

ANNEXURE 14

DOUBLE BAY MARINA 8 CASTRA PLACE DOUBLE BAY DA602/2009

SYDNEY HARBOUR FORESHORES & WATERWAYS AREA DEVELOPMENT CONTROL PLAN

ASSESSMENT TABLE

[The DCP applies to development within the foreshores and waterways area. It contains performance-based criteria and guidelines which need to be taken into consideration when assessing DAs. NOTE: While the majority of the DCP is a carryover from the DCP which supplemented the previous SREP 23 specific provisions relating to the assessment of marinas was added]

Part	Assessment
Part 2. Ecological assessment	
Ecological communities	
Terrestrial - Urban development with scattered trees	Low conservation status
Aquatic - sandy beaches - (adjoining mixed rocky intertidal and sand and seagrasses)	Medium conservation status (high conservation status – no performance criteria for dredging)
Part 3. Landscape assessment	
3.2 General aims All development should aim to:	
<ul style="list-style-type: none"> Minimise any significant impact on views and vistas from and to: <ul style="list-style-type: none"> Public places Landmarks identified on the maps accompanying the DCP, and Heritage items Ensure it complements the scenic character of the area Protect the integrity of foreshores with rock outcrops, dramatic topography or distinctive visual features Provide a high quality of built and landscape design Contribute to the diverse character of the landscape 	<p>Impacts on views and vistas is discussed in part 17.1 of the report. The impacts are considered to be acceptable in terms of criteria in SHDCP appendix D. <i>Satisfactory</i></p> <p><i>Satisfactory</i></p> <p><i>Satisfactory</i></p> <p><i>Satisfactory</i></p>
- Landscape character type 10	Special natural elements (i.e. beaches & natural rock outcrops) will not be impacted; open nature of the bay will not be lost; and, commercial marina activities are established (report references 17.1 & 17.3 - <i>satisfactory</i>)
Part 4 Design guidelines for water-based and land/water interface development	
4.2 General	
public access to waterways and public land is maintained and enhanced;	<i>Satisfactory</i> (See report, references 15.4.1 & 15.4.2)
congestion of the waterway and foreshore is minimised;	<i>Satisfactory</i> (See report, references 17.2 & 17.6.1) 15.4.2)
conflicts on the waterway and foreshore are avoided;	<i>Satisfactory</i> (See report, reference 17.6.1)
the development warrants a foreshore location;	<i>Satisfactory</i>

the development does not interfere with navigation, swimming or other recreational activities;	<i>Satisfactory</i> (See report, reference 17.6.1)
the demand for the development has been established;	<i>Satisfactory</i> (See report, reference 15.4.2)
the structure does not obstruct or affect the natural flow of tides and currents;	<i>Satisfactory</i> (See report, reference 17.3)
development does not dominate its landscape setting;	<i>Satisfactory</i> (See report, references 17.1)
the extent of development is kept to the absolute minimum necessary to provide access to the waterway;	<i>Satisfactory</i>
shared usage of facilities is encouraged to minimise the number of structures and their cumulative impact on the environment of the Harbour and its tributaries;	<i>Satisfactory</i>
development is setback at least 2.5 metres from the division of the waterway as established by the NSW Maritime Authority and illustrated in Figure 4	<i>Satisfactory</i>
4.7 Commercial marinas	
Location	
Marinas (where permissible) are to be located where they can be used by as many people as possible and are easily accessed from land and water	The location regarding access is existing - <i>satisfactory</i>
marinas are to be located where there is adequate water depth or where minimal dredging of soft material will achieve an adequate water depth;	The location of the marina is virtually unchanged. Maintenance dredging is necessary to achieve water depth whether or not this proposal proceeds - <i>satisfactory</i>
marinas are to be located away from areas subjected to exposed wave environments;	The existing and proposed marinas are/would be in the same wave environment - <i>satisfactory</i>
marinas are preferably to be located away from wetlands or the wetlands protection area (both as defined by the SREP) or where they or the vessels using them will physically damage or overshadow estuarine vegetation of high value. Clauses 61 to 63 inclusive of SREP (Sydney Harbour Catchment) 2005 indicate provisions relevant to wetlands protection;	The proposed marina, like the existing marina, will be partly in a wetlands protection area. Vessel impacts on estuarine vegetation will not be unacceptable - <i>satisfactory</i>
marinas are not to reduce the number of publicly available single (swing) moorings, jeopardise safe navigation or adversely impact other water users including small craft;	The proposal will reduce the number of commercial swing moorings by 5. Safe navigation will not be jeopardised. Other water users will not be adversely impacted - <i>satisfactory</i>
waterside structures are to minimise impacts on public water activities.	Proposed waterside structures are essentially in the same location as existing - <i>satisfactory</i>
Design and layout	
buildings and other facilities are to be designed and sited so that natural or other attractive features are not obscured (see also Section 4.5 of this DCP);	The external envelope of buildings will not change and therefore features will not be obscured. The design of other facilities will not obscure natural or other attractive features. The siting of the marina is virtually the same as existing - <i>satisfactory</i>
buildings are to be designed so that their dimensions are not excessive and can reasonably meet the functional requirements of the proposed uses;	No change to the external envelope of existing buildings is proposed <i>Satisfactory</i>
marinas are to enhance public access to and along the shore and, where relevant, the inter tidal zone;	<i>Satisfactory</i>
Secure storage is to be provided in a controlled environment;	<i>Satisfactory</i>
the extent of development over water including waterside structures, berths, fairways and access channels is to be minimised and result in minimal	<i>Satisfactory</i>

