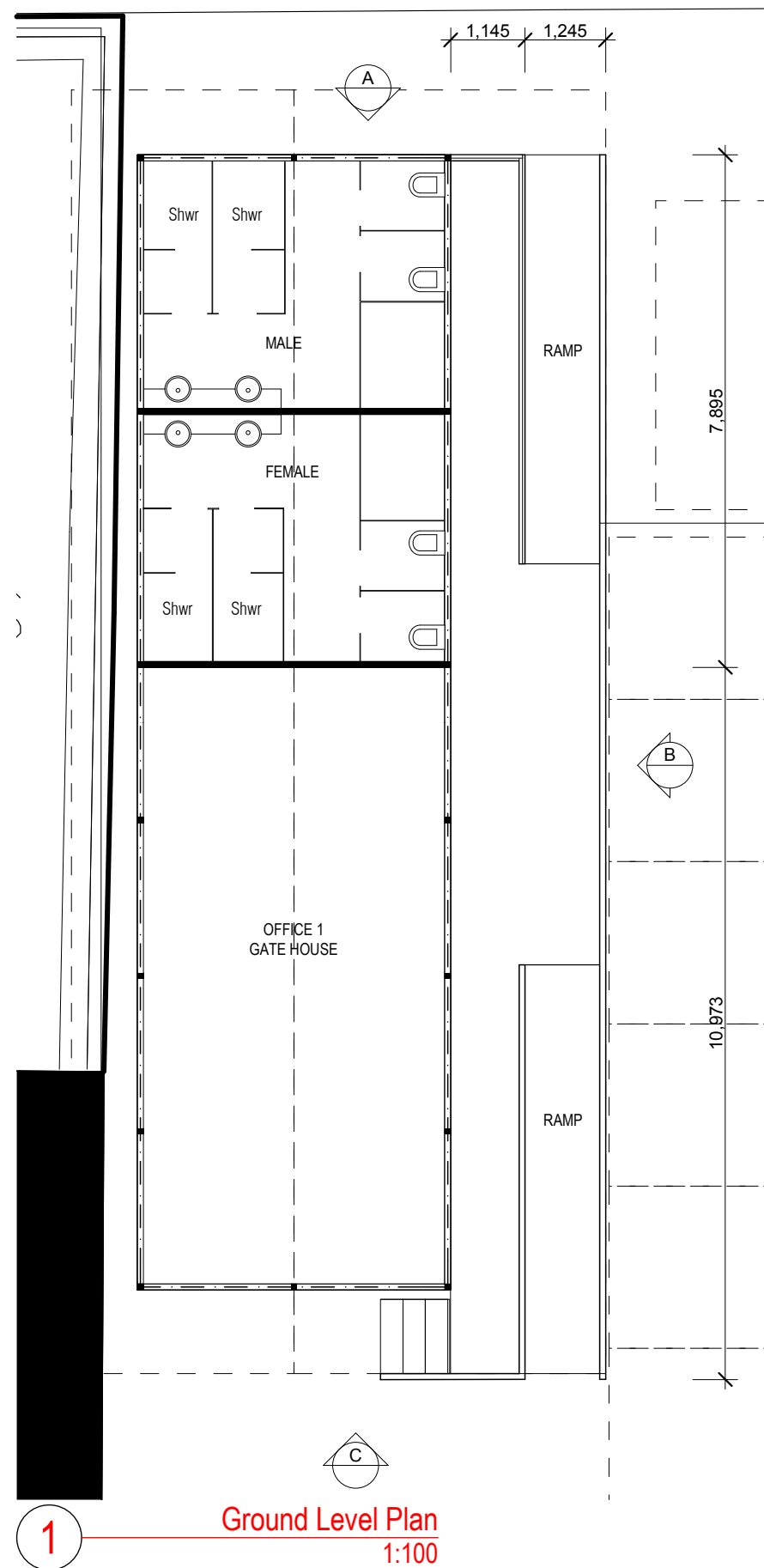
ASSOCIATES

building designers

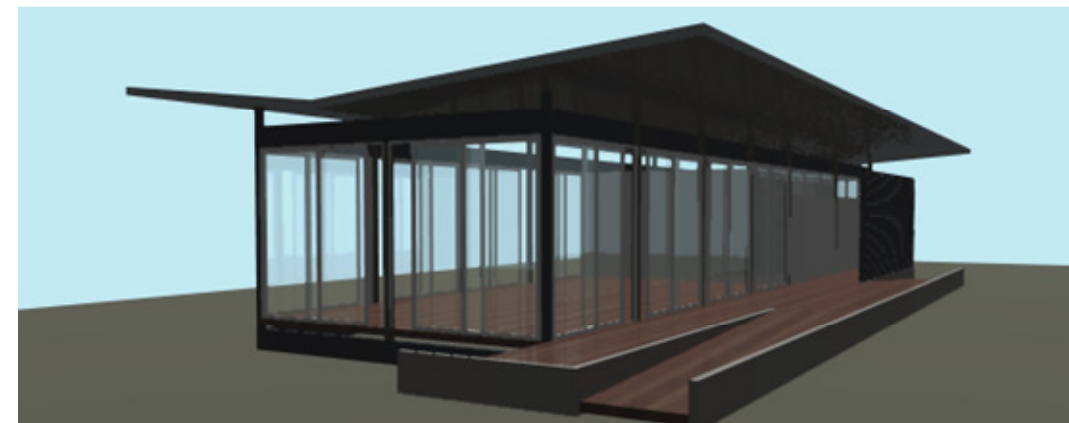
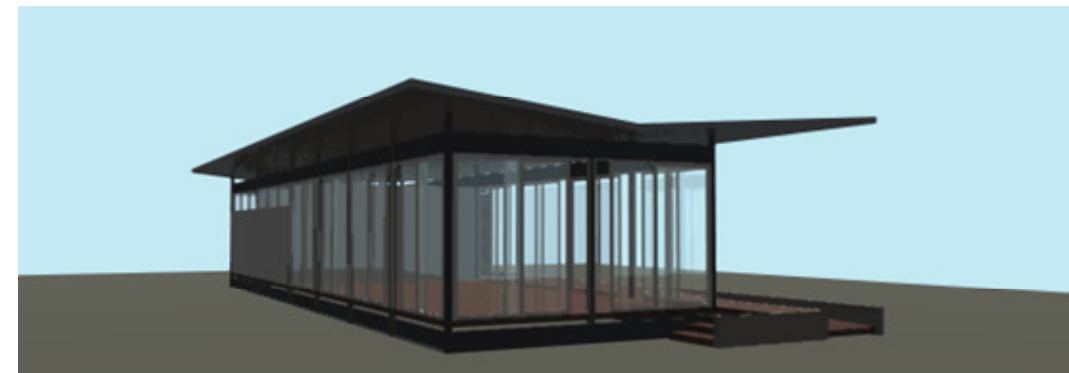
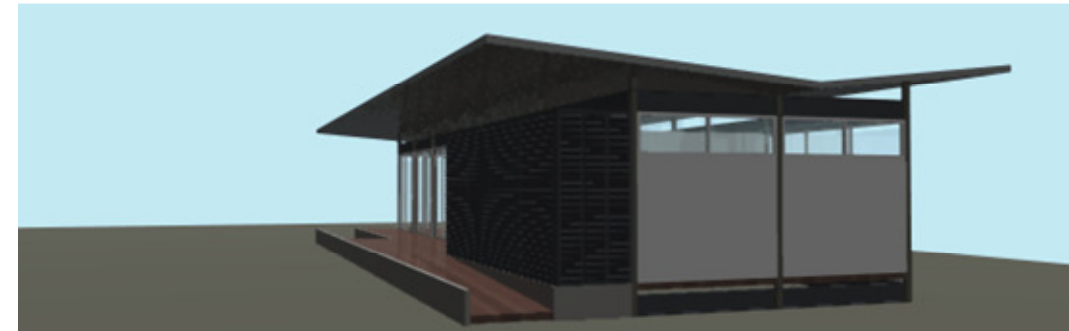
04122 41514

pcdesign@ozemail.com.au

scale	date	revision	project no.
1:200	NOV 2013	A	839
project	WHITE BAY 6 MARINE PARK		sheet
			222



1 Ground Level Plan
1:100



NOTES:
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AMENDMENTS			NOT FOR CONSTRUCTION
DATE	REVISION	DESCRIPTION	
05/11/13	A	DESIGN DEVELOPMENT to Client	



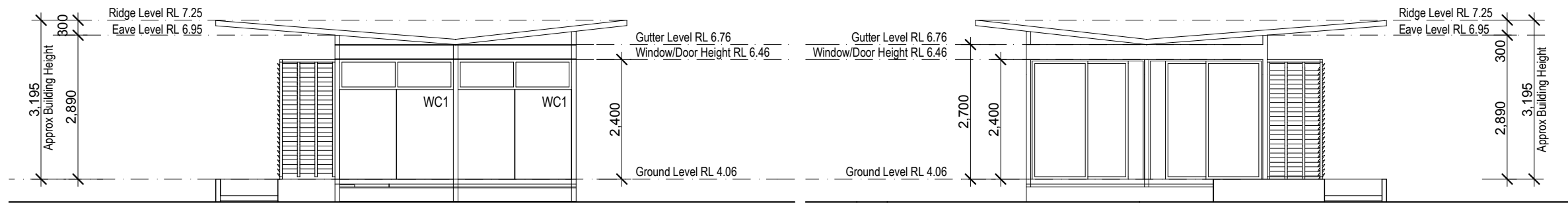
**BLANI BLU
DESIGN & ARCHITECTURE**
33 Lantana Avenue Collaroy Plateau NSW 2100 Australia
telephone: 61 02 99715499 mobile: 0412 701 120
email: blani.blu@hotmail.com

Project:
PROPOSED BOAT STORAGE
WHITE BAY 6 MARINA PARK - LEASE AREA C

Job No.
1308

Drawing:
Office 1 - Sheet 1

Drawn:	Date:	Scale:	Dwg No. Rev.
BM	6/11/2013	1:100, 1:2	230



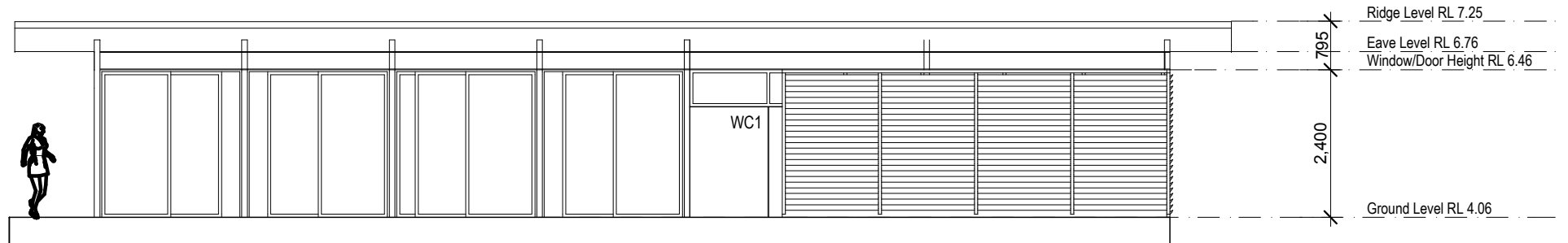
OFFICES

DEMOUNTABLE TYPE UNITS
SKID 300 HD GALV PFC CHANNELS
150 PFC BEARERS
90 TP FLOOR JOISTS
HARDIE SCYON CLADDING
INSULATED WALL & ROOF
COLORBOND ROOFING 7 DEGREE PITCH
ALUM POWDER COATED WINDOWS AND DOORS
MODWOOD TYPE DECKING AND STAIRS

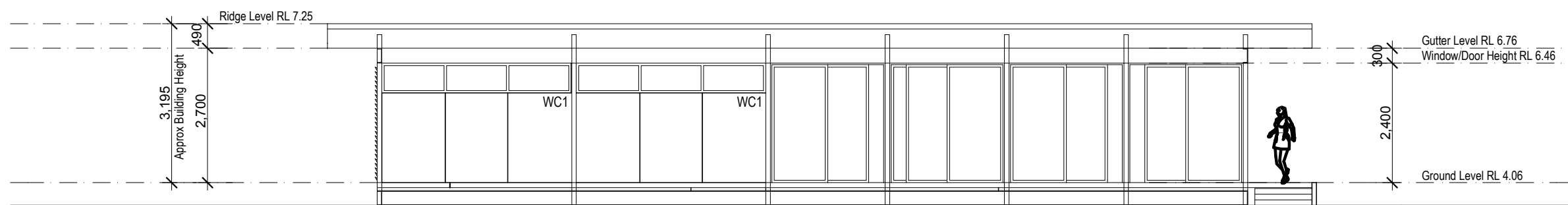
1 Elevation A
1:100

3 Elevation C
1:100

LEGEND		SURFACE FINISHES
GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT
WC1	WALL CLADDING TYPE 1	SCYON MATRIX - LIGHT GREY
SCRN	ALUMINUM LOUVRE SCREEN	ZINCALUME
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWNPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY



2 Elevation B
1:100



4 Elevation D
1:100

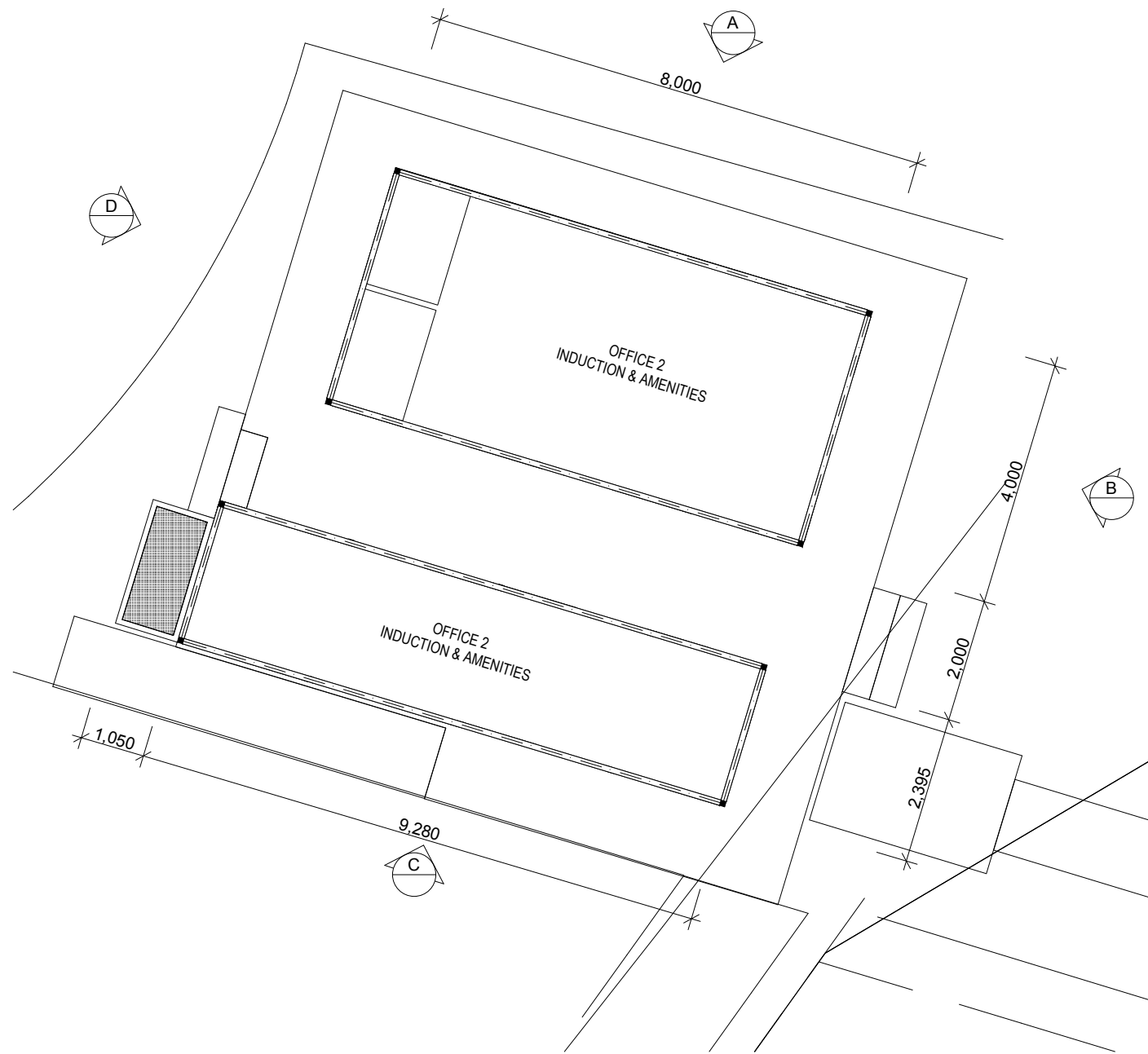
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05/11/13	A	DESIGN DEVELOPMENT to Client	

