




 DEVELOPMENT ASSESSMENT REPORT				
Application No.	DA/2020/0800			
Address	2B Gordon Street ROZELLE NSW 2039			
Proposal	Alterations for adaptive reuse of ground floor of Parish Hall as licensed theatre			
Date of Lodgement	30 September 2020			
Applicant	Genesian Theatre Company Inc			
Owner	The Trustees of The Roman Catholic Church			
Number of Submissions	Initial: 15			
Value of works	\$1,226,500.00			
Reason for determination at Planning Panel	Number of submissions			
Main Issues	Traffic and parking Heritage Item			
Recommendation	Approval with Conditions			
Attachment A	Recommended conditions of consent			
Attachment B	Plans of proposed development			
Attachment C	Plan of management			
				
LOCALITY MAP				
Subject Site		Objectors		N ↑
Notified Area		Supporters		
Note: Due to scale of map, not all objectors could be shown.				

1. Executive Summary

This report is an assessment of the application submitted to Council for Alterations for adaptive reuse of ground floor of Parish Hall as licensed theatre at 2B Gordon Street, Rozelle. Council officers were directed to report this application to this meeting of the Local Planning Panel by the Chairman of the May Panel meeting.

The application was notified to surrounding properties and 13 submissions were received.

The main issues that have arisen from the assessment include the generation of traffic and carparking demands within a predominantly low-density residential zone with limited off street car parking. In addition, noise impacts from patrons and performers leaving the premises in the evening has also been raised as a concern.

To address these key concerns, it is recommended that the application is approved subject to the imposition of the following conditions:

- The hours of all activities ceases at 11pm, to minimise noise impacts of patrons and performers leaving the premises in the late evening;
- The seating capacity of the theatre is to be reduced from 130 patrons to 100 patrons, to reduce the car parking demand of the proposal;
- Erection of suitable signage requesting patrons to keep noise to a minimum when leaving the premises to avoid disturbing the local residents;
- The existing on site car park is required to be upgraded to comply with Australian Standard AS2890.1:2004;
- No restrictions are to be applied to limit the on site parking to theatre staff and actors only with the exception of a single space to be utilised for loading/unloading before and after each performance;
- The pre/post performance hours are to be 30 minutes after the time originally proposed, this being from 6.30pm to 7pm on Fridays and Saturdays and from 3pm to 3.30pm on Sundays;
- The plan of management provided is to be updated to reflect the conditions of consent imposed and include an emergency contact number for residents to contact the theatre;
- Ensure that the plan of management is made available for the NSW Police or Council at any point;
- Any advertising material for the performances and the theatre is to advise patrons that limited car parking is available on site, and it is encouraged that patrons travel to the venue via public transport, taxi or car sharing services;
- A Green Travel Plan with public transport routes and bicycle network is to be prepared and made available to patrons and performers/support staff.

2. Proposal

The proposed development seeks consent for alterations and additions to the existing parish hall as a licensed theatre. Specifically, the proposal consists of the following:

- New entry steps and access ramp on western side of building;
- Upgrade the existing car parking to accommodate 16 compliant car parking spaces (noting the existing carpark has 20 spaces);
- Raked seating for up to 130 patrons;
- The provision for up to 10 staff and 15 actors;
- Bio box at upper level of raked seating with access stair from south-east corner of foyer;
- Demolish existing kitchenette and construct new kitchenette and servery on northern side of foyer beneath upper levels of seating;

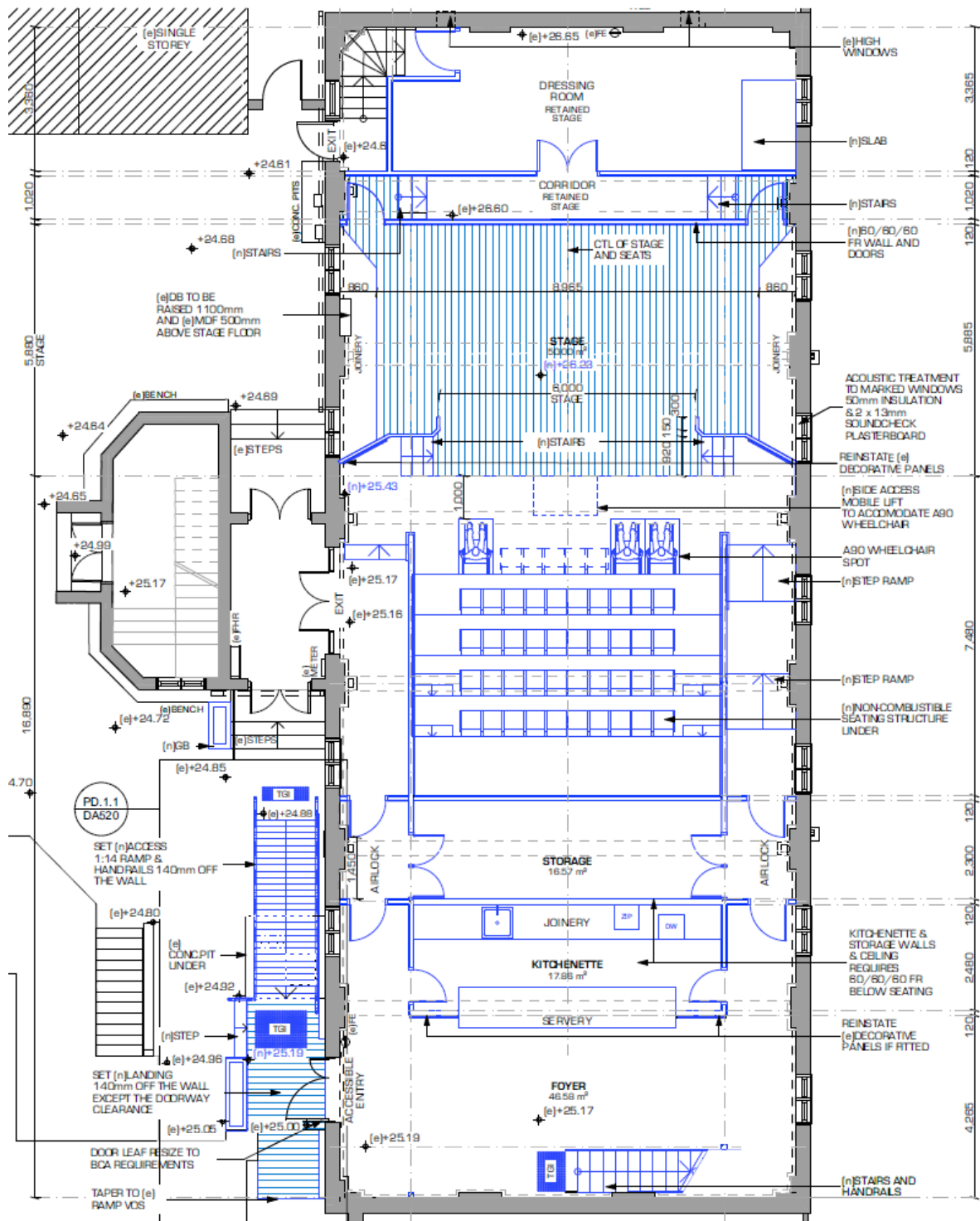
- Extend front of stage and provide new stairs to each side;
- New partition walls and access stairs to provide dressing rooms behind stage at lower ground and upper-ground levels;
- The proposed hours are as follows:

Activity	Monday – Thursday	Friday	Saturday	Sunday
Bump in (2 weeks before the performance)	5.30pm – 11.30pm	5.30pm – 11.30pm	10.00am – 11.30pm	10.00am – 11.30pm
Pre/post performance access		6.30pm – 11.30pm	6.30pm – 11.30pm	3.00pm – 8.30pm
Performance (including occasional to meet public demand)		7.30pm – 10.30pm	3.00pm - 10.30pm	4.30pm – 7.30pm
Bump out (closing night)			10.30pm - midnight	
Serving of food and drink		Cease by 9.30pm		Cease by 6.30pm
General Operation	10am to 12am midnight			

It is proposed that the theatre will be utilised for six productions a year between mid-January to mid-October, with each production typically presenting about 20 performances over a six week run.

