

Amended  
Environmental  
Assessment - S75W  
Western Building

# SYDNEY SUPERYACHT MARINA MP09\_0165



URBAN  
PERSPECTIVES

15/07/2014

Environmental Assessment

MP09\_0165 (MOD2)

In respect of:

Land-based redevelopment of Super  
Yacht Marina comprising:

- Construction of two commercial maritime buildings with ancillary uses
- Construction of a multi-level car parking building
- Off-street car parking and associated landscaping

2 Maritime Court, or Lot 2 James Craig  
Road, Rozelle NSW 2039

S75W modification to consent MP-09\_0165 under the former Part 3A of EP & A Act

Applicant Name:

Sydney Superyacht Marina Pty Ltd

Applicant Address:

C/o Urban Perspectives GPO Box 4507  
Sydney NSW 2001

Land on which activity to be carried  
out:

Part Lot 32 DP 1151746 known as Lot 2  
James Craig Road or 2 Maritime Court,  
Rozelle NSW 2039

Date

15 July 2014

Report by

Rosalind Read of Urban Perspectives

*Rosalind Read*

## Executive Summary

This modification application under the former s75W of the Environmental Planning and Assessment Act 1979 (EP & A Act), seeks relatively minor amendments to the approved consent MP09\_0165 dated 26 November 2012 in respect of Sydney Superyacht Marina at 2 Maritime Court Rozelle. The modifications almost exclusively relate to the western building of the consent for which a construction certificate has been provided and include:

- Rectify the width of the balconies and roof overhang by 400mm on the southern elevation
- Amend the location of the uses on the ground floor of the building
- The addition of external stair cases
- The removal of a requirement to have air locks on the western building first floor level
- Other minor location issues, location of lifts and minor amendments to the Conditions and Statement of Commitments.
- The removal of 13 car spaces across the northern side of the western building

These modifications arise due to further refinement of the design process and will have a minimal impact on the visual impact of the western building, the most notable being from the western elevation which will have the addition of two external staircases for fire egress. This elevation is not one which will present readily as a vista. The rectification of the balcony widths will ensure that there will be a consistent setback from the first floor balcony edge of 5520mm and from the main part of the roof edge capping of 4000mm.

The relocation of uses, whilst amending the gross floor areas (GFAs) slightly will not be significant and consequent adjustments to approved total GFAs for uses will need to be made in due course to the eastern building to ensure compliance with the Consent conditions.

# 1. Introduction

## 1.1 General

This is a statement supporting an application for a s75W modification application to the approved land based redevelopment at Sydney Superyacht Marina, 2 Maritime Court Rozelle.

Sydney Superyacht Marina Pty Ltd has received consent under the former Part 3A of the Environmental Planning and Assessment Act 1979 (EP & A Act) for the construction of two commercial buildings and a car park on the land at the Marina, including ancillary uses, car parking and landscaping – being consent MP09\_0165 dated 26 November 2012 (the “Consent”).

The land included in the Consent is situated at Part Lot 32 DP 1151746, approximately 3 kilometres from Sydney CBD. The Site is owned by the Maritime Authority of NSW now part of the Roads and Maritime Services (RMS) from whom the applicant leases the land and water parts of the marina.

The objectives of the modification application relate specifically to the western building where construction is about to commence under the Part 3A consent. The modifications are:

- To rectify the width of the balconies and roof overhang by 400mm on the southern elevation
- To amend the location of the uses on the ground floor of the building
- The addition of external stair cases
- The removal of a requirement to have air locks on the western building first floor level
- Other minor location issues, location of lifts and minor amendments to the Conditions and Statement of Commitments.
- The removal of 13 car spaces across the northern side of the western building

The Department of Planning and Infrastructure have amended the Director General's Requirements (DGRs) for the purpose of a second modification application intended to be lodged, which will, amongst other matters, seek to include the water part of the marina within the consent. The amendments made to the DGRs for the purpose of that second application generally do not specifically apply to this modification.

## 1.2 Site Context

The Site is a waterfront site on the northern side of Rozelle Bay between the existing NSW Maritime (RMS) building to the east and Sydney Boathouse. Figure 1 shows the location and zoning provisions relevant to the site. The majority of the land part of the site (excluding the waterfrontage on the concrete apron) is within Leichhardt Local Government Area.

### ZONING

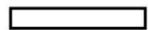
SEPP (MAJOR DEVELOPMENT) 2005  
SYDNEY HARBOUR PORT & RELATED EMPLOYMENT  
LANDS BOUNDARY



SREP NO. 26 - CITY WEST  
WATERFRONT USE



SREP (SYDNEY HARBOUR CATCHMENT) 2005  
FORESHORE & WATERWAYS AREA BOUNDARY



W1 MARITIME WATERS



MASTER PLAN FOR ROZELLE AND  
BLACKWATTLE BAYS MARITIME PRECINCTS  
SITE R2D



SITE R4

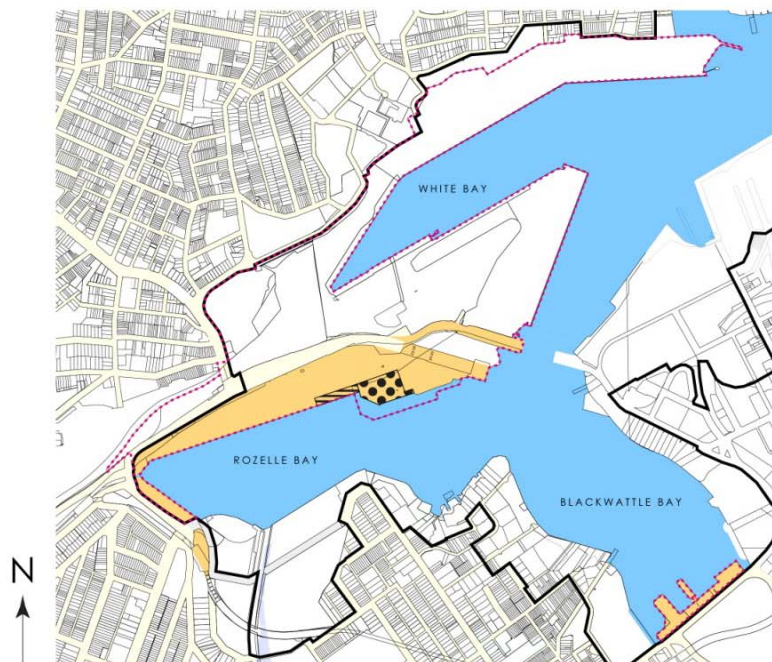


Figure 1 Site Zoning map

The site is within the Foreshores and Waterways area identified in SREP (Sydney Harbour Catchment) 2005 and is therefore covered by the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005. The land is zoned Waterfront Use by SREP 26 – City West and is considered in the provisions of the Rozelle and Blackwattle Bay Master Plan 2002, promulgated pursuant to SREP 26 – City West.

