

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA16/0275
Proposed development:	Replacement of Existing River Pontoon
Property address:	1 Factory Road, REGENTVILLE NSW 2745
Property description:	Lot 1 DP 566392
Date received:	22 March 2016
Assessing officer	Kathryn Saunders
Zoning:	E2 Environmental Conservation - LEP 2010
Class of building:	N/A
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for the replacement of a mooring pontoon within an existing slipway bay at Lot 1 DP 566392 also known as 1 Factory Road, Regentville. The mooring pontoon will be used to access vessels currently moored in the slipway for the purposes of cleaning and general maintenance and will also be used as ancillary storage and office. No physical works are proposed as part of this application as the replacement pontoon is pre-constructed and no change to the use of the slipway bay for the mooring of vessels is proposed.

The Development Application has been lodged in support of a lease agreement entered into between Penrith City Council and Bennett Cruising P/L for the use of Lot 1 DP 566392 to access to and use of the slipway bay, which was constructed in the 1980's for the mooring of the Nepean Belle and other vessels. The owner of the land is Penrith City Council.

The subject site is zoned E2 Environmental Conservation under the Penrith Local Environmental Plan 2010. The proposed development is ancillary to the existing use of the land for a recreation area and is permissible in the zoning, with the consent of Council.

Under the Penrith Development Control Plan 2014, the development application was not required to be notified. In correspondence received 18 March 2016, Roads and Maritime Services (RMS) provided confirmation that they raise no issue with the proposal and do not require a formal referral from Council.

An assessment under Section 79C of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for approval, subject to conditions including a condition time limiting the approval to a maximum of two years. This application will be determined under delegated authority.

Site & Surrounds

The subject site is legally described as Lot 1 in DP 566392 and is also known as 1 Factory Road, Regentville. The owner of the land is the Penrith City Council. The site is generally rectangular in shape and has a site area of approximately 3ha with the western boundary fronting the Nepean river. The Nepean River which runs along the western boundary of the lot is under the control of the Roads and Maritime Service (RMS). Mulgoa Creek runs along the south-western boundary of the site.

A berthing slipway, pontoon and other ancillary features are located centrally along the western boundary fronting the Nepean River. The slipway bay and a vehicular accessway from Tench Reserve public carpark is leased from Council by a charter tourism business for the operation of two boats known as the Penrith Platypus Cruiser and the Nepean Belle Paddlewheeler. Maintenance of and quality of the vehicular access way from Tench to the slipway bay is managed via the leasing agreement.

Currently the slipway bay contains a small mooring pontoon and accommodates the Nepean Belle Paddlewheeler. The Penrith Platypus Cruiser is berthed adjacent to the bank of the Nepean river, outside of the slipway and is accessed via another mooring pontoon. Various contractual agreements have been, and are currently in place between the leasee (Council) and the lessor with regards to the use of the slipway and the land. It is proposed that a new lease agreement will be entered into, on finalisation of this development application.

The subject site is zoned E2 Environmental Conservation with the river being zoned W2 Recreational Waterways. Low density rural and residential uses are located to the east and south of the site and the M4 Western Motorway is located approximately 550 metres to the north-east.

The site is not identified within the Penrith Local Environment Plan 2010 as a listed heritage item and is not located within a heritage conservation area. There are no known items or places of Aboriginal cultural significance on or in close proximity to the subject site.

Proposal

The development application proposes to replace an existing mooring pontoon currently located within a slipway bay, with a new mooring pontoon.

The new pontoon is a single storey, painted metal building with picket style metal balustrade and a curved metal roof and is built on a steel catamaran hull. The interior contains partition walls, a wc and basin and will be used primarily as an access point for two vessels proposed to be moored in the slipway bay and as office and storage ancillary to the charter tourism business operated by Bennett Cruising P/L. The proposed development also involves the relocating of the Penrith Platypus Cruiser from a privately operated mooring located on the bank of the river, into to the slipway bay, resulting in the two vessels being moored side by side and accessed via the new mooring pontoon.