The general operation of the theatre will be used to facilitate rehearsals, setting up and dismantling the stage sets for each production, the general operation will be proposed to occur between 10am and 12am midnight as stated in the table above.

It is proposed that food and drinks (including alcohol) will be provided prior to any performance and during intermission within the servery in the foyer area ancillary to the primary use of the premises – this being the theatre. Refer to the figure below.



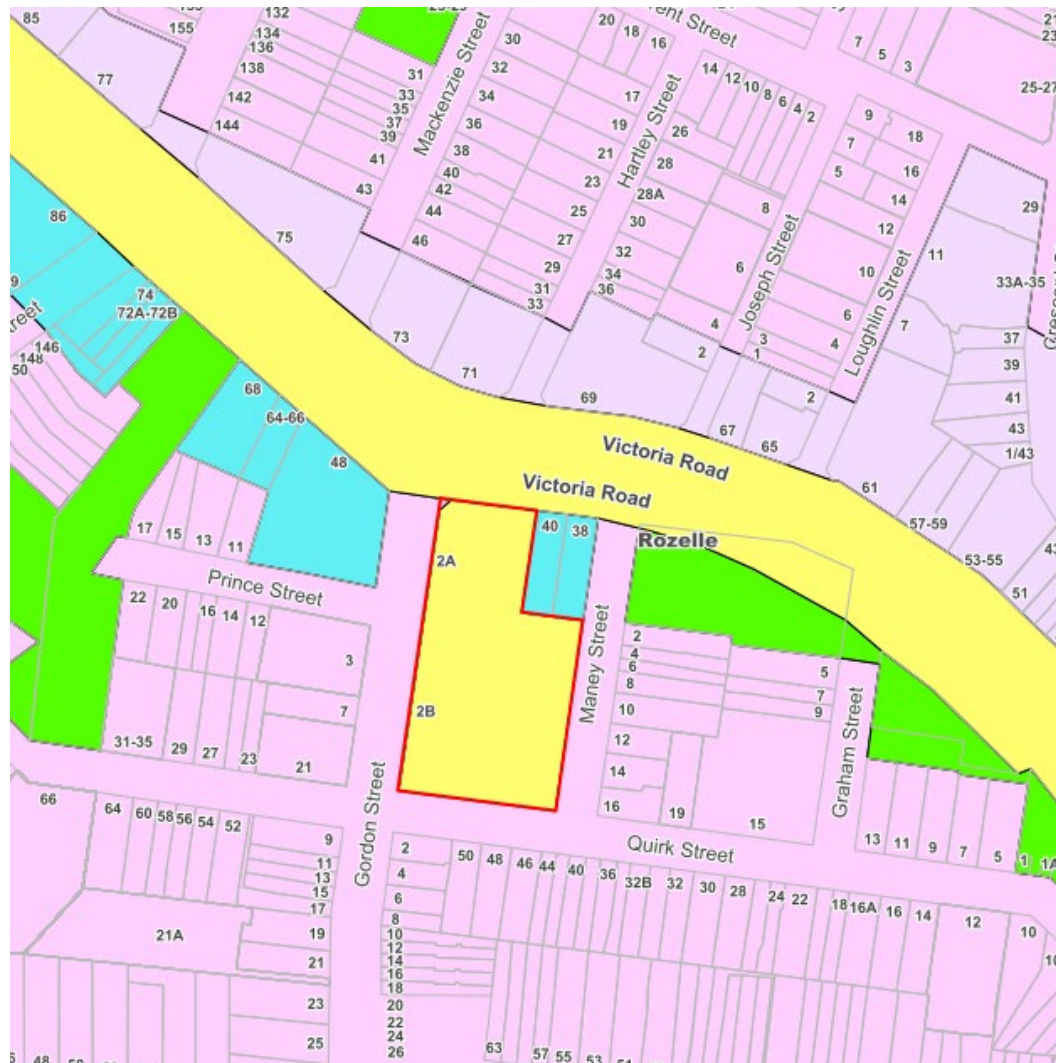
Floor plan extract illustrating the kitchenette facilities

3. Site Description

The subject site is located on the south-eastern corner of Victoria Road and Gordon Street, with frontages of 28m to Victoria Road, 86m to Gordon Street, 46m to Quirk Street and 57m to Maney Street. The subject site is generally L shaped with a total area of 3,494sqm. The subject site contains several buildings including the Sydney Community College, St Josephs Catholic Church, Parish Hall and former convent used as a Gunawirra House community facility. An onsite car park with 20 lined marked spaces is accessible via Gordon Street. The parish hall is two storeys and abuts the Maney Street boundary of the subject site.

Immediately adjoining the site to the north east at 40 Victoria Road is a toilet block utilised by the Sydney Community College and the Merton Hotel at 38 Victoria Road. The Merton Hotel does not have any off-street parking facilities. Low density residential dwellings, most with no off-street parking, surround the subject site. Immediately adjacent to the subject site at 38 Victoria Road is a former Church and car park that is owned by the same property owners as the subject site and its currently used as offices.

The subject site is listed as a heritage item; St Joseph's Catholic Church and former school, including interiors, in Schedule 5 of the Leichhardt LEP 2013 (I768). The subject property is also located within the Hornsey Street Heritage Conservation Area (C19 in Schedule 5 of the Leichhardt LEP 2013)



Land Zoning map extract

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application No	Proposal	Date
PreDA/2020/0124	Use the existing hall as a theatre	Advice issued 22/05/2020

Surrounding properties

There are no recent planning determinations at the surround properties.

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
27/01/2021	Request for the following information by Council: <ul style="list-style-type: none"> - Clarification with respect to the existing uses of the parish hall; - Existing site parking conditions; - Clarification concerning loading/unloading from the site; - Revised traffic and car parking survey - The provision of a green travel plan
16/02/2021	Response provided by the applicant including revised traffic and car parking study;
25/03/2021	Request for the following information by Council: <ul style="list-style-type: none"> - Detailed traffic and car parking study including further information concerning the existing uses on site, overlap of parking demands, the approved car parking arrangement and a re-assessment of the parking study already undertaken
7/04/2021	Meeting with Council and the applicant discussing the clarifying the RFI letter sent 25/03/2021
9/04/2021	Correspondence from applicant seeking clarification as to the number of parking surveys required and whether patron travel surveys at the Enmore Theatre can be used to assist in the revised traffic and parking study.
19/04/2021	Council clarified with the applicant that the set number of surveys required to be undertake is not defined, and that it was recommended that as many surveys should be undertaken within the time frame provided by Council.
3/05/2021	Response provided by the applicant including clarification with respect to the overall times for the existing uses on site and a revised traffic and parking study.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

5(a)(i) *Leichhardt Local Environment Plan 2013 (LLEP 2013)*

The application was assessed against the following relevant clauses of the *Leichhardt Local Environment Plan 2013*:

Clause 1.2 - Aims of the Plan

Clause 2.3 - Zone objectives and Land Use Table

Clause 5.10 - Heritage Conservation

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned SP2 Infrastructure Zone under the *LLEP 2011*. The *LLEP 2013* defines the development as an **entertainment facility**, this means

“a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.”

