



Sydney Harbour Federation Trust

Guide to the planning, application and assessment process

September 2022

The Harbour Trust acknowledges the Traditional Custodians of the lands and waters of Sydney Harbour, and of the sites under our stewardship: the Borogegal, Birrabirrigal, Cammeraygal, Gadigal, Gayamagal, Wallumedegal and Wangal People.

Harbour
Trust



Australian Government
Sydney Harbour Federation Trust

Sydney Harbour Federation Trust – Guide to the planning, application and assessment process

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Introduction

This guide explains the process for obtaining the Harbour Trust's approval for undertaking certain activities, such as building works and large events, on Harbour Trust land. The guide outlines the process to take your proposal from an initial lease or event enquiry, through to a formal application, the assessment process, and then moving in and operating.

As the owner and manager of significant heritage buildings and spaces, the Sydney Harbour Federation Trust (Harbour Trust) is accountable under Commonwealth legislation for the use of its assets. Seemingly minor actions, such as changes to building services (such as electrical, plumbing and data), penetrations to walls and signage; as well as major fit-outs, temporary events and activations, can impact the environmental and heritage values of a place. Consequently, **no works or temporary events and activations on Harbour Trust land may proceed without prior written approval.**

The Harbour Trust encourages prospective and current tenants, lessee, licensees and event organisers to discuss their proposal with Harbour Trust staff prior to engaging contractors or signing any agreements. The Harbour Trust has detailed knowledge of the history of its assets including previous works, paint colours, locations of services and whether hazardous materials may be present in building fabric.

Certain building and commercial activities are prohibited under the *Sydney Harbour Federation Trust Regulations 2021* (SHFT Regulations) and may only proceed if the Harbour Trust grants a Permit or Licence authorising that activity. The granting of such permits is subject to an application and assessment process. The Harbour Trust's assessment of applications must have regard to the objects of the *Sydney Harbour Federation Trust Act 2001* (SHFT Act). Some more complex applications may be **referred** to the Commonwealth Minister for the Environment for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In addition to obtaining a Planning Permit, you will also need to obtain a lease or licence (through the Harbour Trust's events and/or property teams) to use a building or area of open space for a commercial or other purpose.

Application and Assessment Process

For most actions, the following process must be followed to enable a Planning Permit to be granted:

- Lodgement of Leasing Application/Event Application
- Harbour Trust assessment of Leasing Application/Event Application
- Pre-lodgement meeting
- Harbour Trust provides advice regarding planning process and specific requirements
- Lodgement of Application for a Planning Permit
- Harbour Trust reviews application for Adequacy (Gateway)
- Harbour Trust detailed assessment of application
- Stop the clock – if additional information is needed from Applicant
- Determination of application
- Applicant's certifier contacts Harbour Trust
- Construction Approval (issued by Harbour Trust)
- Works/Bump In
- Occupation Approval (issued by Harbour Trust)

Note: this process may apply to existing tenants/licensees where the lodgement of a new leasing or event application is required.

Temporary events and activations on Harbour Trust Land

Approval is required for any temporary events and activations on Harbour Trust land and a lease or licence must be in place for the proposed event or activation.

At minimum, event operators must prepare a detailed event plan, providing plans, schedules and traffic management plans. Noise, lighting and environmental management plans, an assessment of heritage impact as well as details of any temporary structures may also be required. The Harbour Trust may seek additional information from the Applicant following consultation with internal and external stakeholders.

More complex events and activations must also complete an application for a Planning Permit (assessment of your event and application for a planning permit can occur concurrently, and many documents will be suitable for both applications).

Harbour Trust Planning Process

The Harbour Trust was established under the SHFT Act to manage eight former Defence sites around Sydney Harbour.

Key objectives of the Harbour Trust include maximising public access to Harbour Trust land and ensuring that the adaptive re-use of our sites is sensitive to their environmental and heritage values.

This imposes an obligation on the Harbour Trust to conserve the site's heritage values and to minimise any adverse impacts. To achieve this, all works must be consistent with the Harbour Trust's Comprehensive Plan, individual site Management Plans and any applicable Conservation Management Plan (CMP).

Under Section 71 of the SHFT Act, the Harbour Trust and its lands are exempt from certain State laws including town planning and environmental laws. However, the Harbour Trust adopts relevant State regulations for matters such as noise emissions and proposals should comply with these standards.

If you have any questions in relation to the assessment process, please contact the Harbour Trust's Planners on planning@harbourtrust.gov.au or (02) 8969 2100.

Harbour Trust Strategic Plans

Strategic (land use) plans for Harbour Trust sites are available on the Harbour Trust website: <https://www.harbourtrust.gov.au/en/corporate/planning/>. Applicants do not need to refer to local council LEPs, DCPs or other state government plans when undertaking works or events/activations on Harbour Trust land.

The Comprehensive Plan

The Harbour Trust's Comprehensive Plan was approved in September 2003 and amended in 2008 and provides the planning framework for managing the Harbour Trust's lands. The Plan provides a range of overarching objectives and policies (Section 3 of the Plan), identifies outcomes for specific precincts and establishes procedures for assessing actions (Section 11 of the Plan).

Individual Site and Precinct Management Plans

Management Plans describe in detail the Harbour Trust's desired outcomes for each site or precinct. They guide the way particular sites are developed, adaptively re-used or conserved. In this sense,

Management Plans are similar to Development Control Plans or Plans of Management under NSW legislation.

Management Plans have been developed for the following sites and precincts:

- Sub Base Platypus (AKA Former HMAS Platypus)
- North Head Sanctuary
- Cockatoo Island
- Georges Heights
- Middle Head
- Georges Head
- Chowder Bay
- Training Command, Georges Heights
- Lower Georges Heights
- Mosman Drill Hall
- Markham Close, Georges Heights
- Woolwich Dock and Parklands
- Macquarie Lightstation
- Former Marine Biological Station

Contact Harbour Trust planners on planning@harbourtrust.gov.au or (02) 8969 2100 if you are unsure which Management Plan is relevant to your application.

Applications for works on Harbour Trust land are described as “Actions”. An *action* is similar to the concept of “development” under NSW planning legislation. *Action* is defined in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and includes a project, development, undertaking, activity, or series of activities. Examples of actions include demolition, construction, the use of buildings, office fitouts, repairs, installation of signage and temporary uses of buildings and spaces including for public events.

Applicants should consider their proposal in the context of the following:

- Harbour Trust Comprehensive Plan;
- Relevant site Management Plan;
- Objectives of the EPBC Act and SHFT Act;
- Values of heritage places;
- Conservation Management Plans;
- Bushfire Management Plans (if relevant);
- Noise Management Plans (if relevant);
- Long Term Environmental Management Plans (if relevant); and
- Any other plans, policies or reports that are relevant to the proposal or site.

Refer to the ‘Outcomes’ section of the Management Plan for information about suitable permitted land uses.

All applications must clearly identify how their proposal is consistent with the Harbour Trust's Comprehensive Plan and relevant site Management Plan.

