

**DOUBLE BAY MARINA REDEVELOPMENT
8 CASTRA PLACE, DOUBLE BAY
DA602/2009**

**SREP (SYDNEY HARBOUR CATCHMENT) 2005
ASSESSMENT TABLE**

[SREP (Sydney Harbour Catchment) 2005 was made on 28/09/05 with the following aims:

- (a) to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained:
 - (i) as an outstanding natural asset, and
 - (ii) as a public asset of national and heritage significance, for existing and future generations,
- (b) to ensure a healthy, sustainable environment on land and water,
- (c) to achieve a high quality and ecologically sustainable urban environment,
- (d) to ensure a prosperous working harbour and an effective transport corridor,
- (e) to encourage a culturally rich and vibrant place for people,
- (f) to ensure accessibility to and along Sydney Harbour and its foreshores,
- (g) to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity,
- (h) to provide a consolidated, simplified and updated legislative framework for future planning.

For the purpose of enabling these aims to be achieved in relation to the Foreshores and Waterways Area, the plan adopts the following principles:

- (a) Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good,
- (b) the public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores,
- (c) protection of the natural assets of Sydney Harbour has precedence over all other interests.]

SREP (SYDNEY HARBOUR CATCHMENT) 2005	
Aims (cl.2)	Comment
(a) to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained: (i) as an outstanding natural asset, and (ii) as a public asset of national and heritage significance, for existing and future generations	The proposal adequately recognises and protects the features of the Harbour and allows for their enhancement and maintenance by existing and future generations, report reference 17 - <i>satisfactory</i>
(b) to ensure a healthy, sustainable environment on land and water	The proposal will not compromise the health or sustainability of the environment. Measures to contain the spread of contaminated sediments due to pile extraction processes are recommended, report reference 17.3. <i>Satisfactory</i>
(c) to achieve a high quality and ecologically sustainable urban environment	The proposal is considered to satisfy criteria for ecological sustainability, report reference 17.3 - <i>satisfactory</i>
(d) to ensure a prosperous working harbour and an effective transport corridor	Maintenance of a marina operation will contribute to the prosperity of the Harbour as a working harbour. Transport corridors will not be impacted. Report reference 17.7 - <i>satisfactory</i>
(e) to encourage a culturally rich and vibrant place for people,	A marina is part of the culture of this location - <i>satisfactory</i>

(f) to ensure accessibility to and along Sydney Harbour and its foreshores	The proposal will maintain the existing boat storage capacity, improve access for people with disabilities and allow for access by the general public. Foreshore access will also be maintained. <i>Satisfactory</i>
(g) to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity	Conditions to prevent the spread of contaminants during construction and operation phases are necessary. <i>Satisfactory</i>
(h) to provide a consolidated, simplified and updated legislative framework for future planning	Noted
Zone W1 Objectives (cl.17)	Comment
(a) to give preference to and protect waters required for the effective and efficient movement of commercial shipping, public water transport and maritime industrial operations generally,	The proposal will not impact on the movement of commercial shipping or public water transport. The continuation of marina operations including repair/maintenance facilities will be facilitated. <i>Satisfactory</i>
(b) to allow development only where it is demonstrated that it is compatible with, and will not adversely affect the effective and efficient movement of, commercial shipping, public water transport and maritime industry operations,	The proposal will not adversely affect the movement of commercial shipping, public water transport or maritime industry operations. <i>Satisfactory</i>
(c) to promote equitable use of the waterway, including use by passive recreation craft.	Use of the waterway will not be impacted including by passive recreation craft. Facilities are proposed to improve access to the waterway for people with a disability. <i>Satisfactory</i>
Zone W5 Objectives (cl.17)	Comment
(a) to give preference to and increase public water-dependent development so that people can enjoy and freely access the waters of Sydney Harbour and its tributaries,	The marina is a water dependent development. It facilitates access to the water. Public access to the marina facilities is also proposed. <i>Satisfactory</i>
(b) to allow development only where it is demonstrated that the public use of waters in this zone is enhanced and will not be compromised now or in the future,	The public use of waters will be improved through the improved marina facilities. <i>Satisfactory</i>
(c) to minimise the number, scale and extent of artificial structures consistent with their function,	The number, scale and extent of artificial structures, i.e. primarily floating pontoons, are consistent with their boat storage function. The number of piles will be reduced. Floating pontoons and telescopic piles will reduce the perception of artificial structures. <i>Satisfactory</i>
(d) to allow commercial water-dependent development, but only where it is demonstrated that it meets a justified demand, provides benefits to the general and boating public and results in a visual outcome that harmonises with the planned character of the locality,	The <i>Boat Storage Policy for Sydney Harbour</i> demonstrates that there is a justifiable demand for the marina; it provides benefits to the public (including access to walkways and facilities) and to the boating public (improved facilities including fuelling and pump out); the visual outcome is considered to harmonise with the planned character of the locality (report reference 17.1). <i>Satisfactory</i>
(e) to minimise congestion of and conflict between people using waters in this zone and the foreshore,	Congestion in terms of parking and traffic is considered to be satisfactory (report reference 17.2); visual and privacy conflicts are also considered to be acceptable (report references 17.1, 17.4 & 19.1). <i>Satisfactory</i>
(f) to protect and preserve beach environments and ensure they are free from artificial structures,	No artificial structures are proposed on the intertidal beach; the beach environment will be protected and preserved (report reference 17.1 & 17.3). <i>Satisfactory</i>
(g) to ensure that the scale and size of development are appropriate to the locality, and protect and improve the natural assets and natural and cultural scenic quality of the surrounding area, particularly when viewed from waters in this zone or from areas of public access.	The scale and size of the marina in relation to the bay are considered to be appropriate, subject to the maximum length of berths being reduced to 15.5m. They will appropriately respect natural assets and scenic quality of the area (report references 17.1 & 17.5 – heritage). <i>Satisfactory</i>
MATTERS FOR CONSIDERATION (part 3, division 2)	