The development is permitted with consent within the zone. The development is consistent with the relevant objectives of the SP2 zone, in particular

“To ensure the adequate provision of public, community and social infrastructure.”

(i) Clause 5.10. Heritage Conservation

The subject site is listed as a heritage item *St Joseph’s Catholic Church and former school*, including interiors, in Schedule 5 of the *Leichhardt LEP 2013 (1768)*.

The subject property is also located within the Hornsey Street Heritage Conservation Area (C19 in Schedule 5 of the *Leichhardt LEP 2013*). The proposal was referred to Council’s Heritage Officer for comments, to ensure that the proposed works do not detract from the HCA and remain consistent with the character of the item.

There is no objection to the proposed development subject to recommended conditions of consent requiring that photographic archival recoding is prepared.

5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not particularly relevant to the assessment of the application, as the subject site will remain within a HCA and identified as an item. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

LDCP2013	Compliance
Part B: Connections	N/A
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.7 Site Facilities	Yes
C1.11 Parking	No – see discussion
Part C: Place – Section 2 Urban Character	
C2.2.5.5 Rozelle Commercial Distinctive Neighbourhood	Yes
C2.2.5.2 Easton Park Distinctive Neighbourhood	
Part C: Place – Section 3 – Residential Provisions	N/A
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	Yes
C4.2 Site Layout and Building Design	Yes
C4.5 Interface Amenity	No – refer to discussion below
C4.11 Licensed Premises	Yes
C4.15 Mixed Use	Yes

The following provides discussion of the relevant issues:

C4.5 Interface Amenity

A plan of management has been provided by the proposal detailing the general operation of the theatre and the ancillary food and drink services. Concern has been raised within respect to the noise impacts to the surround residential uses from patrons and performers leaving the premises, particularly late in the evening. It is recommended on any consent issues that access to the premises including the general hours of operation ceases at no later than 11pm.

It is also recommended that appropriate signage is erect requesting patrons to keep noise to a minimum when leaving the premises to avoid disturbing the local residents.

C1.11 Parking

The proposal seeks to accommodate a theatre for 130 patrons with 10 staff and 15 actors for each performance and general operations. Councils development engineer has reviewed the responses provided by the applicant and has raised a number of concerns with respect to the proposal as lodged, these include the following:

- The existing parking demand for the parish hall;
- Any overlap in parking demand from the performances and the existing uses on the site;

- The car parking demand generated by the proposal, the overall shortfall in carparking for the proposal and the car parking capacity of the existing car park on site; and
- The ability of the existing on-street car parking network to accommodate the shortfall.

Each of these issues have been detailed below:

The existing parking demand for the parish hall:

The applicant has clarified in their correspondence to Council on 3 May 2021 that there is no indication of an approved existing use, hours or maximum patron capacity – a review of Council's records confirm this. The applicant states that *"the hall has been used for been used for a range of educational and community purposes since it was constructed in or around 1915"*. As such Council cannot confirm what the extent of the additional car parking demand for the proposed development and can only calculate the extent of impacts for the current proposal.

Any overlap in parking demand from the performances and the existing uses on the site:

The applicant has stated in the correspondence to Council dated 3 May 2021 that the community college currently operates until 4pm on Saturdays with the church holding masses at 7am on Wednesdays, 9.15am on Fridays, 9am on Saturdays and 10.30am on Sundays with no vigils at the moment. It was also noted that weddings, funerals, baptisms and the like are considered to be an occasional event not typically held during the proposed performance times.

Council is also aware that from time to time the Church itself hosts concerts.

Despite the above, the community college can operate beyond its current operational hours this being until 4.30pm on Saturdays and as such there will be an overlap for the Saturday matinee performances from 3pm until 4.30pm. It is acknowledged that church is entitled to run occasional events such as weddings, funerals baptisms and the like, however there are no limitations as to the type, capacity, runtime or time of day in which these events or services can occur. Furthermore, surrounding businesses including the Merton Hotel which do not have off street parking facilities are entitled to hold events that generate an overlap with the performance hours for the proposal.

The car parking demand generated by the proposal, the overall shortfall in carparking for the proposal and the car parking capacity of the existing car park on site:

Council's Development Engineer notes that the applicant has made a number of assumptions with respect to the overall parking demand generated by the proposal that cannot be substantiated for Council to support. Insufficient information has been provided by the applicant to clarify the existing modes of travel for the existing uses on the subject site and subsequently how the proposal will impact these uses. The applicant notes that with reference to previous surveys of attendance at theatre performances, 50% of patrons will utilise public transport with a vehicle occupancy rate of 2 patrons per vehicle. In addition, information supplied by the applicant suggests that 60% of staff will use public transport to attend the site.

The applicant has included an assessment of Enmore Theatre for the assumptions regarding modes of travel, which is not supported by Council as the Enmore Theatre does not reflect the location of the proposed development.

Council's Development Engineer has advised that it is unlikely that 50% of patrons and 60% of staff/actors will travel by alternative transport given the location of the subject site and the times in which performances are to occur, this being predominately in the evening. As such, for the purposes of clarifying the extent of the car parking demand generated by the proposal, the assumption regarding alternative transport has been removed. Therefore, considering the above and applying the assumption that 50% of staff/patrons will carpool with 1 other person and 85% capacity, it is considered that the proposal will generate at minimum the following parking demand during performances:

- Staff/Actors: 13 car parking spaces.
- Visitors/Patrons: 55 car parking spaces

The existing car park that services all uses on the site currently contains 20 spaces with the proposal seeking to upgrade the car park to provide 16 compliant car parking spaces including one disabled space, a new turning bay and new ramp access to the parish hall. The applicant seeks to restrict the use of the on-site carpark for staff and actors, however it is noted that existing car parking is currently utilised by the public in addition to the existing uses on the subject site. Insufficient information has been provided to clarify the allocation of car parking spaces on the subject site.

Based on Council's calculations, the proposal will result in a shortfall of 50 car parking spaces as a minimum.

The ability of the existing on street car parking network to accommodate the shortfall

Council's Development Engineer has reviewed the supplementary parking survey and notes that the existing on-street parking capacity study provided represents and relies on vehicles parking in an illegal manner to meet the parking supply stated. Specifically, Council's Development Engineer has calculated an overestimate of approximately 22 spaces within various zones within the surrounding residential street network (this includes spaces on the opposite site of Victoria Road). It is noted that the study excluded the Council 'Rozelle public carpark' (19 spaces) on the corner of Victoria Road and Ellen Street which has a two-hour parking limit between 8am and 8pm with unrestricted parking available after 8pm.

