

CONTACT

Clare Swan	Director	cswan@ethosurban.com	9956 6962
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This document has been prepared by:

This document has been reviewed by:



Chris Forrester

23 September 2020

Clare Swan

23 September 2020

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Ethos Urban Pty Ltd
ABN 13 615 087 931.
www.ethosurban.com
173 Sussex Street, Sydney
NSW 2000 t 61 2 9956 6952

Contents

1.0	Introduction	3
2.0	Proposed Amended Plans	4
2.1	Amendments to the marina layout	4
2.2	Other amendments	7
3.0	Key Issues and Applicant's Response	10
3.1	Visual impacts	10
3.2	Clarification regarding scope of works and existing approved development	10
3.3	Traffic and parking	13
3.4	Contamination and Acid Sulfate Soils	15
3.5	Waste management	16
3.6	Maintenance of a working harbour	16
3.7	Acoustic impacts	17
3.8	Heritage impacts	19
4.0	Social and Economic Benefits	21
5.0	Conclusion	22

Figures

Figure 1	Comparison of revised marina layout with previous proposal	6
Figure 2	Kiosk location	7
Figure 3	Proposed floating pontoon	9
Figure 4	Extract of accessway plan	12
Figure 5	Ground Floor Plan (DA 749/2009)	13

Tables

Table 1	Proposed amendments	4
Table 2	Response to traffic and matters	14
Table 3	Response to acoustic matters	18
Table 4	Response to Heritage Issues	19
Table 5	Response to Submissions	24

Contents

Appendices

- A** Response to Submissions Summary
GHD and Ethos Urban
- B** Revised Marina Plans
GHD
- C** Revised Architectural Plan
GHD
- D** Neighbourhood Shop Plan
PSEC
- E** Relevant Development Consents
- F** Addendum Traffic and Parking Study
CBRK
- G** Interim Site Audit Advice
Rambol Australia
- H** Environmental Management Plan
Marine Pollution Research
- I** Acid Sulfate Soils Assessment
Marine Pollution Research
- J** Revised Waste Management Plan
SLR
- K** Working Harbour Statement
GBM
- L** Updated Acoustic Assessment
Pulse Acoustics
- M** Heritage Review
Urbis
- N** Visual Impact Review
IRIS Visual Planning and Design
- O** Social and Economic Benefit Statement
Ethos Urban
- P** Marine Engineering Review
Mr Brett Moore
- Q** Access Statement
Morris Goding Access Consulting

1.0 Introduction

Ethos Urban has prepared this report on behalf of the applicant, Gladesville Bridge Marina (GBM), in response to the City of Canada Bay Council's letter dated 15 May 2020, and the associated submissions received during the exhibition of DA2019/0380 for alterations and additions to the Gladesville Bridge Marina at 380 Victoria Place, Drummoyne.

In total, 222 public submissions were received during the exhibition period which was open between 14 January and 28 February 2020. Of the submissions, 176 objected to the proposed development and 46 supported the proposed development. It is noted that whilst a full postal address analysis of submissions has not been undertaken, at least 11 submissions originate from the same address.

Save Gladesville Bridge Waterway (SGBW) lodged two submissions on 28 February 2020 and then on 2 March 2020, raising high-level issues with the proposal as well as a petition. Across the two submissions there were 30 signatures, with the initial petition having 12 signatures and the second one including an additional 18 signatures. The group also commissioned several peer reviews of technical studies within the EIS, including:

- A Visual Impact Assessment undertaken by Noel Corkery;
- A Marine Engineering Review prepared by Tonkin; and
- A Traffic and Parking Study prepared by TTTP.

In addition, the application was referred to the following agencies who provided comments on the proposed development:

- Transport for NSW (TfNSW);
- Environmental Protection Authority (EPA);
- Water NSW;
- Department of Planning, Industry and Environment (DPIE); and
- Department of Primary Industries – Fisheries (DPI – Fisheries).