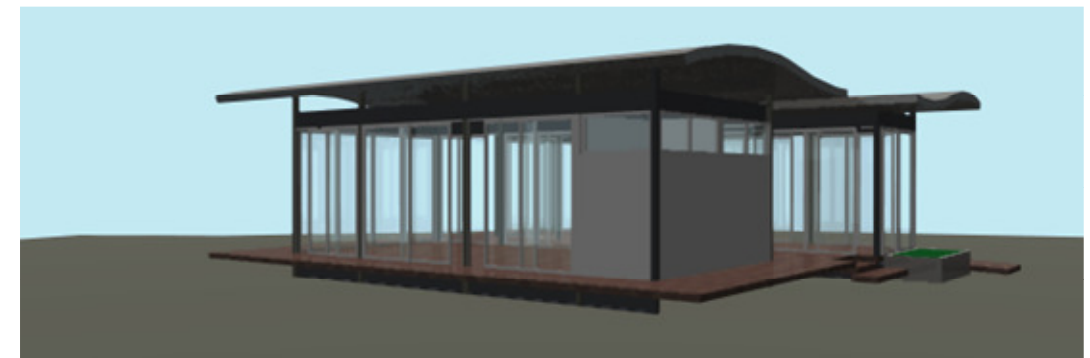
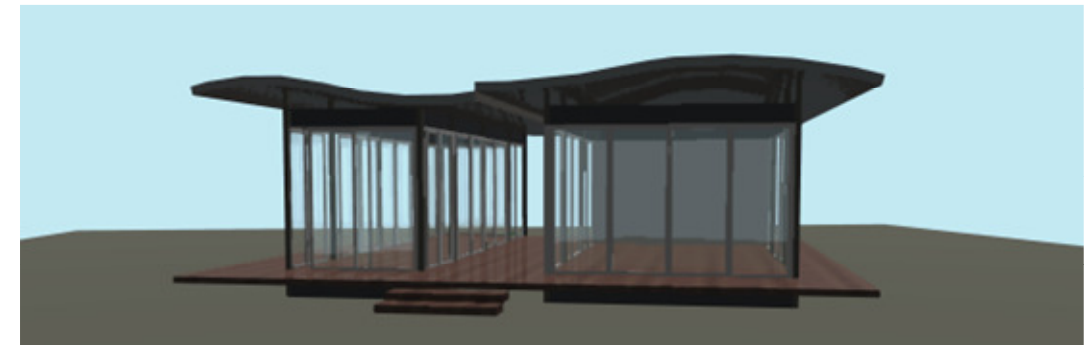
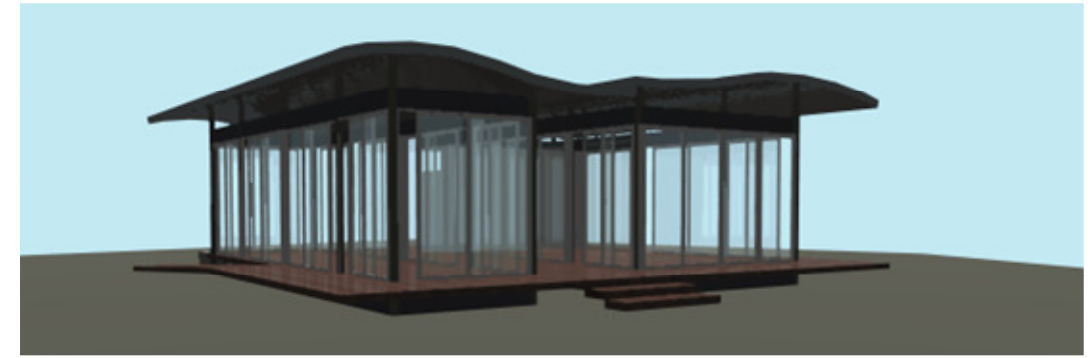


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email: blani.blue@hotmail.com

Project: PROPOSED BOAT STORAGE WHITE BAY 6 MARINA PARK - LEASE AREA C		Job No. 1308	
Drawing: Office 1 - Sheet 2	Drawn: BM	Date: 6/11/2013	Scale: 1:100 Dwg No. Rev. 231



1 Ground Level Plan
1:100



NOTES:
All dimensions to be checked on site. Do not obtain dimensions by scaling drawings. Structure to be removed shown dotted. Existing walls to be retained unless structurally unsound. These drawings are to be read in conjunction with all other consultants drawings and specifications. All workmanship and materials shall be in accordance with the requirements of current editions including amendments of the relevant Australian Standards Codes of Practice and the Building Code of Australia. IF IN DOUBT ASK.

AMENDMENTS			NOT FOR CONSTRUCTION
DATE	REVISION	DESCRIPTION	
05/11/13	A	DESIGN DEVELOPMENT to Client	



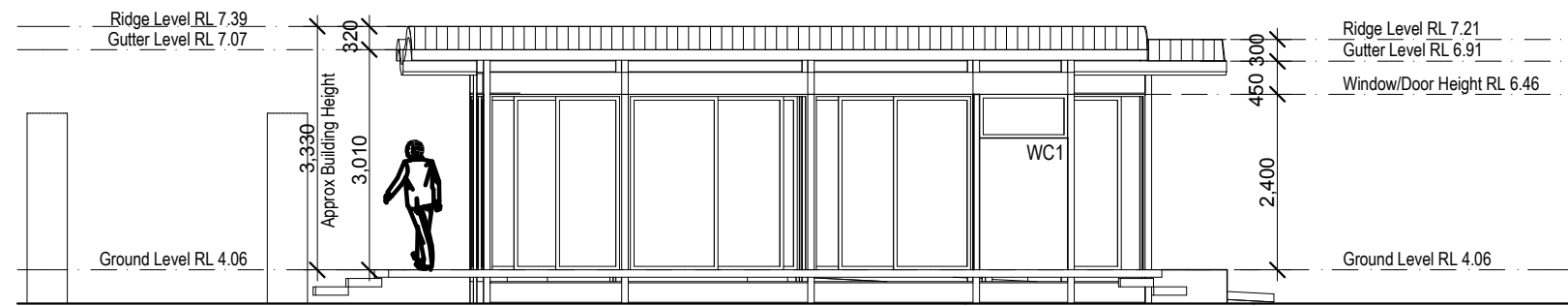
**BLANI BLU
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email: blani.blu@hotmail.com

Project:
PROPOSED BOAT STORAGE
WHITE BAY 6 MARINA PARK - LEASE AREA C

Job No.
1308

Drawing:
Office 2 - Sheet 1

Drawn:	Date:	Scale:	Dwg No. Rev.
BM	6/11/2013	1:100, 1:2	240



OFFICES

DEMOUNTABLE TYPE UNITS
SKID 300 HD GALV PFC CHANNELS
150 PFC BEARERS
90 TP FLOOR JOISTS
HARDIE SCYON CLADDING
INSULATED WALL & ROOF
COLORBOND ROOFING 7 DEGREE PITCH
ALUM POWDER COATED WINDOWS AND DOORS
MODWOOD TYPE DECKING AND STAIRS

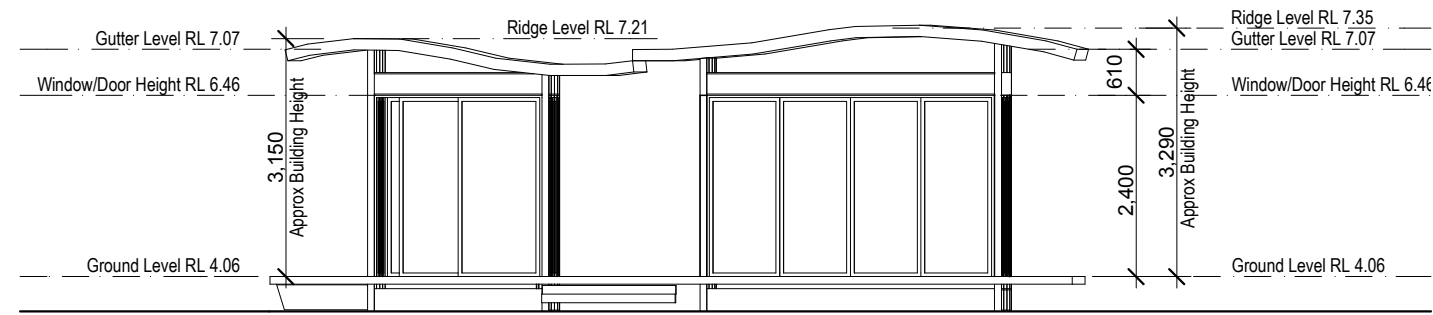
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1:100

LEGEND

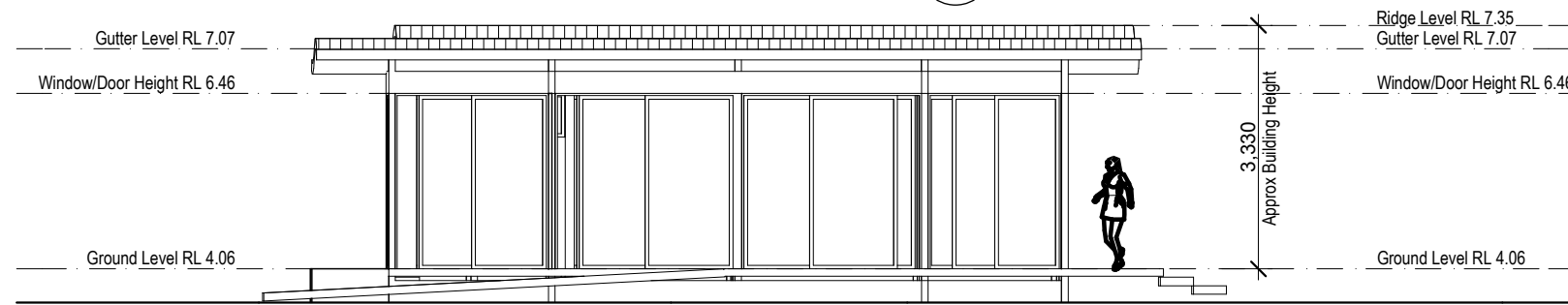
SURFACE FINISHES

GAF	GLAZING ALUM FRAMED	WHITE POWDER COAT
WC1	WALL CLADDING TYPE 1	SCYON MATRIX - LIGHT GREY
SCRN	ALUMINUM LOUVRE SCREEN	ZINCALUME
RS	ROOF SHEETING	COLORBOND WINDSPRAY - MID GREY
DP	DOWNPIPE	TO MATCH ADJACENT WALL SHEET
HR	HANDRAIL BALUSTRADING	HD GALVANISED
WT	10KL WATER TANK	HDPE 2.5 DIA X 2.3H GREY



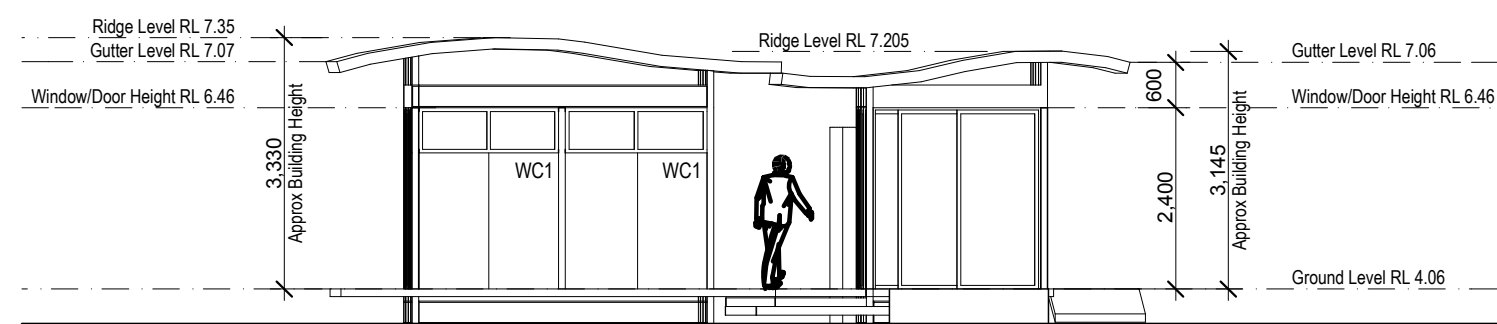
2

Elevation B
1:100



3

Elevation C
1:100



4

Elevation D
1:100

NOTES:
All dimensions to be checked on site. Do not obtain dimensions by scaling drawings. Structure to be removed shown dotted. Existing walls to be retained unless structurally unsound. These drawings are to be read in conjunction with all other consultants drawings and specifications. All workmanships and materials shall be in accordance with the requirements of current editions including amendments of the relevant Australian Standards Codes of Practice and the Building Code of Australia. IF IN DOUBT ASK.

AMENDMENTS

DATE	REVISION	DESCRIPTION
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NOT FOR CONSTRUCTION



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DESIGN & ARCHITECTURE**
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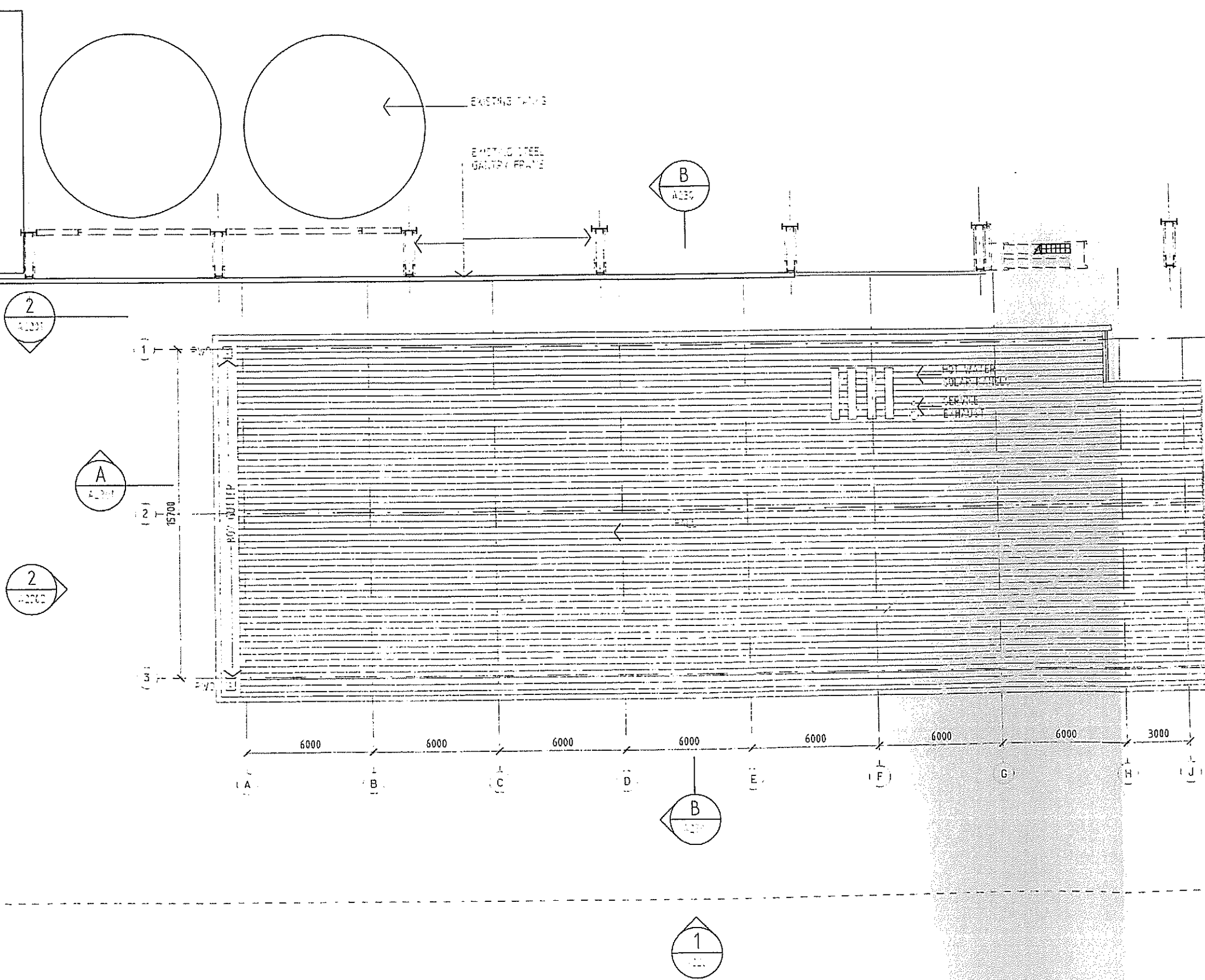
Project:
PROPOSED BOAT STORAGE
WHITE BAY 6 MARINA PARK - LEASE AREA C

Job No.
1308

Drawing:
Office 2 - Sheet 2

Drawn:	Date:	Scale:	Dwg No. Rev.
BM	6/11/2013	1:100	241

LEGEND	
AFG	ALUMINUM FRAMED GLASS
BOL	BOLLARD
CONC	CONCRETE
DP	DOWNPIPE
MS1	METAL SHEETING TYPE 1
MS2	METAL SHEETING TYPE 2
MS3	METAL SHEETING TYPE 3
PS	POLLER SHUTTER
PWO	PAIN WATER OUTLET
TCS	TRANSLUCENT GLASSING SYSTEM



Revisions			Var	App'd
No	Date	Description		
01	31.07.06	ISSUED FOR DEVELOPMENT APPROVAL (Formerly issued as A2109)		

Architect
ALLEN JACK & COTTIER
 79 Myrtle Street Chippendale NSW 2008 AUSTRALIA
 ph +61 2 9311 8222 fx +61 2 9311 8200 ABN 53 003 782 250

Client
BAILEYS MARINE FUELS
 28 Mews Road Fremantle WA 6160
 Drawing Status
NOT FOR CONSTRUCTION

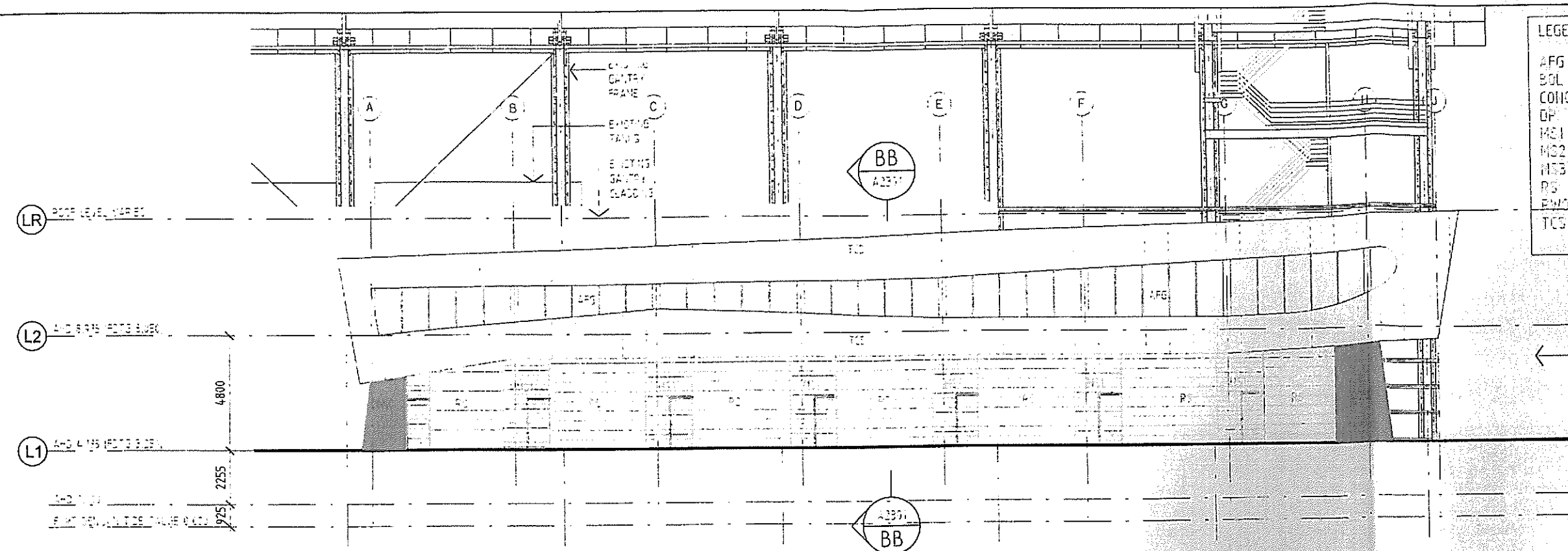
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BAILEYS MARINE FUELS SUPPLY BASE, WHITE BAY
 SYDNEY HARBOUR COMMON USER
 SERVICES PARK WHITE BAY BERTH 6