Biodiversity, ecology and environment protection (cl.21)	
(a) development should have a neutral or beneficial effect on the quality of water entering the waterways,	Waters entering the waterway will not be impacted by the proposal.
(b) development should protect and enhance terrestrial and aquatic species, populations and ecological communities and, in particular, should avoid physical damage and shading of aquatic vegetation (such as seagrass, saltmarsh and algal and mangrove communities),	The area represents a highly disturbed ecosystem. Measures to mitigate against the movement of contaminants are recommended to prevent the migration of contaminated sediments. Additional 'wetted' surfaces will provide additional habitat for marine flora (report reference 17.3). <i>Satisfactory</i>
(c) development should promote ecological connectivity between neighbouring areas of aquatic vegetation (such as seagrass, saltmarsh and algal and mangrove communities),	The relationship between seagrasses and aquatic vegetation associated with rocky foreshore area will be maintained – <i>Satisfactory</i>
(d) development should avoid indirect impacts on aquatic vegetation (such as changes to flow, current and wave action and changes to water quality) as a result of increased access,	Indirect impacts on aquatic vegetation are considered to be acceptable (report reference 17.3). <i>Satisfactory</i>
(e) development should protect and reinstate natural intertidal foreshore areas, natural landforms and native vegetation,	The proposal will not impact on intertidal foreshore areas or natural landforms. Native vegetation will be protected. (report reference 17.3). <i>Satisfactory</i>
(f) development should retain, rehabilitate and restore riparian land,	Riparian land will not be impacted.
(g) development on land adjoining wetlands should maintain and enhance the ecological integrity of the wetlands and, where possible, should provide a vegetative buffer to protect the wetlands,	Measures are recommended to protect the ecological integrity of the wetlands during the construction phase. The siting of the marina berths in relation to seagrass beds will protect the wetlands area during the operational phase (report reference 17.3). <i>Satisfactory</i>
(h) the cumulative environmental impact of development,	The cumulative environmental impacts of the development, including ESD and climate change, are considered to be satisfactory (report references 17.3, 17.6.2 & 17.6.3). <i>Satisfactory</i>
(i) whether sediments in the waterway adjacent to the development are contaminated, and what means will minimise their disturbance	There are contaminated sediments and means to minimise their disturbance are proposed (report reference 17.3) <i>Satisfactory</i>
Public access to, and use of, foreshores and waterways (cl.22)	
(a) development should maintain and improve public access to and along the foreshore, without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation,	The development will not affect foreshore access and will not impact on topographical features.
(b) development should maintain and improve public access to and from the waterways for recreational purposes (such as swimming, fishing and boating), without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation,	The proposal will maintain waterway access for boating and improve public access through availability of marina facilities. Topographical features will not be compromised (report references 17.3 & 17.6.1). <i>Satisfactory</i>
(c) if foreshore land made available for public access is not in public ownership, development should provide appropriate tenure and management mechanisms to safeguard public access to, and public use of, that land,	Noted.
(d) the undesirability of boardwalks as a means of access across or along land below the mean high water mark if adequate alternative public access can otherwise be provided,	The proposal does not include boardwalks.

