

# **Attachment A**

<b>Recommended Conditions of Consent</b>
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**SCHEDULE 1**

**CONDITIONS OF CONSENT**

**PART A - GENERAL**

**(1) APPROVED DEVELOPMENT**

- (a) Development must be in accordance with Development Application No. D/2022/473 dated 23 May 2022 and the following drawings:

Drawing Number	Drawing Name	Date
CK8D, Rev J	Proposed Marina Reconfiguration	03/05/2021
DA4, Rev A	Power & Water Plan	14/03/2021
DA5, Rev A	Proposed Elevations	14/03/2022
DA6, Rev A	Hydraulic Layout	12/05/2022
A-400, Rev 1	Overall Elevations	27/09/2022
A-411, Rev 1	Eastern Elevation – Callout 01 – HT	27/09/2022
A-412, Rev 1	Eastern Elevation – Callout 02 – HT	27/09/2022
A-413, Rev 1	Eastern Elevation – Callout 03 - HT	27/09/2022
A-414, Rev 1	Western Elevation – Callout 01 - HT	27/09/2022
A-421, Rev 1	Eastern Elevation – Callout 01 - LT	27/09/2022
A-422, Rev 1	Eastern Elevation – Callout 02 - LT	27/09/2022
A-423, Rev 1	Eastern Elevation – Callout 03 - LT	27/09/2022
A-424, Rev 1	Western Elevation – Callout 01 - LT	27/09/2022
A-501, Rev 1	Short Section 01 High Tide	27/09/2022
A-511, Rev 1	Short Section 01 Low Tide	27/09/2022

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**Reason**

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

## PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

### (2) ARCHAEOLOGICAL MONITORING AND RECORDING METHODOLOGY

- (a) Prior to the commencement of construction, an archaeological monitoring and recording methodology is to be prepared by a qualified maritime archaeologist, completed in accordance with the guidelines 'Relics of local heritage significance: A guide for archaeological monitoring', published by Heritage NSW. A copy of this methodology is to be submitted to Council.
- (b) The methodology is to include the measures outlined in Section 8.2 of the Historical and Maritime Archaeology Statement of Heritage Impact prepared by Cosmos Archaeology dated October 2022 (Council ref. 2022/553461).
- (c) The methodology is to be implemented during the construction phase of the marina reconfiguration.

Note: If the design changes after the preparation of the Historical and Maritime Archaeology Statement of Heritage Impact, or the total exposed seabed impact exceeds 10% of the study area, then the updated works including piling and any other services which may affect the sea floor within the study area are to be examined by a qualified maritime archaeologist in accordance with the Heritage Branch Guidelines, to review the potential impact on the underwater archaeological remains identified in this statement. Council is to be notified of the outcomes of any such review and the intended course of action.

#### Reason

To ensure that the maritime archaeology of the site is appropriately managed and protected.

### (3) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided for the development must comply with the table below.

<b>Bicycle Parking Type</b>	<b>Number</b>	<b>Requirements</b>
Staff	25	Spaces must be Class 2 bicycle facilities
<b>End of Trip Facility Type</b>	<b>Number</b>	
Shower with change area	2	
Personal lockers	25	

- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Accredited Certifier confirming prior to and form part of the Construction Certificate being issued.

**Reason**

To ensure the allocation of bicycle parking is in accordance with Australian Standards and the Council's DCP.

**(4) WORKPLACE TRAVEL PLAN (WTP) OR TRANSPORT ACCESS GUIDE (TAG)**

A Workplace Travel Plan (WTP) or Transport Access Guide (TAG) must be implemented and maintained by the operator/s of the premises to inform staff and visitors how they can access the site by sustainable transport options including public transport, taxis, cycling and walking or a combination of these modes. The WTP or TAG should include:

- (c) that the site does not provide any vehicle parking;
- (d) the provision and access for on-site bicycle parking;
- (e) public transport access; and
- (f) other information as relevant to the site.

The WTP or TAG and the Implementation Plan must be approved by Council prior to the issue of a Construction Certificate for the site/use. The Implementation Plan should include details on how the WTP or TAG will be communicated to staff and visitors, including (but not limited to) digital information, promotion by staff such as with phone bookings, printed material or other as relevant.

**Reason**

To encourage staff and visitors arriving to the site to use public and active transport.

**(5) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.
- (b) The approved plan must be complied with during any demolition and/or construction work.