Drawing Title
BUILDING 1 - ROOF PLAN

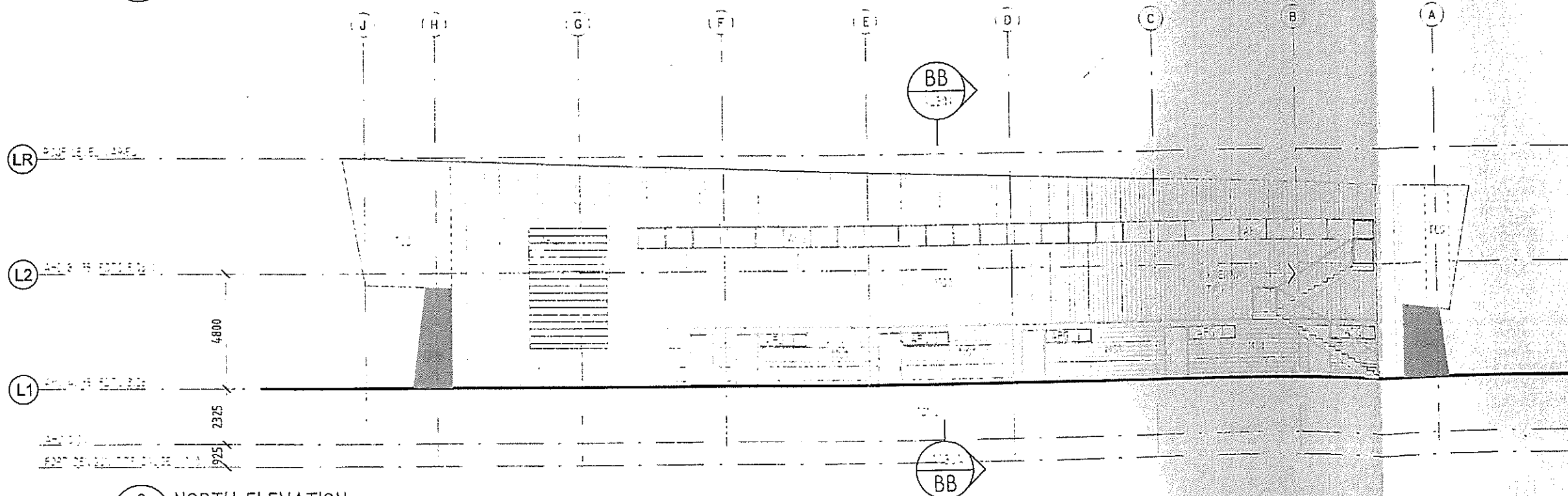


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			6m

LEGEND	
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BOL	BOLLARD
CONC	CONCRETE
DP	DOWNPIPE
MS1	METAL SHEETING TYPE 1
MS2	METAL SHEETING TYPE 2
MS3	METAL SHEETING TYPE 3
PS	POLLER SHUTTER
RWO	RAIN WATER OUTLET
TCS	TRANSLUCENT CLADDING SYSTEM



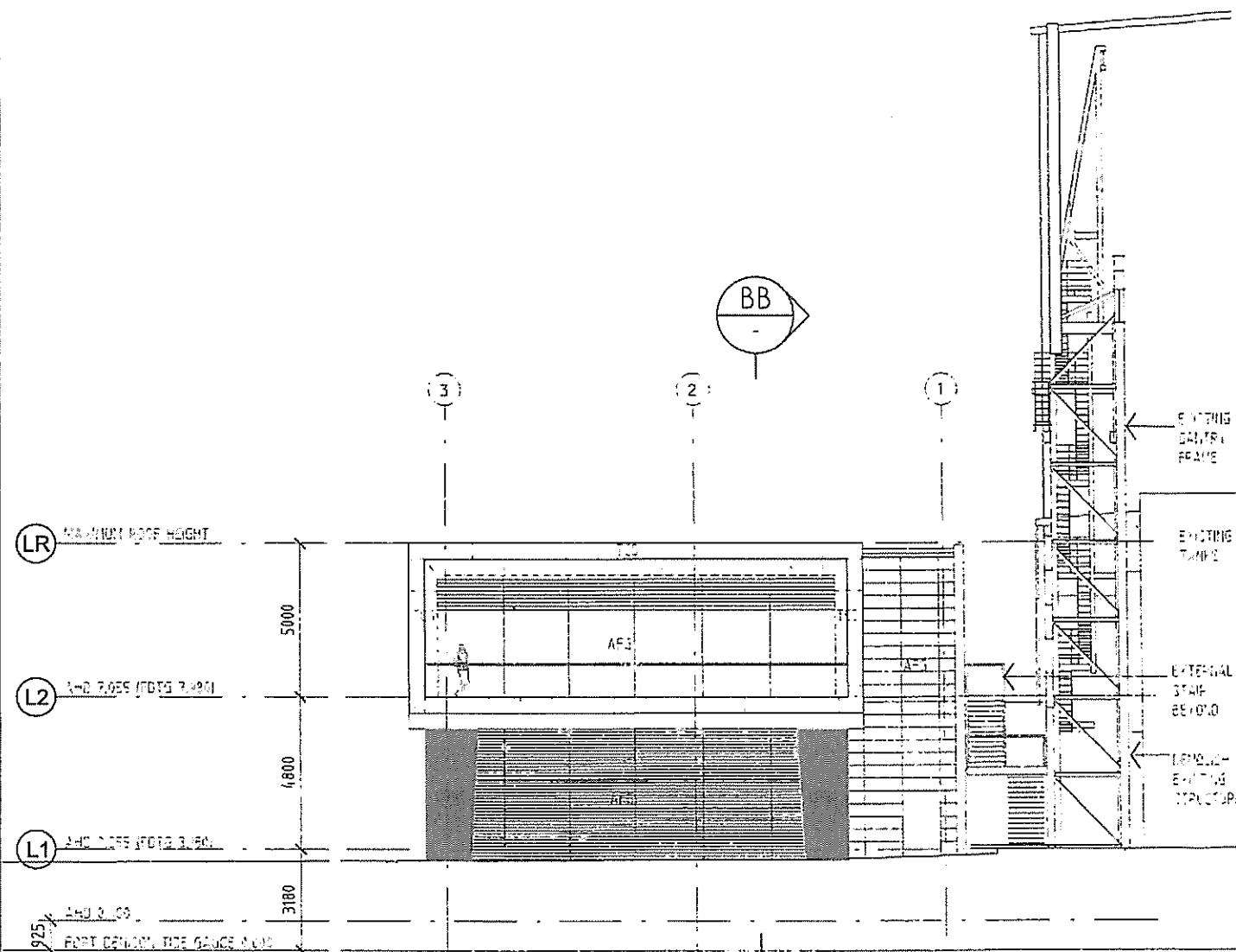
1 SOUTH ELEVATION



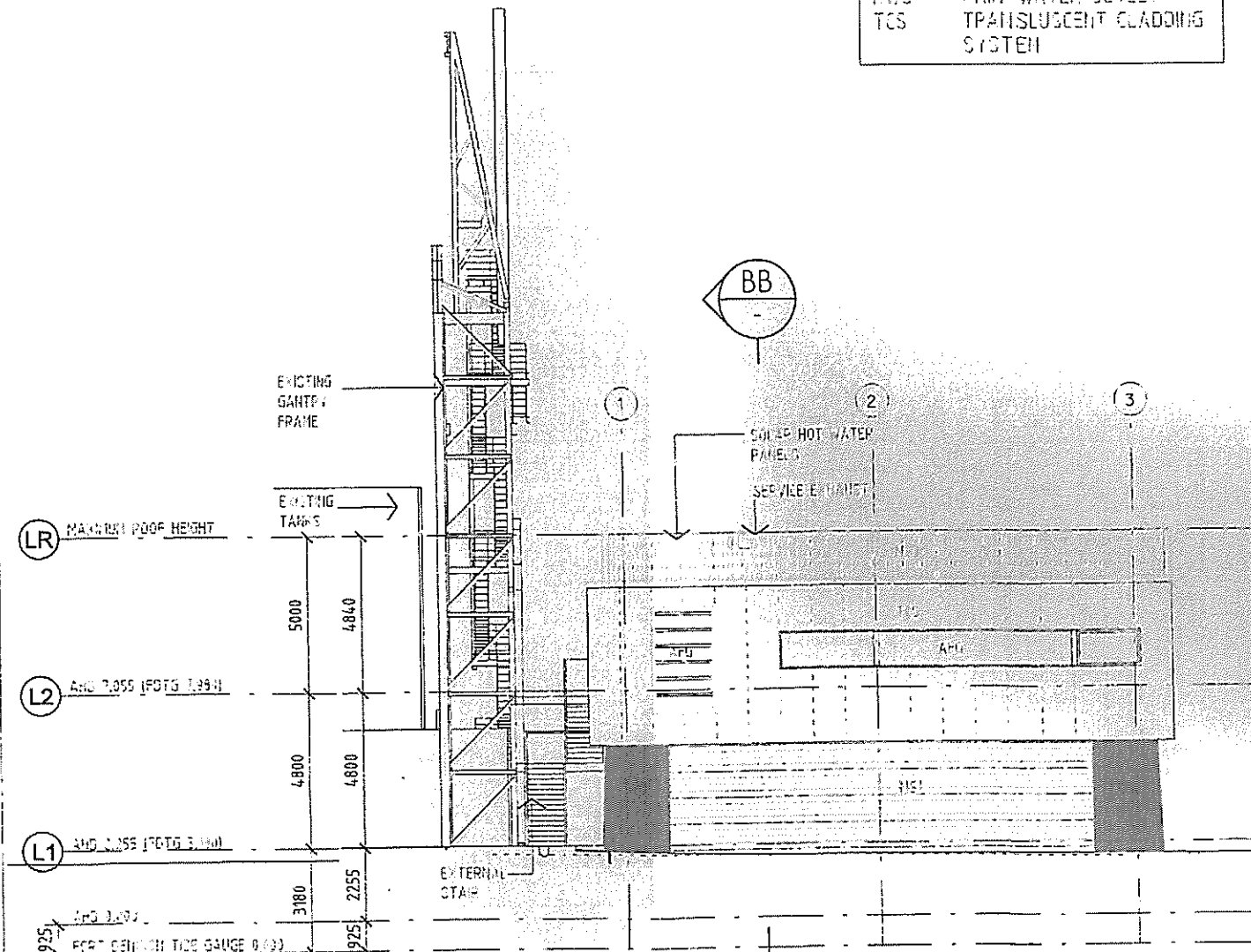
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BSL	BOLLARD
CONC	CONCRETE
DP	DOWNPIPE
HS1	METAL SHEETING TYPE 1
HS2	METAL SHEETING TYPE 2
HS3	METAL SHEETING TYPE 3
RS	ROLLER SHUTTER
PWO	RAIN WATER OUTLET
TCS	TRANSLUCENT CLADDING SYSTEM



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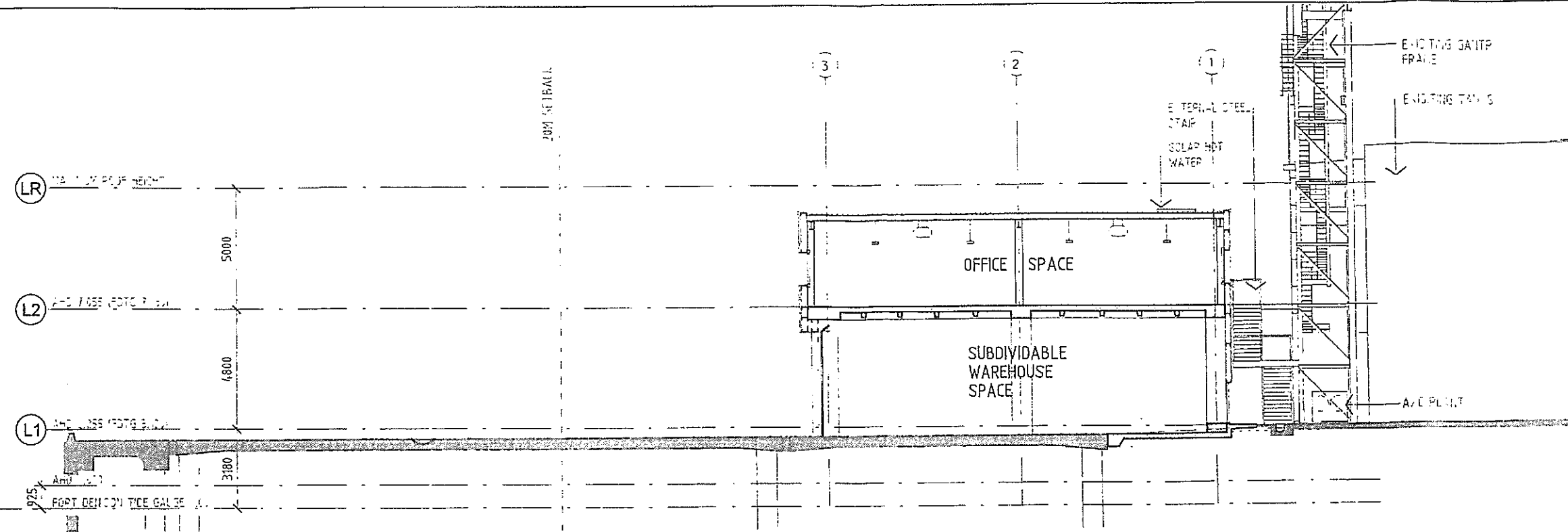


2 WEST ELEVATION

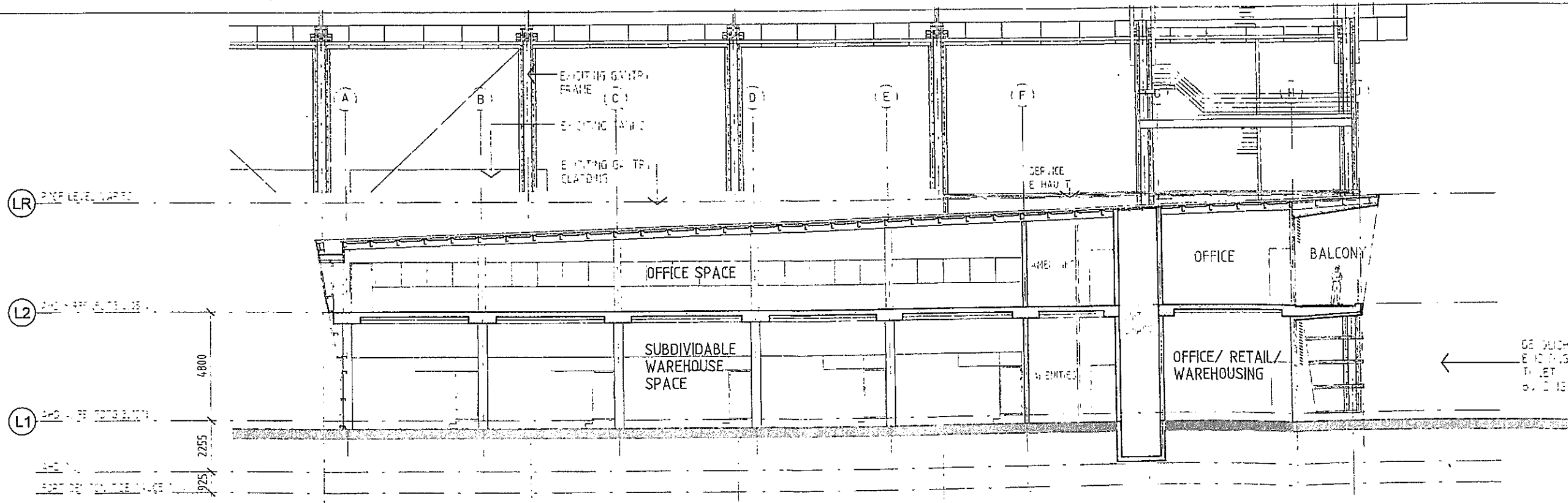
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		Drawing Status						
		NOT FOR CONSTRUCTION						



LEGEND	
AFG	ALUMINUM FRAMED GLASS
BOL	BOLLARD
CONC	CONCRETE
CP	COWPIPE
MS1	METAL SHEETING TYPE 1
MS2	METAL SHEETING TYPE 2
MS3	METAL SHEETING TYPE 3
PS	ROLLER SHUTTER
RWO	RAIN WATER OUTLET
TCS	TRANSLUCENT CLADDING SYSTEM