Ancillary office and storage activities will be undertaken on the mooring pontoon by two staff members who will use the pontoon as access to the vessels for restocking and vessel preparation. Current arrangements whereby staff park at the Tench Avenue South carpark and walk to the slipway bay, will remain in place. Other activities such as refueling, cleaning, minor maintenance, berthing, launching, ancillary office and storage which are currently undertaken at the site will remain unchanged.

The site will not be used by members of the public to board vessels as this is currently undertaken at the Tench Avenue public jetty.

No physical works are proposed to the slipway bay or existing access rails. The existing redundant mooring pontoon located within the slipway bay will be removed.

The applicant has confirmed that sewage pump out of the vessels to be moored at the pontoon is currently undertaken at the Tench Avenue Public Wharf. It is proposed to undertake the pump-out of the pontoon and vessels within the slipway bay to free up the public wharf and reduce impacts of odor.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration:

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the proposal against relevant criteria with Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application is found to be satisfactory, subject to recommended conditions of consent.

The proposal is not contrary to the aims of the plan, in that the development is unlikely to result in any negative impacts on the environment of the Hawkesbury-Nepean River. The proposal to replace an existing mooring pontoon is unlikely to result in impacts effecting downstream catchments or other cumulative environmental impacts and subject to the recommended conditions is acceptable. To ensure that the local environment and waterway is protected conditions of consent are recommended including the requirement to install a marine/riverine spill kit on the pontoon and install bunding when works are being undertaken within the slipway ramp and hardstand areas to prevent spills from entering the waterway and to ensure any spillage can be contained quickly.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 7.2 Flood planning	Complies - See discussion
Clause 7.4 Sustainable development	Complies - See discussion
Clause 7.5 Protection of scenic character and landscape values	Complies - See discussion
Clause 7.7 Servicing	Complies - See discussion

Clause 1.2 Aims of the plan

The development application has been assessed against the aims of the Penrith Local Environmental Plan 2010 (PLEP 2010) and is found to be compliant. The proposal will allow for an efficient use of the existing slipway bay and provide safer access to vessels. The proposal is assessed to support aims associated with the fostering of employment opportunities and balanced economic and environmental outcomes.

Clause 2.3 Permissibility

The use of the slipway bay for the mooring of vessels and the proposed replacement mooring pontoon are associated with the use of the Nepean River by Bennett Cruising. The proposal is considered to be an ancillary activity related to the use of the land for a recreation area and is a permissible form of development within the E2 Environmental Conservation zone.

Clause 2.3 Zone objectives

The subject site is zoned E2 Environmental Conservation under the Penrith LEP 2010. Objectives of the zone include:

(a) to allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.

The proposal is not contrary to the objectives of the E2 Environmental Conservation zone and is unlikely to result in any negative environmental impacts in the locality, subject to the recommended conditions. The application was referred to Council's internal Environmental Management and Public Health Units with no objections raised. Conditions of consent have been recommended with regard to compliance with food health and best practice guidelines and with regard to frequency of waste water pump out and provision of potable water supply. A condition of consent has also been recommended to require a marine/riverine spill kit to be installed on the pontoon.

Clause 7.2 Flood planning

Clause 7.2 of the Penrith LEP 2010 applies to all land at or below the flood planning level land identified as flood planning land on Council's LEP maps. The subject site is identified on the flood planning land map and is flood prone land.

Relevant objectives of the clause include the following:

- (a) to minimise the flood risk to life and property associated with the use of the land;*
- (b) to limit uses to those compatible with flow conveyance function and flood hazard; and,*
- (c) to enable safe and effective evacuation of the land.*

The replacement mooring pontoon contains storage and ancillary office for up to two staff who will be present during normal office hours. The pontoon is for private use primarily to access and assist in the running of vessels moored in the existing slipway bay. In times of flood the vessels and the pontoon rise with the waters in the slipway bay and do not require additional flood related mitigation measures. The proposed use of the land is assessed to be compatible with the flood risk and subject to the recommended conditions, is acceptable in the location.