**Reason**

To ensure the impacts of construction traffic is appropriately managed.

**(6) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL**

- (a) A Waste and Recycling Management Plan, which meets the requirements as set out in Council's *Guidelines for Waste Management in New Developments 2018*, is to be approved by the Principal Certifying Authority prior to a Construction Certificate being issued.
- (b) All requirements of the approved Waste and Recycling Management Plan must be implemented during construction and operation of the development.

UPON COMPLETION OF THE DEVELOPMENT

- (c) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must ensure that waste handling works have been completed in accordance with: the Waste and Recycling Management Plan; other relevant development consent conditions; and Council's *Guidelines for Waste Management in New Developments 2018*.

**Reason**

To ensure that waste and recycling is appropriately managed.

**(7) MATERIALS AND SAMPLES SCHEDULE**

A detailed materials, colours and finishes schedule keyed to each elevation must be submitted to and approved by Council's Area Planning Manager prior to a Construction Certificate being issued. The materials and samples schedule/board must not include generic material or colour descriptions, or use terminology such as 'or similar'.

**Reason**

To require the submission of a materials and samples board following assessment of the development.

**PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

**There are no conditions relevant to Part C.**

## **PART D – WHILE BUILDING WORK IS BEING CARRIED OUT**

### **(8) HOURS OF WORK AND NOISE – OUTSIDE CBD**

The hours of construction and work on the development must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. Loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 – 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

#### **Reason**

To protect the amenity of the surrounding area.

### **(9) WASTE AND RECYCLING MANAGEMENT – DEMOLITION AND CONSTRUCTION WASTE**

- (a) The proposal must comply with the relevant provisions of Council's Guidelines for Waste Management in New Developments 2018 which requires facilities to minimise and manage waste and recycling generated by the proposal.
- (b) Demolition waste must be contained and stored within the boundaries of the development.
- (c) Waste dockets are to be retained to confirm and verify which facility received the material for recycling or disposal.



- (d) Waste dockets are to be retained to confirm and verify that at least eighty percent (80%) of demolition material diverted from landfill for re-use and recycling.

## **(10) ASBESTOS REMOVAL WORKS**

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.

- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

**Reason**

To ensure that the handling and removal of asbestos from the site is appropriately managed.

**(11) COMPLIANCE WITH ACID SULFATE SOILS MANAGEMENT PLAN**

All recommendations (including Page 9) contained in the Acid Sulphate Soils Assessment prepared by Salients Pty Ltd, dated 31 March 2022, Council ref. 2022/295118 must be implemented, including the following:

- (a) During pile extraction, all piles shall be inspected thoroughly as they are lifted from the water column.
- (b) Immediately following (or during extraction) and prior to lifting onto land, any sediment which has adhered to exterior of the previously embedded length of each pile shall be washed from the surface of the pile and back into the water.
- (c) This strategy assumes that any turbidity generated by the washing operation will be managed by marine silt curtains established around the extraction site (or other similar turbidity management strategy adopted) as part of a construction environment management plan for the pile extraction operation.

**Reason**

To ensure that Acid Sulphate Soils are appropriately managed.

**(12) COMPLIANCE WITH CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

All recommendations (including Page 10) contained in the Construction Environmental Management Plan prepared by Copley Marine Consulting Group Pty Ltd, Rev B, dated 7 April 2022, Council ref. 2022/295102 must be implemented.

**Reason**

To ensure the Construction Environmental Management Plan prepared for the development is appropriately implemented.

### **(13) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

#### **Reason**

To protect the amenity of the public domain.

### **(14) NO OBSTRUCTION OF PUBLIC WAY**

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

#### **Reason**

To protect the amenity of the public domain.

## **PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

### **(15) WASTE AND RECYCLING COLLECTION CONTRACT**

Prior to any Occupation Certificate being issued, the building owner must ensure that there is a contract with a licensed contractor for the removal of **all waste**. Waste is to be stored and collected from within the curtilage of the site at all times.

#### **Reason**

To ensure that waste and recycling is appropriately managed.

## **PART F – OCCUPATION AND ONGOING USE**

### **(16) OCCUPATION CERTIFICATE TO BE SUBMITTED**

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

#### **Reason**

To ensure the site is authorised for occupation.

### **(17) HOURS OF OPERATION**

The hours of operation, including the delivery of materials and supplies to and from the marina site, must be restricted to between 7.00am and 12.00 midnight Mondays to Sundays inclusive.