## 1.3 Previous development consents for the site

A number of development consents and modifications have been issued over the site, summarised as follows:

- 1999 Part 5 Operational Works and Millennium Berths including berths for 10 visiting vessels and 10 tenders. This refined by DA 088-05-08 in 2008:

- 1999 Part 4 temporary land based facility for visiting vessels and part 5 for an additional 17 vessels and 19 tenders to total 27 visiting vessels from 30-70m length and 29 tenders. The part 4 was amended in 2001 to include the Liquidity restaurant and a temporary marquee
- 2002 consent under DA 084-04-2002 for a temporary facility for visiting vessels for 12 months. This was extended 7 times and lapsed on 12 March 2012. It provided principally for the operation of the Liquidity Restaurant.
- 2008 consent 088-05-08 under Part 4 which covered all of the water part of the site and all of the land excluding that part on which the Liquidity Restaurant building. Its main approvals included the operation of the marina and:
  - On the land:
    - Retention of services, offices and amenities, landscaping and signs
    - refined the car park layout for 50 cars, the remainder for NSW Maritime use and removal of 52 car spaces along the waterfront
    - refined the 24 hour public access to the foreshore
  - On the water
    - amended the layout of the berths, and allowed for Mediterranean style moorings and reduced the mooring area
    - reduced the number of berths to 24 vessels between a 20 metre and 70 metre maximum in length, with various numbers of boats of separate lengths, but no provision for tenders
    - demolish the fuel facility and a section of the wharf apron.
- 2012 Part 3A major project consent MP09\_0165 in relation to the land only. Works relating to the western building have already commenced:
  - 2 buildings of two storeys each, including the uses of marine offices, a yacht club, ancillary restaurants and bars and cafes and a provedore
  - A 4 level car park with parking for 219 cars on the site (including some at ground parking)
  - 24 hour public access to the waterfront

Discussions with the Department of Planning and Infrastructure prior to lodgement of this modification application have indicated that due to the relatively small nature of the requested modifications, there would be no need to review and amend the Director General's Requirements.

## 2. Proposed Development

### 2.1 Clarification of Western Building Balconies

Condition B2 of the Consent required the approval by the Director-General of a landscape plan prior to the issue of a construction certificate. Approval to that was provided by letter dated 14 August 2013. As part of the submission of the landscape plan, a section indicating the reduction of the first floor balconies and roof overhang was provided to illustrate a consistent setback to the wharf edge. Sydney Superyacht Marina indicated that a s75W application would be made to rectify the alignment of the first floor and roof in accordance with that plan. **Appendix A** includes a copy of the letter and copies of the plans referred to in that letter. It is noted that the reference to L101 Rev 04 appears incorrect and it should in fact refer to plan L100 Rev 05. Both these plans and plan SK931C are attached.

A consistent 6.5 metre setback from the wharf edge to the ground floor deck will result, together with a consistent setback from the first floor balcony edge of 5520mm and from the main section of the roof edge capping of 4000mm.

### 2.2 Minor alterations to western building location

Due to the proposed location of an Ausgrid kiosk near the western boundary of the site, and in order to allow for the registered right of access 4.2 wide ((S) on the deposited plan) there has been minor alterations to the distances between the building and the boundaries. Table 1 summarises the proposed amendments including the setback changes arising from the proposed modifications described in section 2.1 above. There are some inconsistencies in the approved plans which explain the two different measurements in the second column.

**Table 1: Comparison of approved and proposed setbacks and measurements**

Location	Approved mm	Proposed mm	Difference approved to proposed mm
Western Boundary length Ground	4590+20860+10600=36050 or: 4590+20860+3500+6960 = 35910	4650+20585+10000 = 35235	-815 or -675
Western boundary length 1 <sup>st</sup>	1690+23760+4880+	2050+23185+10000	-65



Location	Approved mm	Proposed mm	Difference approved to proposed mm
floor	4970= 35300	= 35235	
Western boundary length roof level	1690+23760+ 6390+ 3460=-35300	2050+23185+10000 = 35235	-65
Northern setback Ground	4590	4650	+60
Northern setback 1 <sup>st</sup> & roof	1690	2050	+360
Southern setback wharf to ground floor building edge	10460 or 10600	10000	-600 or -460
Southern setback wharf to 1 <sup>st</sup> floor balcony edge	4970	5520	+550
Southern setback wharf to roof edge capping (main roof)	3460	4000	+540
Width of building Ground	20860	20585	-275
Width of building 1 <sup>st</sup> floor	23760	23185	-575
Width of building roof	23760	23185	-575
Length Building ground	65500	65500	0
Length building 1 <sup>st</sup> floor	65850	65850	0
Length of building roof	68450	68650	200
Width of enclosed balcony south side	14000	14500	+500

Table 1 illustrates that in general the western building:

- Has an increased setback to the northern boundary
- The ground floor southern setback from the wharf is clarified and the first and roof levels are set back further from the wharf edge
- The width (north/south) of the building is narrower
- The length of the building remains the same
- The enclosed balcony has increased in width by 500mm due to rationalisation of structural bays in the construction certificate approved drawings.

## 2.3 Modification to Uses in Ground Floor Western Building

The consent provides the ground floor uses have specific areas. By virtue of inclusion of the Preferred Project Report Addendum in the approval documents, the location of those uses is established as shown in Figure 2. Table 2 shows the approved and proposed areas, and the percentages approved and proposed of the building.



Recalculation of the GFA of the whole of the western building has occurred during the finalisation of plans. Most notably they indicate that the GFA of the first floor of the western building is 1375m<sup>2</sup> and not 1565m<sup>2</sup>, and the GFA of the ground floor is 1240m<sup>2</sup> and not 1335m<sup>2</sup>. This impacts on the % calculations of space. Table 2 sets out comparisons arising from the proposed and approved uses. The percentage of areas remain generally the same as approved, save that the marine commercial has reduced by 1.5% of the building GFA and the provedore has increased by 2.0%. The Club has reduced by 0.6% of GFA of the building. Alteration to the % of areas is permissible under the conditions of consent (Condition A6) subject to:

- Condition A6(b) ensuring that the restaurant and provedore uses do not exceed 1417m<sup>2</sup> and 22.9% of the total of the whole development; and
- That the project will not have more than 50% of the GFA at any one time allocated to restaurant and provedore uses.

Both these conditions continue to be met by the proposed modification, as the provedore use of 465m<sup>2</sup> comprises 17.8% (less than the mandated 50%) of the western building.

**Table 2 Western Building uses**

Column No.	A	B	C	D (1)	E (2)	F	G
West Bldg	m2 approved west bldg	% of site (6200m2) approved	% of west bldg. approved	New GFA	m2 to keep column C % of 2640m2	proposed m2	proposed % of 2640m2
Club 1 <sup>st</sup> floor	1565	25.3	54.0	1375	1375	1375	52.1
Club Ground	367	5.9	12.7		385	370	14.0
Total Club	1932	31.2	66.7		1760	1745	66.1
Marine Ground	517	8.3	17.8		470	430	16.3
Provedore Ground	451	7.3	15.6		412	465	17.6
Total Ground				1265			
<b>Total</b>	<b>2900</b>	<b>46.8</b>	<b>100</b>	<b>2640</b>	<b>2642</b>	<b>2640</b>	<b>100</b>

(1) Recalculation of the GFA indicates that the revised GFA for the building is 1375m<sup>2</sup> on the first floor and 1265m<sup>2</sup> on the ground floor

(2) Column E sets out what m2 would be required to maintain the Column C%, (given the set GFA of the 1<sup>st</sup> floor yacht club of 1375m<sup>2</sup>)

Figure 2 sets out the approved and proposed locations of uses in the western building.

