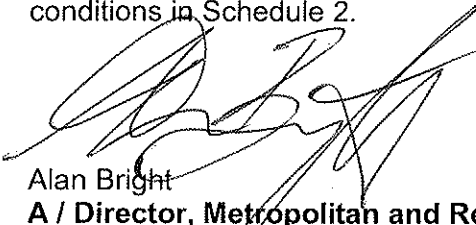


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Alan Bright

A / Director, Metropolitan and Regional Projects South

Sydney

27 MARCH

2012

SCHEDULE 1

Project Approval:

MP 06_0210 granted by the Minister for Planning and Infrastructure on 21 May 2007

For the following:

Project Approval for:

- two boat storage buildings with a total capacity of 670 boats and 852m² of commercial maritime and ancillary maritime floor space;
- a commercial maritime building with a total 3,024m² of commercial maritime, maritime brokerage, maritime workshop and restaurant/café floor space;
- a multi-storey car park and at-grade car parking for 272 vehicles;
- underground fuel storage tanks;
- a marina comprising of 36 layover berths and 24 brokerage berths;
- a boat in/out feed system to move boats between the dry boat stores and the water; and
- associated signage, landscaping and rainwater tanks.

Modification:

MP 06_0210 MOD 3: modification includes:

- inclusion of Phase 3 into Stage 1;
- interim dry boat storage of 78 boats during Phase 1 and 2 of Stage 1 across Lot 29 and 30;
- interim dry boat storage of 45 boats on Lot 30 for Phase 3 of Stage 1;
- interim car parking for 66 private vehicles during Phase 1 of Stage 1;
- interim car parking for 135 private vehicles during Phase 2 of Stage 1;
- interim car parking for 181 private vehicles during the operation of Phase 3 of Stage 1; and
- temporary mobile crane usage.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

- a) **Condition A2** is amended by deletion of the ~~struck-out words~~ and insertion of the **bold and underlined** words as follows:

A2 The Proponent must carry out the Project generally in accordance with:

- (a) the conditions of this approval;
- (b) Major Project Application 06_0210, submitted to the Sydney Harbour Foreshore Authority on the 27 July 2006;
- (c) *Environmental Assessment: Rozelle Bay Marine Centre, prepared by URS Australia Sydney, July 2006.*
- (d) *Preferred Project Report and Statement of Commitments; Rozelle Bay Marine Centre, MP06_0210, prepared by JBA Urban Planning Consultants Pty Ltd, January 2007.*
- (e) Response to Submissions contained within the *Preferred Project Report and Statement of Commitments; Rozelle Bay Marine Centre, MP06_0210, prepared by JBA Urban Planning Consultants Pty Ltd, January 2007.*
- (f) *Rozelle Bay Marine Centre Environmental Assessment Addendum Business Identification Signage Assessment, prepared by JBA Urban Planning Consultants, 7 September 2006.*
- (g) **Section 75W Modification Application prepared by JBA Planning, dated 18 November 2011.**
- (h) the following approved plans, except where these plans are amended by Condition A2(h);

Architectural Plans prepared by Michael Fountain Architects, as follows:			
Drawing Ref	Name of Plan	Revision	Date
MP-011-DA	Site Plan Phase 1 of Stage 1	Issue Q	Sept 2010
MP-015-75W	Site Plan 75W Phase 1 Stage 1	A	Nov 2011
MP-012-DA	Site Plan Phase 2 of Stage 1	Issue P	July 2010
MP-016-75W	Site Plan 75W Phase 2 Stage 1	A	Nov 2011
MP-017-75W	Site Plan 75W Phase 3 Stage 1	A	Nov 2011
MP-001-DA	Site Plan Stage 2 Final Development	Issue P	July 2010
MP-001a-DA	Site Plan Stage 2 Final Development	Issue P	July 2010
MP-001b-DA	Site Plan Stage 2 Final Development	Issue P	July 2010
TO-001-DA	Temporary Offices – Stage 1 of Phase 1	Issue A	Sept 2010
MP-200-DA	Site Combined Elevations	Issue F	Jan 2007
A-100-DA	Eastern Boat Store – Floor Plan	Issue F	Jan 2007
A-101-DA	Eastern Boat Store – Roof Plan	Issue F	Aug 2006
A-200-DA	Eastern Boat Store - Elevations	Issue F	Aug 2006
A-201-DA	Eastern Boat Store - Elevations	Issue F	Aug 2006
A-210-DA	Eastern Boat Store - Sections	Issue F	Aug 2006
B-100-DA	Western Boat Store – Floor Plan	Issue F	Jan 2007
B-101-DA	Western Boat Store – Roof Plan	Issue F	Jan 2007
B-200-DA	Western Boat Store - Elevations	Issue F	Jan 2007
B-201-DA	Western Boat Store - Elevations	Issue F	Jan 2007
B-210-DA	Western Boat Store - Sections	Issue F	Jan 2007
B-211-DA	Western Boat Store – Sections	Issue F	Jan 2007
C-101-DA	Commercial Maritime Building – Floor Plans	Issue F	Jan 2007