BB SECTION
NORTH-SOUTH



AA SECTION
EAST-WEST

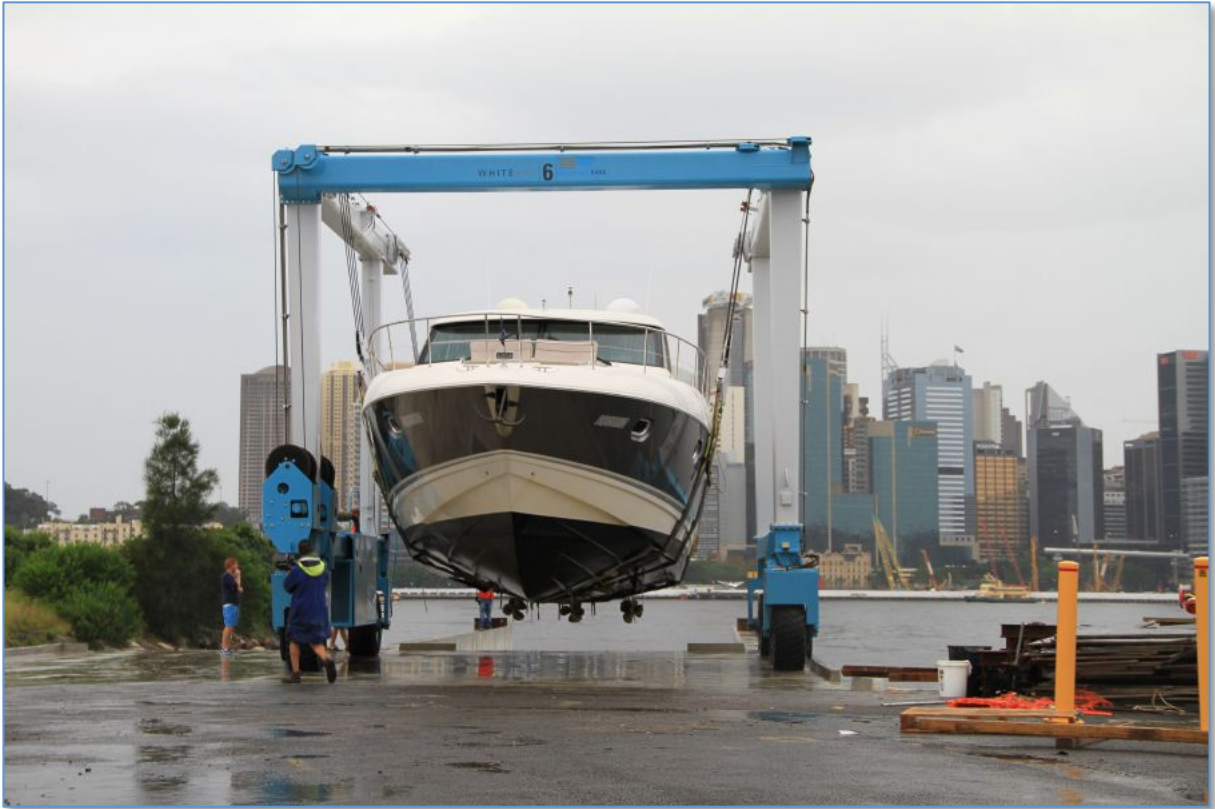
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NOT FOR CONSTRUCTION

Appendix B

Vessel Management Plan

Appendix B Vessel Management Plan



White Bay 6 Marine Park

Marine Traffic Management Plan

White Bay 6 Wharf, Balmain, NSW 2041

REVISION HISTORY

REVISION NUMBER	DATE	REVISED BY	APPROVED BY	DETAILS
A	31/10/2012	G. Broderick	T. Crosland	Draft of Document
1	9/11/2012	G. Bailey	G. Bailey	Review and approve draft for submission for review by SPC
23	14/12/2012	G Broderick	B. McMullen	Revised the Marine Traffic Management and Operations Management Plan and divided the document into separate plans (MAN-005 Marine Traffic Management Plan and MAN-006 Operations Plan). No comment had been received from SPC.
3	12/02/13	G. Broderick	B. McMullen	Minor changes were requested by Rory Gray at NSW Maritime via email 11/02/2013; 'marine facilities' is used rather than marina and 'licence' rather than lease. Version 3 supplied to SPC 12/03/2013.
4	21/02/2013	G. Broderick	B. McMullen	Changes were requested by Rory Gray at NSW Maritime via phone call 21/02/2013.
5	1/10/13	G. Broderick	B. McMullen	Version updated to consider vessel movements for Modification B – Boat Stacking.
6	18/11/2013	G. Broderick	B. McMullen	Version updated to include revisions from feedback received from maritime 15/11/2013.
7	18/12/2013	G. Broderick	B. McMullen	Figure four updated to include Baileys Warf and common area for use by SPC. Changes requested by Ryan Bennet (18/12/2013) Sydney Ports have been included.



WHITE BAY 6

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1 INTRODUCTION

1.1 Overview

White Bay 6 Marine Park is a facility encompassing approximately 15,880m² operated by White Bay 6 Pty Ltd (WB6). Current operations at the facility see vessels utilising WB6 for refuelling, berthing, bulk storage, temporary berths and dry boat storage.

WB6 are required to implement a Marine Traffic Management Plan (MTMP) to address the impacts associated with vessels arriving and departing the marine facility.

With protocols in place for vessel movements within the license area of White Bay 6, there will be no interference with the movement of ships to nearby berths and any construction and operation will not impact on the main navigational channel to and from Rozelle Bay.

Emergency procedures have been developed for operations at the facility and are detailed in the Emergency Response Plans and protocols relevant to marine traffic are described in this management plan.

1.2 Background

The development of White Bay 6 has been assessed under the *Environmental Planning and Assessment Act 1979* and was granted Major Project Approval 06_0037 in June 2009.

Since operations began on Stage 1 and 2 of the project, WB6 Management have reviewed the current and future demands of the facility and submitted two Section 75W modifications to the Department of Planning and Infrastructure (DPI). Modification A included an increase in the number of temporary berths from three to eight within the current license area and an increase in the period of occupation of the berths. Modification A was approved in August 2012. A second modification was submitted to allow dry boat storage for approximately 150 vessels. This change allows for the modification to buildings and land use on the site and allows for additional temporary berths to be constructed. Both modification complement existing infrastructure and are congruent with the activities associated with the facility.

Prior to submitting Section 75W modifications to the Department of Planning and Infrastructure permission to lodge was provided by Sydney Ports Corporation. Conditions associated with approval and permission to lodge have been complied with, including the development of this Marine Traffic Management Plan.

1.3 Purpose

This plan satisfies the requirement from the Permission for Disturbance of the Bed of a Special Port Area – Schedule 1, clause 1, and clause 10 issued by Sydney Ports Corporation in November 2011. The clauses require a Marine Traffic Management Plan for the construction phase and operational phase for the Roll on Roll off ramp (RoRo) and travel lift facilities.

This plan also addresses Roads and Maritime Services requirement to update the Vessel Management Plan considering the boat stacking facility and the cumulative impact of WB6 and Sydney Boat House in Rozelle Bay.



1.4 Consultation

This Plan has been prepared in consultation with the Sydney Ports Corporation (SPC) and Roads and Maritime Services. A draft version of the plan was prepared and submitted for comment prior to a final version being submitted.

2 SITE DESCRIPTION

Figure 1 shows the detailed site location. The facility is located at Berth 6, White Bay, New South Wales, in an area zoned “Ports and Employment” under State Regional Environmental Plan 26, with a large part of the Glebe Island area and foreshore zoned “Waterfront Use”.

Figure 1 shows the surrounding land uses, these include:

- North – Sydney Water Police wharves and offices, residential areas beyond the Police facilities (200m) from the site;
- East – Sydney Harbour (Millers Point located over 840m across the harbour from the site);
- South – Sydney Harbour, residential properties located over 310m across the harbour;
- and
- West – SPC wharves and dockside warehouse (currently disused).

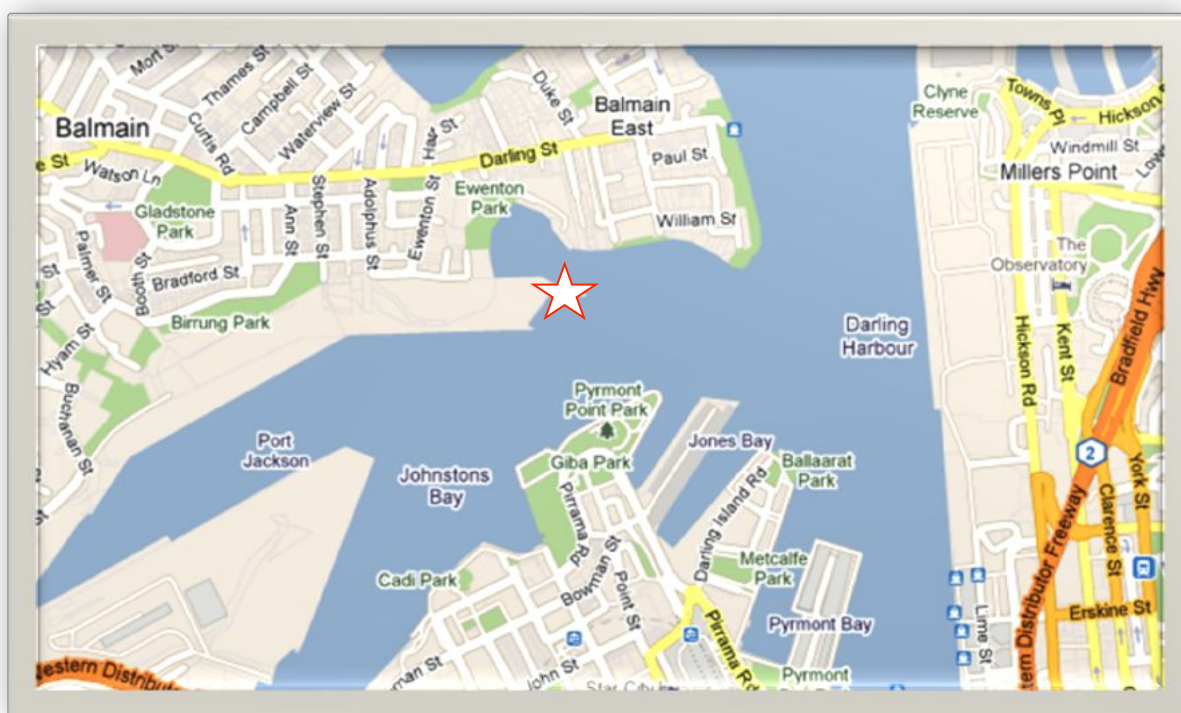


Figure 1. Location of White Bay 6 facility

Vessels utilise WB6 for refuelling, berthing, temporary berths, accessing the dry boat storage facility or accessing any part of the WB6 facility. The site provides a means of refuelling recreational, commercial fishing, commercial marine, government, charter and marine transport. The facility includes a RoRo and travel lift and dry boat storage.

Water based infrastructure includes:



- A 65-tonne capacity boat lift;
- A floating jetty adjacent to the south-eastern revetment wall to enable access to commercial vessels;
- Refuelling pontoons for recreational and large commercial vessels; and
- Pontoon for temporary vessel berths.

The wharf face of WB6 is used for marine access to the site by larger commercial vessels. Recreational and smaller commercial vessels use the pontoons adjacent to the mooring dolphin to access the site. Commercial and recreational vessels access the site from the south east.

Land Based infrastructure includes:

- Building for boat stacking;
- Building for clients and customers to meet and greet;
- Care takers apartment;
- Office and showrooms; and
- Amenities building.

3 CONTACT DETAILS AND OPERATING HOURS

Table 1 shows contact details for WB6 Marine Park inclusive of a 24 hour contact number for senior personnel. Contact details for Brett McMullen and Brad Fisher have been provided. Table 2 shows the facility activities and hours of operation.

Table 1. Contact Details

Contact Persons	Brett McMullen	Brad Fisher
Email	brett@whitebay6marine.com.au	brad@whitebay6marine.com.au
Business Address	Robert Street Balmain 2041 New South Wales	Robert Street Balmain 2041 New South Wales
Contact phone number (business hours)	+61 2 8090 1216	+61 2 8090 1216
Contact phone number (after hours)	0448 094 476	



Table 2. White Bay 6 hours of operation

Activity	Hours of Operation
Boat hoist facility	8am – 5pm Monday - Friday
Refuelling and sewerage pump out for commercial vessels	7days -24 hours per day
Commercial boat arrivals/departures/berthing	
Office building mechanical services, e.g. A/C plant, compressors for the chillier room etc	
Commercial offices	
Refuelling and sewerage/greywater pump out for recreational vessels	7 days – 5.00am to 10.00pm
Recreational boat arrivals/departures/berths	
Truck movements to and from site	Monday – Saturday 7.00am to 6.00pm
All activities on the hardstand area	
Mixed marine tenancies, commercial storage/work shed	
General deliveries	
Disposal and collection of waste including cans and bottles form vessels	Sunday 8.00am to 6.00pm



4 CUMULATIVE IMPACTS

White Bay 6 is committed to ensuring that the facility provides an outstanding service to its customers. Part of this commitment requires that WB6 operate in a way that has a positive impact on the amenity of the area for all harbour users. WB6 intends to operate a 50-vessel racked dry boat storage facility. This section considers the cumulative impacts of WB6's 50-vessel racked storage facility and Sydney Boat House's (SBH) 750-vessel storage facility (dry and wet berths) on the amenity of the area. Figure 2 indicates the location of WB6 and SBH in Rozelle Bay.

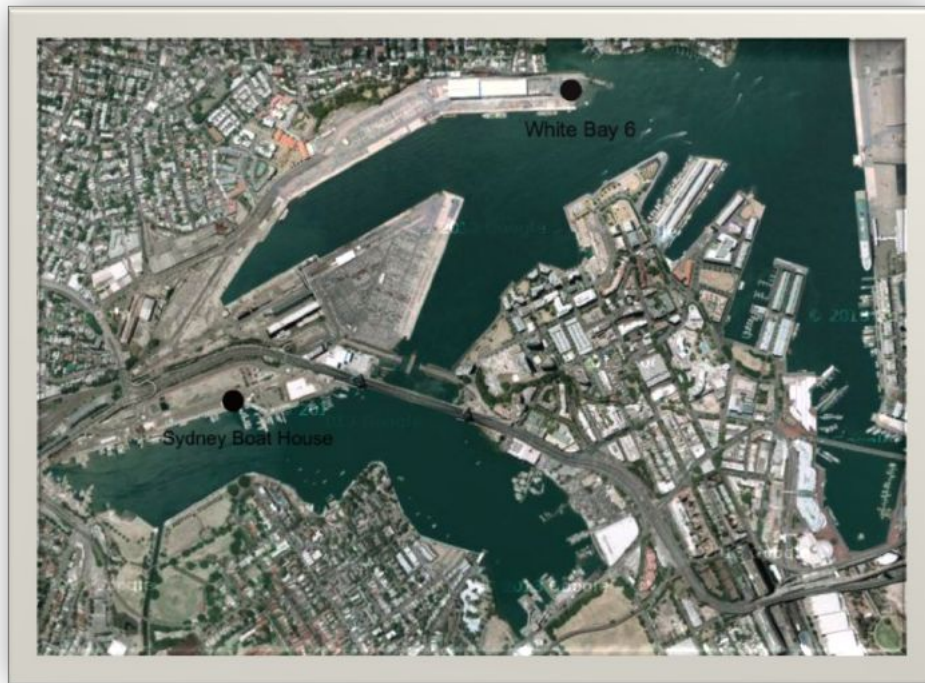


Figure 2. Indicates the location of White Bay 6 and Sydney Boat House.

Coriolis Marine was contracted by WB6 to provide general information of typical usage rates for dry boat storage facilities (see Appendix A). Coriolis Marine has experience in managing two of the largest dry boat storage facilities within Australia and New Zealand. The statistics provided in the White Bay 6 Dry Stack Operations Report issued in March 2013 have been used to develop Table 3 to estimate the number of vessel movements in the White Bay and Rozelle Bay area. Table 3 describes the total occupancy levels for WB6 and SBH and estimates the peak usage for both sites. Peak times have been used to calculate usage as these times represent the greatest risk to amenity. It is anticipated that WB6 will be able to launch or retrieve a vessel on average every 10 minutes per forklift. Therefore during peak times we estimate 6 boats per hour can be retrieved or enter the water. WB6 has capacity to hold 6 boats in the launching area and the capacity to handle a further 12 vessels in working berths which will be made available during peak times. It is anticipated that the splash and leave cycle will be approximately 10-15 minutes in total with most vessels leaving the facility between 8am to 12noon and the return cycle will be between 2pm to 6pm.



Table 3. Estimated vessel movements within the White Bay and Rozelle Bay area from storage facilities.

Capacity	WB6	SBH	TOTAL
Full capacity (vessels)	50	750	800
Full capacity (percentage)	6%	94%	100%
Movements per day	WB6	SBH	Total Vessels
Weekend peak usage rate 8-12% (vessels)	4-6	60-90	64-96
Public holiday peak usage Rate 15 to 25 % (vessels)	7.5-12.5	112.5- 187.5	112.5-187.5
Weekend peak assuming exiting and re-entry (vessel movement per day)	8-12	120-180	128-192
Public holiday peak assuming exiting and re-entry (vessel movement per day)	15-25	225 - 375	240-400

WB6 management have considered the options for customer's journeys and assumptions have been made in determining the percentage of vessels moving in the area based on current customer usage patterns and knowledge of the area. The (higher) number of vessel movements during weekend peak periods (12 for WB6 and 180 for SBH) has been used to approximate the number of vessel movements within the area, this is provided in Table 4.

Table 4. The number of vessels traveling to each place has been estimated.