**Figure 2** Approved and proposed location of uses in western building



## 2.4 External Staircases

To enable improved egress from the first floor of the western building two external fire exit staircases are proposed on the western side of the building: one being 2 metres wide and a second being 1 metre wide. This is not a façade which will be readily viewed by the public as it faces onto the area to be used for boat launching by Sydney Boathouse under its proposal.

Other minor internal changes to staircases, lift location and balcony doors are set out in the plans. Further details of fitout of the building, most particularly the yacht club will be subject to a separate application as required by Condition A11. It now appears likely that the commercial offices will be able to have their initial fitout approved under the complying development code commencing on 22 February 2014.

## 2.5 Deletion of requirement for air locks on western building

The Statement of Commitments on page 29 includes a requirement that there will be air locks on the first level of the western building. Acoustic assessment indicates that the air locks will not be necessary to maintain compliance with the project specific noise levels

under the Industrial Noise Policy or the limits under the Office of Liquor, Gaming and Racing criteria for operating noise limits. As construction of the western building is proposed to commence shortly, it is proposed therefore to remove the requirement for air locks under the Statement of Commitments.

## 2.6 Amendment to Conditions and Statement of Commitments

Consequential and minor typographical amendments to the Conditions are also requested:

- Schedule 1 – the site is now comprised within Lot 32, DP 1151746 following registration of the draft plan of subdivision and the address is now 2 Maritime Court not James Craig Road
- Definitions – “Project” should refer to condition A3 at the end not A2
- Schedule 2, A1 – third bullet point be amended to “with a maximum GFA of 2,990m<sup>2</sup>”
- Condition A3 – add in the plan numbers showing amendments to the western building. The amended table should have the following plans added/amended:

**Table 3 Proposed amendments to approved plans**

Architectural Drawings prepared by Scott Carver Architects			
Drawing No.	Revision	Name of Plan	Date
20090002-AD- 002	4	Site Plan	3/4/14
20090002-AD- SK932	C	Cross section	9/4/14
20090002-AD- SK942	B	Ground Floor West	10/4/14
20090002-AD- SK943	B	First Floor West	9/4/14
20090002-AD- SK944	B	Roof level West	10/4/14
20090002-AD- SK945	B	West Elevation	10/4/14
20090002-AD- SK946	A	West building proposed use	3/4/14

- Condition A3 – add after “and PPR Addendum dated August 2012,” the words “as modified by Mod 2 dated [                      ]”
- Condition A6 – due to the altered GFA for the western building and request for minor variations in areas in the western building it is proposed condition A6 (d) be added as follows:  
“(d) Notwithstanding condition A6(a) the approved uses and areas for the western building are:

Western Building	GFA m <sup>2</sup>	% of western building GFAm <sup>2</sup>
Yacht Club	1745	66.1

Western Building	GFA m <sup>2</sup>	% of western building GFAm <sup>2</sup>
Marine	430	16.3
Provedore	465	17.6
<b>Total</b>	<b>2640</b>	<b>100</b>

- Condition A6(c) – add the words “and provedore” after the word “ancillary” twice appearing
- Condition E4 – capitalise “Incident” four times occurring in the condition to reference back to the definitions in Schedule 1
- Condition E8 – add “parapet” to the words “height of the development” to be consistent with condition A1

Consequential amendments to the Statement of Commitments requested are:

- Land Use of the Site – Use of buildings (page 25-26). It is recommended to delete this commitment as it is already covered by condition A6 and its presence allows scope for conflict.
- Noise – Closing of Doors and Windows (page 29). The application seeks to remove the words “and incorporate air locks”.

## 2.7 Reasons for the Modifications

The letter from The Department of Planning and Infrastructure dated 14 August 2013 reflects an agreement made between the Department and the applicant that an application to rectify the alignment of the first floor balconies would be made. This application fulfils that commitment made by the applicant. It will ensure that at no stage will the roof edge capping of the main part of the roof extend closer than 4 metres from the wharf edge, the balcony edge closer than 5.52 metres and the ground level decks closer than 6.5 metres from the wharf edge.

The amendment to the location of the uses arises through more detailed discussions with potential tenants. The most substantial change is that some commercial tenancies will have the benefit of a harbourside outlook. The area for the provedore is expanded slightly and the area for the commercial maritime is reduced, however there will be a consequent reduction in restaurant space and increase in commercial maritime space in the eastern building (as envisaged by condition A6(b) and A6(c).

The addition of the two external fire exits is to meet BCA fire requirements of the yacht club.

Minor building location adjustments have been required due to the proposed kiosk construction by Ausgrid on the western boundary and the location of a right of way on

the northern boundary. Other minor adjustments have arisen due to surveying variations. The proposed relocation of the lifts and staircases arises through discussions with the proposed tenants.

The removal of the air locks facilitates greater useable area within the yacht club first floor. The building remains under the obligation to comply with Conditions F3, F5, F7 and F8, as well as the Statement of Commitments on page 28 regarding the Sound Insulation of Construction Materials on page 28 and the other commitments made in relation to noise control.

### 3. Planning Issues

Approval is required for the modification under the transitional provisions relating to the repealed Part 3A of the Environmental Planning & Assessment Act 1979 under s75W. The Minister is the consent authority for the modification application.

As indicated above the land is zoned Waterfront Use under SREP 26 – City West and the water is zoned W1 Maritime Waters under SREP (Sydney Harbour Catchment) 2005.

#### 3.1 Zoning over the Land

The land is zoned under SREP no 26 – City West. The proposal is within the Bays Precinct created under SREP26 City West and is subject to planning principles for the City West as a whole (of which only some apply) and also the planning principles for the Bays Precinct specifically.

Under SREP 26 the Site is zoned Waterfront Use Zone, the objectives of which are:

- (a) To provide for development of water-based commercial and recreational activities, including facilities for the servicing, mooring, launching and storage of boats*
- (b) To allow a range of commercial maritime facilities (such as boating industry facilities, marinas, waterfront service operations, waterfront commercial and tourism facilities and uses associated with the servicing, temporary mooring, launching and storage of boats and uses ancillary to these), which will take advantage of the harbour location*
- (c) To provide public access within and across the zone and to facilitate the extension of the Ultimo-Pyrmont foreshore promenade from Blackwattle Bay to Rozelle Bay and link with public access networks surrounding the precinct; and*
- (d) To create, retain and enhance views and links between Wentworth Park and the foreshores of Blackwattle Bay.*

*Uses such as hotels, hotel apartments and tourist resort development will not be permitted.*

Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible within this zone. The proposed uses within

the Site, and for which consent has already been given are set out below and will not alter by this application:

- Commercial maritime
- Yacht Club
- Restaurants, bar and café premises (ancillary uses)
- Provedore
- Public access along the foreshore
- Car parking areas

The Rozelle and Blackwattle Bays Maritime Precincts Master Plan ("the Master Plan") has been prepared by the Waterways Authority and adopted by the Director General and applies to the land. It includes preferred uses. This modification includes minor amendments to the external western building, its location and setbacks. It also relocates the approved uses within the building with minor alterations in the percentage areas of each use. Those variations in use areas are envisaged as possible variations within the consent.