alienation of the waterway;	
marinas are to be in the form of a series of interlinked pontoons which shall be restrained and held in position by a minimum number of piles or mooring lines to anchor points in the seabed;	<i>Satisfactory</i>
design of marina restraints shall take into account the flexibility and performance of the pontoon systems under environmental loads;	<i>Satisfactory</i>
the colours, appearance and form of any associated buildings shall be compatible with the surrounding environment;	<i>Satisfactory</i>
shiny or reflective materials are not to be used;	<i>Satisfactory</i>
the depth and width of berths and fairways of commercial marinas shall accommodate either a yacht or motor vessel. Restricted berths are to be nominated only where this will lead to an optimal environmental outcome;	17 berths are designed to accommodate yachts. Additional dredging may be required for other berths to accommodate yachts. The restricted berths will lead to better environmental outcomes – <i>satisfactory</i>
commercial marinas are to provide a point of access to boats for disabled people where possible;	<i>Satisfactory</i>
marinas are to be designed to minimise the impact of vessels when in use on the environment including on air and water quality, marine habitat and bank stability;	Impacts of vessel use on the environment can be controlled through the Marina Management Plan – <i>satisfactory</i>
marina layouts are to be designed in accordance with the following publications: <ul style="list-style-type: none"> • Department of Environment and Conservation (NSW) "Environmental Information for Marinas, Boatsheds and Slipways" (November 1998). NSW Maritime Authority "Engineering Standards and Guidelines for Maritime Structures" <ul style="list-style-type: none"> • NSW Fisheries Department's "Aquatic Habitat Management and Fish Conservation—Policy and Guidelines", 1998 • NSW Department of Primary Industries – Fisheries "Policy and Guidelines – Aquatic Management and Fish Conservation (1999)". • NSW Department of Primary Industries – Fisheries "Habitat Protection Plan No. 2: Seagrasses"; and • NSW Department of Primary Industries – Fisheries "Habitat Protection Plan No. 1: General". 	The marina has been designed in accordance with the relevant publications. NSW Industry & Investment has considered the proposal in its capacity as an approval body and has issued its general terms of approval. <i>Satisfactory</i>
Facilities and services	
commercial marinas are to provide boating service facilities such as fuel, water, toilet facilities or sewage pumpout where practicable and where such facilities are not yet locally available;	The proposal includes the provision of boating service facilities, including toilet, sewage pumpout and fuelling facilities - <i>satisfactory</i>
commercial marinas are to provide a mix and choice of boat storage facilities based on established demand as well as a range of marine services to the boating public; and	The marina will provide marina berths and swing moorings. Yachts can be accommodated on swing moorings. A range of services, i.e. sewage pump out, water and fuel, will be provided. <i>Satisfactory</i>
commercial marinas are to provide benefits to both the general and boating public; and	Benefits to the general public include access to marina facilities. Better services are proposed for the benefit of the boating public– <i>satisfactory</i>
vessels at the marina are not to be used as a permanent residence. A covenant shall be included on the lease to enforce this requirement.	Noted
Visual Impact	