	Estimated Percentage	# from WB6	# from SBH
Blackwattle Bay	20%	2.5	36
Cockle Bay	5%	0.5	9
Sydney Harbour	35%	4	63
North Harbour	25%	3	45
West Harbour	15%	2	27



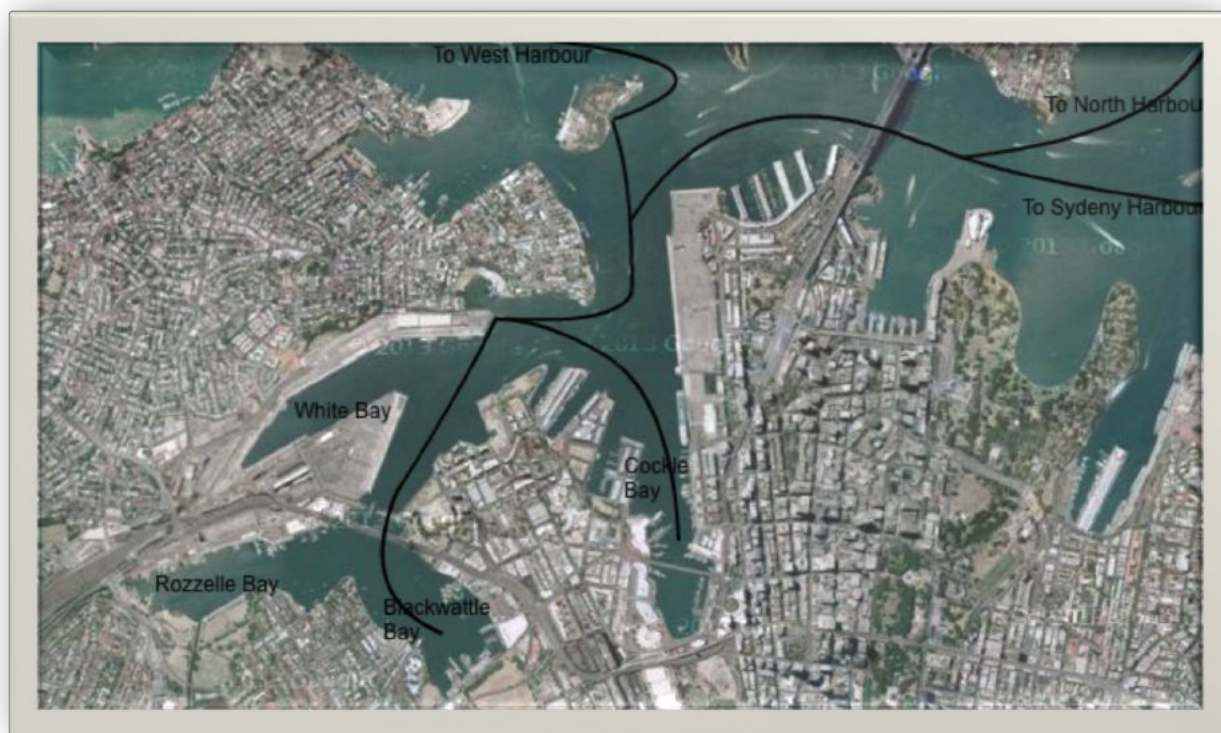


Figure 3. Likely destinations for White Bay 6 clients.

The estimates assume that boat users would otherwise not use their boats in the area however dry boat storage has not been found to increase usage rates (Coriolis 2013), meaning a similar number of boats may be entering the water from other storage locations. WB6 offers a structured and safe way for vessel owners to schedule their boating activities and reduces the waiting times experienced at boat ramps. The facility has the ability to stagger the entry of boats to the water in such a way that ensures the safety of all involved and reduces congestion.

During weekend peak periods the anticipated number of additional vessels within the harbour area would be approximately 6 from WB6 and 90 from SBH. Forecasts for 2012 indicate the number of recreational boats owned in the Sydney Harbour area is 18,574 (NSW Maritime 2010). Assuming similar usage rates during peak periods (12%) approximately 2229 vessels enter the harbour, of which 96 or 4.3% will enter from both WB6 and SBH. The impact of both WB6 and SBH is relatively minimal with impacts likely to be localised given the proximity of the two facilities.

During peak periods the increased marine traffic generated by WB6 is minimal when compared with the potential impacts of SBH. Notwithstanding, WB6 is committed to ensuring that both facilities operate in complimentary ways and are not detrimental to the continued enjoyment of the area for all boat users. Mitigation of impacts will concentrate on having open lines of communication with SBH. During peak periods the numbers of vessels entering the water will be communicated to ensure congestion is avoided. Any incidents or accidents, which may impact on vessels or customers, shall also be communicated to SBH to ensure safe passage past the WB6 facility.



5 MARINE TRAFFIC MANAGEMENT PLAN

5.1 Context

The Marine Traffic Management Plan applies to vessels utilising White Bay Berth 6 for the purpose of construction and during operation of the RoRo, travel lift, temporary berths, this includes vessels which are permanently stored in the dry stacks at the facility.

5.2 Objectives

The objectives of this plan are to ensure WB6 has committed to the requirements issued in the harbour master approval/s; in particular that construction and operation does not impact on vessel movement in the main channel and that the management of operations reduces the likelihood of congestion and impacts associated with vessel traffic.

5.3 Management and mitigation measures – Construction

Figure 2 indicates the zone where vessels are able to operate without impacting the main shipping channel. This area is outside the main shipping channel. Vessels will not be permitted to wait, berth or manoeuvre in the shipping channel. It is noted that this entire area is not specifically licenced for exclusive use by vessels utilising WB6, however it indicates where vessels are able to operate so as not to disturb the main channel.



Figure 4. Indicates in blue the temporary berthing, RoRo and travel lift manoeuvre area. The SPC common area for berthing cruise ships is depicted in red. The Berth 6 refuelling vessel manoeuvre area as depicted in the Operational Environmental Management Plan is also included.

The following management and mitigation measures will be implemented during construction:



- The harbour master will be informed of vessel movements and approval will be sought should construction activities interfere with movement of seagoing ships;
- Buoys will not to be laid in or adjacent to the shipping channels unless agreed in advance with the Harbour Master;
- All buoys will be fitted with lights;
- All vessels that are associated with the construction will have emergency response processes in place;
- The after hours emergency contact number is – 0448 094 476;
- Any waste or construction material that enters the water will be immediately removed;
- All construction activities will be boomed;
- A process for informing construction contractors that movements outside the berth and manoeuvre zone is not permitted without prior approval will be implemented;
- A process for reporting and responding to incidents has been established and will be implemented should an incident occur; and
- In the event of incident relevant authorities will be contacted immediately.

5.4 Management and mitigation measures – Operations

The following management and mitigation measures will be implemented to ensure safe entry and exiting the water using the hoist and/or forklifts.

5.4.1 Protocols for arriving and departing

An Operations Plan will be implemented to ensure protocols are in place for vessels arriving and departing. These protocols include:

- Vessel owners will notify WB6 management when they would like their vessels to be retrieved from the water or the dry storage stacks;
- Vessel owners will be issued with a specific time to use the hoist and/or forklifts to ensure vessels are not required to wait for prolonged periods in the water and to reduce congestion;
- An area will be designated and signed for boats to manoeuvre and wait which is outside the main channel; this area shall be North of the refuelling pontoon in the Blue area indicated in Figure 4.
- The hoist and forklifts will be operated by WB6 staff and inducted contractors only;
- Information in the form of a user induction will be conducted with all vessel owners who will be using the boat hoist facility and dry storage facility to ensure they understand where they are able to maneuver, sailing lines, and safety information will be included;
- Information will be provided on a day to day basis to vessel owners on shipping traffic, in particular if cruise ships or other large vessels are known to be using the area and vessels owners will be warned not to impede the movement of these vessels;
- The entry of boats to the water via the hoist or forklifts will be staggered ensuring large influxes of traffic are avoided;
- Vessels will be able to dock in wet berth area before exiting the marina;
- The facility allows for 6 vessels per hour to be retrieved OR put in the water.



Vessels that are waiting in the water either to be retrieved or prior to departure will be permitted to temporarily dock within the facility. Figure 5 depicts the temporary berths available for all vessels arriving a departing the site. The yellow area provides space for 6 vessels; vessels will be permitted to dock for approximately 15 minutes prior to leaving the facility and secondly will be permitted to dock whilst waiting to be retrieved. This is the primary area that will be used to temporarily store vessels at arrival and departure times. The blue area represents an overflow for busy periods expected in school holidays and long weekends; this will provide docking for an additional 5 vessels. For periods that are known to be exceptionally busy at Christmas, Australia Day and Easter the green area will be made available to berth vessels, this provides docking for an additional 5 vessels (depending on their size). White Bay 6 management have operational control over all temporary berths and will ensure that all berths are available for periods known to have increased vessel traffic. Any vessels berthed for maintenance can be moved to land based storage to ensure capacity is available for vessels during busy periods. During exceptional peak periods it is anticipated that the dry boat storage facility will increase traffic by 12.5 vessels per day, these vessels can be accommodated by the proposed overflow if necessary.

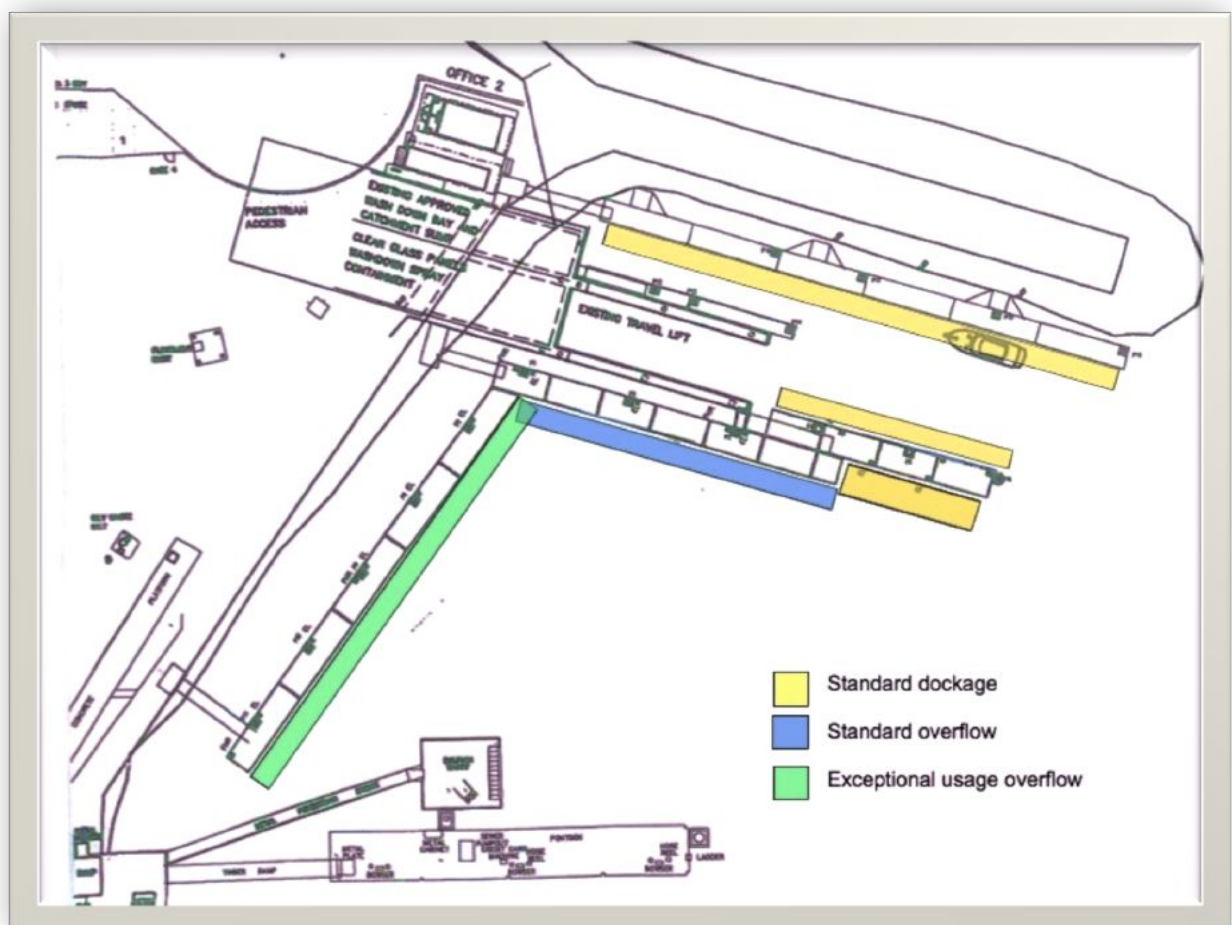


Figure 5. Yellow depicts the normal operating berths that vessels will be permitted to dock at when arriving and departing, blue depicts peak period overflow expected on long weekends and school holidays, Green depicts exceptional usage periods overflow expected at Christmas, Australia Day and Easter.



5.4.2 Additional controls

- The after hours emergency contact number is – 0448 094 476;
- Any waste material that enters the water will be immediately removed;
- A process for reporting and responding to incidents has been established and will be implemented should an incident occur;
- WB6 will communicate any incidents or accidents that may impact on the safe passage of vessels moving from SBH past the WB6 facility; and
- In the event of incident relevant authorities will be contacted immediately including the Harbour Master.



6 References

Coriolis Marine (2006) White Bay 6 Drystack Operations Report. Coriolis Marine Management and Training Solutions.

NSW Maritime (2010) NSW Boat Ownership and Storage: Growth Forecasts to 2026. NSW



Appendix A – Coriolis Marine Report





White Bay6 Drystack Operations Report

March 2013

Prepared by:



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1. Introduction

White Bay6 has engaged Coriolis Marine to provide operational advice and statistics in reference to Drystack boat storage facilities. Coriolis Marine has experience in managing and operating two of the largest Drystack facilities being Orams Marine in Auckland New Zealand, and Horizon Shores Marina in Queensland Australia.

It should be noted that client demands do differ from region to region with climate being one of the highest factors affecting boat usage. For example, Sydney similar to Auckland experiences higher peaks during summer and lower troughs in winter as opposed to the Gold Coast in Queensland which has a flatter demand of boat usage.



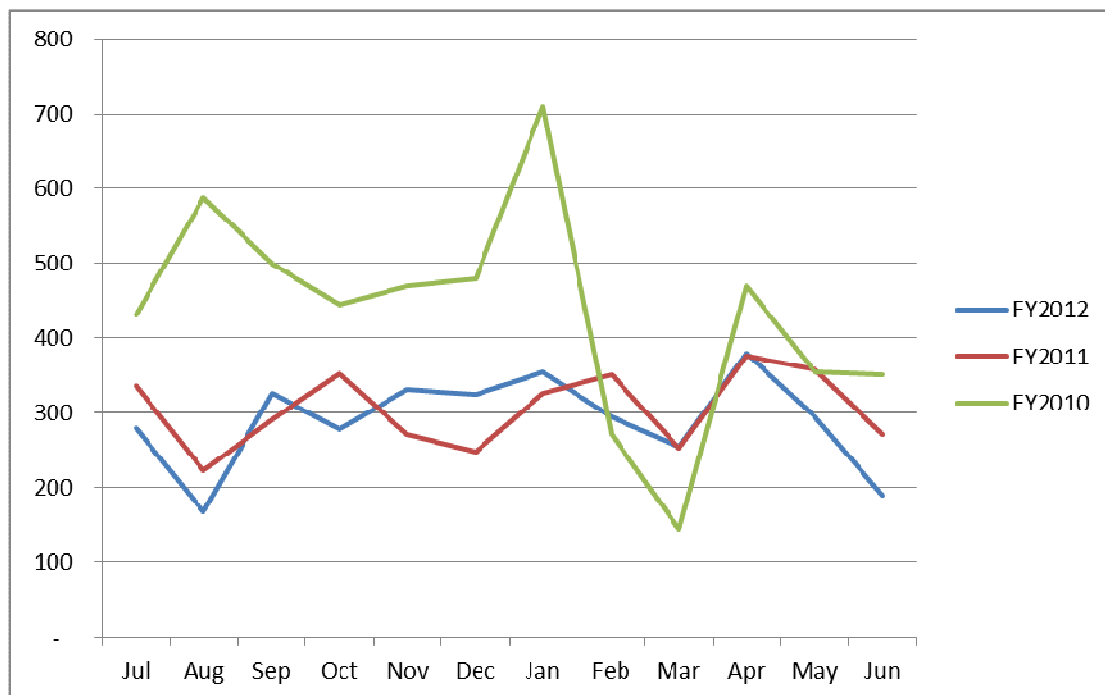
2. Peak Periods

Peak boating days are typically weekends as well as Friday afternoon and Monday morning. Generally 50% of total Drystack movements occur over weekends. Peak usage on these days average between 8 to 12% of total occupancy. Peak times are generally opening time to 11am for boats departing and 2pm to closing time for boats arriving back. In Sydney these times may alter and extend with the extended days during daylight savings.

Public holidays, school holidays or popular boating days such as Australia Day, Boxing Day and the Easter holidays can place additional demands on operations. Usage rates 15 to 25% of occupancy can be achieved.

If a booking system is used during normal operations, this can lead to inefficiencies in high demand times if clients are not exactly on time. It is our experience that boaters do not necessarily operate to any known local or global time standard. In these cases the most efficient operations can be achieved by walk-up bookings as well as a percentage of end of day launches the day before for those leaving immediately in the morning. Consideration should also be given to extending operating hours on these high demand days.

As experienced at other Drystack and marina facilities, peak months are normally through summer with lower demand through winter.



3. Car Parking Demands

As boaters normally provision their boat prior to going out on the water, they normally drive their car to the facility. Referencing the data presented in Section -2- in regards to peak boat usage, an average of 1.2 cars per boat launched is typically experienced. Therefore, for a facility with 200 boats, 29 car parks would suffice with additional peak day capacity for approximately 6 days per year for a further 29 car parks. An additional 5 car parks would be recommended for clients or contractors servicing or repairing their boats in service areas.

4. Lift / launch time management

Movement times will vary from facility to facility dependent on the following key elements;

- Staging area design
- Machine capabilities
- Staff competency level and numbers
- Distance from Launch Shoot to rack location
- Boat height storage position

If the rack location is within 60 Mtrs of the launch shoot, a launch / retrieval time of 5 to 6 minutes can be achieved. This equates to an average of 10 movements per hour for one machine. To obtain the shortest turnaround times, high use boats should be stored as close to the launch shoot as possible.

5. Staging and wash down



The staging area is typically positioned in the water where boats are located after launch or prior to retrieval. Clients can provision their boats prior to departing, or clean the boat on return. Ideally, this area will have water and electricity provisioning.

If water area is limited, it is possible to create a staging area on the land in close proximity to the launch shoot. When this option is used, clients have an option to clean their own boat.

If land staging is not available, or limited, the marina should provide a motor flush and external wash service.