(e) the need to minimise disturbance of contaminated sediments.	Containment measures for contaminated sediments during the construction phase are recommended. Maintenance dredging, though not part of this DA, will assist in minimising the disturbance of contaminated sediments during the operation phase (report reference 17.3). <i>Satisfactory</i>
Maintenance of a working harbour (cl.23)	
(a) foreshore sites should be retained so as to preserve the character and functions of a working harbour, in relation to both current and future demand,	Continuation of the existing use of this foreshore site as a marina will preserve the character and functions of the working harbour. It will provide increased marina berth accommodation for power boats for which there is a current and future. <i>Satisfactory</i>
(b) consideration should be given to integrating facilities for maritime activities in any development,	Noted
(c) in the case of development on land that adjoins land used for industrial and commercial maritime purposes, development should be compatible with the use of the adjoining land for those purposes,	The land does not adjoin land use for industrial or commercial maritime purposes.
(d) in the case of development for industrial and commercial maritime purposes, development should provide and maintain public access to and along the foreshore where such access does not interfere with the use of the land for those purposes.	The proposal will provide and maintain public access to along the foreshore without interfering with the use of the land.
Interrelationship of waterway and foreshore uses (cl.24)	
(a) development should promote equitable use of the waterway, including use by passive recreation craft,	The proposal will not compromise equitable use of the waterway. The use of the waterway by passive recreation craft will not be adversely affected (report reference 17.6.1) <i>Satisfactory</i>
(b) development on foreshore land should minimise any adverse impact on the use of the waterway, including the use of the waterway for commercial and recreational uses,	Noted (the proposed development is primarily on the waterway and not on foreshore land)
(c) development on foreshore land should minimise excessive congestion of traffic in the waterways or along the foreshore,	Noted (the proposed development is primarily on the waterway and not on foreshore land)
(d) water-dependent land uses should have priority over other uses,	The marina is a water dependent use – <i>satisfactory</i>
(e) development should avoid conflict between the various uses in the waterways and along the foreshores.	The existing relationships between the residential development on the foreshore and the marina on the waterway will be maintained. Conflicts are not considered to be unreasonable (report references 17.1, 17.2, 17.4, 17.6.1 & 19.1). <i>Satisfactory</i>
Foreshore and waterways scenic quality (cl.25)	
(a) the scale, form, design and siting of any building should be based on an analysis of: (i) the land on which it is to be erected, and (ii) the adjoining land, and (iii) the likely future character of the locality,	Noted (report reference 17.1).
(b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries,	The unique visual qualities of the Harbour and its features will not be compromised, subject to the maximum marina berth length being reduced to 15.5m (report reference 17.1). <i>Satisfactory</i>
(c) the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.	Water-based development in this part of Double Bay is primarily boat storage related. The proposal will maintain that character. (report reference 17.1). <i>Satisfactory</i>

Maintenance, protection and enhancement of views (cl.26)	
(a) development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,	Views from residential properties adjacent to the marina will be impacted to varying degrees. However, the impacts are considered to be acceptable in terms of the visual impact assessment criteria in appendix D of the SHDCP (report reference 17.1). <i>Satisfactory</i>
(b) development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,	Impacts on views and vistas are considered to be acceptable (report references 17.1 & 17.5). <i>Satisfactory</i>
(c) the cumulative impact of development on views should be minimised.	The cumulative impact on views is considered to be acceptable in terms of the visual impact assessment criteria in appendix D of the SHDCP (report reference 17.1). <i>Satisfactory</i>
Boat storage facilities (cl.27)	
(a) development should increase the number of public boat storage facilities and encourage the use of such facilities,	The proposal will maintain the boat storage capacity of the existing marina. The proposal will provide improved boat storage facilities which should encourage their use. <i>Satisfactory</i>
(b) development should avoid the proliferation of boat sheds and other related buildings and structures below the mean high water mark,	Marinas provide an alternative means of boat storage to boat sheds. The proposed use of floating pontoons & telescopic piles will reduce the extent of structures below the mean high water mark.
(c) development should provide for the shared use of private boat storage facilities,	Noted. The proposal is not a private boat storage facility.
(d) development should avoid the proliferation of private boat storage facilities in and over the waterways by ensuring that all such facilities satisfy a demonstrated demand,	Noted. The proposal is not a private boat storage facility.
(e) boat storage facilities should be as visually unobtrusive as possible,	The proposed floating pontoons and telescopic piles are visually less obtrusive than the existing fixed walkways.
(f) in the case of permanent boat storage, the safety and utility of the development should not be adversely affected by the wave environment, and the development should avoid adverse impacts on safe navigation and single moorings.	The proposal is considered to be satisfactory in terms of safety and in relation to impacts on navigation and single moorings (report reference 17.6.1). <i>Satisfactory</i>
HERITAGE PROVISIONS (PART 5)	
Development in the vicinity of heritage items (cl.59)	
(1) Before granting development consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item. (2) This clause extends to development: (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or (b) that may undermine or otherwise cause physical damage to a heritage item, or (c) that will otherwise have any adverse impact on the heritage significance of a heritage item.	The impacts on heritage items in the vicinity are considered to be acceptable. The proposal will not physically damage any heritage items. There are no other adverse impacts (report reference 17.5). <i>Satisfactory</i>
WETLANDS PROTECTION (PART 6) (matters to be taken into consideration)	
(a) the development should have a neutral or beneficial effect on the quality of water entering the waterways,	The proposal will have a neutral effect on the quality of water entering the waterway.