To minimise the extent of the car parking demand generated by the proposal to the local residential street network and existing uses on site, the following restrictions are recommended to be imposed on any consent issued:

- The existing on site car park is required to be upgraded to comply with Australian Standard AS2890.1:2004;
- No restrictions are to be applied to limit the on site parking to theatre staff and actors only with the exception of a single space to be utilised for loading/unloading before and after each performance;
- The seating capacity of the theatre is to be reduced from 130 patrons to 100 patrons;
- The pre/post performance hours are to be 30 minutes after the time originally proposed, this being from 6.30pm to 7pm on Fridays and Saturdays and from 3pm to 3.30pm on Sundays;
- Any advertising material for the performances and the theatre is to advise patrons that limited car parking is available on site, car parking is restricted within the streets surrounding the theatre and it is encouraged that patrons travel to the venue via public transport, taxi or car sharing services. In addition, any advertising material is to advise that there is a small public car park located on at the corner of Victoria Road and Ellen Street.
- A Green Travel Plan with public transport routes and bicycle network is to be prepared and made available to patrons and performers/support staff. The Green Travel Plan must be implemented and kept in a suitable location on site at all times. The Public Transport and Bicycle

Network Plans are to be installed in common areas prior to the occupation of the premises. Use of alternative modes of transport are be encouraged.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that, unless properly managed by conditions the proposal is likely to impact on the surrounding area. However, Council is of the opinion that the recommended conditions are capable to managing the activities in an appropriate manner.

5(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with the Leichhardt Development Control Plan 2013 for a period of 14 days to surrounding properties, 13 submissions were received in response to the initial notification.

The issues raised in the submissions include noise impacts from patrons leaving the theatre in the evening and adverse car parking and traffic issues within the residential street network where parking is already at a premium. These issues have been discussed under Section 5(d) of this assessment report.

5(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Development Engineer
- Heritage Officer

7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal and a condition is recommended in this regard.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013*. The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2020/0800 for Alterations for adaptive reuse of ground floor of Parish Hall as licensed theatre at 2B Gordon Street ROZELLE NSW 2039 subject to the conditions listed in Attachment A below/for the following reasons.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA100, Rev A	Site Plan	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA201, Rev A	Demolition Plans	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA221, Rev A	Proposed Ground Floor Plan	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA222, Rev A	Proposed Upper Ground and Lower Ground Floor Plan	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA300, Rev A	North Elevation	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA301, Rev A	West Elevation	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA302, Rev A	East Elevation	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA350, Rev A	Sections	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA520, Rev A	Ramp Section	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
DA951, Rev A	External Views	9/7/2020	Quinn O'Hanlon Architects Pty Ltd
No ref, Rev A	External Finishes Colour	August 2020	Quinn O'Hanlon Architects Pty Ltd
Drawing No. TX.01, Rev B	Design review of parking arrangement	16/01/2020	Traffix
NW20/5336	BCA Report	7/09/2020	NW Certification
N/A	Plan of Management	September 2020	Burrell Threlfo Pagan Pty Ltd

As amended by the conditions of consent.

FEES

2. Security Deposit

Prior to the commencement of demolition works or issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the

works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$10,000
Inspection Fee:	\$236.70

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

Note: The applicant shall implement the recommendations of the Post Development Operation Traffic and Parking Assessment Report in consultation with Council as required, at no cost to Council, prior to the issue of the release of the Security Deposit.

3. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

4. Section 7.12 (formerly section 94A) Development Contribution Payments

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020*.

Note:

Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount*:

\$12,265.00

***Indexing of the Section 7.12 contribution payment:**

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard, you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000))*. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

GENERAL CONDITIONS**5. Stormwater Drainage System – Simple**

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, down pipe, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road.

6. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

7. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

8. Pre-development Traffic and Parking Assessment

Prior to Any Demolition or the Construction Certificate whichever occurs first, the Principal Certifying Authority must be provided with written evidence from Council that a pre-development traffic and parking study has been submitted to and approved by Council. The study must address the following as a minimum:

- a. Full details of the existing on-street parking arrangements including existing on street parking numbers (to AS2890.5) and parking restrictions within the Parking Area shown on Figure 5 parking Survey Area of Traffic Impact Assessment Reference 20.062r01v3 September 2020 and the Public Carpark at corner of Victoria Road and Ellen Street.
- b. Parking Occupancy surveys within the Parking Area shown on Figure 5 parking Survey Area of Traffic Impact Assessment Reference 20.062r01v3 September 2020 and the Public Carpark at corner of Victoria Road and Ellen Street.
- c. Establish baseline assessment of traffic movements within the vicinity of the site including traffic counts at all relevant locations.
- d. Parking surveys of a standard weekday and Saturday and Sunday for the full operating times of the development.
- e. All data collected and relied on for the surveys must be included in the report.

9. Post Development Operation Traffic and Parking Assessment

No less than 3 months after the issue of an Occupation Certificate but no more than 6 months after the issue of an Occupation Certificate, Council must be provided with a post-development operation traffic and parking study report. The study must address the following as a minimum:

- a. Full details of the existing on-street parking arrangements including existing on street parking numbers (to AS2890.5) and parking restrictions within the Parking Area shown on Figure 5 parking Survey Area of Traffic Impact Assessment Reference 20.062r01v3 September 2020..
- b. Parking Occupancy surveys within the Parking Area shown on Figure 5 parking Survey Area of Traffic Impact Assessment Reference 20.062r01v3 September 2020 and the Public Carpark at corner of Victoria Road and Ellen Street..
- c. Parking surveys of a standard weekday and Saturday and Sunday for the full operating times of the development on days when the theatre is in operation on two separate occasions separated by no less than 1 week.
- d. Identification and summary of all changes to parking occupancy within the survey area compared to the Predevelopment Parking Study.
- e. Identification of the increase in traffic resulting from the development including traffic counts of vehicular movements at all relevant locations and times.
- f. Recommendations of the changes to traffic and parking arrangements to address the impact of the development on adjacent streets, particularly on neighbouring residential properties.
- g. Consultation with Council's Traffic and Transport Manager on recommendations of the study..
- a. All data collected and relied on for the surveys must be included in the report.

The applicant shall implement the recommendations of the report in consultation with Council as required, at no cost to Council, prior to the issue of the release of the Security Deposit.

10. Signage

The development must provide and maintain within the site suitable signage requesting patrons to keep noise to a minimum when leaving the premises to avoid disturbing the local residents

11. Parking on site

No restrictions are to be applied to limit the on site parking to theatre staff and actors only with the exception of a single space to be utilised for loading/unloading before and after each performance, this is to ensure that no change is made to current access to the car park.

12. Advertising Material

Any advertising material for the performances and the theatre is to advise patrons that limited car parking is available on site, car parking is restricted within the streets surrounding the theatre and it is encouraged that patrons travel to the venue via public transport, taxi or car sharing services. In addition, any advertising material is to advise that there is a small public car park located on at the corner of Victoria Road and Ellen Street.

13. Green Travel Plan

A Green Travel Plan with public transport routes and bicycle network is to be prepared and made available to patrons and performers/support staff. The Green Travel Plan must be implemented and kept in a suitable location on site at all times. The Public Transport and Bicycle Network Plans are to be installed in common areas prior to the occupation of the premises. Use of alternative modes of transport are to be encouraged.