Planning Permits

The Harbour Trust may grant a Planning Permit (including Conditions) under sections 9 and 10 of the SHFT Regulations. Applications may be Approved with Conditions, or Refused.

Permits will be issued to an entity that holds, or is proposing to hold, a lease or licence with the Harbour Trust, not to third parties.

Modifications or Variations of existing Planning Permits

The Harbour Trust may consider applications to modify or vary an existing Planning Permit (including Conditions) under section 11 of the SHFT Regulations.

Applicants must complete the Application for a Planning Permit form to apply to modify or vary an existing Planning Permit. Applications to modify or vary an existing Planning Permit must be in writing and clearly identify what aspect of the Permit is proposed to be modified, and it must include relevant information to support the application.

Applications to modify or vary an existing Planning Permit may be Approved with Conditions, or Refused.

Appeals/Reviews of decisions regarding Planning Permits

Pursuant to Section 12 (4) of the SHFT Regulations, an Applicant may apply to the Administrative Appeals Tribunal for the review of a decision by the Trust:

- (a) to refuse to grant a licence or permit under Section 9; or
- (b) to grant a licence or permit subject to conditions under Section 10.

Referrals under the *Environment Protection and Biodiversity Conservation Act 1999*

Where the Harbour Trust's assessment concludes that a proposed action may have a significant impact on protected matters (including but not limited to World heritage properties, National and Commonwealth heritage places and nationally threatened species and ecological communities), then the matter must be referred to the Australian Minister for the Environment for further assessment. If relevant, the Minister may also consult with the Australian Heritage Council.

When an action is referred to the Australian Minister for the Environment, the details of the proposal are examined to see whether or not it will have a significant impact on matters that are protected under the EPBC Act.

All referrals are published on the Department of Agriculture, Water and the Environment's website and are open for public comment.

The Minister or a departmental delegate will determine whether or not the action will need to be assessed further. The Minister's key decision-making role with federal environmental assessments is to ensure that matters covered by national environment law are protected.

Interactions with Councils and NSW Government

Local councils and the NSW Government do not have a consent role for development on Harbour Trust land. However, there may be instances where an Applicant needs to seek a separate approval under NSW legislation, such as where a proposed action is located partly outside Harbour Trust land.

The Harbour Trust grants licences and permits for certain activities on Harbour Trust land, including service of alcohol, operating childcare centres and the use of remotely controlled or piloted devices such as drones. Contact the Harbour Trust for more information if your proposal involves this type of activity.

The Harbour Trust may also consult with Liquor and Gaming NSW and NSW Police if a proposal involves the sale or supply of alcohol on Harbour Trust land. Food premises on Harbour Trust land must also be registered with the NSW Food Authority.

Applying for a Planning Permit

Applicants wishing to undertake works or temporary events/activations in Harbour Trust buildings or spaces must complete a form to apply for a planning permit. Contact details for Harbour Trust staff and websites can be found in the **Further Information and Contacts** section of this document.

Applicants are required to submit relevant information to enable the Harbour Trust to determine the potential impacts of their proposal. The Harbour Trust reserves the right to approve, conditionally approve or refuse any application for a planning permit.

Allow sufficient time for the Harbour Trust to assess your Application

Your Application for a Planning Permit should be submitted to the Harbour Trust well in advance of your proposed moving in or event day, to allow sufficient time for assessment and review of essential documentation. See the **Assessment** and **Timeframes** sections of this document for more information.

Applications are assessed by the Harbour Trust's Planners, in consultation with heritage architects and project managers and other subject matter experts. Leasing officers will also review your application to ensure consistency with any signed or proposed Heads of Terms or Leasing documentation or Licence. Applications are generally determined by the Harbour Trust's Executive Director. Some complex applications may also need to be referred to the Australian Minister for the Environment under the EPBC Act.

If there is insufficient space on the Application Form to provide all the information required, please submit the required information in separate attachments.

Planning Permits and Conditions are issued to the Lessee or Licensee, not a third party

The Harbour Trust will issue a Planning Permit (and conditions if required) to the entity or organisation that holds, or is intending to hold, a lease or licence for a building or area of open space from the Harbour Trust.

The lessee or licensee may appoint an agent or third party to correspond with the Harbour Trust regarding their application for a Planning Permit, however the Planning Permit will be issued to the lessee or licensee.

Planning Statements

A *Planning Statement* is a written document, prepared by Applicants, which must accompany all applications for a Planning Permit. A Planning Statement is similar to a *Statement of Environmental Effects*, as required by Councils in NSW. Planning Statements should be prepared by a person that is familiar with town planning rules in NSW.

The purpose of the Planning Statement is to:

- Provide a detailed description of the proposal and how the building and/or area of open space will be used;
- Outline how the proposal complies with relevant Harbour Trust plans and policies;
- Identify the potential impacts and the steps that will be taken to protect heritage, the environment or mitigate the impacts;
- Incorporate any recommendations from supporting consultant reports; and
- Provide any other relevant information.

The Planning Statement should outline the steps that will be taken to manage or minimise the impacts resulting from the proposal. Depending upon the scale of the impact, the Harbour Trust will advise whether additional information is required such as a more detailed Heritage Impact Statement, and Noise, Lighting or Traffic Management Plans.

To assist Applicants to refine their proposals, the Harbour Trust is also happy to provide feedback on draft or alternative scopes of work and supporting documentation, prior to receiving a final application.

If an Applicant is unsure of the level of detail or what is needed to be included in a Planning Statement or supporting report, please contact the Harbour Trust on planning@harbourtrust.gov.au or (02) 8969 2100 to discuss expectations and requirements.

Heritage Significance and Archaeology

All Applicants must consider the impact of their proposal on heritage fabric or the significance of a building or a place such as a parade ground or monument.

The Heritage Values of a place include its natural and cultural environment. It may have aesthetic, historic, scientific or social significance, or other significance, for current and future generations of Australians. Indigenous Heritage Values are those values of a place that are significant to indigenous persons in accordance with their practices, observances, customs, traditions, beliefs or history.

The EPBC Act and Regulations set out the criteria against which the above values are tested. In addition, the SHFT Act requires the Harbour Trust 'to protect, conserve and interpret the environmental and heritage values of Harbour Trust land.'

The Harbour Trust's Comprehensive Plan also includes specific policies that deal with Natural, Aboriginal (Indigenous) and Cultural Heritage. The Harbour Trust also has a policy to guide the adaptive re-use of buildings and seeks to achieve 'best practice' outcomes through adherence to benchmark documents such as the ICOMOS Australia Burra Charter and the Australian Natural Heritage Charter.

Conservation Management Plans

Conservation Management Plans (CMPs) are prepared by specialist heritage consultants for specific sites and buildings. CMPs identify uses that will be sympathetic to each building, taking into account the Harbour Trust's planning concepts for the place. If the possible future use differs from an original and continued use of a building, this is known as 'adaptive reuse'.

Conservation Management Plans are available for all Harbour Trust sites, and can be provided to Applicants for reference.