Clause 7.4 Sustainable development

Clause 7.4 relates to the sustainable development of buildings and specifically requires Council to have regard to principles such as conservation of energy, building design and orientation and water saving measures. Although the replacement mooring pontoon is not a building, the development has been assessed against the principles of sustainable development and subject to the recommended conditions, the development is found to be compliant.

Clause 7.5 Protection of scenic character and landscape values

Although the subject site is not identified on the Scenic and Landscape Values Map, sites adjacent and the Nepean River along the western boundary are identified as having scenic and landscape values. The proposed development is assessed to be of an appropriate scale and design and will assist in the more efficient mooring of vessels within an existing slipway bay. Further, the locating of the vessels within the slipway bay is the preferred configuration of the RMS.

The design and proposed materials of the replacement pontoon are acceptable in the location and will not be highly visible from public vantage points, particularly when vessels are moored at the pontoon.

Clause 7.7 Servicing

The proposed is assessed to comply with the applicable provisions of the clause in that the replacement pontoon contains an onboard water supply that can be replenished at the site. Potable water is provided to the kitchenette, wc and wash basins. Adequate facilities are proposed to be arranged for the pump out of sewer by private arrangement with access to the site for service vehicles available via Tench Avenue South carpark. In addition, the applicant has confirmed that arrangements have been secured with the local energy provider to install a three phase connection to a pole in close proximity to the slipway bay.

Section 79C(1)(a)(ii) The provisions of any draft environmental planning instrument

No draft Environmental Planning Instruments that have been placed on public exhibition, apply to the subject application.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies - see Appendix - Development Control Plan Compliance
C1 Site Planning and Design Principles	Complies - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	Complies
C3 Water Management	Complies - see Appendix - Development Control Plan Compliance
C4 Land Management	Complies - see Appendix - Development Control Plan Compliance
C5 Waste Management	Complies - see Appendix - Development Control Plan Compliance
C6 Landscape Design	N/A
C7 Culture and Heritage	Complies
C8 Public Domain	Complies
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies
C11 Subdivision	N/A
C12 Noise and Vibration	N/A
C13 Infrastructure and Services	Complies

Section 79C(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements in place that apply to this development application.

Section 79C(1)(a)(iv) The provisions of the regulations

The application was referred to Council's internal Building Surveying Unit. No issues have been raised. Compliance with fire and building related controls for vessels are not covered by the Building Code of Australia and will be managed by the equivalent maritime authorities, by private arrangement (inspections and licensing).

Section 79C(1)(b)The likely impacts of the development

Likely impacts of the proposed development as identified throughout the assessment process include:

Waste and Environmental Management

The replacement mooring pontoon is larger in scale than the existing mooring pontoon and is capable of containing larger areas of storage and ancillary office. The new pontoon will have a potable water supply available and will require wastewater pump-out. To ensure that the local environment and waterway is protected, conditions of consent are recommended to be included related to waste storage, provision of a marine/riverine spill kit, provision of bunding and frequency of waste water pump-out.

Food Storage, Preparation and Health

Conditions are recommended to ensure that food storage areas comply with the applicable provisions of the National Code for the Construction and Fit-out of Food Premises, the *Food Act 2003* and *Food Regulation 2004*.

Noise

Noise related to activities at the site are assessed to be minimal and will relate to mooring the vessels, removing waste and waste water, deliveries and re-stocking of vessels. Noise may also be generated related to vessels being taken out of the water for occasional inspections and minor maintenance. A condition of consent is recommend to ensure noise generated at the site is in accordance with the *Protection of the Environment Operations Act 1997*.

The proposal is considered to be acceptable subject to the inclusion of the recommended conditions.

