

Integrated Development Consent



HUNTER'S HILL COUNCIL

ABN 75 570 316 011

TOWN HALL, ALEXANDRA STREET, HUNTERS HILL 2110

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KS/DO - 1455/2c

File:

Enquiries:

Mr K Smith

27 May 2010

Ms Leslie Anne Newton
2c Margaret Street
WOOLWICH NSW 2110

Dear Ms Newton

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Notice is hereby given, pursuant to Clause 13b of State Environmental Planning Policy (Major Development) 2005, that the Development Application specified herein has been approved by the subject to the following conditions:

Development Application No	09/1128
Applicant	Ms Leslie Anne Newton
Property	2C Margaret Street, Woolwich
Development Proposed	Demolish part of existing marina, relinquish 10 commercial moorings held under CL6104. Construct 32 berth floating marina.
Classification under Building Code of Australia	10b
Determination	Consent granted subject to conditions described on Pages 2 & 3
Determination made on	21 April 2010
Date from which Consent will Operate	27 May 2010
Date which Consent will Lapse	27 May 2015
Other Approvals (under Local Government Act 1993)	N/A

- Notes: (1) Section 82A allows an applicant to request a review of determination for certain developments within 12 months after the date of determination.
- (2) Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land & Environment Court exercisable within 12 months after receipt of this notice.
- (3) You are advised that where a condition requires submission of additional information or amendments prior to release of the building plans, you are required to attend at the Council offices between 9.00 a.m. to 10.00 a.m., or otherwise by appointment, to finalise the outstanding matters, with the relevant Council Officer.
- .../2



HUNTER'S HILL COUNCIL

DEVELOPMENT APPLICATION No. 09-1128

Conditions of Development Approval

1. The development consent No. 2009-1128 relates to the plans prepared by Worley Parsons drawing Nos.6557-01-001 Issue B dated 9 Dec 2009 & 6557-01-002 Issue E dated 7 Dec 2009, as received by Council on 11 December 2009, except where amended by conditions of this consent.
2. This application permits the construction of a floating Marina for the provisions of only 30 Berths. Berth Nos.7 and 8 shall be deleted from the development in order to provide for a safer navigation of waters for users of the Margaret Street public ramp. The walkway section between the northern arm and the southern end of the existing floating structure to be retained in the proposed development is to be relocated west. The plans are to be amended to reflect this change and to include a site plan to be fully dimensioned, sections and elevational details of the Marina and pontoon structure and to be submitted to Council. ✓
3. The sewage pump out system shall be connected to the nearby pumping station on Margaret Street in accordance with the requirements of Sydney Water. The applicant shall forward a copy of the approved development proposal to Sydney Water for approval with regard to the location of the proposed facility near the foreshore. A copy of this approval shall be submitted to Council. ✓
4. Any piles not used for the moorings vessels shall have flat tops and all other piles shall have conical pile caps, to give better protection to the birds for their local resting places. ✓
5. Only two (2) berths shall be provided for vessels of length greater than 16 metres and not more than 18 metres in length to be moored in the wet berths located in water that is presently between 5 metres and 10 metres in depth. ✓
6. No injury being caused to the amenity of the neighbourhood due to the emission of noise outside of normal business hours or otherwise.
7. An authorised security code shall be provided for lessees of the moorings to access the new security gate.
8. Before commencement of construction, the applicant shall satisfy all requirements of NSW Maritime.
9. The work as to be modified in accordance with the conditions of this consent being carried out in accordance with the Construction Environmental Management Plan as prepared by Worley Parsons and incorporated in the Environmental Impact Statement.
10. All existing piles that are subject to removal or replacement are to be completely removed from the bed of the Parramatta River. ✓
11. No dredging is approved by this consent.
12. Work must be carried out in accordance with the requirements of the Building Code of Australia and with reference to NSW Maritime's Engineering Standards and Guidelines for Maritime Structures.
13. Before the commencement of construction, appropriate detailed dimensioned working drawings fully and clearly describing all the proposed works and their components are to be submitted to and approved by the NSW Maritime. ✓



HUNTER'S HILL COUNCIL

DEVELOPMENT APPLICATION No. 09-1128

Conditions of Development Approval

15. Compliance with General Terms of Agreement (GTA) issued by the Department of Industry and Investment received by Council dated 22 December 2009, the Department Office of Water received by Council dated 22 January 2010 and the Foreshores and Waterways Planning and Development Committee on 30 April 2010 as attached to this consent.

27 May 2010

Steve Kourepis
GROUP MANAGER
DEVELOPMENT & REGULATORY CONTROL

**Minutes from
Foreshores &
Waterways Planning
& Development
Advisory Committee**

Foreshores and Waterways Planning and Development Advisory Committee

Application details

Lesley Newton

Proposed 2 additional berths at/abutting 2C Margaret Street WOOLWICH

NSW Maritime file ref: W92/1628/13

1415/2C
19218
SDO
XREF: DA2009/1128

Committee consideration

1. This matter was considered by the Foreshores and Waterways Planning and Development Advisory Committee on Friday 5 November 2010.
2. The Committee notes that this proposal is to introduce 2 additional berths on the innermost arm of the proposed pontoons to replace 2 berths which were deleted from the original proposal.
3. The Committee also notes that this will result in a reduction in the depth of water available in the fairway between the shore and the pontoon. This may have implications for access to the slipway which also forms part of the marina.
4. It is noted that the 2 extra berths will require 1 additional carparking space under Council's Development Control Plan No. 21 and the Roads and Traffic Authority's guidelines.
5. The Committee is concerned that, if the slipway becomes inoperable or less viable as a result of this proposal, the requirements of clause 23(a) of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) and clause 4.7 of the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005 will not be met.
6. The Committee recommends that the consent authority requires the applicant to demonstrate that the:
 - a) 2 additional berths will not compromise the existing and future utility and viability of the slipway; and



Foreshores and Waterways Planning and Development Advisory Committee

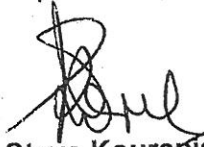
- b) parking issue can be resolved to the satisfaction of the consent authority.