Note: For detailed provisions on how to undertake a visual impact analysis see Appendix D in this DCP.	
the visual contrast (derived from an analysis of form, line, colour and texture) between the marina and the existing or planned future character of its setting is to be minimised;	The visual contrast between the marina and the character of the setting is considered to be minimised (report reference 17.1) – <i>satisfactory</i>
the visual impact of the marina on people in the visual catchment (derived from an analysis of the potential number of viewers, their location within the landscape, distance from the marina, and duration of view) is to be minimised;	Views from parts of individual waterfront properties close to the marina will be impacted. An assessment of the proposal under the visual assessment criteria in appendix D concludes that the overall impacts are acceptable (report reference 17.1). <i>Satisfactory</i>
any visual analysis shall consider the impact of the largest motor vessel(s) capable of being berthed at the marina;	The visual analysis has considered the impact of the largest vessel capable of being berthed, i.e. 18m. It is noted that under appendix D boat lengths less than 30m rate an indicative 'low' or 'medium' visual impact. The recommended largest vessel is slightly over half the vessel length that is considered to produce a 'moderate' rating, i.e. 10-30m (report reference 17.1). <i>Satisfactory</i>
the largest vessels (motorised or otherwise) to be berthed at the marina are to be located as far from shore as possible;	<i>Satisfactory</i>
waterside structures and berthed vessels associated with marinas are not to block views from foreshore public open space or views to foreshore public open space from the waterway;	View impacts in relation to foreshore public open space are considered to be acceptable. (report reference 17.1). <i>Satisfactory</i>
the bulk and scale of buildings and other structures on land is to be minimised through appropriate mitigation measures including landscaping, articulated walls, detailing of surfaces and by using smaller elements (see also Section 4.5 of this DCP);	The bulk and scale of existing land based buildings will not alter. The floating pontoons will be less conspicuous than the existing fixed walkways. <i>Satisfactory</i>
the visual impact of car parking from the waterway is to be minimised; and	No carparking is proposed
all signage is to be located on dry land below the roofline (or parapet) of buildings. Advertising signs are not to detract from the visual quality or amenity of the foreshores and waterways when viewed from the waterways.	No advertising signs are proposed
Environmental management	
<p>Pollution and waste:</p> <ul style="list-style-type: none"> • potential pollutant sources from the site must be controlled and meet established performance standards; • appropriate controls are to be in place and managed to prevent any pollutants entering the environment; • marinas for nine or more vessels are to provide adequate and readily accessible facilities for the collection and disposal of wastes from vessels; • facilities for pumping out sewage holding tanks are to be provided onshore; and • any waste that cannot be recycled is to be disposed of at an appropriate facility. 	<p>Fuelling and sewage pump out facilities will be upgraded to meet contemporary standards. Measures to prevent pollutants entering the environment are included in the Marina Management Plan. Sewage is to be pumped directly to the sewer.</p>
<p>Traffic and Parking:</p> <ul style="list-style-type: none"> • land-based impacts including traffic volumes and parking demand meet established performance standards; • adequate car and trailer parking (based on the number and type of berths, associated activities and number of employees) is to be available on-site. Off-site 	<p>Parking demand has been assessed based on surveys undertaken at the marina and other similar marinas. The conclusion is that the proposal will either slightly reduce parking and traffic demand or at worst be neutral. Off-site parking is considered appropriate as existing demand will not increase and traffic impacts will be</p>