GBM and its specialist consultant team have reviewed and considered all issues raised in Council's letter and in the submissions received. This report provides a response to the key issues and outlines proposed amendments to the exhibited EIS. Where individual issues are not discussed in this report, a response can be found in the table at **Appendix A**. This response is also accompanied by amended plans and a number of new or updated technical reports listed within the Table of Contents above.

2.0 Proposed Amended Plans

Since public exhibition of the proposal, a number of changes have been made to the proposed development as a result of the recent introduction of a new Australian Standard (AS3962:2020) which necessitates minor amendments to the marina extension layout and also in response to addressing a range of matters raised within the submissions and/or Council's RFI. The proposed amendments are outlined below, and revised Marina Layout and Architectural Plans are provided at **Appendices B** and **C** respectively.

2.1 Amendments to the marina layout

AS3962:2020 was recently introduced in March 2020 in response to developments in recreational vessel's dimensional sizes (increased beam and increased draught). The primary change to the standard which affects the current design of the marina is a new requirement for increased separation between vessels. Accordingly, the design of the marina extension has been amended to be generally in accordance with the new standard and to address a number of other concerns raised within the submissions. The key changes proposed are summarised at **Table 1**.

A comparison plan of the original design against the proposed new design is included **Figure 1**. As shown by this plan, the overall envelope of the marina has been reduced and shifted further away from Gladesville Bridge despite providing increased separation between the new berths. This results in a 5.35m increase in distance between the end of D Arm and the Gladesville Bridge and a 3.31m increase at E Arm. It is achieved by:

- Reducing the total number of fixed berths proposed (from 115 to 111);
- Reducing the size of selected vessels;
- Modifying some of the existing berths which currently provide separation above that required by AS3962:2020; and
- By rotating the arms of the marina by up to two degrees clockwise.

Table 1 Proposed amendments

Proposed amendment	Reason
Gangway	
Marina access gangway	The marina access including cambered gangway, transition structure and ramp, has been included to show access. The gangway has been increased in size (width) to provide improved access. The gangway grade complies with AS 3962:2020 - Table 3.5, access for general marina berths. Assisted access for persons with disabilities will be provided.
A Arm	
All vessels in A Arm reduced in size from 12m to 10m	To comply with vessel draught requirements noted in AS3962:2020 - Table 3.1.
A Arm access walkway increased in size	Provide increased ambulant space for marina users/visitors.
A Arm moved away from shore (see C Arm rotation (2°) at C Arm and E Arm intersection)	Increase fairway width and improve navigation to berths A1 to A5. Note that the revised fairway width remains under the fairway width as noted in AS3962:2020, however, navigation to these berths will be subject to the GBM Marina Management Plan that will require competence in navigation/seamanship for these berths.
B Arm	
B Arm access walkway increased in size	Provide increased ambulant space for marina users/visitors.
Increase vessel numbers in B Arm from 6 to 7	As a result of the revised berth layout.

Proposed amendment	Reason
C Arm	
C Arm rotation (2°) at C Arm and E Arm intersection	To comply with vessel draught requirements (AS3962:2020 - Table 3.1) for vessels moored at A Arm. The rotation also increases fairway widths to vessels moored at A Arm.
Reduce vessel numbers in C Arm from 10 to 9	As a result of the revised berth layout.
Relocate destination berth to C Arm	Provides closer access to marine entry for day visitors/users.
D Arm	
Revised layout of berths on D-Arm	To comply with AS3962:2020 dimensional criteria (revised from 2001 version).
D Arm access walkway increased in size	Provide increased ambulant space for marina users/visitors.
Reduce vessel numbers in D Arm from 34 to 32	As a result of the revised berth layout.
Add end pontoon at eastern end of D Arm	Provide improved mooring for 25m vessel. Comply with channel navigation requirements noted in AS3962:2020.
E Arm	
Revised layout of berth on E Arm	To comply with AS3962:2020 dimensional criteria (revised from 2001 version).
Add end pontoon at eastern end of E Arm	Provide improved mooring for 25m vessel. Comply with channel navigation requirements noted in AS3962:2020.
Reduce vessel numbers in E Arm from 53 to 51	Reduce the number of overall vessels to facilitate revised berth layout.