The uses are not proposed to alter, however the location of those uses will be amended slightly within the western building. The gross floor areas themselves have also changed partly due to a recalculation of GFA and partly due to minor changes in the location and restrictions on the positioning of the building. Because of the operation of conditions A6(b) and A6(c) the percentage of areas approved of total GFA in the project will be rebalanced upon the construction and occupation of the eastern building.

### **3.2 Land Owner's Consent**

An application for permission to lodge was lodged with the land owner being Roads and Maritime Services on 17 December 2013. An amendment to that application was made on 11 April 2014. Permission to lodge was granted on 10 July 2014 and accompanies this amendment.



## 4. Assessment

The majority of the proposed changes will have negligible environmental impact on the approved development.

### 4.1 Visual

The rectification of the wharf to western building setback and the minor building location alterations will be virtually indiscernible to the public, although the modifications will ever so slightly reduce the footprint of the building and ensure a consistent 6.5 metre setback from the wharf edge to the ground floor, together with a consistent setback from the first floor balcony edge of 5520mm and from the main part of the roof edge capping of 4000mm. The enclosed balcony of the western building will be 500mm wider (due to the realignment of structural bays in the construction certificate drawings,) however again, this will be almost indiscernible. The public access walkway is retained along the foreshore.

The most obvious visual impact from the modification will be the addition of the two external staircases on the western side of the building. These are illustrated in the plan SK945 – being the west elevation. These will be lightly framed and constructed to enable BCA compliance for the yacht club on the first level for emergency exit.

Vistas from the Sydney Boathouse approvals indicate that any such view will not be of a large impact from that site. The upper level of the Commercial Maritime Building of Sydney Boathouse closest to the western building has metal screens of perforated aluminium sheet and half of the lower level is unglazed for garbage and toilets. It is only the one commercial tenancy which will have glazing facing the proposed staircases. The buildings will be separated by approximately 35 metres by an area which will be used for the launching of boats from the dry boat storage facilities, hence a working area of that site.

### 4.2 Noise

The only other environmental impact possible from the proposed modification arises from the requested removal of the commitment to include air locks on the first level of the west building. This has been requested to maximise useable space in the yacht club.

The most important criteria regarding noise emissions from the site have been captured in the conditions – most relevantly condition F3 establishing a maximum 5dB noise increase from licensed premises above the background noise level in any octave band frequency during the operating hours of the yacht club ie 7am to midnight.

Additionally:

- project specific noise limits under the Industrial Noise Policy are set out in condition F5
- there are restrictions on amplified music on external balconies (condition F6)
- Noise limiters are condition to be installed on amplified music (condition F7).

All other commitments made in the Statement of Commitments regarding noise are proposed to be retained, namely:

- Construction materials insulation rating
- The requirement to have building design facilitate the compliance with the industrial noise policy and OLGR noise criteria
- Noise auditing
- Closure of all doors and windows after 10pm
- Self-closing doors on the first level of the western building
- Project specific noise levels under the INP and OLGR
- Deliveries generally to the north of the site
- A noise management plan

The principal noise requirement is to not exceed the project specific noise limits and the modification makes no alteration to that. It simply seeks an amendment to the way in which those requirements are met.

Attached in **Appendix B** is a letter from Acoustic Logic providing advice regarding the impact of removal of the requirement for air locks, indicating that compliance can be achieved without them.

### 4.3 Other Impacts

The requested modifications will not alter any other findings regarding environmental impacts of the development that are discussed in the original consent documentation.

## 5. Conclusion

The proposed modification is permissible by the zoning instruments SREP26 and SREP (Sydney Harbour Catchment).

The s75W application will allow for a consistent setback from the wharf edge for the western building as requested by the Department of Planning and Infrastructure and will rearrange the areas and locations of approved uses within the ground floor of the western building. External staircases have been altered to enable sufficient fire access from the first floor. These are minor modifications.

Some clarification of the conditions and Statement of Commitments – some specifically resulting from the plan modifications and others to correct minor typographical issues are also proposed.

The Applicant seeks consent from the Minister to the requested modifications, which are very minor in nature to the approved project.

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## Appendix A

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Letter from Department of Planning and Infrastructure dated 14 August 2013 together with relevant plans



Contact: Sara Roach  
Phone: (02) 9228 6389  
Fax: (02) 9228 6455

Ms Ros Read  
Urban Perspectives  
Suite 23, Level 6  
58 Pitt Street  
SYDNEY NSW 2001

Our Reference: MP09\_0165

Dear Ms Read

**MP09\_0165: Sydney Super Yacht Marina**  
**Submission of revised sections and elevations- Conditions B2 and B6**

Reference is made to your submission dated 13 August 2013 which has been lodged to satisfy the requirements of Conditions B2 and B6 of the above Project Approval. These matters are discussed separately below.

Condition B2

The department has reviewed your submission including the accompanying plans: L 100 Rev.05 Stage 1 Landscape Plan dated 12/8/2013 and L 101 Rev.4 Stage 2 Landscape Plan dated 9/8/2013 prepared by Scott Carver Pty Ltd. These plans detail the design resolution of the landscape treatment for the site, as required by Condition B2 of the approval. In this regard, Plan L 100 Rev 05 appropriately shows the setout details for the site, including to confirm that the façade of the western building at ground floor level will be setback 10 metres from the wharf edge, with the deck projecting 3.5 metres within this area. The department notes that the design of the deck and the planters are sufficiently resolved.

As detailed in the department's prior letter dated 1 June 2013 regarding your requirements with respect to Condition B2, it is expected that you will pursue further discussions with the RMS regarding opportunities for a lighting upgrade of the waterfront prior to completion of this project.

Condition B6

The Pedestrian and Public Access Plan dated 13 August 2013 and the accompanying plans, titled 'SSM Site Fencing during Stage 1 Construction' dated 8/8/2013 and 'Public Access' DA20 Rev A dated 30/7/2013 have provided relevant details with respect to maintaining public access to the wharf for Stage 1 of construction. The department notes that public access details in relation to future stages of construction have not been provided and accordingly, requests that these be provided for each subsequent construction stage (ie Stages 2-6) prior to the issue of the respective construction certificate.

The department notes with respect to post-construction access, that the Pedestrian and Public Access Plan includes a commitment to maintain access to the wharf edge as illustrated in Plan DA 20 Rev A. The area identified is consistent with the public access easements identified in the Figure 36 of the Masterplan for Rozelle and Blackwattle Bays Maritime Precincts and is supported.

The department also noted that the Access Strategy Report prepared by Accessibility Solutions (NSW) Pty Ltd dated 10 July 2013 has relevantly confirmed that the project complies with the





relevant provision of the *Disability Discrimination Act* and the relevant Australian Standards, as per the approved Statement of Commitments.