Section 79C(1)(c)The suitability of the site for the development

The site is considered to be suitable for the proposed development for the following reasons:

- The existing slipway bay has been purpose built to accommodate the mooring of vessels in the location and has been in use by vessels for approximately 30 years;
- The replacement mooring pontoon is compatible with surrounding and adjoining land uses and is of an acceptable design; and
- Adequate access arrangements are in place at the site, sufficient to service the activities proposed.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with the Clause 4.4 of Appendix F4 of the Penrith DCP 2014, the proposed development was not required to be notified. Comment was sought from the Roads and Maritime Services (RMS) with regard to the proposal who have confirmed via correspondence dated 18 April 2015 that no objections are raised and that no formal referral to the RMS would be required.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections
Environmental - Environmental management	No objections - subject to conditions
Environmental - Public Health	No objections - subject to conditions

Section 79C(1)(e)The public interest

The proposed development will not generate any significant issues of public interest. The development as proposed is permissible within the E2 Environmental Conservation zone and is unlikely to result in any negative or cumulative impacts in the location, subject to the imposition of the recommended conditions of consent.

Conclusion

The development as proposed is found to be compliant with the applicable aims, objectives and controls contained within the Penrith LEP 2010 and the Penrith DCP 2014. In its current form and is unlikely to result in any detrimental negative impacts on the character of the area or on the health of the Nepean River.

The proposed design is site responsive, complies with key development standards and is not contrary to the public interest. The application is found to be worthy of support, subject to recommended conditions.

Recommendation

1. That DA16/0275 for the installation of a mooring pontoon at Lot 1 DP 566392 also known as 1 Factory Road, Regentville, be approved subject to the attached conditions.

General

1 [A00 Time Limited Consnet](#)

This is a time limited consent. This condition limits the period during which the development may be carried out as follows:

(a) The approved use and installation of the pontoon as ancillary office, storage and mooring must cease on or before **22 July 2018** unless;

- (i) a new development application is approved by Penrith City Council to continue the use/operation; or
- (ii) an application under Section 96 of the *Environmental Planning and Assessment Act 1979* (the Act) is approved by Penrith City Council to continue the use/operation.

Note: This condition has been imposed to allow a review of the practical effect of this consent through the submission of a new development application or the further assessment of an application to amend or delete this condition under section 96 of the Act prior to this consent's expiration in accordance with this condition. It is recommended that a new application be lodged to modify or delete this condition a minimum of 3 months prior to the expiration date.

Note: The use and activities at the site, must be in conjunction and accordance with a valid lease agreement for the use of the slipway bay between the consent holder and Penrith City Council.

2 [A001](#)

The development must be implemented substantially in accordance with the stamped approved pontoon layout submitted with the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

3 [A002 - Approved plans-not for planners use](#)

Use of the new pontoon must not commence until such time as Council has inspected the vehicular access pathway from Tench Street South Reserve to the Slipway and has confirmed in writing that it is surfaced to a sufficient standard and to Council's satisfaction. Sufficient all weather access must be maintained at all times (by the consent holder) to the accessway such that vehicles do not cause environmental damage or track mud into the roadway or carpark.

4 [A012 - Food Act](#)

The proprietor of the food business shall ensure that the requirements of the NSW Food Act 2003, NSW Food Regulation 2010 and the Australian and New Zealand Food Standards Code are met at all times.

5 [A020 - Use of building](#)

The mooring pontoon shall not be used under any circumstances for habitable purposes. No ticket sales or public boarding is to occur at the site which is approved for use of staff only.

6 [A026 - Advertising sign \(not for residential\)](#)

No approval is granted for the erection of any signage, advertising or related structures, other than that which is required by legislation or for safety purposes.

7 [A029 - HOURS OF OPERATION AND DELIVERY TIMES](#)

Deliveries and servicing of the pontoon or vessels is limited to between the hours of 7:00am to 6:00pm seven days.

8 [A030 - No retail sales](#)

No retail sale of goods shall be conducted from the mooring pontoon.

9 [A038 - LIGHTING LOCATIONS](#)

Any exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding waterway and land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

10 [A Special \(BLANK\)](#)

Grey water and sewage must be disposed of in accordance with the *Protection of the Environment Operations Act 1997* (POEO Act) and the *Marine Pollution Regulation 2006*.

11 [A Special \(BLANK\)](#)

In addition to operating in compliance with these conditions of consent, access, management and use of the site and the slipway bay is to be in accordance with any deed, lease or other formal agreement in place between the operator and Penrith City Council.