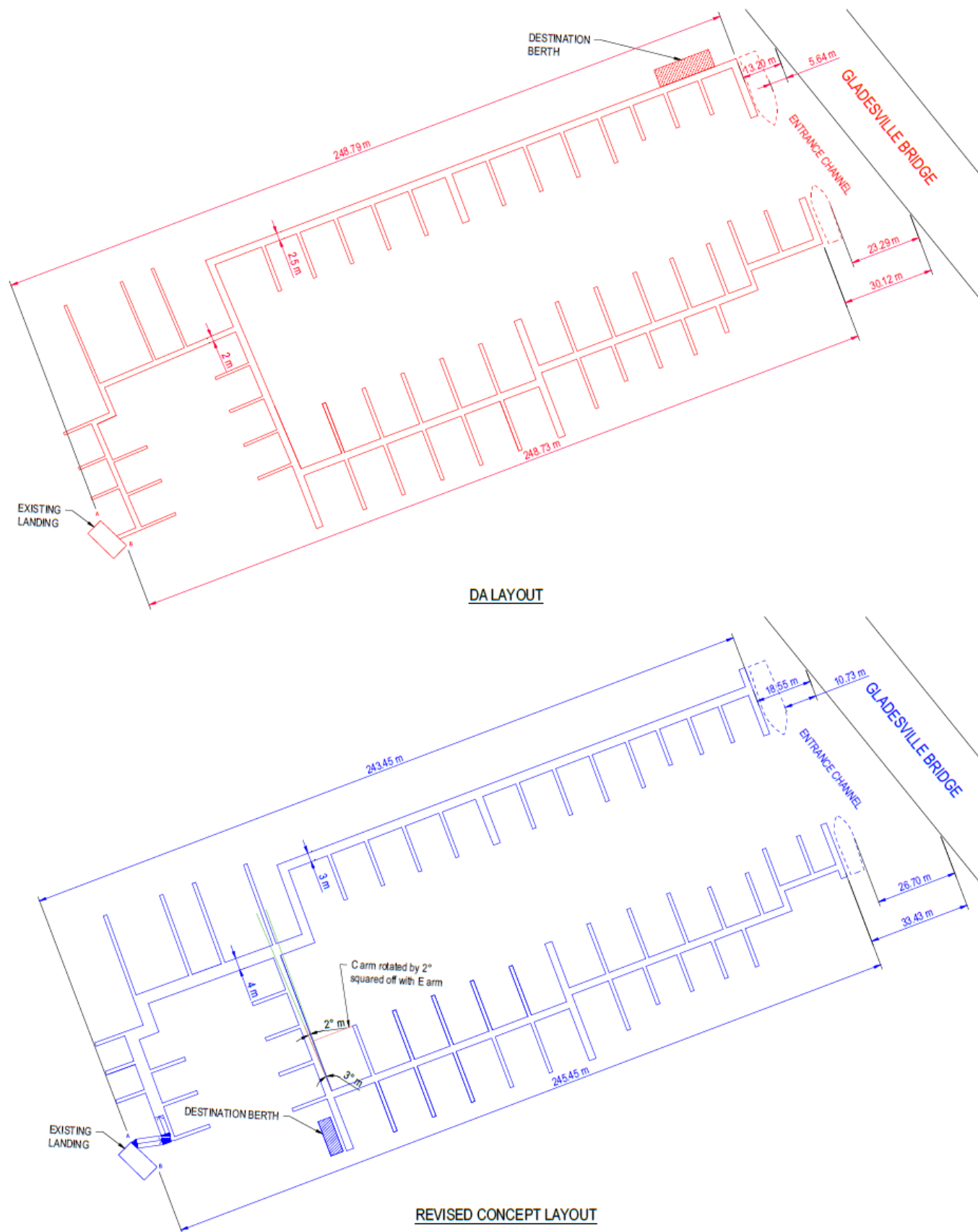


Figure 1 Comparison of revised marina layout with previous proposal

Source: GHD

2.2 Other amendments

A number of other amendments have also been made to the application to address concerns raised within submissions and to increase the overall public benefits afforded by the proposal. The proposed changes are described below.