Having regard to the above, I can advise, as the nominee of the Director-General in accordance with the delegations dated 5 July 2012, that the above referenced plans are approved and the terms of Conditions B2 and B6 have been satisfied with respect to Stage 1 of the project.

As detailed above, further details will be required to be submitted with respect to the future lighting upgrade of the waterfront prior to completion of construction, and pedestrian access for each subsequent construction stage.

Please ensure that the details approved above are appropriately referenced in any future construction certificate drawings issued for this project.

Further to the above, it is noted that you have also provided the department with Plan SK931-C dated 13/8/13 prepared by Scott Carver, which also illustrates the western building setout relative to the wharf edge. The department acknowledges that this plan illustrates consistent setbacks to the wharf edge with those details illustrated on Plan L 101 Rev.4, and that it is your intention to lodge a future s.75W application to rectify the alignment of the first floor level of the building with the detail shown on Plan SK931-C.

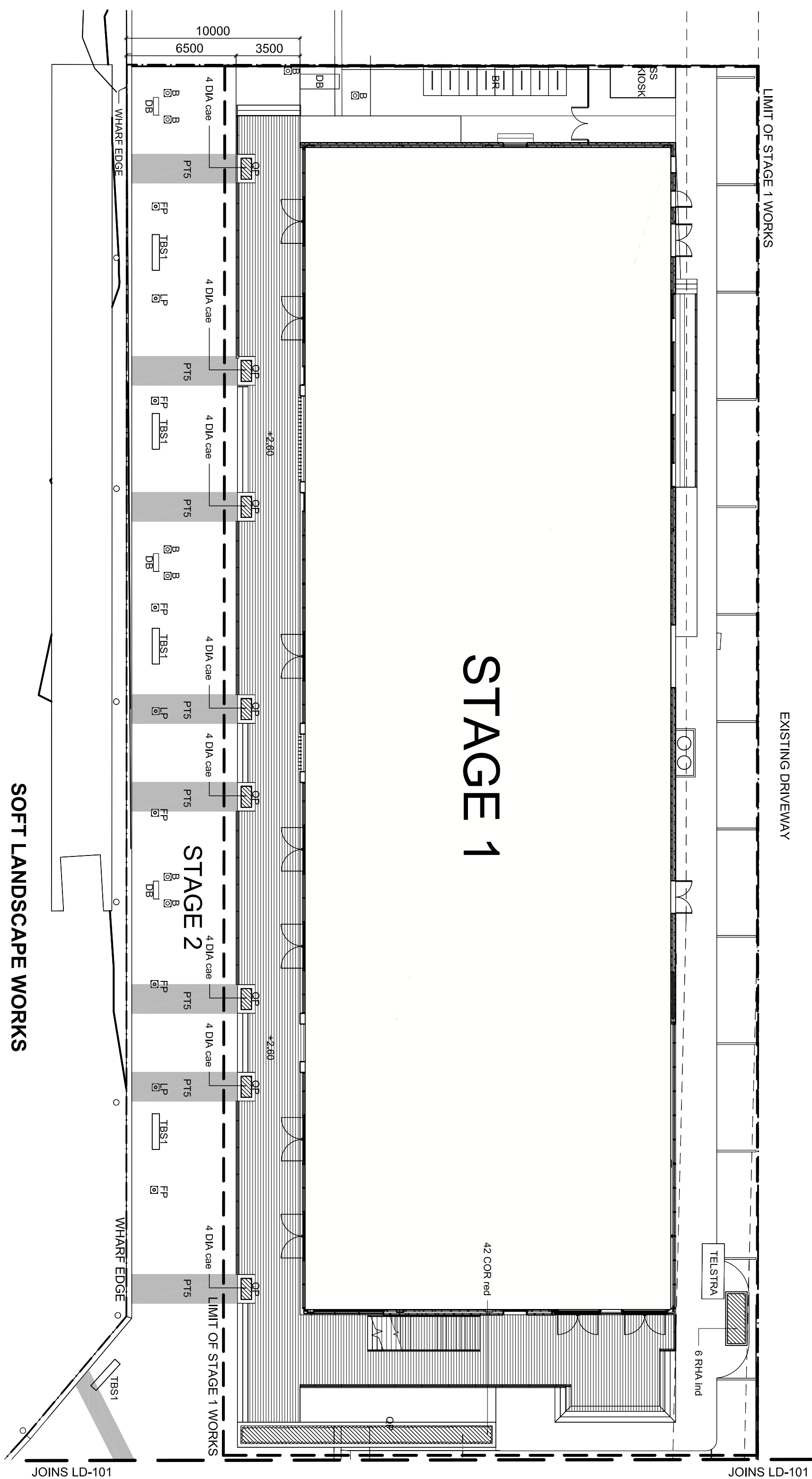
Should you have any enquiries relating this matter, please contact Sara Roach on 9228 6389 or via email to [sara.roach@planning.nsw.gov.au](mailto:sara.roach@planning.nsw.gov.au).

Yours sincerely,

Heather Warton  
**Director**  
**Industry, Social Projects and Key Sites**  
(Director-General's nominee)

14/8/13





# STAGE 1

## SOFT LANDSCAPE WORKS

Imported Soil Mix:

All planter areas shall have a minimum soil depth of 300mm and 100mm to turf | grass areas with landscape quality soil that conforms to AS 4419 Soils for Landscaping and Gardens.

### Modified Site Soil

Utilises stockpiled topsoil for landscape works and modify with chemical composted additives, where nominated on the plans and as detailed to achieve Australian Standard.

### Lightweight Soil Mix

Supply and install lightweight imported soil mix to raised planter or containerised planter applications as details or as nominated on the plans.

## Sample & Testing

Provide 1 kg soil mix test sample and data to of imported or modify site soil, clearly identified and referenced to the test data, prepared by an independent soil laboratory. Submit to the Superintendent for approval prior to supply and placement.

**FERTILISER:** Apply slow release fertiliser at the time of planting to planter bed areas and advanced tree positions strictly in accordance with the manufacturers specification and with regard to season, soil mix, watering regimes and sub grade conditions.

**PLANTER AREAS:** Shall be constructed to the extent nominated on the plan including 150mm cultivation, imported or improved top soils to 300mm depth, 75mm depth mulch and staking of plant materials exceeding 45L container size. Planter areas should be maintained at a maximum 1:3 grade.

**PLANT MATERIALS:**

Related to the plant schedule. The contractor shall ensure that all plant materials are secured immediately upon award of contract. Failure to do so will not give rise to substitutions or extensions of time. All stock shall be grown in open areas which are exposed to the sun and wind to promote vigorous plant growth and to harden plants off. All plant material shall be pest and disease free. All plant material shall not be root bound or damaged. Plant densities shall reflect accepted industry standards and Councils guidelines for Landscape Works and be sourced from an accredited nursery.

## ADVANCED TREES 200L:

Plant stock shall have a well developed straight stem with tri-branching structure and healthy canopy typical to the species and to the minimum sizes scheduled.

growth. Backfill with nominated soil mix, lightly tamp and water to eliminate air pockets. Ensure positive drainage to all tree positions.