Permanent and Temporary Works and Heritage Impacts

To ensure that a proposal does not adversely affect the heritage values and characteristics of a site or a building, all temporary and permanent works must be consistent with the Harbour Trust's Comprehensive Plan, individual site Management Plan and relevant CMP. To determine this, the Harbour Trust will consider a range of matters, including:

- New works are to be fully reversible, significant building modifications will generally not be permitted;
- New partitions may be permitted, but a sense of the space being partitioned should remain;
- Hanging systems should be used in lieu of multiple hooks for artwork etc;
- New bathrooms or kitchens will only be permitted where they do not pose a significant impact;
- The presentation of buildings and interiors is to be consistent with heritage values and meld harmoniously with other nearby buildings;
- New fixtures such as heating, air conditioning, water tanks, solar panels, aerials and other services must be sensitively located;
- Outdoor furniture, shelters, awnings etc are to be of high quality. Their appearance is to be compatible with the character of the building or precinct and not detract from the setting of a heritage item or place;
- External finishes and colours to heritage buildings are to be consistent with the Management Plan and/or CMP. The finishes and colours of buildings with less heritage significance need to be considered in relation to the other buildings that make up the grouping; and
- Signage must be of a uniform size and material to retain the unified character of the various precincts.

Applicants are encouraged to consider their proposal in the context of these criteria.

Heritage Impact Statements

Some applications will require a Heritage Impact Statement that assesses the impact of the proposal on the heritage significance of a building or place. A specialist heritage consultant will need to be engaged by the Applicant to prepare the Heritage Impact Statement.

Archaeological Relics

Archaeological relics make an important contribution to helping us better understand our heritage.

Archaeological relics are the physical remains of former landscapes, vegetation, buildings, contents and site features. They are objects of physical evidence used by people in the past that represent the way they worked and lived their daily lives. Archaeological relics may be derived from indigenous or non-indigenous occupation of a site.

Archaeological relics may take the form of, but are not limited to:

- Buildings (both ruined and standing);
- Structures (examples include gun emplacements and former road alignments);
- Household objects;
- Machinery and tools;
- Pollen (as evidence of past environments);
- Parasites (as evidence of human diet and disease); and
- Subsurface remains of former landscapes and vegetation.

If an archaeological relic is discovered on Harbour Trust land, work should cease immediately and the Harbour Trust notified.

It is important that the relic is not removed or disturbed in any way. Not only are the relics themselves important, but their position and layout in relation to other objects and the landscape as a whole is also important in establishing relationships or methods of operation.

Traffic, Access and Parking

All of the Harbour Trust's sites have limited parking and the Harbour Trust aims to minimise reliance on cars and encourage alternative means of transport.

Applicants should provide the following information regarding their proposal:

- The number of employees and visitors that may be generated by the proposed use;
- How these employees, visitors and patrons will access the site;
- When employees, visitors and patrons will require access;
- The likely range and variations in demand during operational periods;
- Arrangements for deliveries;
- Traffic impacts associated with construction/bump in and bump out;
- How the use of public transport, walking and cycling will be promoted to employees, visitors and patrons; and
- Arrangements for persons with a disability.

Applications involving temporary events or activations of Harbour Trust sites must address the transport impacts associated with bump in, bump out as well as the event or activation. Arrangements to maintain access for potentially affected tenants, visitors and site users must also be detailed.

Discounted parking and/or designated parking spaces are not generally provided for Harbour Trust tenants or their contractors (including construction workers).

Public access around sites is to be retained, including to or through buildings that have been designated for public purposes.

Potential impacts associated with additional traffic on native fauna must be examined (refer to *Flora and Fauna* below).

Access to Cockatoo Island

Cockatoo Island is an island in Sydney Harbour, and it not directly accessible by road. This means transport of construction materials, staff and goods to Cockatoo Island is challenging. Cockatoo Island

is serviced by public ferry (two routes). Ferry services are for use by passengers only and should not be used for the transport of goods or equipment. Applicants needing to transport large items, vehicles or plant and equipment to Cockatoo Island must employ an experienced barge operator; contact the Harbour Trust for operators' contact details.

Compliance with the National Construction Code and Australian Standards

Applicants are to submit an assessment of their proposed works against the National Construction Code (NCC), including the Building Code and Plumbing Code. The assessment is to confirm that the proposed works and/or use can achieve compliance with the NCC. The assessment must consider the provision of sanitary facilities for staff and clients, disabled access, fire safety of buildings, and ensuring buildings and temporary structures comply with relevant Australian Standards.

The NCC assessment is required for all new tenancies or event/activation, regardless of the scope of works proposed or the duration or value of the proposal.

The assessment is to be carried out by a qualified assessor and submitted to the Harbour Trust with the Application for a Planning Permit. A NCC Compliance Statement is to be provided to the Harbour Trust at the conclusion of works.

Construction Management

To ensure the Harbour Trust has a clear understanding of the type of works that are proposed, Applicants must prepare a Construction Management Plan for their proposal. The plan must include:

- Builder's Details (if known) – Name/Address/Licence No.
- Anticipated number of workers on site
- Demolition and construction methodology
- Location of the proposed construction zone including any required site sheds or other amenities
- Timetable of demolition/construction: days/hours
- Building Materials: Roof/Walls/Floor/Frame
- Presence of Hazardous Materials including how it will be managed
- Details of Services reticulation including power, telephone, data, water, sewerage, stormwater
- Use of new fill/soils etc
- Existing NCC classification/new NCC classification

Where appropriate, some of the above documents may be provided to the Harbour Trust to obtain Construction Approval.

All works and the proposed use are to be carried out professionally, in accordance with any conditions issued by the Harbour Trust and in compliance with all relevant legislation, standards, regulations, codes, guidelines and the National Construction Code. All works are to be carried out by qualified tradespeople (copies of insurance and accreditation are to be provided to the Harbour Trust on request).

Construction Traffic Management Plan

Details of any impacts on traffic and parking areas are required. This includes:

- Number and type of vehicles expected to be on site during the works
- Vehicle routes to and from the works site
- Any impact on existing pedestrian routes
- Proposed parking arrangements for contractors (contractors must park in marked spaces, and pay for parking, unless specifically advised otherwise by the Harbour Trust)

Applicants are to obtain any relevant approvals from Councils, NSW Police, NSW National Parks and Wildlife Service, or Transport for NSW, if they are required.

Safe Work Method Statements

Evidence that project-specific Safe Work Method Statements have been prepared are to be submitted to the Harbour Trust for all aspects of the works. SWMS are to reference relevant Work Health and Safety standards including WorkCover requirements and Australian Standards. SWMS are to detail procedures that will be put in place to ensure the safety of workers and people within adjacent public areas. SWMS for works on Cockatoo Island are to clearly identify risks associated with access to the site via barge or public/private vessel.

COVID Safety

Applicants and event operators are to ensure compliance with any public health orders that are in place to minimise the risk of transmission of COVID-19 associated with a premises or event/activation. This could include but is not limited to having an up to date COVID 19 Safety Plan in place for all aspects of a proposal (construction/bump in/bump out and operational phases).

