

6 April 2010

## REFERRAL RESPONSE – TECH. SERVICES

**FILE NO:** DA 441/2009/1  
**ADDRESS:** 1 New Beach Road DARLING POINT 2027  
**PROPOSAL:** Marina redevelopment  
**FROM:** Paul Fraser - Team Leader Open Space and Recreation Planning  
**TO:** Mr P Kauter

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I refer to the following documents received for this report:

1. Environmental Impact Statement by Urbis dated August 2009
2. Architectural Drawings prepared by Allen Jack Cottier, dated 24 August 2009

Council's Team Leader – Open Space & Recreation Planning has determined that the proposal satisfies Public Open Spaces concerns, subject to the following comments and conditions. Accordingly, the following conditions are recommended.

### **Comment**

The improved public access through the site from Rushcutters Bay Park to d'Albora Marina is encouraged and will allow continual access along the Sydney Harbour and result in improved pedestrian amenity. It provides an improvement to the long term view of providing a direct pedestrian link along the foreshore between Rushcutters Bay Park and Yarranabbe Park. This access path should be kept clear at all times to encourage pedestrian thoroughfare and the provision for access for people with disabilities.

Plantation Reserve adjoins the Cruising Yacht Club Australia (CYCA) and d'Albora Marina's special leases. Key uses of this reserve are walking and cycling along the footpath, and gaining pedestrian and vehicle access to the CYCA, d'Albora Marina and Sir David Martin Reserve. The value of Plantation Reserve is to maintain a safe uninterrupted public accessibility from Rushcutters Bay Park and Yarranabbe Park along the boundary of New Beach Road.

Plantation Reserve is included as part of the Plan of Management (PoM) for Rushcutters Bay Park, Yarranabbe Park and Plantation Reserve and relevant strategies that are specifically relevant include;

- *Maximise opportunities for a foreshore link between Rushcutters Bay Park and Yarranabbe Park* – the public access through the site along the entire length of the foreshore of the CYCA from Rushcutters Bay Park to d'Albora Marina is supported and will provide an important link to the future planning of providing the intended continuous foreshore link stated in the PoM.

- *Improve pedestrian circulation within the parks and improve access for people with disabilities to the parks and reserves* – the two proposed driveways should be constructed in such a way to provide awareness devices at the beginning of each driveway (for eg. tactile indicators) to assist in the provision of a safe pedestrian walkway across the driveways. The pathway should remain uninterrupted at all times and no parking of any vehicles be permitted over the pedestrian pathway.
- *Recognise the importance of healthy trees and plantings to the character and amenity of the parks* – the amenity of Plantation Reserve is an important factor that should be considered in the overall proposed development. The goal of the reserve is for plantation and access – a landscaped buffer providing safe public access. Proposed plantings and re-turfing of Plantation Reserve should be made in conjunction with the Open Space and Trees Department and to a high standard.
- *Increase opportunities for residents and park users to park in New Beach Road* – as discussed by Council's Traffic Department.
- *Rationalise the number of vehicle crossing points across Plantation Reserve* – the proposed new driveways are consistent with the use of the reserve to provide vehicle access to the CYCA.

### **Recommended Conditions**

#### **Maintain general public access – Plantation Reserve**

It is recommended that general public access is maintained at all times along the pathway within Plantation Reserve. During the construction phase the applicant is permitted to provide the necessary pedestrian safety precautions within Plantation Reserve and at the entry points to the CYCA during the movement of materials and vehicles onsite to New Beach Road.

#### **Maintain general public access – CYCA Site**

It is recommended that unrestricted general public access (including accessibility for people with disabilities) be maintained during the stated times being 7am to sunset.

#### **Make good any damage to Plantation Reserve or Rushcutters Bay Park**

During the construction phase it is agreed that any damage to Plantation Reserve and/ or Rushcutters Bay Park or any associated infrastructure be made good to Council's specifications. Before construction occurs a Council representative will inspect and assess the condition of the reserve for future reference. A representative of the construction company is advised to be in attendance and notify Council of the commencement of work. A Damage Security Bond and fees in accordance with Council's adopted Schedule of Fees and Charges will apply.

#### **Access through Public Open Space**

Access to the CYCA for construction purposes will be via the designated access gates as stated in the Construction Management Plan. Appropriate footpath and tree protection measures within Plantation reserve are to be implemented. Access through Rushcutters Bay Park will not be permitted unless prior written approval has been obtained from Council's Open Space and Trees Department.

To access the CYCA from Rushcutters Bay Park an application must be submitted for assessment a minimum of four weeks prior to the commencement of works. Any approval will be subject to a Damage Security Bond and fees in accordance with Council's adopted Schedule of Fees and Charges.

**Storage of building material in Public Open Space**

Building, excavation or demolition material and plant must not be stored on Council's public open space or public footpaths, including Rushcutters Bay Park, Plantation Reserve and New Beach Road.

**Protection of Parkland**

Works must not impact on adjacent areas of Rushcutters Bay Park. An appropriate Erosion and Sediment Control Plan must be implemented during construction to ensure that material does not migrate off-site into the Sydney Harbour foreshore.