14. Staff and patron numbers

The maximum number of persons permitted in association with the theatre are as follows:

- Staff: 10
- Actors: 15
- Patrons: 100

PRIOR TO ANY DEMOLITION**15. Hoardings**

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

PRIOR TO CONSTRUCTION CERTIFICATE**16. Parking Facilities**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a. The parking layout must be generally as shown on Drawing 'Design Review of Parking Arrangement Ground Floor' Document number 20.062 DA TX.01 Revision B prepared by Traffix and dated 16-01-21.
- b. The external form and height of the approved structures must not be altered from the approved plans.

17. Dilapidation Report – Pre-Development – Minor

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

DURING DEMOLITION AND CONSTRUCTION

18. Photographic recording of interior of hall and the proscenium

A photographic archival record of the interior of the hall, including the proscenium, proposed to be altered is to be submitted prior to the commencement of demolition work and prior to the issue of a Construction Certificate to the satisfaction of Council's Heritage Specialist.

The photographic archival recording is to be submitted in a digital format only and is to include the following:

- a. Site plan at a scale of 1:200 (or 1:500 if appropriate) of all structures and major landscape elements including their relationship to the street and adjoining properties and directional details of photographs taken.
- b. Coloured photographs of:
 - i. each internal elevation,
 - ii. the proscenium and its detailing;
 - iii. material and features proposed to be demolished or removed within the existing hall.

Photographic archival records must be taken within the hall in accordance with 'Heritage Information Series, Photographic Recording of Heritage Items Using Film or Digital Capture 2006' published by the former NSW Department of Planning Heritage Branch available online at

<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infophotographicrecording2006.pdf>

The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

The report can be submitted on a USB, CD or DVD, in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: title, image subject/description and date photograph taken.

19. Removal and storage of floorboards

During construction work, the removal of the floorboards to accommodate the supports for the tiered seating must be carefully salvaged and stored safely on site for the potential reinstatement in the future in order to retain early significant fabric.

20. Construction Hours – Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a. 7:00am to 6:00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b. 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c. at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

- a. 8:00am to 12:00pm, Monday to Saturday; and
- b. 2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

PRIOR TO OCCUPATION CERTIFICATE**21. Parking Signoff – Minor Developments**

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

22. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been

removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

23. Heavy Duty Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that heavy duty concrete vehicle crossing/s, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" has been constructed at the vehicular access locations.

24. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any damaged stone kerb has been replaced.

25. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a. Heavy duty concrete vehicle crossing(s) at the vehicular access location(s);
- b. Other works subject to the *Roads Act 1993* approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

26. Noise – Acoustic Report

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority's Noise Policy for Industry and Noise Control Manual and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

27. Licensed Premises – Plan of Management

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with a Plan of Management for the operation of the licensed premises that addresses the following:

- a. Compliance with the relevant conditions of approval;
- b. Minimise the potential impact of the operation of the premises on nearby residents;
- c. Effectively minimise and manage anti-social behaviour;
- d. Minimise noise emissions and associated nuisances;
- e. Effectively manage and respond to resident complaints;
- f. Ensure responsible service of alcohol and harm minimisation; and
- g. Patron conductivity and security.
- h. Inclusion of an emergency contact for residents to contact the theatre directly at any point

ON-GOING

28. Hours of Operation

a. The hours of operation of the premises must not exceed the following:

Activity	Monday – Thursday	Friday	Saturday	Sunday
Bump in (2 weeks before the performance)	5.30pm – 11.00pm	5.30pm – 11.00pm	10.00am – 11.00pm	10.00am – 11.00pm
Pre/post performance access		6.30pm – 11.00pm	6.30pm – 11.00pm	3.00pm – 8.30pm
Performance (including occasional to meet public demand)		7.30pm – 10.30pm	3.00pm – 10.30pm	4.30pm – 7.30pm
Bump out (closing night)			10.30pm – 11.00pm	
Serving of food and drink		Cease by 9.30pm		Cease by 6.30pm
General Operation	10am to 11.00pm			

29. Noise General

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

30. Noise – Licensed Premises (7am – 12midnight)

The LA10 noise level emitted from the premises, measured between the hours of 7am and 12 midnight, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.

31. Licensed Premises – Plan of Management - Operation

The operation of the premises complying at all times with the approved Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency. The plan of management is required to be made available for the NSW Police or Council at any point.

ADVISORY NOTES**Prescribed Conditions**

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent;
or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a. Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b. Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