Fire Safety

As landowner, the Harbour Trust is required to ensure its buildings achieve fire safety compliance equivalent to that required under the *Environmental Planning and Assessment Regulation 2000* (NSW). Applicants are responsible for providing the Harbour Trust with the following:

- Fire safety schedule (prior to the commencement of works)
- Fire safety certificate (following the conclusion of works)
- Annual fire safety statement.

In the event that the use of any building or leased/licenced area results in a call out from NSW Fire and Rescue, the Applicant will be responsible for the payment of such charges.

Accredited Certifier

All works are to be managed by an accredited certifier. The certifier is to be accredited as an “Accredited Certifier” under the NSW *Building Professionals Act 2005*. The certifier is to compile all relevant paperwork and ensure that construction works comply with the planning conditions, relevant standards and the National Construction Code.

Unlike in NSW, the certifier does not have the final authority to issue an approval to commence work, occupy a building or space, or modify an existing approval. That that authority rests solely with the Harbour Trust.

Construction Certificates and Occupation Certificates issued under the NSW *Environmental Planning and Assessment Act 1979* are not valid on Harbour Trust land.

Construction Approval

Once the planning approval is issued, Construction Approval must be obtained from the Harbour Trust prior to the commencement of any works. Complete the form “Application for Construction Approval”, available on the Harbour Trust’s website.

The Applicant’s Private Certifier will be responsible for endorsing and submitting all relevant documentation required under the planning permit to the Harbour Trust. Based on the advice of the Private Certifier, the Harbour Trust will issue a Construction Approval (not the Private Certifier as would typically occur for a development lodged with a Council). Documents needed at this stage will be included as a condition of the Planning Approval.

Occupation Approval

Upon completion of works, Occupation Approval must be obtained from the Harbour Trust prior to occupation of the buildings/spaces involved in the proposal. Complete the form “Application for Occupation Approval”, available on the Harbour Trust’s website.

Similar to the Construction Approval, the Private Certifier will be responsible for endorsing and submitting all relevant documentation required under the planning permit to the Harbour Trust. Based on the advice of the Private Certifier, the Harbour Trust will issue a Permit for Occupation Approval.

Required documents may relate to matters such as electrical, plumbing or gas connections, disabled access, heating and air conditioning, food and beverage fitouts, and performance measures of the National Construction Code. Documents needed at this stage will be included as a condition of the Planning Approval.

Public Liability Insurance

Public Liability Insurance to the value of \$20,000,000 must be taken out by the Applicant’s contractors to protect any person, firm or company from injury, loss or damage sustained as a consequence of the carrying out of site works both within and outside the leased area. Copies of insurance policies and Certificates of Currency must be provided to the Harbour Trust prior to the commencement of works.

Environmental Issues

Landscaping

To ensure any new planting complements the existing landscape, new planting is generally to be local provenance species. Unless otherwise specified in a written agreement with the Harbour Trust, new landscaping is to be maintained by the Applicant. Any soil, gravel or fill brought to Harbour Trust land is to be accompanied by a statement confirming that it is clean and contains no contaminants.

Landscaping plans may be required by the Harbour Trust. The Harbour Trust can provide details of plant species used within our sites to assist Applicants to finalise their landscape proposal. Applicants should consider the use of species that are best suited to the location, for example plants that are endemic to the area, and not compromise existing or proposed Asset Protection Zones. Landscape plans are to be in pdf and dwg format and include plant schedules and details of construction materials and any furniture.

Contamination and Hazardous Materials

Due to their age, existing building materials and previous uses, some of the Harbour Trust's buildings and places contain hazardous materials and/or are former contaminated sites. However, Harbour Trust sites are considered safe for public access so long as building fabric, pavements, capping layers, soils and sediments remain undisturbed. It is vital Applicants do not penetrate building fabric, pavements or capping layers without approval.

Harbour Trust staff will advise Applicants and event organisers of any known or potential hazardous materials or contamination that are present in buildings or open spaces (grassed areas and hard pavements).

Due to known sub-surface capping layers, penetration of the ground is generally not permitted. Any temporary structures are to be secured using weights.

Noise, Lighting and Visual Impacts

Harbour Trust sites are often located in areas of environmental sensitivity or in close proximity to residential neighbourhoods. The Harbour Trust has noise management policies that, in general, set maximum noise levels at designated locations in line with neighbouring suburbs.

Applicants must adhere to the provisions of their Lease or Licence and any NSW Environment Protection Authority (EPA) guidelines for use of construction and amplification equipment. Noise generation must comply with the existing Harbour Trust Noise Management Plan.

Noise assessments must consider impacts upon commercial and community tenants, such as existing offices and food and beverage premises, as well as nearby residences, and must demonstrate how EPA guidelines will be complied with.

Lighting may be used to highlight particular characteristics of a precinct and its buildings. However, in areas adjacent to bushland and within view of a residential neighbourhood, lighting must be designed to avoid nuisance spillage. Most of the lighting in public spaces will be the responsibility of the Harbour Trust. Tenant lighting must not compete with or diminish the lighting effects the Harbour Trust is seeking to achieve.

Visual impact assessments may be required if a proposal may have potential visual impacts such as changed or obstructed views of a Harbour Trust site from the surrounding public domain, or if a proposal will result in adverse impacts on available views of the public domain from adjacent private properties.

Applicants are to consider potential impacts associated with additional noise or artificial light on native fauna, and how impacts can be mitigated (refer to *Flora and Fauna* below).

Flora and Fauna

Harbour Trust lands include many precious and unique plants, animals and ecological communities, that are protected under the EPBC and Harbour Trust Acts. Applicants are not permitted to remove, prune or otherwise modify the natural environment without approval.

Applications for works, or events or activations that may potentially adversely impact the natural environment, for example through increased noise, artificial light or traffic in bushland, or involve new works near bushland or pruning or removal of vegetation, must provide a detailed flora and fauna impact assessment as part of their applications.

Environmental Quality and ESD

Ecologically Sustainable Development (ESD) is central to the Harbour Trust's management, strategic planning and development decision-making. The concept of ESD has been defined as: "Development that improves the quality of life, both now and in the future, in a way that improves the ecological processes on which life depends" – National Strategy for ESD (1992).

Proposed uses must be consistent with the Harbour Trust's objective of protecting all aspects of the environment, both within and adjacent to the Harbour Trust's sites. This includes ecosystems, qualities and characteristics of a place, and the heritage values of a place and the social, economic and cultural aspects of them. When assessing a proposed action, the Harbour Trust will have regard to the following:

- Potential for air and water pollution
- Impact on flora and fauna
- Potential for changes to stormwater flows
- Minimising waste
- Introduction or disturbance of contamination or hazardous materials
- Consistency with National Best-practice Guidelines for Management of *Phytophthora cinnamomi* for Biodiversity Conservation in Australia

Where applicable, Applicants will need to provide information describing how their proposal (construction and operation) will be managed to avoid (or minimise) any adverse impacts on the environment.

Bushfire Management

Many Harbour Trust sites are located in close proximity to bushland. Applicants are to consider whether their proposal will affect, or be affected by, existing bushfire risk. Applicants may be required to engage a suitably qualified professional to prepare a bushfire risk assessment of their proposal. The risk assessment is to consider arrangements of how to evacuate in the event of a bushfire emergency.