<p>(b) the environmental effects of the development, including effects on:</p> <ul style="list-style-type: none"> (i) the growth of native plant communities, (ii) the survival of native wildlife populations, (iii) the provision and quality of habitats for both indigenous and migratory species, (iv) the surface and groundwater characteristics of the site on which the development is proposed to be carried out and of the surrounding areas, including salinity and water quality and whether the wetland ecosystems are groundwater dependent, 	<p>The proposal is not considered to have unacceptable effects on growth, survival and habitats of flora and fauna, native or otherwise. The ecosystem is highly disturbed. The existing stormwater drains to the east of the marina have been identified as the prime source of contaminants and sedimentation. Improvements of stormwater discharge is beyond the applicant's responsibility (report reference 17.3). <i>Satisfactory</i></p>
<p>(c) whether adequate safeguards and rehabilitation measures have been, or will be, made to protect the environment,</p>	<p>Safeguards are recommended to protect the environment during the construction phase. The Marina Management Plan includes measures to protect the environment during the operational phase (report reference 17.3). <i>Satisfactory</i></p>
<p>(d) whether carrying out the development would be consistent with the principles set out in <i>The NSW Wetlands Management Policy</i> (as published in March 1996 by the then Department of Land and Water Conservation),</p>	<p>The DA is considered to appropriately consider impacts on the wetlands and the development is considered to be consistent with the relevant principles.</p>
<p>(e) whether the development adequately preserves and enhances local native vegetation,</p>	<p>Measures are proposed and have been recommended to preserve native seagrasses during the construction phase. (report reference 17.3). <i>Satisfactory</i></p>
<p>(f) whether the development application adequately demonstrates:</p> <ul style="list-style-type: none"> (i) how the direct and indirect impacts of the development will preserve and enhance wetlands; and (ii) how the development will preserve and enhance the continuity and integrity of the wetlands; and (iii) how soil erosion and siltation will be minimised both while the development is being carried out and after it is completed; and (iv) how appropriate on-site measures are to be implemented to ensure that the intertidal zone is kept free from pollutants arising from the development; and (v) that the nutrient levels in the wetlands do not increase as a consequence of the development; and (vi) that stands of vegetation (both terrestrial and aquatic) are protected or rehabilitated; and (vii) that the development minimises physical damage to aquatic ecological communities; and (viii) that the development does not cause physical damage to aquatic ecological communities; 	<p>Information submitted with the DA includes impacts on seagrass beds and other aquatic flora and fauna, preservation measures and possible biological benefits. Mitigation measures are proposed and recommended. An assessment has been made of impacts on the beach environment and siltation. Measures to reduce siltation associated with the stormwater outlets are outside the obligations of the proponent. Maintenance dredging, although not part of this DA, will alleviate the impacts of siltation. The Marina Management Plan incorporates measures to be implemented during the operational phase which will protect the intertidal zone from pollution. In terms of enhancing the wetlands the removal of noxious weed species will be beneficial. The proposed and recommended mitigation measures during the construction phase are intended to protect aquatic vegetation (which would include stands of vegetation). The ecosystem in this area is 'highly disturbed'. The removal of contaminated sediments as a consequence of maintenance dredging, although not part of this DA, has the potential for ecological communities to re-establish and to improve the quality of the ecosystem.</p>
<p>(g) whether conditions should be imposed on the carrying out of the development requiring the carrying out of works to preserve or enhance the value of any surrounding wetlands.</p>	<p>Conditions should be imposed consistent with the NSW Industry & Investment's general terms of approval. These conditions are intended to preserve and enhance the value of surrounding wetlands.</p>