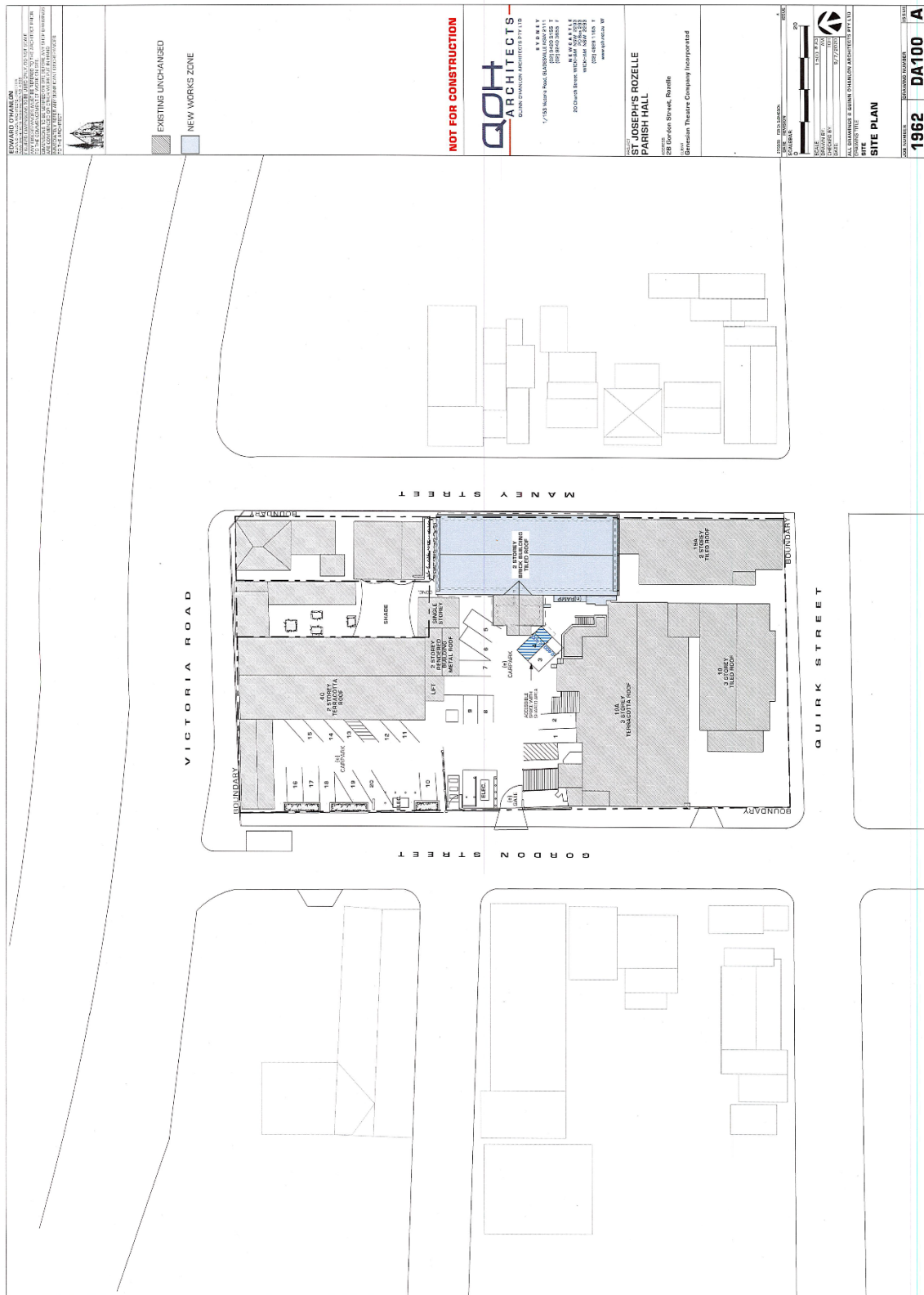
Useful Contacts

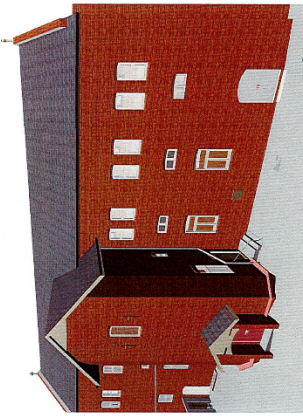
BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92

Waste Service - SITA www.sydneywater.com.au
Environmental Solutions 1300 651 116
www.wasteservice.nsw.gov.au

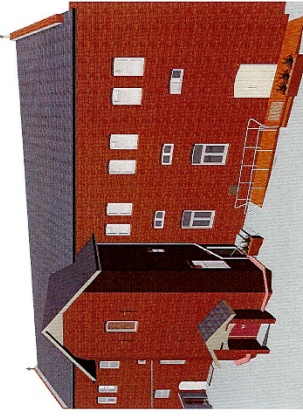
Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au
WorkCover Authority of NSW 13 10 50
www.workcover.nsw.gov.au
Enquiries relating to work safety and asbestos
removal and disposal.

Attachment B – Plans of proposed development

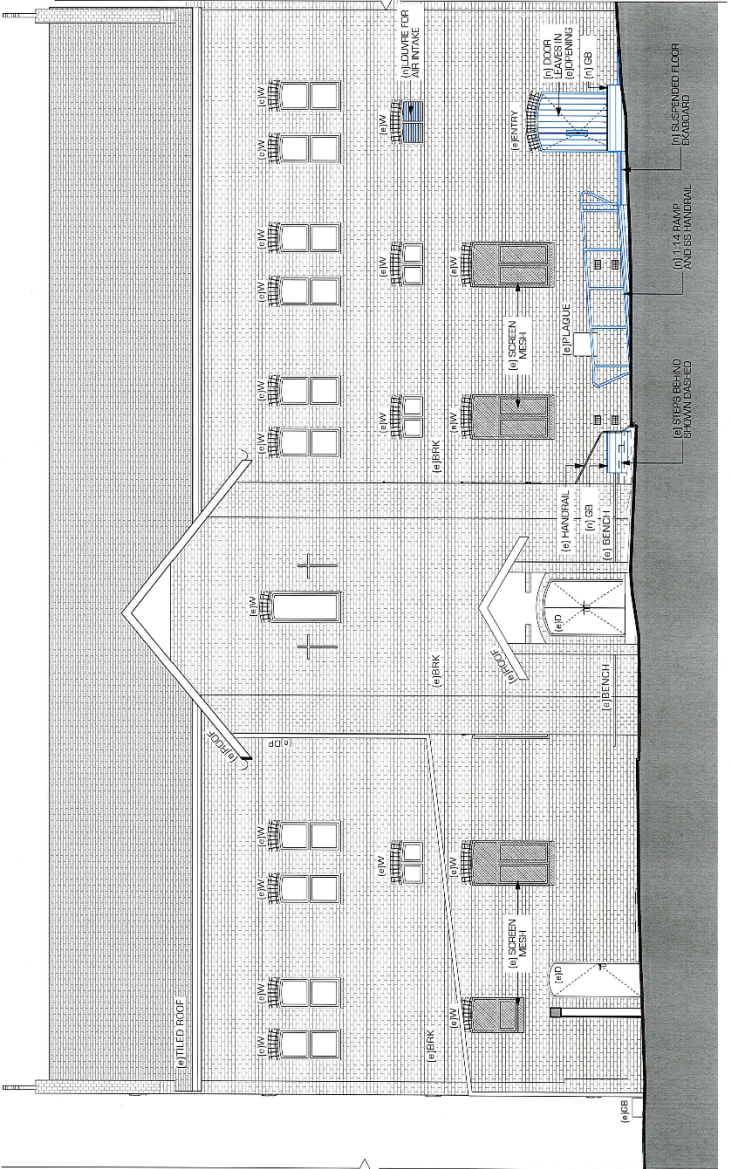




WESTERN FACADE - EXISTING



WESTERN FACADE - PROPOSED



EDWARD CHALDON
 ARCHITECTS
 1/125 ROZELLE ROAD, GARDENSIDE, NSW 1585
 PHONE: 02 9387 1100
 FAX: 02 9387 1101
 WWW.EDWARDCHALDON.COM.AU

NOT FOR CONSTRUCTION

GOH ARCHITECTS
 1/125 ROZELLE ROAD, GARDENSIDE, NSW 1585
 PHONE: 02 9387 1100
 FAX: 02 9387 1101
 WWW.GOHARCHITECTS.COM.AU

ST JOSEPH'S ROZELLE PARISH HALL
 28 Gordon Street, Rozelle
 Greenway Theatre Company Incorporated