Fran Rein
Chair
Representing NSW Maritime



Una Williamson
Representing Department of Planning



Steve Kourepis
Representing Hunters Hill Council

Letter from
Worley Parsons
dated
18 November 2010



WorleyParsons

resources & energy

Infrastructure & Environment

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www.worleyparsons.com
ABN 61 001 279 812

18 November 2010

Ref: 301015-01904

Mr Steve Kourepis

Group Manager
Hunters Hill Council
PO Box 21
Hunters Hill 2110



DA 2009/1128
90013
MDE

Dear Sir

DEVELOPMENT APPLICATION NO 2009/1128-1
PROPOSED DEVELOPMENT New Marina – s96 modification
PREMISES No.2C Margaret Street, Woolwich

We refer to the Hunter's Hill Council letter of 11 November 2010 to our client Lesley Anne Newton, which included the comments of the Foreshores and Waterways Planning and Development Committee in relation to DA2009/1128-1 as considered at their meeting of 5 November 2010.

The Committee recommended that the applicant demonstrate the following:

- a) *2 additional berths will not compromise the existing and future utility and viability of the slipway; and*
- b) *parking issue can be resolved to the satisfaction of the consent authority.*

This letter outlines our client's response to the above matters.

a) Slipway Access

As noted by the Committee, the slipway access channel (fairway) has been moved slightly north into slightly shallower water, to allow the realignment of the marina main walkway to address Condition No.2 of Development Consent DA2009/1128.

AS 3962-2001 states the following requirement for water depth:

vessel draft + under keel clearance + half the 50 year ARI significant wave height

The maximum vessel size to enter the slipway is a 15/16m yacht. The vessel draft for a 15m yacht stated in AS 3962-2001 is 2.5m. Applying a wave height of 0.6m and an under keel clearance of 0.3m, the required water depth is therefore:

$$2.5 + 0.3 + 0.3 = 3.1m$$

For marina channels and fairways this water depth is usually required below the level of Mean Low Water Springs (MLWS), to allow vessels access to their marina berths during most states of tide. However it is considered that, for the slipway, this water depth is adequate below Mean Sea Level (MSL). This equates to a 20m wide fairway being achievable about half the time, when the tide



level is above MSL. A depth of 3.1m below MSL is equal to -2.2mCD, hence the 20m channel extending to -2.2mCD.

A 20m wide access channel to -2.2mCD is considered adequate due to the following:

- the slipway only extends to a level that allows vessels to be slipped during higher tide levels;
- the movement of vessels in and out of the slipway is at scheduled times, which are scheduled to high tide; and
- vessels are not likely to be exiting or arriving at the slipway during 50yr ARI wave events therefore the wave component of the required depth is considered overly conservative.
- with predicted sea level rise the access will only increase in the future

Due to the above it is not considered that the 2 berths will compromise the existing and future utility and viability of the slipway.

b) Parking

We refer to the letter from McLaren Traffic Engineering dated 24 September 2010 which accompanied the s96 modification application. This letter states:-

"The proposed development is supportable on traffic and parking grounds. The summary of the proposed development impact is as follows:

- *The subject proposal requires one (1) additional car parking space for visitors to the marina. However the additional 1 space required by the proposed changes to the marina can be readily absorbed by the abundance of existing on-street parking within close proximity to the site that is currently under utilised.*
- *In essence the additional traffic generation effects will be very low and will not create any adverse effects in terms of traffic flow efficiency considerations at the driveways serving the site and within the local road system surrounding the site.*
- *Current levels of service at nearby intersections will not change as a consequence of the proposed development."*

Should you have any queries or wish to discuss any matter, please do not hesitate to contact the undersigned on (02) 8456 7255.

Yours faithfully
WorleyParsons

Davena Gooch
Senior Engineer, Coastal and Marine

Review / Verification by

Date

.....18/11/10
for Greg Britton, Select Manager Marine & Coastal

Letter of Objection

The General Manager
Hunters Hill Council

4.11.10

Re 2c Margaret St Woolwich.

Sir,

Reviewing the latest documentation sent by you re the above I am distressed to see that there is still no mention of parking being provided for the boat owners and their MANY visitors and crew. I think it safe to assume that each boat of the type that will use this proposed facility could generate the need for 3 or 4 or even 5 parking places.

Even at only two vehicles per additional bay another 44 parking bays are required.

The area can NOT handle such an additional influx of vehicles and accordingly unless this problem is solved the application should be refused.

As discussed previously the explosion of public use facilities in the area is and will continue to put strain on the existing space so please require this development to solve rather than create a problem.

Yours faithfully


Ron Kaplan

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