Supply and install root barrier, sub terrain guying, staking and tree guards as detailed on the plans

## Organic

Apply to all planter areas unless specified as different. Mulch is to be free of deleterious and extraneous matter such as soil, weeds, stones and sticks. Spread mulch evenly to consolidated 75mm depth or as otherwise noted on the Drawings. Finish 25mm below surrounding finished levels or as detailed. Place mulch clear of plant stems, and rake to an even surface flush with the surrounding finished levels.

Material: ANL Forest Fines or equivalent.

**IRRIGATION SYSTEM:** Supply and install an automatically controlled system to landscape areas identified on the plans to achieve 25mm/week precipitation rate. This system shall have a rain switch and have backflow prevention devices fitted in accordance with Councils regulations. Primary water source will be via harvested tank water supply. Refer to Hydraulic Engineer for drainage.

**MAINTENANCE ENOD:** Maintain the works for a period of 26 weeks following the granting of Landscape Practical Completion. Throughout the maintenance period carry out recurrent works of a maintenance nature including but not limited to: watering, maintaining mulch levels, fertilising, pest & disease control, pruning and failed plant material replacement. Design and construct package to be provided by the Contractor.

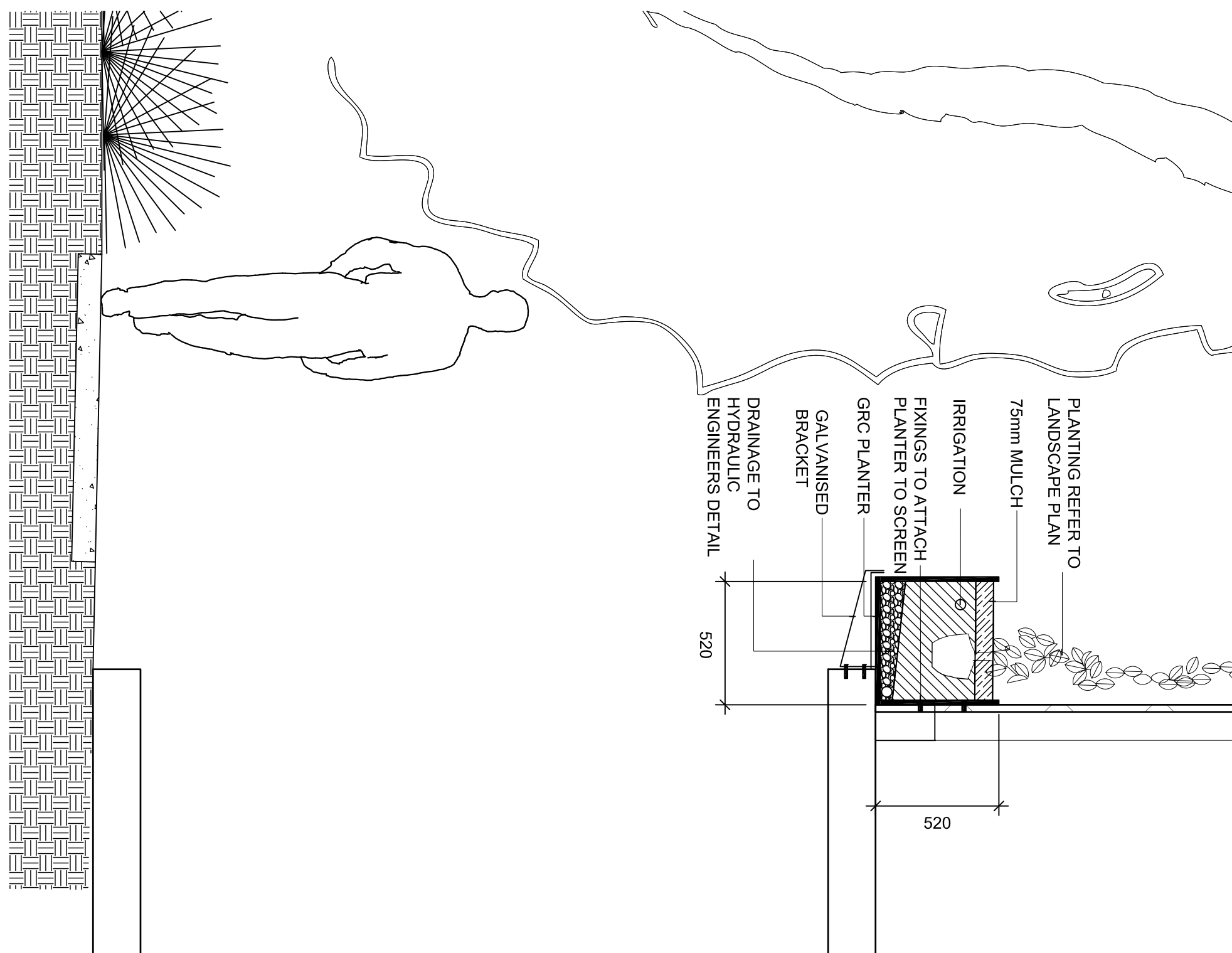
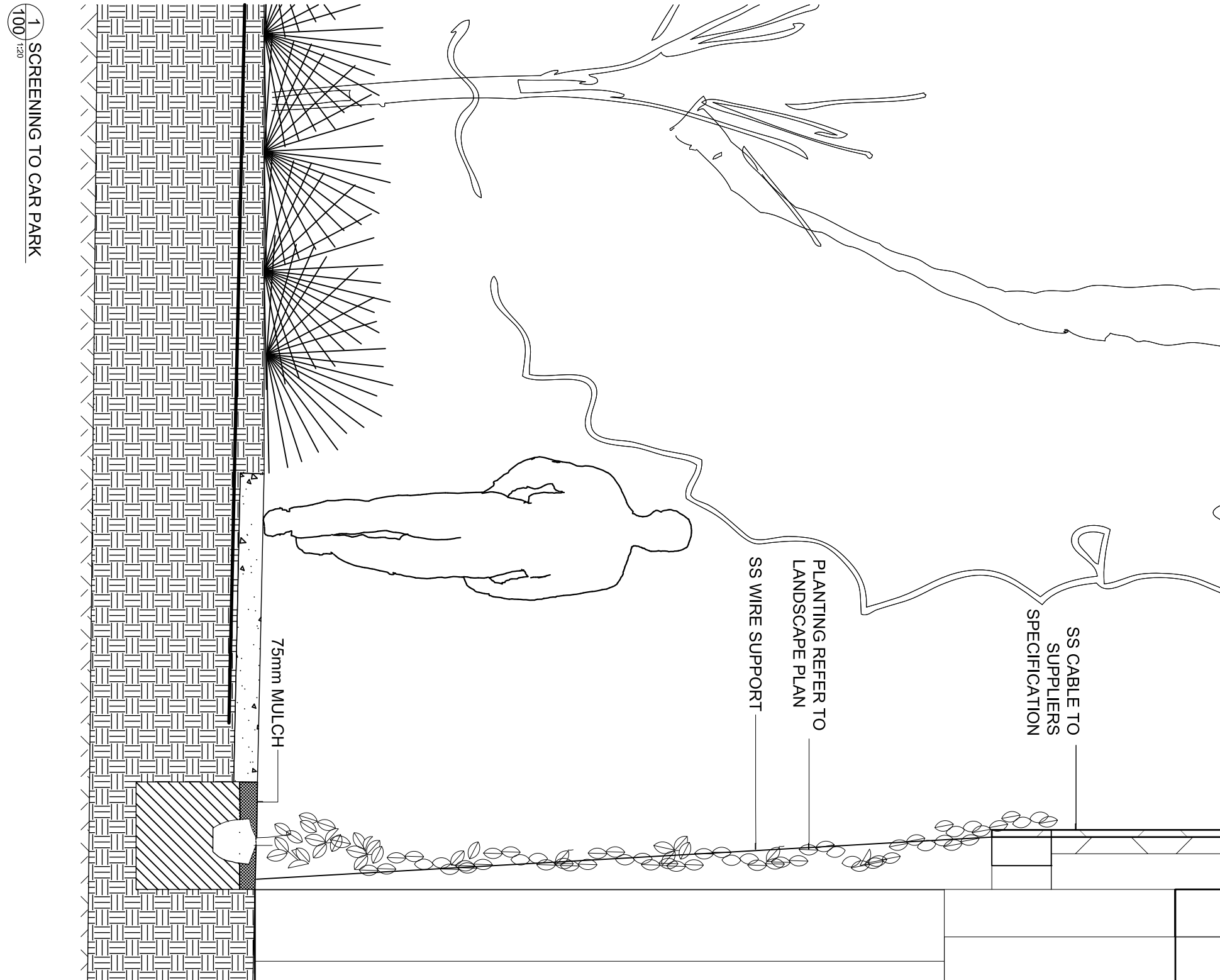
SYDNEY SUPER YACHT MARINA

