



Planning

ANNEXURE II

Contact: Una Williamson
Phone: 02 9228 6201
Fax: 02 9228 6400
Email: una.williamson@planning.nsw.gov.au

General Manager
Woollahra Municipal Council
PO Box 61
DOUBLE BAY NSW 1360

WOOLLAHRA MUNICIPAL COUNCIL
RECORDS DEPT

Our ref: CS09/513 – File: S03/02922-13
Your reference: DA 441/2009/1: Mr P Kauter:kp
Planning and Development Division

12 OCT 2009

Attention: Mr Peter Kauter

Doc No. 09755-09
File DA 09/0441
Action K. Preminger
P Kauter

Dear Sir

Subject: DA 441/2009/1 – Marina redevelopment - 1 New Beach Road, Darling Point

I refer to your letter of 2 September 2009 concerning the Acid Sulfate Soils Management Plan submitted with the above development application submitted by the Cruising Yacht Club of Australia (CYCA).

The Department's Major Hazards Unit has reviewed the Acid Sulfate Soils Management Plan and provided some general comments. In this regard, the procedures in the management plan for monitoring the pH and salinity of the extracted soils and water and the application of lime to neutralise them are considered consistent with the 1998 *Acid Sulfate Soils Management Guidelines*. Consideration has also been given to the procedures in the plan for the stockpiling of untreated soil and the off-site disposal of neutral soil and the proposed contingency plan should any of the managment strategies fail.

The Department will not be making any specific comments on the management plan.

Development in the W5 – Water Recreation Zone under the Harbour REP

It is noted the proposed refurbishment and expansion of facilities at the CYCA site includes basement car parking which extends beyond the boundaries of the club and beyond the existing seawall into the Harbour.

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ("Harbour REP") applies to the land beyond the seawall. Under the REP, the area of the Harbour occupied by the CYCA and the proposed location of the car park is zoned W5 - Water Recreation. A commercial marina is permissible in the W5 Zone with development consent. Associated facilities such as car parking are also permissible with consent if the car park is ancillary to the dominant marina use. Under the REP however, "reclamation works" are prohibited in the W5 - Water Recreation Zone.

In determining the application, it will therefore be necessary for the consent authority to satisfy itself that the proposed works do not involve any reclamation and that the works are consistent with all relevant legislation.

If you have any queries in relation to the issues discussed above, please contact Una Williamson on 9228 6201.

Yours sincerely



Faye Roberts
Regional Director, Sydney Region East

6-10-09