During construction, works are not to be undertaken on days of Total Fire Ban and no "hot work" (eg grinding, welding etc) is to be undertaken on days of Extreme or Catastrophic Fire Danger (or above) or windy days. No outdoor flames are permitted on days of Extreme or Catastrophic Fire Danger (or above).

Some Harbour Trust sites will be closed to the public (including tenants, visitors and organisers of events) in extreme weather events, such as when there is a heightened risk of bushfire.

Applications involving development involving vulnerable members of the community, including applications for uses that are described as "Special Fire Protection Purpose" (SFPP) under the NSW *Rural Fires Act 1997* must submit a Bushfire Management Plan that has been prepared by a suitably qualified professional in accordance with the provisions of *Planning for Bushfire Protection* (2019). SFPP developments include schools, childcare centres, hospitals, hotels, motels or other tourist accommodation, group homes and housing for aged persons.

Any new plantings on Harbour Trust land must not compromise any existing or proposed Asset Protection Zones.

Waste Management

Applicants are to actively minimise waste during any construction works and throughout their occupation of Harbour Trust land. Materials are to be reused or recycled wherever possible, or else disposed of appropriately.

Office waste may be disposed of via the contractors used by the Harbour Trust. Contact your leasing officer to confirm details

Builders' waste must not be disposed of in regular bins, unless approved by the Harbour Trust.

Applicants may be required to prepare a Waste Management Plan for their proposal.

The Waste Management Plan is to include:

- Details of any waste to be generated, stored and disposed of during construction and operation of the business, event or temporary activation, (for example construction waste, food waste, office waste, clinical waste etc);
- Measures to be implemented to minimise waste during construction and operation of the business, event or temporary activation;
- How many bins may be required to meet the needs of the business, event or temporary activation (also include details of any temporary skips if they will be used);
- Arrangements for collection and storage of waste; and
- How waste will be monitored (eg to stop access by vermin or unauthorised dumping).

Closed Circuit Television

The Harbour Trust may consider applications seeking approval for the installation of Closed Circuit Television (CCTV), providing it is used for one or more of the following objectives:

- To enhance the provision of a safe and secure environment for workers and visitors.
- To help protect the Harbour Trust's buildings and environs from damage, theft or loss.
- To reduce the potential for crime, criminal damage and public disorder.
- To monitor and assist the management of site operations.
- To assist Emergency Services.

More detailed information is available at **Appendix 1** of this Guide.

Service of Food and Beverages

Tenancies or events/activations that wish to serve or supply alcohol, such as restaurants, cafes and function centres and concerts or markets, must obtain a liquor permit from the Harbour Trust (not a liquor licence from Liquor and Gaming NSW). Applicants must provide police checks and certificates of competency for Responsible Service of Alcohol and relevant management plans with their application. Complete the separate application form (available at www.harbourtrust.gov.au), provide relevant supporting information and pay the correct fee.

The Harbour Trust will consult with NSW Police and Liquor and Gaming NSW regarding any proposals that involve the sale or supply of alcohol on Harbour Trust land.

Applicants must also confirm whether a grease trap will be required. All grease traps are to be registered with Sydney Water and must comply with Sydney Water's requirements.

All premises and events that serve food to the public must register their business with the NSW Food Authority. Costs for inspections will be passed on to the tenant/event organiser.

More detailed information is available at **Appendix 2** of this Guide.

Signage

The Harbour Trust has installed directories and locality signage to assist with way-finding, announcement of entry points, promotion of sites/events, and historical interpretation. Tenancy signage helps the public, customers and clients to locate leased/licenced areas.

For each site, there is a suite of signs. Contact the Harbour Trust for more information. All buildings have numbers, and in some instances names, which relate to their former use.

Written approval is required from the Harbour Trust prior to the installation of any temporary or permanent business identification signage or event/activation signage. In addition:

- Applicants must provide details of proposed signage and its location.
- Generally, one external sign is permitted per tenancy. Occasionally, additional signs may be approved, due to specific circumstances eg a tenancy that has multiple public entrances at opposite ends of a building.
- Signs are generally horizontal in shape, and measure no larger than 500 mm x 300 mm (or 1500 cm² if not rectangular in shape).
- Internally illuminated/neon signs are not permitted.
- Signage must not damage a building fabric and must be removable.
- Signs must not detract from the heritage significance or setting of a building, group of buildings or a place, or interfere with its interpretation.
- Banner signs for temporary events must be installed on approved banner poles that have been installed for that purpose.
- Unauthorised signage may be removed by the Harbour Trust at the Applicant's expense.

Note: specific controls regarding the location and size of signs apply on some sites. Contact the Harbour Trust for more information, for example Middle Head and Sub Base Platypus.

Details are also required of any proposed signage for temporary events/activations. Details include size and content of signage, and proposed location of signage and method of fixings.

The Harbour Trust must approve any signage involving third party branding, eg sponsors.

Building Services

Applicants should provide details (including accurate drawings) of any proposed changes to existing services; this includes water, power, telephone, data and TV lines. Any changes to existing services must be completed by qualified tradespeople (copies of qualifications to be provided on request). Applicants must confirm there is sufficient capacity in existing networks to accommodate their proposal. New fitouts should not require significant alterations to the existing services.

Any works that involve changes to common building services, such as fire safety measures and air conditioning, will need to be carried out by practitioners that are approved or nominated by the Harbour Trust.

The Harbour Trust is to be provided with details of any temporary supplies for example generators, temporary gas supplies, water tanks or aerials/satellite dishes.

Costs for energy and water use incurred as a result of leasing/licencing a building or area of open space may be recouped from tenants and event organisers – refer to your lease or licence for details.

New telecommunications infrastructure including NBN and antennae

Because all Harbour Trust sites are heritage places under the EPBC Act, approval from the Harbour Trust is required for all works involving the installation of new external antennae, cabling or other infrastructure, or modification of existing infrastructure to accommodate new services/IT.

The Harbour Trust must receive details of any public consultation required under the *Telecommunications Act 1997* and/or the Deployment Code, prior to a Planning Permit being issued.

Temporary Structures

Temporary structures must be fit for purpose, capable of installation with penetrations to existing structures or into the ground, and be suitable for any particular environmental conditions (for example areas with high wind). Temporary structures include marquees, concert stages, lighting towers and temporary power poles.

Temporary structures must be certified by a structural engineer prior to their use.

Filming and Photography

Separate approval including a licence or permit is required from the Harbour Trust for formal filming and photography on Harbour Trust land.

Due to the proximity of Harbour Trust land to restricted/controlled airspace, residential areas and public parks and ovals, separate approval is required from the Harbour Trust (and often the Civil Aviation Safety Authority) for the use of remotely piloted aircraft (including **drones**) over Harbour Trust land. The Harbour Trust may consult with the Civil Aviation Safety Authority regarding any applications to operate a drone over Harbour Trust land.

More detailed information is available at **Appendix 3** of this Guide.