Project  
Client  
SYDNEY SUPER YACHT MARINA





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<b>Status:</b>	<b>Construction Certificate</b>		
<b>Name:</b> Achille	<b>Andrew Turnbull</b>	<b>6/73</b>	
<b>File:</b>	<b>20090002_LD-100.dwg</b>		
<b>Print Date:</b>	<b>12 August 2013</b>		
<b>Rev.</b>	<b>Description</b>	<b>Date</b>	
01	Construction Certificate	24.05.2013	
02	Construction Certificate	07.06.2013	
03	Construction Certificate	15.07.2013	
04	Deck planners reinstated	09.08.2013	
05	Dimensions added	12.06.2013	

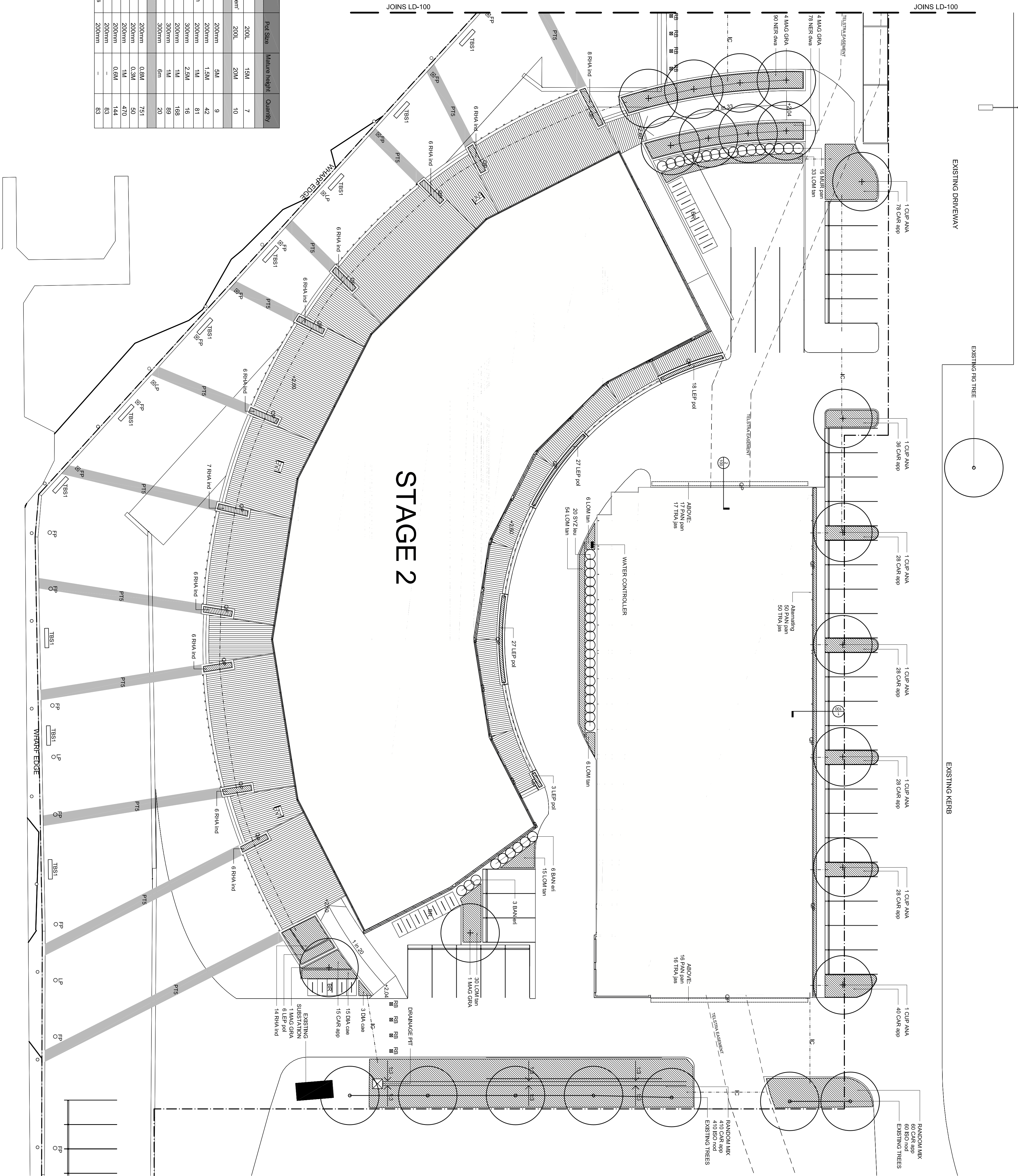
LEGEND:	
	Existing tree to be retained
	Proposed tree
	Struts
	Groundcover
BR	Bike rails
RB	Removable bollard
TS61	Hardwood seat 400 x 400 x 200mm
PT5	Painted concrete
LC	Ingrain line 100 Ø
OP	Planter 1200 x 600 x 600mm
FP	Flag pole to be retained
LP	Light pole to be retained
B	Bollard existing to be retained
03	Existing electrical distribution board



Rev.	Description	Date
01	Construction Certificate	24.05.2013
02	Construction Certificate	07.06.2013
03	Construction Certificate	15.07.2013
04	Deck planters reinstated	09.08.2013