WEST ELEVATION

DATE: 11/07/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1:100

1962 DA301 A
 1:100 FOR DEVELOPMENT

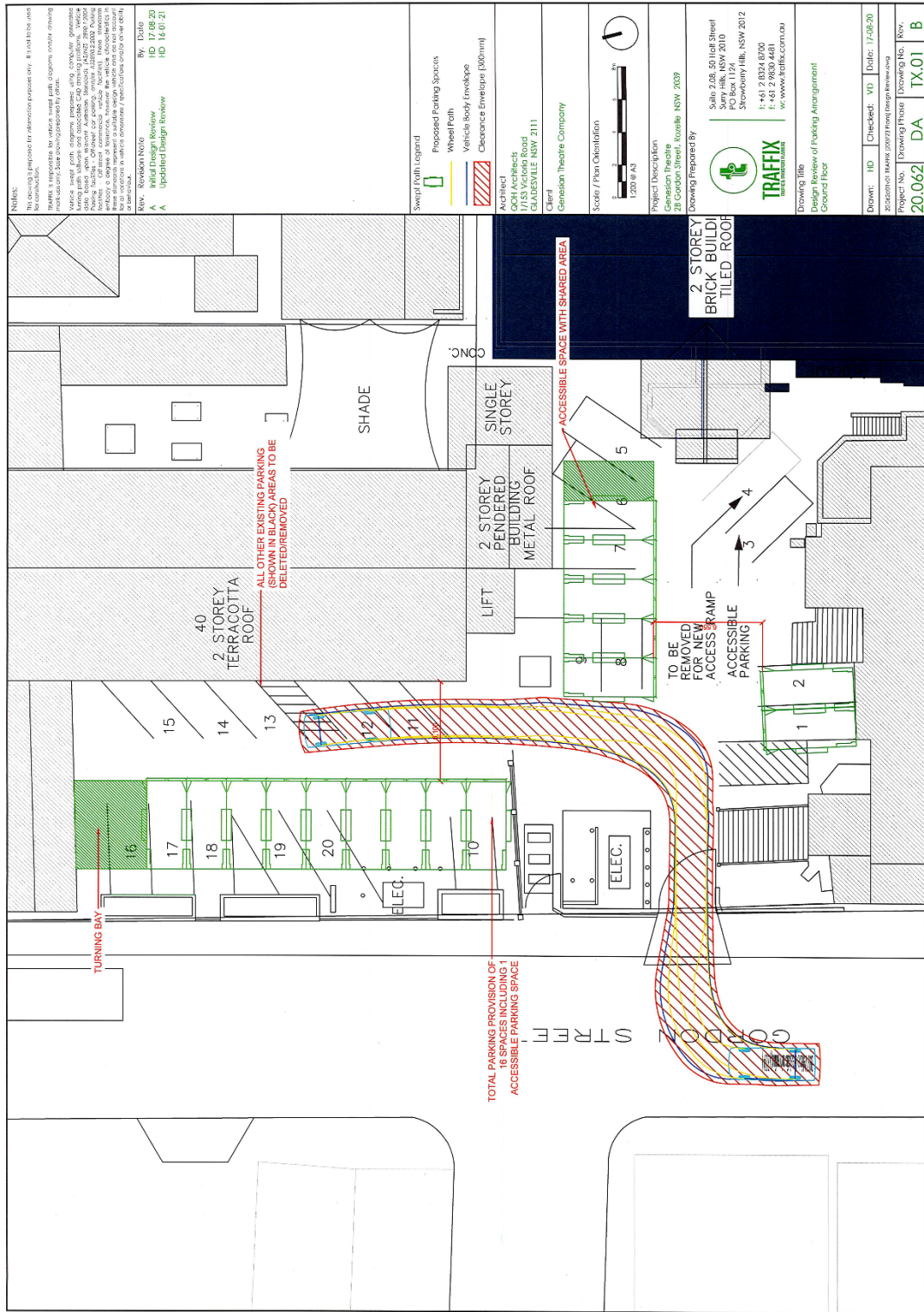
GENESIAN THEATRE RELOCATION

Revision A AUGUST 2020

EXTERNAL FINISHES COLOUR

01	ENTRY DOOR FRAME Powder coat	Match existing
02	ENTRY DOOR LEAFS [PT*] Paint Finish	Match Existing
03	TACTILE INDICATOR	Steel Pins
04	HANDRAILS	Stainless Steel
05	RAMP, STEPS, DECK & GARDENBED	Ekadeck - Teak Solid





Attachment C – Plan of Management

PLAN OF MANAGEMENT

for
Genesian Theatre

at
2B Gordon Street, Rozelle

for
Genesian Theatre Company Incorporated

prepared by
John Pagan

Burrell Threlfo Pagan Pty Ltd
Town Planning Consultants
48 Victoria Road, Rozelle 2039

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September 2020

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2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

1. PURPOSE

1.1 The purpose of this Plan of Management (PoM) is to establish performance criteria for the operation of the Genesian Theatre, which is to operate in the ground floor of the Parish Hall of St Joseph’s Church at 2B Gordon Street, Rozelle. The PoM addresses the requirements of Part C4.11 of *Leichhardt Development Control Plan 2013* (the DCP) for “low impact” licensed premises.

2. USE OF THE PLAN OF MANAGEMENT

- 2.1 All staff and volunteers must be made familiar with this PoM.
- 2.2 A copy of this PoM must be kept available on the premises at all times.

3. SITE, LOCALITY AND ACCESS

3.1 The Theatre is within the Parish Hall of St Joseph’s Church at 2B Gordon Street, Rozelle, the location of which is shown below. The site is on the south-eastern corner of Victoria Road and Gordon Street and is 3,494 square metres in area. It contains several buildings including St Joseph’s Church, the associated Parish Hall, a former convent used by the Gunawirra community facility, and a former school building used by the Sydney Community College. A paved area with access from Gordon Street provides car parking.



Location Plan (source: RP Data)

2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

- 3.2 The Parish Hall is a two-storey brick building built to the Maney Street alignment on the eastern side of the site. The first floor is used by the Community College. Immediately adjoining the Hall to the north at no. 38 Victoria Road is a pub known as the Merton Estate Hotel and at no. 40 is a single-storey toilet block used by the Community College. Nearby development is mostly commercial or industrial along Victoria Road and small-scale residential in surrounding streets.
- 3.3 Pedestrian and vehicular access to the site is from Gordon Street.
- 3.4 A site plan and floor plan are included within this PoM as Annexure A.
- 3.5 The theatre foyer and courtyard area between the Church, Hall and Community College buildings will be available for patrons to congregate before performances and at interval. No public spaces will be used by the Genesian Theatre Company.
- 3.6 The theatre has two entry and exit points for general use on the western side of the Hall building, one of which is accessible by wheelchair. An additional access door to the back-of-stage area to be used only by authorised volunteers to assist in theatre operations is at the northern end of the western side of the building. Access to the toilets adjoining to the north is external.

4. NEARBY LATE-NIGHT PREMISES

- 4.1 The site is about 400 metres (m) from the Rozelle local business strip centred on Darling Street, which contains many cafés, restaurants and pubs. Only the following venues within 200m of the site normally operate late at night:

Native Rose Hotel	68 Victoria Road	11.30pm
Merton Estate Hotel	38 Victoria Road	11.30pm

5. OPERATIONAL DETAILS

- 5.1 The theatre is to be operated by the Genesian Theatre Company. The Genesian Theatre Company is a volunteer-run theatre group which has been in operation since 1944. The purpose of the Theatre is hosting live theatrical performances and related rehearsals. The sale of snack foods and drinks (including alcoholic drinks) is ancillary and these items will be available only immediately before and during public performances.
- 5.2 The maximum number of patrons permitted is 130. All performances will be ticketed to ensure compliance. The Manager is responsible for ensuring that these numbers are not exceeded.
- 5.3 During performances, up to 10 volunteers carry out roles such as taking tickets, serving snacks and drinks and ushering. Additionally, a variable number of volunteers will be involved backstage in the production.

2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

- 5.4 The Genesian operates with an on-premises liquor licence. The Genesian Theatre Company and the Licensee will at all times cooperate with Police, Liquor & Gaming NSW Inspectors and Council Officers.