It is our experience that the most efficient operations are when clients complete the internal clean of the boat and staff flush and pressure clean the boat external. Where 2 staff are available, a flush and pressure clean process can be performed in 2 to 3 minutes. Where large staging areas are used on land, double handling of boats and a much higher level of client “fiddling” occurs which leads to a much high rate of additional lifts and longer turnaround times.

6. Staffing

Typical staffing levels are 2 staff per one machine. Whilst operations can be performed by one competent person, a higher throughput is achieved with two. The second member can also perform spotting duties which reduces operational risk.

In peak times, an additional person dedicated in the staging area can increase movement times and coordinate parking to reduce congestion. During off-peak or week day times, one operator can be used and can also undertake other duties in the marina.



7. Safety

The following considerations are recommended to reduce operational risks;

- Battery cut-off switched off
- Trim tabs up aerals down
- Staff to check battery switch prior to storing and smelling for fuel fumes
- Annual safety checks by authorised service agents

8. Operational Considerations

Other key elements to consider;

- Car park loading zone within close proximity of staging area
- Trolleys for client provisioning
- Battery charging or jump starting
- Servicing of boats including contractor management and service cradles
- Fire contingency and response plan including staff and client training
- Ice and bait sales
- Boat detailing services

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White Bay6 engaged Coriolis Marine Pty Ltd (Coriolis) to provide operational advice and statistics in relation to Drystack operations.

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Coriolis Marine specialises in the development, operations, management and training solutions for the marine industry. For further information regarding services offered, please contact Coriolis Marine on the numbers below.



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Email: info@coriolis.com.au
Web: www.coriolismarine.com.au

Appendix C

SEPP 55

Appendix C SEPP 55



HAYES ENVIRONMENTAL CONSULTING

ABN 32 295 203 367

HEC Ref: MP152 AC
Date: 24 October, 2013

Mr Brett McMullen
White Bay 6 Marine Park Pty Ltd
PO Box 504
BALMAIN NSW 2041

**RE: SITE SUITABILITY FOR RESIDENTIAL PURPOSES;
WHITE BAY 6 MARINE PARK, BALMAIN NSW 2041**

Hayes Environmental Consulting Pty Ltd (HEC) hereby provides an assessment of the White Bay 6 Marine Park ('the site') in relation to its suitability for residential use. This assessment is a response to the request from the NSW Department of Planning and Infrastructure for "further information to demonstrate that the site is suitable for the proposed caretaker's residence, in accordance with the requirements of Clause 7 of *State Environmental Planning Policy No 55*" (DPI Ref. MPO6_0037 MOD4; dated 20 September, 2013).

Site Description

The site is an irregular shaped block of land (15,880m² in area), forming the end of the peninsula between Camerons Bay and White Bay in Balmain East (Ref. Attachments A and B). The address is Sydney Ports Corporation, Roberts Street, White Bay, Sydney, NSW and is further identified as comprising Part of Lot 1 in Deposited Plan (DP) 875201, in the Parish of Petersham and County of Cumberland. The land is zoned *Port and Employment* under *State Regional Environmental Plan 26*.

Most of the site is surrounded by Sydney Harbour (i.e. Camerons Cove and White Bay); however, in addition to other Sydney Ports Corporation sites (to the west), adjoining land uses include low to medium density, residential properties (to the north west).

The topography is relatively flat, with an elevation of approximately 2.5m above sea level (i.e. 2.5m AHD), although the north western boundary comprises a sandstone cliff, approximately 15m high. Hawkesbury Sandstone forms the local bedrock materials, which are overlain by alluvial soils and fill material.

The site is currently being used for storage, boat service and boat maintenance (including refuelling, mechanical repairs, engineering, detailing, trimming, survey and wash down), the DPI-approved development for which is nearing completion. Virtually the entire area is concrete paved (or the equivalent). It is understood that the operator, White Bay 6 Marine Park Pty Ltd, wishes to include caretaker accommodation in the south western section of the commercial facility (Ref. Attachment A).

Regulatory Compliance

On 24 October, 2013, an on-line search of the *Contaminated Land - Record of EPA Notices* was conducted, this being a database that is maintained by the NSW Environment Protection Authority (EPA). This search confirmed that the EPA had no involvement, or regulation, under Section 58 of the *Contaminated Land Management Act 1997* for the White Bay 6 Marine Park. Section 58 of the *CLM Act 1997* relates to the investigation, remediation and management of sites where contamination poses a significant risk of harm, and includes Sections 35 and 36 of the *Environmentally Hazardous Chemicals Act 1985*.

Review of Previous Contamination Investigations

Stage 1 preliminary and stage 2 detailed environmental site investigations were completed by Coffey Environments Pty Ltd in March 2007 and August 2009, respectively, the findings from which were recorded in the following report:

- Coffey Environments Pty Ltd (CE) *Stage 2 Contamination Assessment; Proposed Bailey's Marine Development, Berth No. 6, White Bay Sydney NSW (CE Ref. ENVIRHOD00818AA-R01; dated 4 August, 2009).*

These investigations were commissioned by TFA Project Group, on behalf of Bailey's Marine Fuels Australia, in support of the application to redevelop the site as "a marine refuelling facility". They included the drilling of fifteen separate boreholes across the site surface (BH1-BH15; to depths of 1.1-16.7m below ground level (BGL)), with analysis of representative soil samples for the contaminants of potential concern (COPC; Ref. Attachment B).

In summary, CE (2009) established that:

- "with the exception of the north western area, the site is underlain by relatively thick fill deposits", the fill "identified as being natural sand or sandstone gravel";
- "the laboratory analysis confirmed that recorded concentrations of COPCs are low" and with respect to the metals (at least), "the recorded concentrations are considered likely to represent naturally occurring concentrations within the soils";
- actual and potential acid sulfate soils (ASSs) "have not been identified beneath the site in the areas and at the depths likely to be disturbed" and "provided that disturbance as part of the development (including dewatering) is limited to the areas and depths investigated, no further consideration of acid sulphate soil management is considered by Coffey to be necessary";
- "risks to future site users and construction and maintenance workers at the site from soil contamination are considered to be low and the site is considered to be suitable for the proposed commercial marine refuelling facility from a contamination perspective";
- "risks to potential offsite receptors are also considered to be low"; and

- “site soils are likely to be classified as *General Solid Waste* with respect to offsite disposal to a licensed landfill facility”; although
- subject to the results of further sampling and analytical testing, “it is likely to be more cost effective to dispose of the excavated fill as *Excavated Natural Material* (ENM) for reuse on other sites”.

Assessment of Site Suitability with Respect to Residential Land Use

Upon re-evaluation, the CE (2009) data were found to comply with the EPA-endorsed acceptance criteria applicable for residential sites with gardens and accessible soils (i.e. the DEC (2006) Column 1 and NEPC (2013) Residential A *Health-Based Investigation Levels*). They also complied with the NEPC (1999) *Interim Urban Ecological Investigation Levels* and NEPC (2013) *Ecological Screening Levels*.

CE (2009) noted that “the presence of hardstanding groundcover across the majority of the site is also likely to provide a level of protection to future site users against certain contaminants (if present)”. HEC agrees with this statement.

In summary, the site (fill and natural) soils were not regarded as being contaminated by the COPCs and did not represent a significant risk to human health, or the environment - at least at the time of the CE investigations. In its current state, the site does not represent significant hazard with respect to soil/dust release and exposure (via inhalation and skin absorption etc.). The ground surface is mostly covered by buildings and paving, resulting in very low potential for soil disturbance.

Conclusion

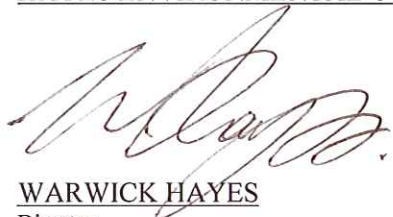
From a contamination perspective, the site is considered by HEC to be suitable for residential use, in accordance with Clause 7 of *State Environmental Planning Policy No. 55 - Remediation of Land*.

Recommendation

The suitability for inclusion of a caretaker’s residence is dependent on the approved commercial (boat servicing) activities not resulting in a significant change to the environmental (contamination) status of the site. It is therefore recommended that the operating procedures be conducted in accordance with the *White Bay 6 Marine Park & Refuelling Facility; Operational Environmental Management Plan* (Revision A).

Should you require further information in relation to this report, please call the undersigned on (02) 9529 3344 or 0413 356 802.

For and on behalf of,
HAYES ENVIRONMENTAL CONSULTING PTY LTD



WARWICK HAYES

Director
Environmental Chemist/Toxicologist

BSc (Hons), MAppSc (Environmental Toxicology), PhD
MRACI C.Chem, MAPESMA, MEIANZ



REFERENCES

DEC (2006) *Guidelines for the NSW Site Auditor Scheme (2nd Edn.)*, Department of Environment and Conservation, DEC 2006/121, April 2006.

DECC (2009) *Waste Classification Guidelines*. Department of Environment and Climate Change New South Wales, DECC 2009/281, July 2009.

DUAP / EPA (1998) *Managing Land Contamination. Planning Guidelines SEPP 55 – Remediation of Land*. NSW Department of Urban Affairs and Planning / Environment Protection Authority of New South Wales, August 1998.

NEPC (1999) *National Environmental Protection (Assessment of Site Contamination) Measure 1999*. National Environmental Protection Council, December 1999.

NEPC (2013) *National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No. 1)*, National Environment Protection Council, OPC50357-B, 11 April, 2013.

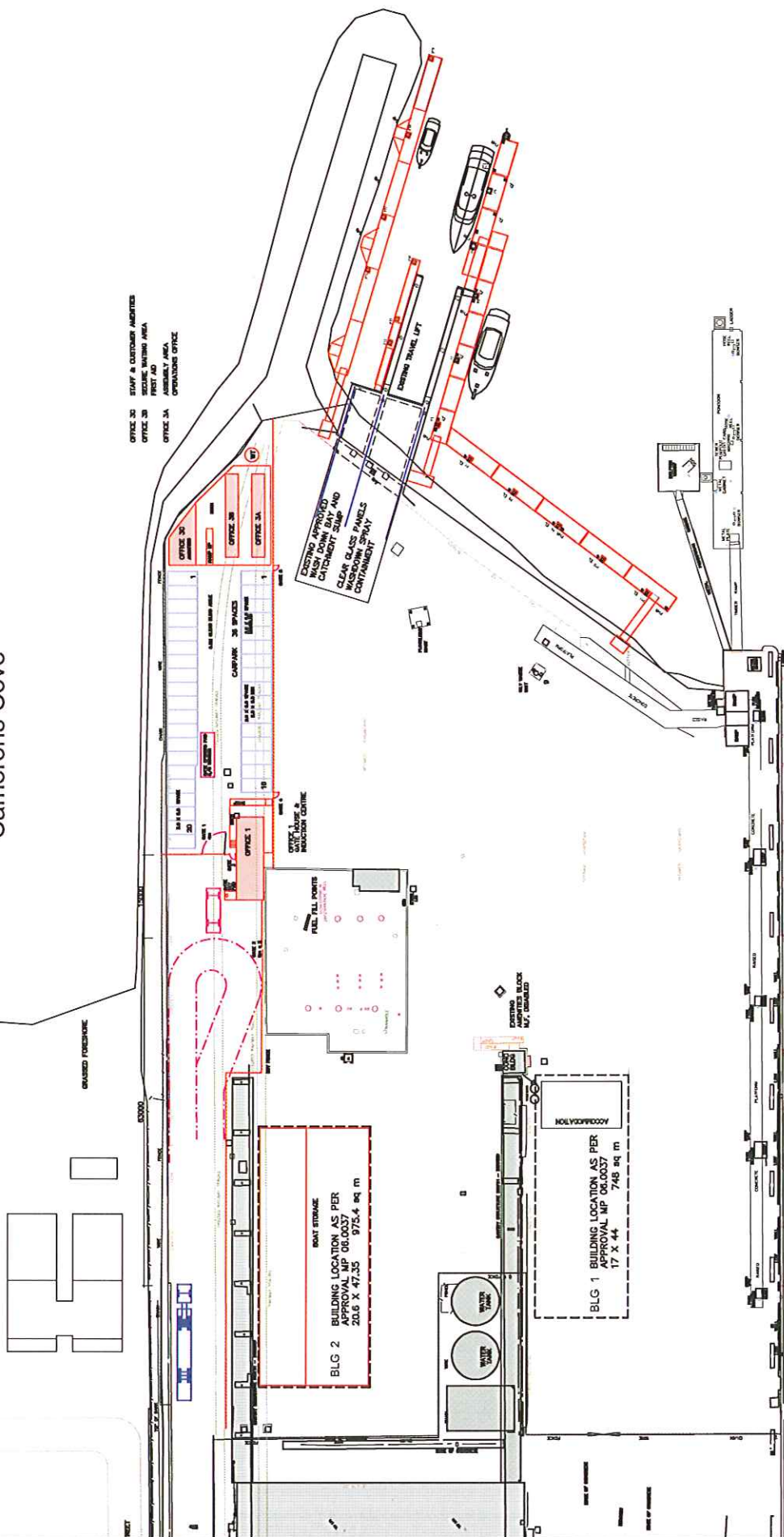
OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*. New South Wales Office of Environment and Heritage, OEH 2011/0650, August 2011.

Site Suitability for Residential Purposes
White Bay 6 Marine Park, Balmain NSW 2041
Report No. MP152 AC 24 October, 2013

ATTACHMENT A

SITE PLAN

Camerons Cove



White Bay

SITE PLAN APPROVED STRUCTURES & PROPOSED AMENDMENTS

scale 1:750	date OCT 2013	revision C	project no. 839
project WHITE BAY 6 MARINE PARK			sheet 05



PAUL CARRICK
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LEGEND

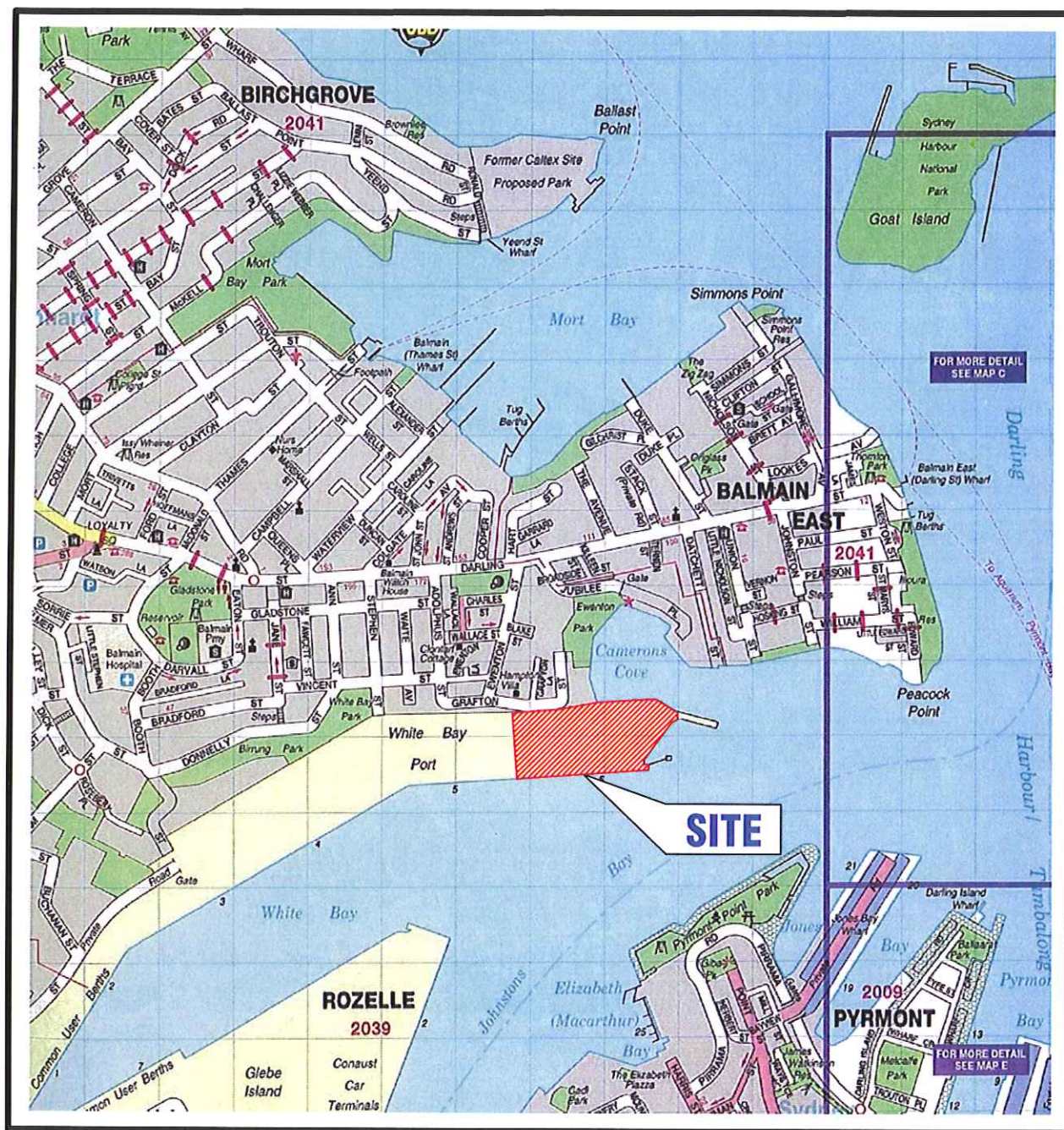
DEMOUNTABLE OFFICES		
OFFICE 1	5 X 12	1 OFF
OFFICE 3	2.4 X 15	3 OFF



Site Suitability for Residential Purposes
White Bay 6 Marine Park, Balmain NSW 2041
Report No. MP152 AC 24 October, 2013

ATTACHMENT B

INFORMATION FROM THE SITE INVESTIGATION PHASE



SOURCE: CITY LINK STREET DIRECTORY
SYDNEY, NEW SOUTH WALES
21ST EDITION, 2009, MAP:10



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Client:

TFA PROJECT GROUP PTY LTD

Project:

GEOTECHNICAL AND CONTAMINATION
ASSESSMENT, PROPOSED BAILEY'S
MARINE FUELS DEVELOPMENT

Drawing Title:

SITE LOCATION MAP

Location:

BERTH #6
WHITE BAY SYDNEY, NEW SOUTH WALES

Drawn
MV

Date

22.07.09

Project - Drawing No.
ENVRH000818AA-D01

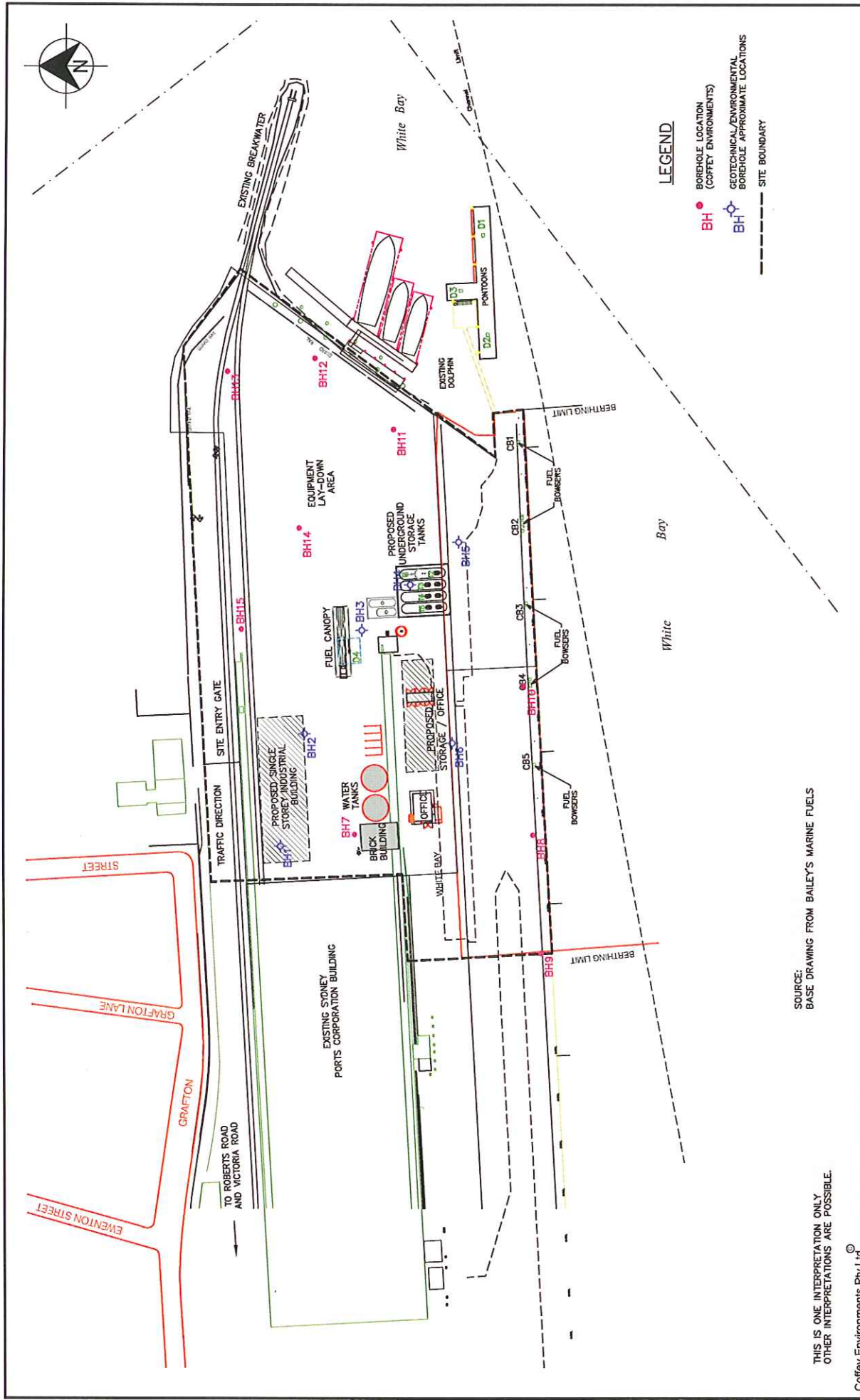
Figure No. Rev.
1 A

Rev. Date

Revision Details

Drn

0 100 200 300 400 500
SCALE 1:10 000 METRES



LEGEND

- BH BOREHOLE LOCATION (COFFEY ENVIRONMENTS)
- BH GEOTECHNICAL/ENVIRONMENTAL BOREHOLE APPROXIMATE LOCATIONS
- SITE BOUNDARY

SOURCE:
BASE DRAWING FROM BAILEY'S MARINE FUELS

THIS IS ONE INTERPRETATION ONLY
OTHER INTERPRETATIONS ARE POSSIBLE.

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Client:		Project:		Drawing Title:	
TFA PROJECT GROUP PTY LTD		GEOTECHNICAL & CONTAMINATION ASSESSMENT, PROPOSED BAILEY'S MARINE FUELS DEVELOPMENT		GEOTECHNICAL & ENVIRONMENTAL ASSESSMENT SAMPLE LOCATION PLAN	
Revision Details		Location:		Drawn	
Rev		Date		MV	
A		22.07.09		Project - Drawing No.	
				ENVIRH000818AA-D01	
				Date	
				22.07.09	
				Figure No.	
				2	
				Rev.	
				A	

[illegible]

Table LR2 - RPDs

Balleys Marine Fuels, Berth #6, White Bay NSW
TFA Project Group Pty. Ltd.
Job Ref. ENVIRHOD00818AA

Group	Chemical	Units	SDG Field_ID Sampled_Date-Time	SE70352 BH4_1.3-1.5 2/07/2009	SE70352 DUP1 2/07/2009	RPD	SE70352 BH5_1.8-2.0 2/07/2009	SE70352 DUP2 2/07/2009	RPD	SE70352 BH4_1.3-1.5 2/07/2009	Interlab_D DUP_1A 2/07/2009	RPD
			EQL									
TPH	TPH C6 - C9 Fraction	mg/kg	20	<20.0	<20.0	0	<20.0	<20.0	0	<20.0	<20.0	0
	TPH C10 - C14 Fraction	mg/kg	20 (Primary): 50 (Interlab)	<20.0	<20.0	0	<20.0	<20.0	0	<20.0	<50.0	0
	TPH C15 - C28 Fraction	mg/kg	50 (Primary): 100 (Interlab)	<50.0	<50.0	0	<50.0	<50.0	0	<50.0	<100.0	0
	TPH C29 - C36 Fraction	mg/kg	50 (Primary): 100 (Interlab)	<50.0	<50.0	0	<50.0	<50.0	0	<50.0	<100.0	0
BTEX	Benzene	mg/kg	0.5 (Primary): 0.05 (Interlab)	<0.5	<0.5	0	<0.5	<0.5	0	<0.5	<0.05	0
	Ethylbenzene	mg/kg	0.5 (Primary): 0.05 (Interlab)	<0.5	<0.5	0	<0.5	<0.5	0	<0.5	<0.05	0
	Toluene	mg/kg	0.5 (Primary): 0.05 (Interlab)	<0.5	<0.5	0	<0.5	<0.5	0	<0.5	<0.05	0
	Xylene Total	mg/kg	1.5 (Primary): 0.05 (Interlab)	<1.5	<1.5	0	<1.5	<1.5	0	<1.5	<0.05	0
Metals	Arsenic	mg/kg	3 (Primary): 2 (Interlab)	<3.0	<3.0	0	<3.0	<3.0	0	<3.0	<2.0	0
	Cadmium	mg/kg	0.3 (Primary): 0.5 (Interlab)	<0.3	<0.3	0	0.4	<0.3	29	<0.3	<0.5	0
	Chromium (III+VI)	mg/kg	0.3 (Primary): 5 (Interlab)	31.0	24.0	25	13.0	11.0	17	31.0	21.0	38
	Copper	mg/kg	0.5 (Primary): 5 (Interlab)	7.1	5.1	33	3.8	5.7	40	7.1	<5.0	35
	Lead	mg/kg	1 (Primary): 5 (Interlab)	17.0	12.0	34	21.0	19.0	10	17.0	12.0	34
	Mercury	mg/kg	0.05 (Primary): 0.1 (Interlab)	<0.05	<0.05	0	<0.05	<0.05	0	<0.05	<0.1	0
	Nickel	mg/kg	0.5 (Primary): 5 (Interlab)	9.6	7.0	31	3.8	3.6	5	9.6	5.9	48
	Zinc	mg/kg	0.5 (Primary): 5 (Interlab)	36.0	25.0	36	31.0	35.0	12	36.0	25.0	36
pH	pH	pH Units	0	9.4	9.6	2	9.0	8.9	1	9.4		
PAH	1-Methylnaphthalene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		
	Acenaphthene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Acenaphthylene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Anthracene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Benz(a)anthracene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Benzo(a)pyrene	mg/kg	0.05 (Primary): 0.1 (Interlab)	<0.05	<0.05	0	<0.05	<0.05	0	<0.05	<0.1	0
	Benzo(b,k)fluoranthene	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2		
	Benzo(g,h,i)perylene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Chrysene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Dibenz(a,h)anthracene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Fluoranthene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Fluorene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Indeno(1,2,3-c,d)pyrene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Naphthalene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	PAHs (Sum of total)	mg/kg	1.75 (Primary): 0.1 (Interlab)	<1.75	<1.75	0	<1.75	<1.75	0	<1.75	<0.1	0
	Phenanthrene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Pyrene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
Phenol	Phenolics Total	mg/kg	0.1	0.2	0.7	111	<0.1	0.8	156	0.2	<LOR	0
OCP	4,4-DDE	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	a-BHC	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Aldrin	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	b-BHC	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	cis-Chlordane	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		
	d-BHC	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	DDD	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	DDT	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Dieldrin	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endosulfan I	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endosulfan II	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endosulfan sulphate	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endrin	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endrin aldehyde	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Endrin ketone	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	g-BHC (Lindane)	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Heptachlor	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Heptachlor epoxide	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Hexachlorobenzene	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
	Methoxychlor	mg/kg	0.1 (Primary): 0.05 (Interlab)	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.05	0
OPP	o,p'-DDT	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		
	trans-chlordane	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		
	Azinophos methyl	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2	<0.2	0
	Diazinon	mg/kg	0.5 (Primary): 0.2 (Interlab)	<0.5	<0.5	0	<0.5	<0.5	0	<0.5	<0.2	0
	Dichlorvos	mg/kg	1 (Primary): 0.2 (Interlab)	<1.0	<1.0	0	<1.0	<1.0	0	<1.0	<0.2	0
	Dimethoate	mg/kg	1	<1.0	<1.0	0	<1.0	<1.0	0	<1.0		
	Ethion	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2	<0.2	0
	Fenitrothion	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2	<0.2	0
	Malathion	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2		
PCB	Parathion	mg/kg	0.2	<0.2	<0.2	0	<0.2	<0.2	0	<0.2		
	Aroclor 1221	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1016	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1232	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1242	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1248	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1254	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1260	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
	Aroclor 1262	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1	<0.1	0
SVOC	Aroclor 1268	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		
	PCBs (Sum of total)	mg/kg	0.9 (Primary): 0.1 (Interlab)	<0.9	<0.9	0	<0.9	<0.9	0	<0.9	<1.0	0
SVOC	2-methylnaphthalene	mg/kg	0.1	<0.1	<0.1	0	<0.1	<0.1	0	<0.1		

*RPDs have only been considered where a concentration is greater than 5 times the EQL.

**High RPDs are in bold (Acceptable RPDs for each EQL multiplier range are: 50 (5-10 x EQL); 30 (10-50 x EQL); 50 (> 50 x EQL))

***Interlab Duplicates are matched on a per compound basis as methods vary between laboratories. Any methods in the row header relate to those used in the primary laboratory

Table LR3 - Acid Sulfate Soil Analytical Results (SPOCAS)
Baileys Marine Fuels, Berth #6, White Bay NSW
TFA Project Group Pty. Ltd.
Job Ref. ENVIRH000818AA

Chemical	Units	EQL	Field ID	Parent Sample	BH4 2.0-2.2	BH4 3.0-3.2	BH5 3.0-3.2	BH6 2.0-2.2	BH10 4.4-4.6
				Sample Depth	2.0-2.2	3.0-3.2	3.0-3.2	2.0-2.2	4.4-4.6
				Sample Date	1/07/2009	1/07/2009	1/07/2009	1/07/2009	2/07/2009
			NSW ASSMAC (1998)						
pH KCl	pH Units	<0.1			9	6.6	7.5	6.9	9.9
pH Ox	pH Units	<0.1			7.9	6.4	7.8	6.4	8.1
TAA pH 6.5	mole H+/l	<5	18		<5	<5	<5	<5	<5
s-TAA pH 6.5	% w/w S	<0.01			<0.01	<0.01	<0.01	<0.01	<0.01
TPA pH 6.5	mole H+/l	<5	18		<5	<5	<5	<5	<5
s-TPA pH 6.5	% w/w S	<0.01			<0.01	<0.01	<0.01	<0.01	<0.01
TSA pH 6.5	mole H+/l	<5			<5	<5	<5	<5	<5
s-TSA pH 6.5	% w/w S	<0.01			<0.01	<0.01	<0.01	<0.01	<0.01
ANCE	% CaCO3	<0.01			0.29	<0.01	0.14	<0.01	7.8
s-ANCE	mole H+/l	<5			59	<5	29	<5	1600
S KCl	% w/w S	<0.01			0.09	<0.01	0.05	<0.01	2.5
S P	% w/w	<0.005			<0.005	<0.005	<0.005	<0.005	0.015
S POS	% w/w	<0.005	0.03		<0.005	<0.005	0.008	<0.005	0.03
a-S POS	mole H+/l	<5			<5	<5	<5	<5	9.4
Ca KCl	% w/w	<0.005			0.086	0.024	0.026	0.036	0.33
Ca P	% w/w	<0.005			0.11	0.023	0.03	0.042	3.1
Ca A	% w/w	<0.005			0.027	<0.005	<0.005	0.006	2.8
Mg KCl	% w/w	<0.005			0.013	0.022	0.025	0.016	0.02
Mg P	% w/w	<0.005			0.027	0.022	0.034	0.019	0.14
Mg A	% w/w	<0.005			0.014	<0.005	0.009	<0.005	0.12
SHCl #	% w/w	<0.005			NA	NA	NA	NA	NA
S NAS	% w/w	<0.005			NA	NA	NA	NA	NA
a-S NAS	mole H+/l	<5			<5	<5	<5	<5	<5
s-S NAS	% w/w S	<0.01			NA	NA	NA	NA	NA
s-Net Acidity	% w/w S	<0.01			<0.01	<0.01	<0.01	<0.01	<0.01
a-Net Acidity	mole H+/l	<5			<5	<5	<5	<5	<5
Liming Rate	kg CaCO3/tonne	<0.1			NA	NA	NA	NA	NA
Verification s-Net Acidity	% w/w S	<5			NA	NA	NA	NA	NA
a-Net Acidity without ANCE	mole H+/l	<5			<5	<5	<5	<5	9.4
Liming Rate without ANCE	kg CaCO3/tonne	<0.1			NA	NA	NA	NA	NA

Table LR4 - TCLP Analytical Results
Baileys Marine Fuels, Berth #6, White Bay NSW
TFA Project Group Pty. Ltd.
Job Ref. ENVIRHOD00818AA

				Field ID	BH1 1.2-1.5	BH4 1.3-1.5	BH4 4.0-4.4	BH5 1.8-2.0	BH6 0.8-1.0
				Location	BH1 1.2-1.5	BH4 1.3-1.5	BH4 4.0-4.4	BH5 1.8-2.0	BH6 0.8-1.0
				Sample Depth	1.2-1.5	1.3-1.5	4-4.4	1.8-2	0.8-1
				Sample Date	1/07/2009	2/07/2009	2/07/2009	2/07/2009	2/07/2009
Group	Chemical	Units	EQL	NSW DECC 2008 General Solid Waste (TCLP1)					
Metals	Arsenic	mg/L	0.05	5	<0.05	<0.05	<0.05	<0.05	<0.05
	Cadmium	mg/L	0.005	1	<0.005	<0.005	<0.005	<0.005	<0.005
	Chromium (III+VI)	mg/L	0.005		<0.005	0.013	<0.005	<0.005	<0.005
	Copper	mg/L	0.01		<0.01	0.02	<0.01	<0.01	<0.01
	Lead	mg/L	0.02	5	0.04	<0.02	<0.02	0.05	0.02
	Mercury	mg/L	0.0005	0.2	<0.0005	<0.0005	<0.0005	<0.0005	<0.0005
	Nickel	mg/L	0.01	2	0.02	0.068	0.027	<0.01	0.012
	Zinc	mg/L	0.01		0.018	0.047	0.13	0.035	0.033
TPH	TPH C10 - C14 Fraction	µg/L	100		<100	<100	<100	<100	<100
	TPH C15 - C28 Fraction	µg/L	200		<200	<200	<200	<200	<200
	TPH C29 - C36 Fraction	µg/L	200		<200	<200	<200	<200	<200
	TPH+C10 - C36 (Sum of total)	µg/L			<500	<500	<500	<500	<500
PAH	1-Methylnaphthalene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	2-methylnaphthalene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Acenaphthene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Acenaphthylene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Anthracene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Benz(a)anthracene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Benzo(a) pyrene	µg/L	0.5	40	<0.5	<0.5	<0.5	<0.5	<0.5
	Benzo(b)(k)fluoranthene	µg/L	1		<1	<1	<1	<1	<1
	Benzo(g,h,i)perylene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Chrysene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Dibenz(a,h)anthracene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Fluoranthene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Fluorene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Indeno(1,2,3-c,d)pyrene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Naphthalene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	PAHs (Sum of total)	µg/L	9		<9	<9	<9	<9	<9
	Phenanthrene	µg/L	0.5		<0.5	<0.5	0.83	<0.5	<0.5
	Pyrene	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Total PAHs (sum)	µg/L	9		<9	<9	<9	<9	<9
Phenolics	Total Phenolics	mg/L			<0.01	<0.01	<0.01	<0.01	<0.01
OCP	4,4-DDE	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	a-BHC	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Aldrin	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Aldrin + Dieldrin	µg/L			<0.4	<0.4	<0.4	<0.4	<0.4
	b-BHC	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	cis-Chlordane	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	d-BHC	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	DDD	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	DDT	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	DDT+DDE+DDD	µg/L			<0.6	<0.6	<0.6	<0.6	<0.6
	Dieldrin	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endosulfan I	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endosulfan II	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endosulfan sulphate	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endrin	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endrin aldehyde	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Endrin ketone	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	g-BHC (Lindane)	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Heptachlor	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Heptachlor epoxide	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Hexachlorobenzene	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Methoxychlor	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	o,p-DDT	mg/L	0.0002		<0.0002	<0.0002	<0.0002	<0.0002	<0.0002
	trans-chlordane	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Bromophos-ethyl	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Methidathion	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	o,p'-DDD	mg/L	0.0002		<0.0002	<0.0002	<0.0002	<0.0002	<0.0002
	o,p'-DDE	mg/L	0.0002		<0.0002	<0.0002	<0.0002	<0.0002	<0.0002
	trans-Nonachlor	mg/L	0.0002		<0.0002	<0.0002	<0.0002	<0.0002	<0.0002
OPP	Azinophos methyl	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Diazinon	µg/L	0.5		<0.5	<0.5	<0.5	<0.5	<0.5
	Dichlorvos	µg/L	1		<1	<1	<1	<1	<1
	Dimethoate	µg/L	1		<1	<1	<1	<1	<1
	Ethion	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Fenitrothion	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Malathion	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
	Parathion	µg/L	0.2		<0.2	<0.2	<0.2	<0.2	<0.2
PCB	Aroclor 1221	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1016	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1232	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1242	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1248	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1254	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1260	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1262	µg/L	10		<10	<10	<10	<10	<10
	Aroclor 1268	µg/L	0.01		<0.01	<0.01	<0.01	<0.01	<0.01
	PCBs (Sum of total)	µg/L	10		<90	<90	<90	<90	<90
Pesticides	Pesticides (total, NSW Waste 2008)	mg/L			<0.0031	<0.0031	<0.0031	<0.0031	<0.0031