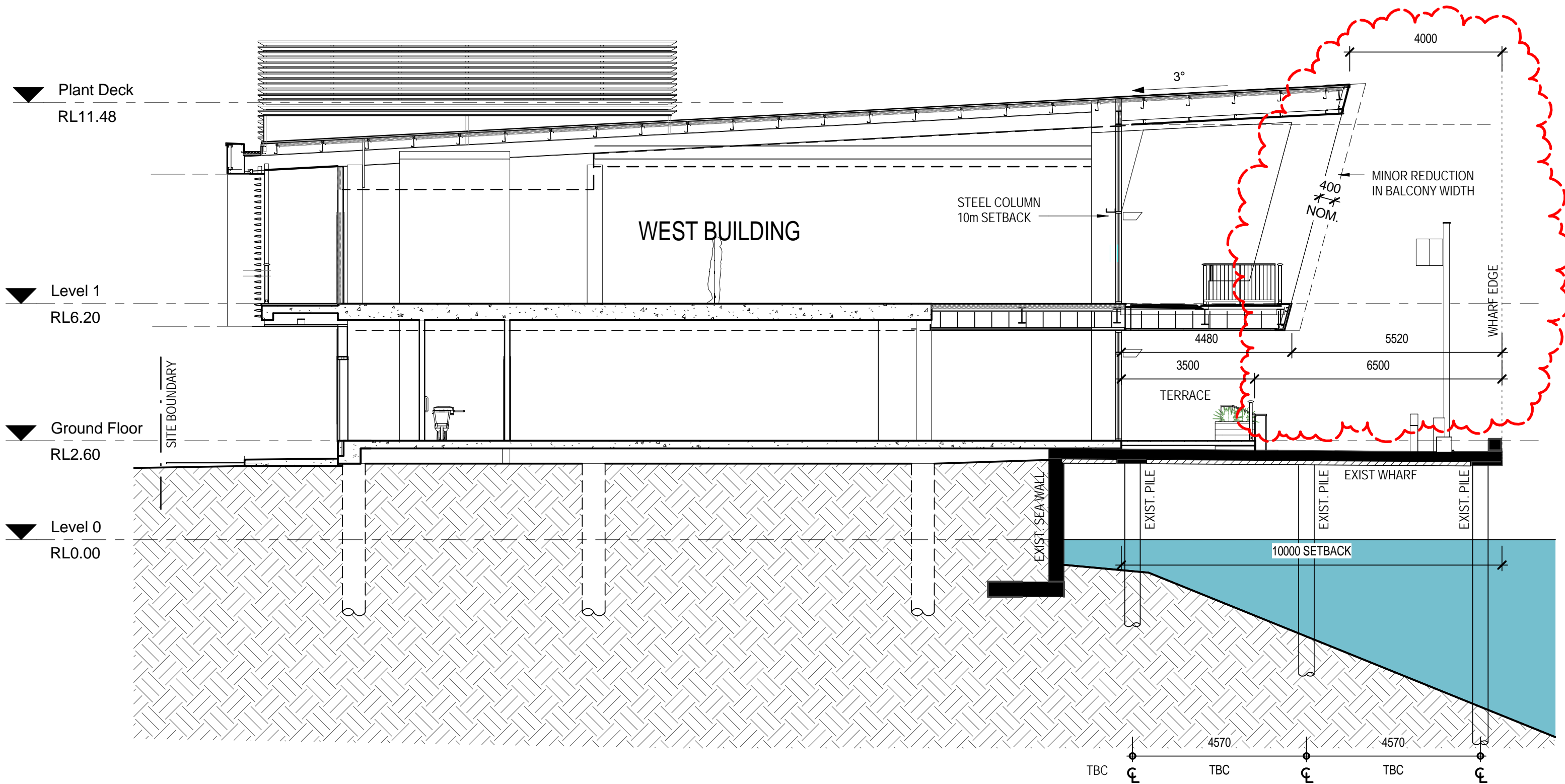
**LEGEND:**

- Existing tree to be retained
- Proposed tree
- Shrubs
- Groundcover
- Bike racks
- Removable bollard
- Hardwood seat 400 x 400 x 2000mm
- Painted concrete
- Irrigation line 100 Ø
- Planter 1200 x 600 x 600mm
- Frog pole to be retained
- Light pole to be retained
- Bollard existing to be retained
- Existing electrical distribution board



Code	Botanical name	Pot Size	Mature height	Quantity
TREES				
CUP ANA	Cupressus antarctica	200L	15M	7
MAG GRA	Magnolia grandiflora 'Little Gem'	200L	20M	10
SHRUBS				
BAN eri	Banksia ericifolia	200mm	5M	9
COR red	Corolla 'Red Star'	200mm	1.5M	42
LEP pol	Lepospermum polygalifolium	200mm	1M	81
MUR pan	Murina paniculata	300mm	2.5M	16
NER dwa	Nerium dufrenoyi	200mm	1M	168
RHA ind	Rhaphidophora Oriental Pearl	300mm	1M	89
SYZ lau	Syzygium laurum	300mm	6m	20
GROUNDCOVERS				
CAR app	Carex appressa	200mm	0.8M	751
DIA cas	Dianella caerulea	200mm	0.3M	50
ISO cas	Isopleura caerulea	200mm	1M	470
LOM pan	Lomandra paniculata	200mm	0.8M	144
PAN pan	Pandanus pandanus	200mm	...	83
TRA las	Trachyspermum paniculata	200mm	...	83





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## Appendix B

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Letter from Acoustic Logic dated 21 January 2014 concerning air locks on the yacht club first level

**MANAGING DIRECTORS**

MATTHEW PALAVIDIS  
VICTOR FATTORETTO

**DIRECTORS**

MATTHEW SHIELDS  
BEN WHITE



20131238.1/2101A/R1/BW

21/01/2014

Sydney Superyacht Marina Pty Ltd  
PO BOX 436  
ROZELLE

**SYDNEY SUPERYACHT MARINA - ACOUSTIC REVIEW OF AIR LOCKS**

This letter confirms that an acoustic investigation into the proposed Sydney Superyacht's Marina and the requirement for air locks to the external areas of the future first level yacht club areas has been conducted by this office.

The review has been undertaken based on the expected activities to be undertaken within the future development, including live or recorded amplified music and the required management controls which stipulate that patrons are required to be within the building fabric after 10pm on any given night.

Based on our assessment including the noise levels generated within the space, the acoustic performance of the building fabric and distance corrections to receivers, air lock doors are not required to be used as we can achieve the sound rating needed using the details specified within the existing acoustic reports without them.

Based on the DA requirement for the external glass to the southern façade of the project is to achieve a minimum Rw performance of 36 a single glazed door with 10.38mm laminated glass will be acoustically acceptable providing the openable area of the façade are installed with acoustic seals.

We trust this information is satisfactory. Please contact us should you have any further queries.

Yours faithfully,

A handwritten signature in dark ink that reads 'B.G. White.'.

Acoustic Logic Consultancy Pty Ltd  
Ben White

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**SYDNEY**

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**SYDNEY MELBOURNE BRISBANE CANBERRA  
LONDON DUBAI SINGAPORE GREECE**

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