12 **A Special (BLANK)**

The use of the pontoon and activities within the slipway bay are to be managed in accordance with the applicable provisions within the NSW government's *Best Management Practice for Marinas and Slipways* document available via the NSW Environmental Protection Authority (EPA) website.

13 **A special BLANK**

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

Environmental Matters

14 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within a designated area, in secured bins to ensure that no waste materials are allowed to enter the waterway or neighbouring properties. The designated waste storage area shall provide at least two bins so as to allow for the separation of recyclable wastes and are to be fully enclosed and secured when the site is unattended. All waste is to be regularly removed from the site and disposed of in an appropriate manner.

No approval is granted for the storage of batteries, oils, chemicals or fuel at the site.

15 **D014 - Plant and equipment noise**

The operating noise level of plant and equipment in relation to the pontoon and the use of the slipway (e.g. maintenance) shall not exceed 5dB(A) above the background noise level when measured at neighbouring premises. The provisions of the *Protection of the Environment Operations Act 1997* apply to the development, in terms of regulating offensive noise.

16 **D015 - Spill prevention & clean-up procedures**

The following plans (and any updated versions) detailing spill prevention, contingency and emergency clean-up procedures for the development shall be followed and implemented in the event of a spill or emergency:

- Refueling of Vessels v1.0 dated 11/10/15, Approved by Chris Bennett
- Disposal of Sewerage, Garbage, Waste Oil & Grey Water v1.0 dated 11/10/15 approved by Chris Bennett
- Emergency Response Procedure for Hazardous & Non-Hazardous Spills v1.0, dated 11/10/15, approved by Chris Bennett

Should they be updated, the plans should be submitted to Council for approval. Copies of these plans shall be made available to Council upon request.

17 **D015 - Spill prevention & clean-up procedures**

A plan detailing spill prevention, contingency and emergency clean-up procedures and contact numbers as well as a marine/riverine spill kit of an appropriate capacity (minimum 120L) shall be kept on the mooring pontoon in a readily accessible location. The spill kit shall contain floating (interlocking) booms for perimeter containment, adsorbent mats, waste disposal bags with ties and easy to read step-by-step response instructions fixed to the spill kit lid. The procedures plan shall be implemented in the event of a spill or emergency and appropriate agency notified if required.

18 **D023 - Bunding**

All maintenance works and areas where spillages are likely to occur shall be bunded during these works and/or appropriate drop sheets provided.

19 **D026 - Liquid wastes**

No waste water is to be disposed of into the waterway or surrounds. Waste contractors are to hold the relevant licenses issued by the NSW Environment Protection Authority.

20 **D Special BLANK**

Waste is to be regularly removed from the vessels and mooring pontoon for disposal or recycling by private arrangement. All waste is to be stored on the mooring pontoon and/or vessels in a secure location and regularly removed by the operators. No waste materials are to be disposed of in Council's public waste bins.

21 **D Special BLANK**

No mechanical work including the painting of vessels and preparation of vessels for painting such as rubbing back and washing shall be carried out unless bunding and drop sheets are in place to prevent contamination or run-off to the river.

Health Matters and OSSM installations

22 F001 - Food shop construction & plans

Any food storage and/or preparation areas shall be finished in accordance with the requirements of the Australian Institute of Environmental Health "National Code for the Construction and Fitout of Food Premises" 1993, the *Food Act 2003* and *Food Regulation 2004*.

23 F001 - General Fitout

The construction, fit out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS4674-2004 *Design, Construction and Fitout of Food Premises*.

24 Food Safety Program

Prior to the operation of the pontoon a food safety program is to be completed and submitted to Council for review. The food safety program shall be consistent with the requirements of division one of standard 3.2.2. and include, as a minimum, a description of food practices and procedures such as food delivery, handling, storage, packaging, pest control, cleaning and sanitising, temperature control, and waste management related to the operation on both pontoon and related vessels.

25 F Sspecial (BLANK)

Potable water is to be available at all times on the pontoon for drinking, hand washing, domestic cleaning and other such activities.