<p>parking is acceptable only where it will not reduce community amenity or generate adverse traffic impacts; and</p> <ul style="list-style-type: none"> the adverse impacts of traffic and parking generated by boat storage facilities in terms of congestion, safety, air quality and noise are to be minimised. 	<p>the same as existing.</p> <p>Based on parking and traffic demand not increasing the consequences in terms of safety, air quality and noise should be minimal (report reference 17.2). <i>Satisfactory</i></p>
<p>Noise:</p> <ul style="list-style-type: none"> the adverse impacts of noise (considering hours of operation, existing background noise, expected departure/arrival times for vessels, noise level of marina patrons, noise level from repair and testing of vessels and motors) are to be minimised through appropriate design and management measures; and land-based impacts including noise emissions meet established performance standards. 	<p>The EIS included a report prepared by a noise consultant. The report was reviewed by our Senior Environmental Health Officer. As a result additional information was provided by the applicant. Noise impacts are considered to be satisfactory subject to conditions (report reference 17.4). <i>Satisfactory subject to conditions</i></p>
<p>Lighting:</p> <ul style="list-style-type: none"> the adverse impacts of lighting on night navigation and neighbours are to be minimised through appropriate design and management measures. 	<p>Lighting impacts are controlled through the Marina Management Plan – <i>satisfactory subject to condition</i></p>
Health and amenity	
<p>Marinas are to be a safe place to work and adequate environmental safety and emergency response plans are in place.</p>	<p>Noted.</p>

The following figures are taken from the SHDCP, Appendix and relate to assessing visual impacts of marina developments.

FIGURE D1. INDICATIVE POTENTIAL VISUAL IMPACT OF VARIOUS DEVELOPMENT SCENARIOS

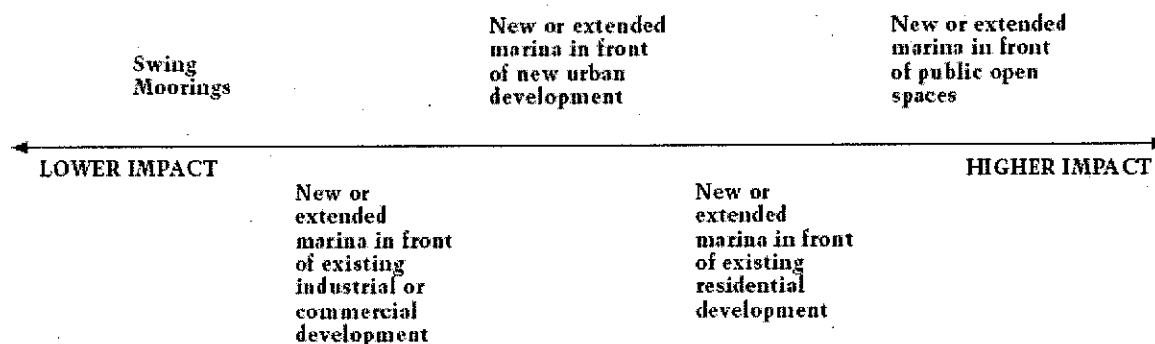


FIGURE D2. INDICATIVE CONTRIBUTION TO POTENTIAL VISUAL IMPACT

Factor	Low Impact	Medium Impact	High Impact
Location of viewer	Elevated position (ridge top) with clear view over marina.	Slightly elevated (lower slopes) with partial view over marina.	Adjoining shorelines or waterway with view blocked by marina and boats.
Distance of view	Land areas or waterway. (> 1000 m)	Land areas or water. (100-1,000 m)	Adjoining shoreline or waterway (< 100 m)
Period of view	Glimpse (eg moving car, bus or bike).	Few minutes up to half day (eg walking along foreshore, recreation in adjoining open space, boating on adjoining waterway).	Majority of day (e.g. adjoining residence or workplace).
Scale or relative size	Powerboat or yacht. (< 10 m long)	Powerboat or yacht (10-30 m long)	Powerboat or yacht. (30-50 m long)
Spatial relationships	Swing moorings adjoining relatively straight shoreline.	Marina adjoining relatively straight shoreline or swing moorings in narrow enclosed bay.	Marina in narrow enclosed bay.
Motion of objects	Motionless flags, wind generators and other objects.	Gently fluttering flags and slowly moving wind generators and other objects.	Flags fully extended and regularly changing direction, wind generators at full speed etc.