C-102-DA	Commercial Maritime Building – Roof Plan	Issue F	Jan 2007
C-200-DA	Commercial Maritime Building – Elevations	Issue F	Jan 2007
C-210-DA	Commercial Maritime Building – Sections	Issue F	Jan 2007
D-100-DA	Multi-Storey Car Park – Floor Plans	Issue H	July 2009
D-101-DA	Multi-Storey Car Park – Floor Plans	Issue H	July 2009
D-200-DA	Multi-Storey Car Park – Elevations	Issue H	July 2009
D-210-DA	Multi-Storey Car Park – Sections	Issue H	July 2009
EX-360-DA	Signage Plan	Issue F	Jan 2007
EX-361-DA	Signage – Site Elevations	Issue F	Jan 2007
EX-363-DA	Signage Elevations – Building B	Issue F	Jan 2007
EX-364-DA	Signage Elevations – Building C	Issue F	Jan 2007
EX-365-DA	Signage Elevations – Building D	Issue F	Jan 2007
EX-366-DA	Signage Details	Issue F	Jan 2007
EX-367-DA	Signage Details	Issue F	Jan 2007
Landscape Concept Plan, prepared by Mark Eriksson Landscape Design, August 2006, Amend A/1.			

- (i) the Proponent must submit amended plans showing amendments identified in the table below, and these amended plans must be approved by the Director-General prior to the issue of any Construction Certificate. The Project must be carried out in accordance with the amended plans approved by the Director-General under this condition.

Amended Component	Description of Amendment
Eastern Boat Store	<ul style="list-style-type: none"> A 2.2 metre reduction in the height of the eastern boat store that will result in a maximum roof height of RL 26 and maximum wall height of RL 22 measure to the eave line of the building.
Car Parking building	<ul style="list-style-type: none"> Deletion of all lighting poles on the car park building, with all lighting to be low level 'bollard type' lights or lights below the parapet of the car park building or on the lift overrun.
Parking & Boat Accumulation Area	<ul style="list-style-type: none"> The boat accumulation area may be reduced in area to accommodate a further seven on grade car parking spaces adjacent to the eastern boat store, to result in a maximum number of on site car parks of 272 spaces, subject to the provisions of Condition A10.
Signage	<ul style="list-style-type: none"> Deletion of banners signs referred to as 08f, 09f, 12f and 13f. The remaining banner signs (14f, 15f, 16f, 17f, 18f, 19f and 20f) are to be reduced in height to a maximum height of five metres.
Landscaping	<ul style="list-style-type: none"> Deletion of all planter boxes along the foreshore adjacent to the commercial maritime building.

- (i) the following drawings and plans contained in the EA are excluded from the plans approved under this Approval:
- Engineering Plan prepared by Robert Bird and Partners Pty Ltd, Drawing Ref: S8.01; 'Wharf Details – Slab Sections – Sheet 3', Rev G, dated July 1999.
 - Architectural Plan prepared by Michael Fountain Architects, Drawing No. C-100-DD, Rev A, 'Commercial Maritime Building with Site', Dated 1.10.2003.

Note: Condition A15 deals with the relevant construction requirements for water based construction work.

b) Insert the following conditions after **Condition A9(e)** as follows:

A9(f) – Temporary Use of the Site

The temporary use of the site for hardstand storage of 78 boats is permitted during Phase 1 and Phase 2 of Stage 1 and 45 boats during operation of Phase 3 of Stage 1 of the construction of the Rozelle Bay Marine Centre located at James Craig Road, Rozelle Bay.

The temporary storage of boats will be permitted for a period of no more than three years from the date of this modification approval.

A9 (g) – Limits on Approval

Notwithstanding (a) above, temporary at-grade car parking of 39 spaces on Lot 29 as illustrated on Drawing MP -015-75W is permitted until the completion of Phase 1 of Stage 1.

A9 (h) – Limits on Approval

Notwithstanding (a) above, at-grade car parking of 58 spaces on Lot 30 as illustrated on Drawing MP -016-75W is permitted until the completion of Phase 2 of Stage 1.

A9 (i) – Limits on Approval

Notwithstanding (a) above, temporary at-grade car parking of 20 spaces on Lot 30 as illustrated on Drawing MP -017-75W is permitted until the completion of Phase 3 of Stage 1.

c) *Condition A19 is amended by deletion of the struck-out words and insertion of the **bold and underlined** words as follows:*

For the purposes of this consent, construction of the development may be staged.

- (i) Phase 1 of Stage 1 includes site works, construction of the floating boat brokerage and layover berths, **temporary hardstand storage of boats**, temporary at grade car parking and temporary office and associated works **as illustrated on MP-015-75W**.
- (ii) Phase 2 of Stage 1 includes construction of the ~~Commercial Maritime Building~~, the Western Boat Store, **temporary hard stand storage of boats and** at grade car parking **as illustrated on MP-016-75W** and associated infrastructure and landscaping works.
- (iii) **Phase 3 of Stage 1 includes the construction of the Commercial Maritime Building, temporary hard stand storage of boats and at grade car parking on Lot 29 and temporary at grade parking on Lot 30 as illustrated on Drawing MP-017-75W.**
- (iv) Stage 2 includes construction of Eastern Boat Store and Multi-Level Car Park.