Appendix D

HWL Ebsworth Lawyers - Legal Advice

Our Ref: KMG:289541

27 November 2013

White Bay 6 Pty Ltd
C/- Gooding Partners
'The Quadrant' Level 9
1 William Street
Perth WA 6000

Attention: Guy Bailey

Email: gbailey@baileysgroup.com.au

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Dear Sir

Submission in relation to Bailey's Marina Modification MP06_0037M004
Property: White Bay Berth 6

1. We refer to s 75W modification request No. MP06_0037 M004 relating to, in summary, dry boat storage at the above property.
2. We have been instructed to provide advice in relation to legal issues which have arisen in the context of correspondence received from the Department of Planning and Infrastructure (DPI) dated 20 September 20013 and submissions received following public notification of this modification request.
3. We have perused and considered various documents in relation to the matter, including in particular the original project application dated 20 September 2006 and Part 3A approval and the Section 75 Modification Request prepared by AECOM dated 12 July 2013.
4. This advice is prepared in relation to the document "*White Bay Berth 6 – Dry Boat Storage Section 75W Modification (06_0037 MOD4) Response to Submissions*", prepared by AECOM (**Varied Modification Request**).
5. In summary, as set out in section 2.2 of the Varied Modification Request, the Varied Modification Request, the following modifications are now proposed:
 - (a) the dimensions of building 1 would remain as originally approved, but would now house the caretaker's accommodation;
 - (b) the dimensions of building 2 would remain as originally approved and would house up to 50 boats in dry storage;
 - (c) building 3A and building 3B have been removed from the modification request;

Brisbane
Canberra
Melbourne
Norwest
Perth
Sydney

- (d) the meet and greet facilities have been relocated along the northern boundary of the site within two office buildings, with a possible alternative configuration;
 - (e) relocation of the car park and gatehouse along the northern boundary of the site; and
 - (f) James Craig Crescent would no longer be used by customers of the development during periods when cruise ships are at berth at the adjoining Cruise Passenger Terminal.
6. In preparing the current advice we have reviewed draft and final draft versions of the Varied Modification Request. It is our understanding that our advice will be provided to the DPI in conjunction with the Varied Modification Request.

Executive Summary

7. In summary, the primary legal issues raised by the DPI and submissions relate to:
- (a) the Minister's power to approve the Varied Modification Request; and
 - (b) permissibility.
8. With respect to each of these issues, for the reasons more fully expressed in the body of this advice, we say as follows:
- (a) There can be no doubt that it is within the Minister's power to approve the Varied Modification Request. The Varied Modification Request would have limited environmental consequences compared to the proposal as originally approved. The Minister's decision to approve the Varied Modification Request would not come anywhere near one that could be regarded as "irrational, perverse and bizarre"¹ so as to render it liable to being unlawful.
 - (b) The project, as proposed to be varied by the Varied Modification Request, will continue to be generally consistent with one or more objectives of the Port and Employment Zone under *Sydney Regional Environmental Plan No. 26 – City West (SREP 26)*, which is the test for permissibility. Accordingly, we consider that the project, as proposed to be varied, is permissible.

The Minister's power to approve the Varied Modification Request

9. The DPI's letter of 20 September 2013, as well as other submissions², raise an issue in relation to the Minister's power to approve the modification request in its previous form (ie. prior to the current Varied Modification Request being submitted).
10. The Minister's power to modify a major project approval is set out in s 75W (now repealed) of the EPA Act.
11. Section 75W of the EPA Act (prior to the repeal of Part 3A) is as follows:
- (1) *In this section:*

Minister's approval means an approval to carry out a project under this Part, and includes an approval of a concept plan.

modification of approval means changing the terms of a Minister's approval, including:
 - (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*

¹ *Manning v Bathurst Regional Council (No 2)* [2013] NSWLEC 186.

² For example, letter from Hones La Hood Lawyers dated 3 September 2013.

- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*
 - (2) *The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.*
 - (3) *The request for the Minister's approval is to be lodged with the Director-General. The Director General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.*
 - (4) *The Minister may modify the approval (with or without conditions) or disapprove of the modification.*
 - (5) *The proponent of a project to which section 75K applies who is dissatisfied with the determination of a request under this section with respect to the project (or with the failure of the Minister to determine the request within 40 days after it is made) may, within the time prescribed by the regulations, appeal to the Court. The Court may determine any such appeal.*
 - (6) *Subsection (5) does not apply to a request to modify:*
 - (a) *an approval granted by or as directed by the Court on appeal, or*
 - (b) *a determination made by the Minister under Division 3 in connection with the approval of a concept plan.*
 - (7) *This section does not limit the circumstances in which the Minister may modify a determination made by the Minister under Division 3 in connection with the approval of a concept plan.*
12. The leading authority in relation to the extent of the Minister's power to modify a project approval is the decision of the Court of Appeal in *Barrick Australia Ltd v Williams*.³ It should however be recognised that this case did not exhaustively or definitively set out the scope of the Minister's power to approve a modification of an approval under s 75W.
- 12.1 The Court's comments providing guidance as to the scope of s 75W are as follows:

[53] The absence of precision in relation to what might constitute a modification of an approval has formed part of the reasoning for considering that the legislature did not intend that it be the subject of conclusive determination only by a court. As noted, the defined phrase means "changing the terms of an approval to carry out a project under this Part". Although that is defined to include changing a condition of the approval, there is no clear dividing line between that which may constitute a condition and that which may constitute an element of the underlying project. All that can usefully be said in the abstract is that the requirement for approval of a modification must be understood in the context of three factors. The first is that the subject matter of Pt 3A is defined by reference to major infrastructure developments, as identified by the Minister (or by a State environmental planning policy), as having State or regional environmental planning significance: s 75B. Secondly, the project is required to undergo environmental assessment and public consultation, of a kind not required of a modification. Construing s 75W in its context, it is clear that the modification of an approval was something intended to have limited environmental consequences beyond those which had been the subject of assessment. (Given the powers of the Director-General, it cannot be said, of course, that only modifications which properly required no further environmental assessment were envisaged.) Thirdly, the 'consent

³ [2009] NSWCA 275, (2009) 74 NSWLR 733, (2009) 168 LGERA 43.

authority' was to be the Minister. Conferring authority on a Minister may have a number of purposes. One such purpose may be to permit the decision-making authority to have regard to matters such as State and regional planning significance, being matters which stand above and beyond developments having limited local impact or insignificant impact at a regional or State level.

[54] These considerations inform the content of the definition of "modification of approval" and the scope within which the terms of an approval to carry out a project may properly be sought to be changed. Beyond these general remarks, it is neither helpful nor appropriate for this Court to go in this case.(emphasis added).

13. It must be kept in mind that the above 3 factors are by no means a binding determination of the law, but are instead simply 3 factors set out by the Court of Appeal in the abstract as to how the power to approve a modification request is to be understood.
14. The decision in *Barrack* emphasised that it is Minister who is the decision maker - the ultimate decision as to whether a modification request falls within s 75W of the EPA Act is a matter for the Minister's discretion.
15. This is reflected in the Court of Appeal's finding that the language, statutory context and purpose of s 75W is such that the assessment of whether a proposed modification of an approval extends beyond the scope of s 75W not a jurisdictional fact. That is, the assessment of whatever it comprises a modification is to be made by the Minister and not the Court⁴. The Court cannot substitute its own views, even if it disagrees with the conclusion drawn by the Minister.
16. However, the Minister's decision must still be one that is reasonably open on the facts. The test as to whether the Minister's determination is reasonably open is whether the decision is so unreasonable that no other decision-maker acting according to law could have made the same decision. This test is known as the *Wednesbury* unreasonableness⁵.
17. Unreasonableness in the *Wednesbury* sense has been held to burden any challenger to demonstrate that the decision is, in effect, a decision "*verging on absurdity*".⁶ In the very recent case of *Manning v Bathurst Regional Council (No 2)*⁷, Pepper J described the test of *Wednesbury* unreasonableness as involving a decision that is "*irrational, perverse and bizarre*".⁸ Her Honour also emphasised in that case how rare it is for the Court to make a finding of *Wednesbury* unreasonableness⁹.
18. Having regard to the above, if the DPI had any queries as to the ability to approve the modification request that was originally submitted¹⁰, it certainly could have no doubts as to the ability of the Minister to approve the Varied Modification Request that has now been submitted.
19. In summary, as explained in detail by AECOM in the Varied Modification Request, the request in its current form would in our view have limited environmental consequences compared to the proposal as originally approved. In particular, the Varied Modification Application:
 - (a) will have negligible visual impacts compared to the project as approved, with only a minor increase in built form limited to the 'meet and greet' area, noting in particular that the form and location of buildings 1 and 2 would remain as approved; and

⁴ at [10] – [11], [38] – [42] and [53] – 54]

⁵ *Associated Picture Houses Ltd v Wednesbury Corporation* [1948] 1 KB 223.

⁶ *Legal & General Life of Australia Ltd v North Sydney Municipal Council* (1989) 68 LGRA 192

⁷ [2013] NSWLEC 186.

⁸ At paragraph [8].

⁹ At paragraph [1], referring to the judgment of Gageler J in the High Court case of *Minister for Immigration and Citizenship v Li* [2013] HCA 18.

¹⁰ We should not be taken as expressing a view one way or the other on this issue.

- (b) will result in minimal increases in traffic compared to the project as approved.
20. Having regard to the nature of the Varied Modification Request and the nature and extent of the Minister's modification power under s 75W of the EPA Act, in our view it would be indisputable that the Minister's decision to approve the Varied Modification Request would not come anywhere near one that was "*verging on absurdity*" or "*irrational, perverse and bizarre*" so as to be liable to be found to be unlawful on the basis of *Wednesbury* unreasonableness.
21. Accordingly, whilst the decision is ultimately one for the Minister's discretion, it is plain in our view that it is well within the Minister's power to approve the Varied Modification Request.

Permissibility

22. Submissions have been made as to the permissibility of the modification request. Whilst these submissions obviously deal with the modification request prior to the submission of the Varied Modification request, we note at the outset that regardless of whether the Minister is considering the previous request or current Varied Modification Request, no issue arises in relation to permissibility.
23. Permissibility of the Varied Modification Request involves consideration of cl 20C of SREP 26, which deals with permissible development in the Port and Employment Zone.
24. That clause defines what is permissible on the subject land by reference to the requirement for the consent authority to be satisfied that the use is "*generally consistent with one or more of the zone objectives*". This is a very broad test for permissibility of development.
25. The DPI would be well aware of the fact that the overwhelming majority of environmental planning instruments define permissible development by the use of a development control table, whereby permissible and prohibited uses for the relevant zone are defined by the table. This can then give rise to questions involving characterisation of the use being carried out, and whether it falls within a listed permissible use or instead falls within a prohibited use. However, as a result of the broad manner in which cl 20C of SREP 26 is drafted, such issues do not arise.
26. Rather, in order for particular development to be permissible in the zone the test is simply that the use be generally consistent with one or more of the zone objectives. The test of "general consistency" is one which is not particularly difficult to meet. Pearlman CJ in *Schaffer Corporation v Hawkesbury City Council*¹¹ described the test as follows:
- The guiding principle, then, is that a development will be generally consistent with the objectives, if it is not antipathetic to them. It is not necessary to show that the development promotes or is ancillary to those objectives, nor even that it is compatible.*
27. Further, notwithstanding that there are 8 objectives of the Port and Employment Zone, cl 20C only requires "general consistency" with one of those objectives in order for a use to be permissible.
28. The original Section 75 Modification Request prepared by AECOM dated 12 July 2013 relied upon general consistency with the following objective:
- to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses.*
29. The Varied Modification Request will also be generally consistent with this objective. The objective is itself very broadly drafted. The use of the word "particularly" means that it is not even necessary for a proposed use to relate to port and maritime uses. All that is required is

¹¹ (1992) 77 LGRA 21

that the uses be "generally consistent" with the objective of encouraging a mix of land uses which generate employment opportunities.

30. The proposal, if modified by way of the Varied Modification request, will continue to be generally consistent with the objective "to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses". Accordingly, we consider that the test for permissibility is clearly met by the Varied Modification Request.
31. We will however consider some of the specific submissions raised in relation to permissibility in the table contained in the conclusion below.

Continuing unlawful use

32. We note finally that a submission has been made in relation to alleged past unlawful use. We do not have instructions in relation to this submission, though in any event, past unlawful use is not a relevant consideration for the Varied Modification Application: see *Jonah Pty Ltd v Pittwater Council*.¹²

Conclusion/ Response to submissions

33. In conclusion, we provide a brief response to submissions dealing with the suitability of the proposal to be assessed as a s 75W modification, and other issues regarding permissibility, in the table below.

Submission	Response
Scope of the proposal and its suitability to be assessed as a Section 75W modification.	The DPI could have no concerns as to the ability of the Minister to approve the Varied Modification Request that has now been submitted. The Varied Modification Request would have limited environmental consequences compared to the proposal as originally approved. The Minister's decision to approve the Varied Modification Request would not come anywhere near one that was "<i>verging on absurdity</i>" or "<i>irrational, perverse and bizarre</i>" so as to be liable to be found to be unlawful (on the basis of <i>Wednesbury</i> unreasonableness). Accordingly, whilst the decision is ultimately one for the Minister's discretion, it is well within the Minister's power to approve the Varied Modification Request.
The modification represents a change in the use of the site, potentially changing the definition of the activity on the site from a refuelling facility as originally approved to become a marina, which is prohibited on the site.	The submission appears to misconceive the test. The question is whether the project as modified is "generally consistent" with one (or more – though only one is required) of the zone objectives. Whilst ultimately a matter for the Minister's discretion, it is clear that the project as modified is generally consistent with one or more of the objectives.

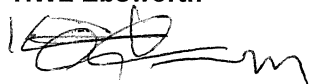
¹² (2006) 144 LGERA 408

	The Varied Modification Request would not change the use to a marina. Even if it did, there is nothing in cl 20C of SREP 26 which expressly prohibits marinas. Again, the test for permissibility is whether the proposal is generally consistency with one or more zone objectives. Accordingly, no issues arise in relation to the permissibility of the Varied Modification Request.
Dry boat storage is not classified as port or maritime use, for which the site is zoned.	The submission appears to misconceive the test. The site is zoned "Port and Employment" under cl 20C of SREP 26. It is not zoned as port or maritime use. The mere fact that the objective uses the words "particularly in relation to port and maritime uses" does not in any way confine the very broad introductory words that the use must simply "encourage a mix of land uses which generate employment opportunities". Accordingly, no issues arise in relation to the permissibility of the Varied Modification Request.
The large number of vessels proposed for dry stack storage cannot be described as ancillary to the predominant vessel refuelling function.	The submission appears to misconceive the test. There is nothing in SREP 26, or the now repealed Part 3A for that matter, which requires a modification request to result in development that is ancillary to the original project approval. Again, the test for permissibility is whether the proposal is generally consistency with one or more zone objectives Even if SREP 26 or Part 3A did require a proposed modification to be ancillary to the original project approval, the reduction in dry boat storage from 150 to 50 in the current modification request is such that the modification could be said to be ancillary to the original project approval. However, it is again stressed that this simply is not the test. Accordingly, no issues arise in relation to the permissibility of the Varied Modification Request.
The modification request does not align with the objectives of SREPP 26, including a reduction in the number of full time staff	The submission appears to misconceive the test. The test of "generally consistent" does not require that the project as modified promotes or is ancillary to one or more objectives, or even that is compatible with those objectives. Even if there were to be a reduction in staff numbers in relation to the project as modified, this would not mean that the proposal is not

	generally consistent with the objective of encouraging a mix of land uses which generate employment. In any event, under the Varied Modification Request there will not be any reduction in staff numbers, such that there is even less force in this submission. Accordingly, no issues arise in relation to the permissibility of the Varied Modification Request
Continuing unlawful use of the site, relating to the dry boat storage of more than the approved number of boats.	We do not have instructions in relation to this submission, though in any event, past unlawful use is not a relevant consideration for the Varied Modification Application.

34. We trust the above has been of assistance. Please do not hesitate to call Kirston Gerathy or Philip Brown if you wish to discuss this matter further.

Yours faithfully
HWL Ebsworth



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