To ensure the premises operates within the approved hours of operation.

### **(18) PLAN OF MANAGEMENT**

- (a) The Plan of Management, prepared by Environmental Dynamics, dated October 2022 is not approved.
- (b) A revised Plan of Management is to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate that addresses the conditions of this consent, including but not limited to the following:
  - (i) The hours of operation are limited to those permitted under Condition 17.
  - (ii) Embarking and/ or disembarking of passengers and patrons from commercial vessels is not permitted.
  - (iii) Speakers and/ or noise amplification equipment must not be installed and music must not be played in outdoor areas.
- (c) The Plan of Management must be signed and dated and submitted to Council prior to the commencement of the use.
- (d) The use must always be operated / managed in accordance with the Plan of Management approved by part (b) above. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

#### **Reason**

To ensure all parties are aware of the approved supporting documentation that applies to the development.

## **(19) NO SPEAKERS OR MUSIC OUTSIDE**

Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

### **Reason**

To safeguard the amenity of the surrounding neighbourhood.

## **(20) NOISE - COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT**

- (a) Noise from the development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA [Noise Policy for Industry 2017 \(NPfI\)](#) unless agreed to by the City's Area Planning Manager. Further:
  - (i) Background noise monitoring must be carried out in accordance with the long-term methodology in [Fact Sheet B](#) of the NPfI unless otherwise agreed by the City's Area Planning Manager.
  - (ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.
- (b) An  $L_{Aeq,15 \text{ minute}}$  (noise level) emitted from the development must not exceed the  $L_{A90, 15 \text{ minute}}$  (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:
  - (i) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.
  - (ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premises.
- (c) Corrections in [Fact Sheet C](#) of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

### **Reason**

To protect the acoustic amenity of surrounding properties.

## **(21) COMPLAINTS PROCEDURE**

The Proponent must ensure the following facilities are available to handle community complaints:

- (a) A 24-hour, toll free telephone number on which complaints may be registered.
- (b) A postal address to which written complaints may be sent.

- (c) An email address to which electronic complaints may be registered.

**(22) COMPLAINTS REGISTER**

The Proponent must record all details of all complaints received through the means listed under Condition 21 in an up to date Complaints Register. The Register must record, but not be necessarily limited to:

- (a) The date and time, where relevant, of the complaint.
- (b) The means by which the complaint was made (telephone, mail or email).
- (c) Any personal details of the complainant that were provided.
- (d) The nature of the complaint.
- (e) Any actions taken up by the Proponent in relation to the complaint, including any follow-up contact, and
- (f) If no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register must be made available for inspection by Council upon request.

**(23) EMBARKING AND DISEMBARKING OF PASSENGERS**

Embarking and/or disembarking of passengers and patrons from commercial vessels is not permitted.

**Reason**

To protect the amenity of surrounding properties.

**(24) COMMERCIAL BERTHAGE**

Commercial berthage may only be occupied by vessels that have current permits, certificates, registrations and licenses issued by NSW Maritime Authority (or its successor) that verify they are a “commercial vessel”. At no times are commercial berths permitted to be occupied or used for private purposes.

**Reason**

To ensure all vessels at the marina have the required permits.

**(25) RESIDING ON VESSELS**

No person or persons shall reside on any vessel berthed or moored at the marina facility.

**Reason**

To ensure the premises is used as a commercial marina.

**(26) WASTE/RECYCLING COLLECTION**

The collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places 2017.

**Reason**

To ensure that waste and recycling is appropriately managed.



## SCHEDULE 2

### PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2021* apply:

- Clause 69 Compliance with *National Construction Code (previously known as Building Code of Australia)* and insurance requirements under the *Home Building Act 1989*
- Clause 70 Erection of signs
- Clause 71 Notification of *Home Building Act 1989* requirements
- Clause 72 Conditions relating to entertainment venues
- Clause 73 Conditions relating to maximum capacity signage
- Clause 74 Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 2 conditions of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>

### **SCHEDULE 3**

#### **TERMS OF APPROVAL**

The Terms of Approval for Integrated Development as advised by the Department of Primary Industries - Fisheries are as follows:

#### **DEPARTMENT OF PRIMARY INDUSTRIES – FISHERIES**

1. The existing structures below MHW must be inspected by a suitably qualified person within 24 hours prior to any works occurring. Any Syngnathids (such as seahorses, sea dragons, pipefish, pipe horses, ghost pipefish and seamoths) found during the inspection must be relocated in consultation with DPI Fisheries.
2. A suitably qualified person (from 1) is the holder of a DPI Fisheries s37 permit for such work. A list of the eligible permit holders can be provided upon request to this office.
3. The proposal does not include any dredging, reclamation, harm to marine vegetation, or blockage of fish passage, and therefore the proponent does not require a FM Act Part 7 permit.
4. Environmental safeguards are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment.