6. HOURS OF OPERATION

- 6.1 The theatre must operate in accordance with the approved hours under the current development consent. To allow for rehearsals and setting up/dismantling of stage sets for each production, the approved hours of operation are 10.00am to 12 midnight seven days a week.
- 6.2 Performances will be on Friday and Saturday nights from 7.30pm with matinees from 3pm on Saturday and 4.30pm on Sunday. Performances will generally conclude before 10.30pm on Friday and Saturday nights and 7.30pm on Sunday. Patrons will be required to leave the premises by 11.30pm on Friday and Saturday and 8.30pm on Sunday.
- 6.3 Alcohol is to be served only in connection with a public performance. Service of alcohol may commence 60 minutes before the scheduled start of a performance and may not continue later than the end of the interval. Service of all food and drink must cease by 9.30pm on Friday and Saturday and 6.30pm on Sunday.
- 6.4 A copy of the current development consent showing the approved hours of operation must be kept on the premises and produced on demand for inspection by any Police Officer, Council Officer or Liquor & Gaming NSW Inspector.

7. SIGNAGE

- 7.1 The Licensee must ensure that all legally required signage (including that related to dress codes, responsible service of alcohol and harm minimisation) is displayed at all times.
- 7.2 During the sale of liquor, signage must clearly state the Licensee's name and licence number.
- 7.3 Signage must be displayed prominently at all exit points requesting patrons to respect the amenity of the neighbourhood by leaving in a quiet and orderly manner.

8. SAFETY AND SECURITY

- 8.1 By admitting only patrons who are assigned a seat, the Licensee, Front-of-House Manager and front-of-house volunteers will ensure that the maximum number of patrons permitted within the premises is not exceeded at any time.
- 8.2 The Licensee, Front-of-House Manager and front-of-house volunteers must take all reasonable steps to ensure that no patron causes excessive noise or behaves anti-socially outside the building.

2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

- 8.3 The Licensee, Front-of-House Manager and front-of-house volunteers must ensure that all people entering and leaving the premises do so in a manner that respects the amenity of the residential neighbourhood. When the Theatre is cleared at the end of a performance, the Manager will ensure that patrons are directed and assisted to leave in a safe and orderly manner.
- 8.4 No patron is to be ejected or escorted from the premises except through the entry and exit points identified for general use in Part 3.6.
- 8.5 The Licensee, Front-of-House Manager and front-of-house volunteers will prevent intoxicated, disruptive, violent or anti-social behaviour within or directly outside the premises by:
- a) not allowing any intoxicated person to enter or remain upon the premises
 - b) refusing service to patrons considered to be intoxicated
 - c) maintaining zero tolerance for anti-social behaviour inside and outside the premises
 - d) ensuring that patrons leave the premises in a quiet and orderly manner to preserve the quiet and good order of the neighbourhood
 - e) identifying potentially offensive behaviour and taking action to prevent it escalating
- 8.6 The following operational policies for the responsible service of alcohol apply:
- a) The Licensee must maintain a register containing copies of the certificates showing the satisfactory completion of the Responsible Service of Alcohol course undertaken by the Licensee and all volunteers involved in any way in the sale or service of alcohol. The register must be made available for inspection on request by an Inspector or NSW Police officer.
 - b) The Licensee must not engage in any “undesirable liquor promotion or activity” within the terms of the *Liquor Promotion Guidelines* published by Liquor & Gaming NSW.
 - c) The Theatre will not serve alcohol to any person who is intoxicated.
 - d) Any person who is intoxicated will be denied entry to the Theatre.
 - e) No person under the age of 18 years is to consume alcohol on the premises. Where a patron appears to service staff to be under 25 years of age, valid photo identification must be checked by staff before service is provided. Identification will be requested in the form of a valid:
 - i) Passport
 - ii) Driver Licence or
 - iii) Proof of Age card
 - f) The Licensee, Front-of-House Manager and front-of-house volunteers will not permit intoxication or any indecent, violent or quarrelsome conduct by patrons on the premises. Any person causing such a disturbance will be refused service and asked to leave the premises. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the premises for a period determined by the Licensee.

2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

- g) Low-alcohol beer and non-alcoholic beverages (including water) will be available at all times when full-strength liquor is available.
- h) The Licensee will ensure all required legislative signage is prominently displayed throughout the premises.
- i) The Licensee, Front-of-House Manager and front-of-house volunteers will if requested arrange (without charge) for a taxi to collect any patron from Gordon Street in front of the premises.

9. AMENITY OF THE NEIGHBOURHOOD

- 9.1 The Front-of-House Manager and volunteers must take all reasonable actions to ensure that the conduct of the theatre does not have a negative impact on the amenity of the neighbourhood.
- 9.2 The Front-of-House Manager and volunteers must take all reasonable actions to prevent patrons from disturbing the amenity of the neighbourhood as they leave.
- 9.3 The theatre must be operated without interfering with or materially affecting the amenity of the neighbourhood by the emission of noise, vibration, smell, fumes, vapour, steam, smoke, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.
- 9.4 The Front-of-House Manager and volunteers must ensure that the courtyard and footpath in front of the premises are kept clean and tidy during operation.

10. NOISE

- 10.1 The following activities associated with operation of the Theatre have the potential to generate noise:
 - use of sound amplification during a performance or rehearsal
 - audience applause
 - patrons gathering on site before a performance
 - patrons dispersing after a performance
 - collection and disposal of bottles
- 10.2 The following noise attenuation measures recommended in the Acoustic Assessment report by Acoustic Directions dated August 2020 must be maintained:
 - after 10.00pm, all doors and windows must be closed during use
 - after 10.00pm, patrons must not gather outside the building
 - amplified music or sound effects must not exceed 101dBA measured on-axis 1m in front of the left and right loudspeakers
 - music must not be played outside the Hall
 - staff and patrons leaving the site after 10.00pm must do so promptly and quietly
- 10.3 The premises must be operated so that no "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* is emitted.
- 10.4 Bottles must be transferred to the external waste storage area no later than 8.00pm.

2B Gordon Street, Rozelle : Plan of Management for Genesian Theatre

- 10.5 Service of alcohol must cease by 9.30pm on Friday and Saturday and 6.30pm on Sunday and all patrons must leave the premises by 11.30pm on Friday and Saturday and 8.30pm on Sunday.

11. COMPLAINTS

- 11.1 If a complaint is received from a nearby resident or business, it must be referred in the first instance to the Licensee or Front-of-House Manager to be addressed. In their absence a suitable volunteer must act in their place. If the complaint cannot be addressed immediately, a time for response must be arranged.
- 11.2 All complaints received must be recorded in a Complaint Register held on site and referred to the Management Board of the Genesian Theatre Company. The Theatre must be proactive in seeking solutions to complaints. A complaint must be dealt with effectively and in a sensitive and respectful manner. A representative of the Theatre must inform a complainant of the action taken to deal with the complaint.

12. WASTE MANAGEMENT AND DISPOSAL

- 12.1 Waste storage arrangements are set out in the Waste Management Plan shown in Annexure C. The Theatre will use the existing Community College waste storage facilities and collection arrangements. Waste deposited in 55-litre bins in the foyer and kitchenette will be removed by volunteers and taken to the existing skip bins on site.
- 12.2 Waste will be collected regularly between 8am and 6pm by private contractors under the existing site waste removal contracts.
- 12.3 The contractors' vehicles will stand on site to collect waste from the skip bins.

13. MAINTENANCE

- 13.1 The premises must be regularly maintained and kept in a clean and tidy condition internally and externally to the satisfaction of Council.
- 13.2 The Owner of the building is responsible for the removal of any graffiti from the building within 48 hours of its appearance.