Assessment Process

Lodgement Requirements

All prospective Applicants should arrange a pre-lodgement meeting with the Harbour Trust prior to finalising details of their proposal. This meeting can be arranged in consultation with the Harbour Trust's Property or Events teams.

Following the pre-lodgement meeting, the Harbour Trust will then provide Applicants with a list of documents that is required to support their application.

At minimum, the following will be required to enable an assessment to be commenced:

- Completed form to apply for a planning permit
- Assessment fee
- Planning statement (similar to a Statement of Environmental Effects)

- Plans illustrating all works including services (electrical, water, data, fire detection etc), signage, and internal and external works to a leased or licenced area. Plans are to be in pdf and dwg format, accurate and to scale, and must be prepared by a qualified architect, draftsman, or commercial/food and beverage fitout specialist (as appropriate). Plans are to be provided in A3 and A4 size.
- Heritage Impact Statement (the level of detail required will depend upon the nature of the proposed works)
- Specialist consultant reports (as appropriate)

All documents are to be provided electronically as well as in hard copy (one set is satisfactory).

Assessment Timeframes

The following are estimated timeframes and will depend on the Harbour Trust receiving clear and accurate information from Applicants/event organisers including completed application forms, drawings, supporting consultant reports and confirmation of the payment of any fees. It also assumes the scope of the proposal does not change during the assessment process.

The assessment process will pause or re-start if:

- Unforeseen issues arise during the assessment process
- The proposal changes substantially during the assessment process
- Proposals are referred to the Minister for the Environment
- Proposals are placed on public exhibition
- The application fee has not been paid

Type of application	Time Required to complete Harbour Trust assessment (post Gateway)
Standard	20 business days (approx.)
Complex	30 business days +

The Harbour Trust will advise the Applicant at the **Gateway** if the subject application is “Standard” or “Complex”.

“Standard” applications include signage, minor office fitouts, installation of partitions, new plumbing/electrical services, minimal changes to original building fabric, and applications where there is no change of building use.

“Complex” applications include complicated or extensive works, applications that are placed on public exhibition, changes or intensification of building use, new or changed food and beverage outlets, applications with bushfire considerations, applications with a likely impact on heritage fabric.

These timeframes and application types are subject to change at the Harbour Trust’s discretion.

Any pre-construction documentation specified in the conditions, including sign off from an Accredited Certifier (if required), is to be provided to the Harbour Trust at least five business days prior to the commencement of works.

Gateway

The Gateway process is where the Harbour Trust reviews the application submitted for adequacy. Harbour Trust provides feedback to Applicants generally within 10 business days of receipt of the application for a planning permit.

The Harbour Trust’s assessment “clock” commences once the Harbour Trust has determined the information provided by the Applicant to support their Application, Event or activation is adequate.

However, if a proposal changes substantially during the assessment process, or if additional information is required from the Applicant to assist in the assessment of the application, the assessment process including timeframes will pause or re-start. That is, the assessment “clock” will stop. Applications may need to be withdrawn and re-submitted if the proposal changes substantially during the assessment process.

Fees and Charges

Planning assessment fees are to be paid at the same time as you lodge your application for a planning permit, Planning Statement (similar to a Statement of Environmental Effects), drawings and any relevant consultant reports.

The schedule of fees is available on the Harbour Trust’s website in the SHFT Regulations. Note: For all proposals over \$2 million, a Quantity Surveyor’s Certificate of Cost must be submitted with the application. The estimated cost is subject to a check by the Harbour Trust.

Fees may be paid by cheque (made out to Sydney Harbour Federation Trust) or electronic funds transfer (EFT).

Although developer contributions and the “Plan First” fee are not payable to the Harbour Trust, Applicants may be required to pay the NSW *Building and Construction Industry Long Service Payments Act 1986* (copy of receipt to be provided to the Harbour Trust).

Public Exhibition of Applications for a Planning Permit

Some applications may be placed on public exhibition by the Harbour Trust (usually four weeks). The Harbour Trust Planners will advise if your application will be placed on public exhibition.

Applications that are “referred” to the Australian Minister for the Environment for their opinion and/or approval are also placed on public exhibition.

Further Information and Contacts

The Harbour Trust’s strategic plans and policies and the Application for Planning Permits (form) are available at www.harbourtrust.gov.au

Information about the EPBC Act and assessment procedures is available from the Department of Climate Change, Energy, the Environment and Water website at www.environment.gov.au

If you have any questions in relation to the assessment process, please contact the Harbour Trust’s Planners on planning@harbourtrust.gov.au or (02) 8969 2100.

Appendix 1 – Closed Circuit Television

Introduction

The following Acts and Codes are relevant to the use of CCTV on Harbour Trust land:

- *Privacy Act 1988* (Cth)
- *Fair Work Act 2009* (Cth)
- *Work Health and Safety Act 2011* (Cth)
- *Workplace Surveillance Act 2005* (NSW)
- Australian Security Industry Association CCTV Code of Ethics

A CCTV system is a television system that collects and transmits images in a ‘closed loop’. Images are only available to people directly connected to the transmission system or given access rights to a closed user group within an information and communications technology network.

CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure. Images may be transmitted via wired or wireless technologies in digital or analogue form. CCTV systems are typically used for the purposes of surveillance.

Monitoring by CCTV will only be permitted if it is used for one or more of the following objectives:

- To enhance the provision of a safe and secure environment for workers and visitors;
- To help protect the Harbour Trust’s buildings and environs from damage, theft or loss;
- To reduce the potential for crime, criminal damage and public disorder;
- To monitor and assist the management of site operations; and
- To assist Emergency Services.

CCTV systems may only be installed on Harbour Trust land by the Harbour Trust, or by persons or organisations (“operators”) who use Harbour Trust property, when:

- Installation and use of CCTV systems can be demonstrated to meet the objectives of this guide;
- Operators can demonstrate compliance with the Privacy Act 1988 (Cth) and other relevant Acts and Codes at all times; and
- With the written permission of the Harbour Trust.

The Harbour Trust reserves the right to vary, replace or terminate these requirements from time to time.

Area Coverage

For the purpose of this guide, Harbour Trust property includes all Harbour Trust land and buildings including internal and external areas that are occupied by Harbour Trust employees, and third parties occupying or using the land and/or buildings, other than exempt areas. “Exempt areas” include private spaces such as toilets, bathrooms and change rooms.

Use of CCTV

The installation of CCTV will only be permitted if the operator is able to demonstrate compliance with the following criteria:

- CCTV will not be used to collect personal information by unlawful or unfair means or in an unreasonably intrusive way;

- CCTV and recorded materials must not be made for frivolous or unlawful purposes, or in ways that are otherwise inconsistent with the controls, objectives and processes outlined in this guide; and
- Will be made available to Police or other relevant authorities if required.

Any misuse of CCTV that breaches this guide may also be a breach of relevant Acts and Codes and/or any lease or licence agreement with the Harbour Trust. Any such breach may be reported to the relevant authorities for investigation.

Approved CCTV operators shall be responsible for the day-to-day management of the CCTV devices and recorded materials.