## **SCHEDULE 4**

### **CONDITIONS OF CONSENT**

The following conditions have been recommended by NSW State agencies:

#### **PORT AUTHORITY OF NEW SOUTH WALS**

##### **Harbour Master Approval**

1. The written approval of the Harbour Master is required for any proposed works (whether undertaken in relation to a Port Authority facility or not) that will disturb the bed of a port or are otherwise captured under section 110 of the Ports and Maritime Administration Regulation 2021 (schedule 4 of the Regulation).

Section 110 of the Regulation (Disturbance of bed of port) states:

*“A person must not use drags, grapplings or other apparatus for lifting an object or material from the bed, or otherwise disturb the bed, of a port specified in Schedule 4 except— (a) with the written permission of the relevant harbour master, and (b) in accordance with the conditions of the permission.” Maximum penalty—50 penalty units”.*

The Harbour Master approval process includes providing Port Authority with all final documentation (assessment reports and plans) for review together with a completed Harbour Master Approval Form available on Port Authority’s website.

The Harbour Master may impose conditions on any approval to disturb the sea bed.

##### **Aids to Navigation**

2. Consideration should be given to lighting and Aids to Navigation (AtoN) in the wharf and jetty design. The ends and edges of wharves and jetties should be illuminated for navigation safety purposes. It is important to consider that the wharves and jetties do not create excessive back scatter light, which could impact on pilots’ night vision and the pilotage of vessels at night.

## IMPORTANT ADDITIONAL INFORMATION

### Advisory notes:

1. It is advised that the City of Sydney Neighbourhood Parking Policy may apply to this development. Eligibility for parking permits for residents or users of the development will be determined by the terms of this policy or subsequent future policies.

### The Environmental Planning and Assessment Act 1979 requires you to:

1. Obtain a **Construction Certificate** prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier **must obtain Council's approval** to certain conditions of this development consent, where indicated before issuing the Construction Certificate.
2. ***It is compulsory to lodge digital copies of applications, including plans and documentation if lodging an application with Council. Please refer to Council's website for any further information about digital requirements and electronic files.***

**Note: All applications must be lodged via the NSW Planning Portal.**

3. Nominate a **Principal Certifier** which may be either Council or a registered certifier and notify Council of that appointment. You **cannot lawfully** commence works without complying with this requirement. Appointment must be made through the Planning Portal <https://www.planningportal.nsw.gov.au/>
4. Give Council at least two days notice of your intention to commence the erection of a building **before** commencing construction works. You cannot lawfully commence works without complying with this requirement.
5. Obtain an **Occupation Certificate** before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

### You may also need to:

6. Obtain approval through the lodgement of an application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* for an activity which is proposed to be undertaken in, on or above a road reservation (including footways). Such activities include:
  - (a) building elements/façade features;
  - (b) installation of hoardings/scaffolding;
  - (c) installation and/or alterations to advertising/business signs and street awnings;
  - (d) crane operation and other hoisting activities;
  - (e) temporary works (e.g.: barricading, road openings, mobile hoisting devices);
  - (f) works zone (for loading and unloading from the roadway); and
  - (g) temporary ground anchoring and shoring to support a roadway when excavating.

Application forms are available on the City's website.

7. Lodge an **Application for Subdivision** to obtain a **Subdivision Certificate** if a land (including stratum) subdivision is proposed and an Application for Subdivision to obtain **Strata Title Subdivision** under the relevant Strata Titles Act if strata title of the development is proposed.
8. Comply with the Food Act 2003, the Australia New Zealand Food Standards Code, Australian Standard 4674 – 2004, and register the business with Council if the premises is used for the manufacture, preparation, packing, storing, conveying or delivering of food or beverage for sale.
9. Contact Sydney Water regarding the water and sewerage services to this development. For further information go to [www.sydneywater.com.au](http://www.sydneywater.com.au).
10. Carry out critical stage inspections in accordance with Section 6.5 of the EP&A Act 1979 and clauses 61, 63 and 65 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.