

17 November 2016

Jimmy's On The Mall Pty Ltd  
187 Wellington Road  
East Brisbane QLD 4169  
Attn: Godfrey Mantle

Dear Godfrey,

**Permission to Lodge – State Significant Development (SSD) application 7683 – Use of Tenancy 5 as an indoor and outdoor restaurant and bar, incorporating a micro-brewery, OPT**

Port Authority of New South Wales grants Jimmy's on the Mall Pty Ltd permission to lodge with the Department of Planning and Environment the State Significant Development (SSD) application for the proposed new restaurant and bar incorporating a micro-brewery at Tenancy 5 of the OPT.

Permission to lodge is granted, subject to the following conditions:

<b>1</b>	<b>Development Application</b>	The documentation to be lodged is that which was submitted to and reviewed by the Port Authority of NSW (Port Authority), being the SSD application and Environmental Impact Statement (EIS), dated 16 November 2016, prepared by Keylan Consulting Pty Ltd on behalf of Jimmy's On The Mall Pty Ltd.
<b>2</b>	<b>Amendments</b>	Any amendments to the SSD application or supporting documentation reviewed by the Port Authority in issuing permission to lodge as landowner (whether or not the amendments are made prior to lodgement or following lodgement) must be submitted to the Port Authority for review and/or comment. The Port Authority's consent for the amended and/or new documentation being lodged with the Consent Authority is required prior to submission.
<b>3</b>	<b>Other Documentation</b>	a) Any management plans, reports, studies or other documentation required to be submitted to the Consent Authority as part of the development's conditions of approval are to be submitted to the Port Authority for review and comment prior to submission to the Consent Authority.

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		<p>b) The following documentation is to be submitted to the Port Authority for review, comment and agreement at least two (2) weeks prior to commencement of construction, or other time frame as agreed with the Port Authority:</p> <ul style="list-style-type: none"> <li>- Construction Environmental Management Plan</li> <li>- Construction Traffic Management Plan</li> <li>- Construction and Staging Report</li> </ul>
4	<b>Construction Environmental Management Plan (CEMP)</b>	<p>A CEMP for the project must be prepared and outline the environmental management practices and procedures to be implemented during construction, and include:</p> <ul style="list-style-type: none"> <li>a) a description of all activities to be undertaken on the site during construction of the project, including an indication of stages of construction, where relevant;</li> <li>b) statutory and other obligations required to be fulfilled / met during construction, including all approvals, consultations and agreements required from authorities and other stakeholders;</li> <li>c) details of how the environmental performance of the construction works would be monitored, and what actions would be taken to address identified adverse environmental impacts;</li> <li>d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and</li> <li>e) complaints handling procedures during construction and site preparation.</li> </ul>
5	<b>Construction Noise</b>	<p>The CEMP must detail measures to manage construction noise impacts on nearby receivers, particularly other tenants of the OPT and nearby commercial receivers.</p> <p>No noisy or disruptive works that cause excessive noise, dust or vibration impacts at Quay are to occur during their lunch time trading hours Fridays to Sundays from 11:30am to 2:00pm.</p>
6	<b>Contamination</b>	<p>The CEMP must detail measures to manage potential contamination and acid sulfate soils encountered during any excavation works, as well as any lead-containing or asbestos-containing materials encountered on site.</p>
7	<b>Waste</b>	<p>The CEMP must detail measures to manage waste generated during construction works.</p>
8	<b>Construction Traffic Management Plan (CTMP)</b>	<p>A CTMP for construction activities must be prepared in accordance with Safe Work Australia Guidelines <i>General Guide for Workplace Traffic Management</i> and the <i>Guide for Construction Work</i>, to the satisfaction of the Port Authority of NSW.</p>

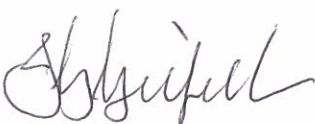
<b>9</b>	<b>Construction and Staging Report</b>	<p>A Construction and Staging Report is to be submitted to the Port Authority prior to the commencement of construction.</p> <p>The Construction and Staging Report must clearly describe the proposed stages and scope of works and provide details of how the construction will be managed in the context of on-going cruise operations and other uses of the OPT building and site.</p>
<b>10</b>	<b>Dilapidation Report</b>	<p>a) A dilapidation report of the general area proposed for construction works is to be undertaken prior to commencement of construction / installation and agreed to by the Port Authority. This report is to be prepared by a suitably qualified person.</p> <p>b) At the conclusion of works, the same area is to be inspected with reference to the dilapidation report to determine if any damage was caused to the Port Authority's infrastructure as a result of the works.</p>
<b>11</b>	<b>Engineering Certifications</b>	<p>Engineering certification of the proposed new Level 2 deck in the northern tower structure and Level 2 balconies on the north, east and northwest elevations of the OPT are required to be provided to the Port Authority for review prior to the commencement of construction / installation.</p>
<b>12</b>	<b>External Fit-out Works</b>	<p>Additional landowner's approval from the Port Authority will be required for:</p> <p>a) the proposed re-paving of the external area;</p> <p>b) the required privacy screening or treatment, including the proposed green wall, for the OPT office and amenity spaces adjacent to the proposed Level 2 balcony on the north-western elevation; and</p> <p>c) any proposed alteration to the lift room ventilation in the vicinity of the proposed Level 2 balcony on the north-western elevation.</p>
<b>13</b>	<b>Site hoarding</b>	<p>Type A hoarding must be used to enclose or separate the construction site except as otherwise agreed with the Port Authority. Structural drawings prepared with an engineer's certification are to be submitted to the Port Authority prior to site establishment.</p>
<b>14</b>	<b>Approval to commence construction</b>	<p>Should development approval be granted for this proposal by the Consent Authority, approval to commence construction works is to be obtained from Port Authority's Property &amp; Commercial Department prior to works commencing.</p>
<b>15</b>	<b>Drawings</b>	<p>Work as executed drawings in CAD format and certification documents must be provided to Port Authority following completion of construction works.</p>

16	<b>Security and Cruise Operations</b>	<p>a) No access is allowed to the wharf area or the Level 2 eastern balcony or the deck in the northern tower structure when the maritime security zone at the OPT is in force.</p> <p>b) Any chairs, tables, licence area demarcation and the like must be removed from the eastern wharf licence area for each cruise ship visit.</p>
17	<b>Approval to commence operations</b>	Prior to commencement of operations on-site, approval is to be obtained from Port Authority's Property & Commercial Department.
18	<b>Damage</b>	Any damage to buildings, pavements or other Port Authority infrastructure is required to be repaired at no cost to, and to the satisfaction of, the Port Authority.
19	<b>Compliance</b>	Evidence of compliance with Conditions of Approval and Permission to Lodge requirements is to be submitted to the Port Authority's Property & Commercial Department within two weeks of a request by the Port Authority, or other time frame as agreed with the Port Authority.

This permission is valid for twelve (12) months from the date of this letter and cannot be transferred to another applicant.

Port Authority of New South Wales is giving permission for you to lodge the SSD application and as such, the application could still be refused by the Consent Authority. If you have any questions regarding this letter please do not hesitate to contact Ryan Bennett, Senior Planning and Sustainability Manager on 9296 4674.

Yours sincerely,



**Grant Gilfillan**  
CEO and Director