26 F Sspecial (BLANK)

Detailed layout plans of the pontoon including food storage areas, shelving, coolrooms, storage rooms, waste management areas and freezers shall be supplied to Council prior to fit-out works and the commencement of the use of the mooring pontoon. The plan should demonstrate compliance with Australia New Zealand Food Standards Code 3.2.3 - *Food Premises and Equipment* and Australian Standard 4674 -2004 *Design, Construction and Fit-out of Food Premises*.

The plan should also include details of any kitchen areas, toilets and hand basin facilities within the pontoon.

27 F Sspecial (BLANK)

The applicant must demonstrate that the water supply is potable and fit for purpose and the supply and storage of water is compliant with the requirements of the Public Health Act 2010 and Food Act 2003.

28 F Sspecial (BLANK)

The slipway bay, pontoon and immediate area are to be kept clean, tidy and secure at all times. The existing redundant pontoon is to be removed from the site.

Operation of OSSM

29 R131 - Pump out systems

The vessels and pontoon shall have the waste water tanks emptied on a weekly basis, unless otherwise agreed by Penrith City Council.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part B - DCP Principles

The development application has been assessed against the applicable principles outlined in the Penrith Development Control Plan 2014 (Penrith DCP 2014) and is found to be compliant. The proposal supports Council's aims related to economic and ecological sustainability in that, the new pontoon will allow more efficient servicing of the moored vessels and will also allow the vessel currently moored at the rivers edge, to be relocated to be within the slipway bay.

Part C - City-wide Controls

The development proposal has been assessed against the City Wide Controls and is found to be compliant. Compliance with specific controls are discussed below:

C1 Site Planning and Design Principles

Key Areas with Scenic Landscape Values

The proposed new mooring pontoon is acceptable in scale and design and will be located within an existing slipway bay. The new pontoon will allow two vessels to be moored side by side within the slipway bay and will reduce the visual impact of vessels moored at the rivers edge. No works are proposed to the slipway bay or to the surrounding vegetation as part of this application. Views to and from the water in the vicinity will remain uninterrupted.

Safety and Security

The mooring pontoon can be secured against break-in.

C3 Water Management

Catchment Management and Water Quality

The proposed mooring pontoon will allow for more efficient and safer access to vessels within the slipway bay. Any refueling taking place within the slipway will be carried out using a mobile truck mounted bowser reducing incidence of spillage and a condition of consent has been recommended requiring the installation of a marine/riverine spill kit. Potable water supply and sewage pump-out is managed by private arrangement and is also confined to the slipway bay. Sewer pump out of vessels is currently undertaken at the Tench Avenue Jetty with this activity relocated to the slipway bay.

To reduce the impact of odour and time spent at the public jetty, pump out of vessels and the pontoon is proposed to be undertaken at the slipway bay. Conditions of consent are recommended with regard to frequency of pump out and installation of a marine spill kit to ensure activities can be undertaken in a safe and efficient manner.

C4 Land Management

Use of the mooring pontoon will be limited to ancillary office and storage related to the management of the vessels and will primarily be used for physical access to vessels in the slipway bay. To ensure that the waterway is protected from any potential contaminants, conditions of consent are recommended as follows:

- to ensure any waste is temporarily stored in a secure and weather proof location and is regularly collected for disposal or recycling.
- that a fuel and oil spill kit of an appropriate capacity is kept on the mooring pontoon and that staff are adequately trained on how and when to use the kit.
- that the use of the pontoon and activities within the slipway bay are managed in accordance with the applicable provisions within the NSW government's *Best Management Practice for Marinas and Slipways* document.
- that the slipway bay, pontoon and immediate area are kept in a clean, tidy and secure at all times.

C5 Waste Management

Waste generated at the site will include domestic paper and recyclables and food waste. As discussed above conditions are recommended to be included within the consent to ensure that all waste is stored in a secured location and regularly removed from the site for disposal or recycling. Any domestic chemical, battery or oil wastes are to be disposed of in accordance with Council or Environmental Protection Authority (EPA) guidelines.