In particular, operators will be responsible for compliance with:

- This guide and relevant Acts and Codes by their staff, contractors or other persons; and
- Their own stated policy for managing the use of CCTV and recorded materials.

Cameras must not be concealed and, as far as possible must be placed in public view. Signs notifying the presence of CCTV cameras must be displayed at key locations.

Approval Process

Prospective operators of CCTV must submit an application to the Harbour Trust providing the following information:

- The purpose of the CCTV;
- How and when CCTV will operate including monitoring of recordings;
- The persons who would be authorised to view recorded materials;
- Hours of operation of CCTV;
- Details of how cameras and notification signs will be affixed;
- A plan showing where cameras would be positioned and areas that would be monitored;
- Procedures demonstrating how use of the CCTV system would comply with relevant Acts and Codes and this guide;
- How material is recorded, stored, made secure and disposed of; and
- Operational procedures for the management of the system.

If the submitted application is to the Harbour Trust's satisfaction, the Harbour Trust will approve the installation and operation of the CCTV, with conditions.

CCTV systems must not be operated prior to receipt of written approval by the Harbour Trust.

Appendix 2 – Service of Food and Beverages

When applying for the fitout of a building as a food and beverage outlet, Applicants must provide details of the following:

- Proposed Use including Trading Hours
- Fitout Design including plans
- Signage
- Services and Waste
- Compliance with Food Act and Building Code of Australia (must use accredited certifiers)
- Indoor and outdoor seating
- Menu (including alcohol)

Compliance with Food Code and Building Code of Australia

All food and beverage outlets on Harbour Trust land must comply with relevant food and health standards.

All building fitouts must demonstrate compliance with:

- NSW Food Act 2003
- NSW Food Regulations 2015 (as amended)
- National Construction Code (NCC) including Building Code of Australia (BCA)
- Food Standards Code 3.2.1, 3.2.2 & 3.2.3.

The NCC requires floors to be protected from water damage by coving and the like.

Food Safety Inspections

The NSW Food Authority will inspect the premises in respect of compliance with relevant standards prior to the commencement of trade (inspection costs are passed onto operators).

In addition, the NSW Food Authority may inspect the premises to assess compliance during operation at any time during. These inspections will be unannounced.

Food premises need to contact the NSW Food Authority directly to advise of the establishment of the premises on Harbour Trust land (not Council land).

Design Details

The following design issues must be taken into consideration by Applicants for the fitout and operation of food and beverage outlets:

Floors

Any penetrations to the floors require prior written approval, even when required for compliance with the NSW Food Act.

Floor finishes such as carpets and rugs must not be affixed to timber floors, i.e. no tacking, screwing or gluing.

Applicants must provide details of any proposed alterations to the existing floors and walls.

Walls

Penetrations associated with the hanging of artwork or installation of shelving should be minimised. A hanging system (such as art tracking) may be considered acceptable. Free-standing furniture is recommended.

Partitions

Partitions should not involve penetrations to the floor, and should be affixed to the walls or ceiling by an unobtrusive method.

Applicants must clarify the proposed height and location of partitions, if required.

Furniture, Shelving and Appliances

Free-standing furniture, shelving and appliances such as fridges and ovens, which do not require penetrations to the floor or walls is recommended.

Applicants must advise the Harbour Trust of the location and type of furniture, shelving and appliances proposed to be used.

Colour Scheme

Any changes to the existing colour schemes of floors, walls and partitions require approval.

Fitout works may be subject to the make good requirements specified in leases and licences.

Signage

The following requirements apply to signage:

- Written approval is required from the Harbour Trust prior to the installation of any signage.
- Applicants must provide details of proposed signage and its location.
- Banner signs for temporary events must be installed on banner poles installed for that purpose.
- Third party signage (in particular alcohol brands), including branded umbrellas and crowd barriers is generally not permitted.
- Generally, one external sign is permitted per tenancy. Occasionally, additional signs may be approved, due to specific circumstances eg a tenancy that has two entrances at opposite ends of a building.
- Signs are generally horizontal in shape, and measure no larger than 500 mm x 300 mm (or 1500 cm² if not rectangular in shape).
- Internally illuminated/neon signs are not permitted.
- Signage must not damage a building fabric and must be removable.
- Signs must not detract from the heritage significance or setting of a building, group of buildings or place, or interfere with its interpretation.

Services and Waste

Applicants must provide details of required services within the building. This includes:

- Potable water
- Waste water
- Grease traps
- Single phase and three-phase power

- Exhaust fans
- Telephone, television and data lines

Details of any proposed changes to existing services must be provided in advance into the Harbour Trust for approval.

Refuse and waste must be kept out of public view and stored so it will not attract vermin. In accordance with NSW EPA requirements, oils, pollutants and other waste must not be disposed of in drains, culverts or Harbour Trust or other public land.

Grease trap pumpouts and maintenance are the responsibility of the food and beverage operator.

Applicants must demonstrate that sufficient sanitary facilities will be available for their staff and clients.

Transport, Access and Deliveries

All Harbour Trust sites have limited parking and the Harbour Trust aims to minimise reliance on cars and encourage alternative means of transport.

The following details must be provided:

- Arrangements for delivery vehicles;
- How staff will access the site;
- How patrons will access the site; and
- The likely range and variations in demand during operational periods.

Discounted parking and/or designated parking spaces are not generally provided for Harbour Trust tenants.

A Transport Management Plan may be required for uses that may generate a large amount of traffic.

Approval of Menu

A detailed food and beverage menu is to be provided to the Harbour Trust for approval prior to the commencement of trade.

Permits for the sale and supply of Liquor

The Harbour Trust is its own licencing authority for the assessment, approval and management of food and alcohol on its sites. Alcohol must be served in accordance with the Responsible Service of Alcohol provisions of the NSW *Liquor Act 2007*.

The Harbour Trust issues **Liquor Permits**. This term is used to differentiate from **Liquor Licences** issued by Liquor and Gaming NSW.

The sale and supply of alcohol is subject to the issue of a separate Liquor Permit application form (available at www.harbourtrust.gov.au), lodgement of relevant supporting information, and payment of a separate fee, to the Harbour Trust.

The Harbour Trust requires permit holders to be on site whenever alcohol is served or supplied. Police checks must be provided with applications. The Harbour Trust may consult with NSW Police, Liquor and Gaming NSW and local councils during the assessment of applications for the sale or supply of liquor. Concerts and festivals will be subject to assessment under the NSW *Music Festivals Act 2019* and may require a Safety Management Plan to be submitted to the NSW Independent Liquor and Gaming Authority (ILGA) for approval.

Appendix 3 – Use of Remotely Piloted Aircraft (drones)

The following Acts and Regulations are relevant to the operation of remotely piloted aircraft (drones) on Harbour Trust land:

- Civil Aviation Act 1998
- Civil Aviation Safety Regulation 1998
- Sydney Harbour Federation Trust Act 2001 and Regulations 2021.

Approval is required for the use of any remotely piloted aircraft (including drones) on all Harbour Trust sites. This includes operating a remotely piloted aircraft that does not have capacity for filming.

What is a Remotely Piloted Aircraft?

Remotely piloted aircraft are also known as remote controlled aircraft, unmanned aircraft vehicles and remotely operated devices.

Popular remotely piloted aircraft include drones and model aeroplanes.

Remote remotely piloted are used for personal (recreational) use as well as for commercial purposes such as surveying and aerial photography.

Managing Use of Remotely Piloted Aircraft

When considering an application, the Harbour Trust will have regard for the following matters:

- Public safety
- Amenity of the parkland
- Potential conflicts with other park users
- CASA regulations
- Whether separate approval is required from relevant authorities such as CASA, AirServices Australia or the Department of Defence.

Remotely Piloted Aircraft must not be used at some Harbour Trust sites without CASA approval

Due to proximity to airspace used for military exercises, CASA prohibits the use of drones for recreational purposes at the following Harbour Trust sites:

- Headland Park Mosman, including Georges Heights, Chowder Bay and Middle Head
- Cockatoo Island (part)
- Snapper Island
- Woolwich Dock and Parklands
- Sub Base Platypus, North Sydney
- Macquarie Lightstation

Use of a drone on Harbour Trust land will also require approval from CASA.

Visit CASA's website for information about operating a drone:

<https://www.casa.gov.au/knowyourdrone/drone-rules>

CASA and the Harbour Trust impose financial penalties for operating a drone without the appropriate approvals in place.

Operators of Remotely Piloted Aircraft must adhere to the following CASA controls:

- Aircraft must remain in line of sight when airborne, and only fly in daylight;
- No flying within 30 metres (laterally) of boats, vehicles or people;
- No flying higher than 400 feet (120 metres);
- No flying over populous areas including beaches, well used parks, ovals where there is a game in progress, or residential backyards;
- No flying within 3 nautical miles (5.5 km) of any airfield (including helicopter landing places); and
- No flying for money or economic reward without the appropriate certification from CASA.

How to apply for a Permit

Under the *Sydney Harbour Federation Trust Regulations 2021*, penalties apply for the use of a remote controlled device without a permit. Complete the Application for a Drone Permit from the Harbour Trust website. All applicants must have an agreement with the Harbour Trust (eg lease, licence or other permit).

Recreational Use

Operating a drone for recreational purposes is not permitted on Harbour Trust land.

Commercial Use

Contact CASA to ascertain what additional approvals and permits are required.

Complete the Harbour Trust's form Application for a Drone Permit.

Complete the relevant sections of the Harbour Trust's Venue Hire/Filming/Low Impact application form and attach to your Application for a Drone Permit.

Fees apply for certain activities on Harbour Trust land, including commercial activities and filming.

Operation of a remotely piloted aircraft for commercial purposes without CASA approval is prohibited.

Allow 10 working days for the Harbour Trust to process your application and to issue a permit (with conditions if required).

Appendix 4 – Fitouts of Commercial and Community Premises

At minimum, the following matters must be addressed in applications involving the fitout of commercial/community premises on Harbour Trust land.

Proposed Use

The Harbour Trust encourages the adaptive re-use of buildings when uses are compatible with the heritage values and objectives of an area. Refer to the “Outcomes” section of the site specific Management Plan for details (available on www.harbourtrust.gov.au).

When applying for the fitout of a building, applicants must provide details of the following:

- Proposed Use including Business Hours
- Fitout Design including plans
- Signage
- Services and Waste
- Transport and Access

All of these issues must be addressed in the *Planning Statement* (similar to a *Statement of Environmental Effects*) that must accompany any Application for a Planning Permit.

Additional information is required for more complex proposals, eg cafes, childcare centres, major construction or demolition.

Design Details

The following issues apply to the fitout of buildings and should be taken into consideration by Applicants:

Floors and Walls

Penetrations to the existing floor and walls will generally not be permitted.

Penetrations associated with the hanging of artwork should be minimised. A hanging system (such as art tracking) may be considered acceptable.

Floor finishes such as carpets and rugs should not be affixed to timber floors, i.e. no tacking, screwing or gluing.

Applicants should provide details of any proposed alterations to the existing floors and walls.

Partitions

Partitions should not involve penetrations to the floor, and should be affixed to the walls or ceiling by an unobtrusive method.

Ceiling height partitions should not impact on services.

Applicants should clarify the proposed height and location of partitions, if required.

Furniture

Free-standing furniture which does not require penetrations to the floor or walls is recommended.

Furniture that has the potential to damage polished floors and carpets (e.g. roller ball chairs) will require the use of protective matting.

Applicants should clarify the proposed location and type of furniture to be used.

Colour Scheme

Any changes to the existing colour schemes of floors, walls and partitions require approval.

All works involved in the building fitout must be reversible to the building's original form at the cessation of the lease. This includes all fixtures, fittings and impacts on the building fabric.

Plans and Drawings

Plans illustrating all works including partitions and services are required.

The plans are to be accurate and to scale, and prepared by a qualified draftsman or architect.

Signage

The following requirements apply to signage:

- Written approval is required from the Harbour Trust prior to the installation of any signage.
- Applicants must provide details of proposed signage and its location.
- One external sign is permitted per tenancy. Occasionally, additional signs may be approved, due to specific circumstances eg a tenancy that has two entrances at opposite ends of a building.
- Signs are generally horizontal in shape, and measure no larger than 500 mm x 300 mm (or 1500 cm² if not rectangular in shape).
- Internally illuminated/neon signs are not permitted.
- Signage must not damage a building fabric and must be removable.
- Signs must not detract from the heritage significance or setting of a building, group of buildings or place, or interfere with its interpretation.
- Banner signs for temporary events must be installed on banner poles installed for that purpose.

Transport and Access

All Trust sites have limited parking and the Harbour Trust aims to minimise reliance on cars and encourage alternative means of transport.

The following details must be provided:

- The number of employees/visitors that may be generated by the proposed use;
- How these people will access the site;
- When people will require access;
- The likely range and variations in demand during operational periods;
- Arrangements for access by mobility impaired persons; and
- Arrangements for deliveries during the construction and operational phases of the use.

Discounted parking and/or designated parking spaces are not generally provided for Harbour Trust tenants.

A Transport Management Plan may be required for uses that may generate a large amount of traffic.

Services and Waste

Applicants must provide details of any proposed changes to services within their premises; this includes water, power, telephone, data, TV lines and cabling.

New fitouts should not require significant alterations to the existing services.

Installation of new services (such as antennae and cabling required for internet connections, new power points, kitchen sinks etc) must be approved in advance by the Harbour Trust. Due to the condition of existing buildings and existing pipes and wiring, new penetrations should be avoided.

Office waste may be disposed of via the contractors used by the Harbour Trust. Details must be provided of how any waste generated during construction and operation of the premises will be managed. Bins and waste must be stored so it does not present a hazard to the environment, encourage dumping or can be accessed by vermin. Separate arrangements may need to be implemented for the disposal of medical waste.

Applicants must demonstrate that sufficient sanitary facilities will be available for their staff and clients.