2.2.1 Amended waste management arrangements

In response to issues raised by the community and Council, GBM has agreed to amend the existing waste storage arrangements for the site and no longer use the agreed area within Howley Park, to the north of the accessway. As shown on the Amended Architectural Plan (A100) at **Appendix C**, a new waste storage enclosure area is proposed adjacent the south eastern corner of the marina building. Further details on the revised waste management arrangements are provided at **Section 3.5** below.

2.2.2 Formalisation of kiosk use

The Gladesville Bridge Marina currently has development consent (DA 86/2006) to operate a small kiosk as an ancillary function of the marina. The consent has been activated, with an Occupation Certificate issued in February 2013 (OC-13026), and the kiosk currently operates as a lounge facility for users of the marina. It is noted that development consent DA 749/09 swapped the location of the kiosk with the marina office, as shown at **Figure 2**.

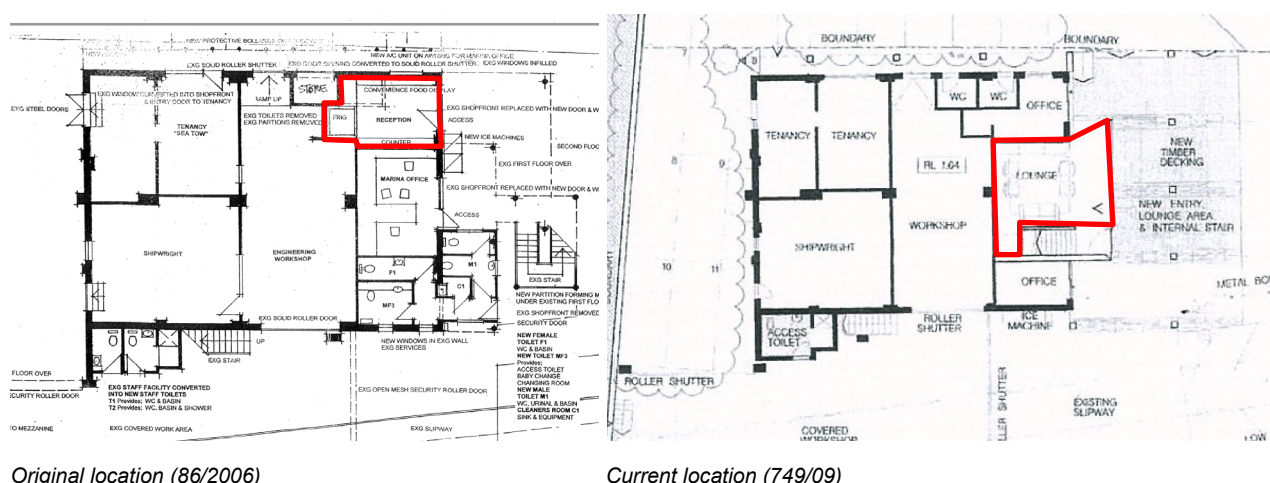


Figure 2 Kiosk location

Source: City of Canada Bay Council

As part of this amended proposal, it is proposed to change the use of the existing kiosk/lounge area to a 'neighbourhood shop' so that it will no longer rely on being an ancillary use of the marina. This will allow residents of the broader community to benefit from the facility, including those arriving by water, as its use will no longer be restricted to clients of the marina only and will allow local residents to pick up food stuffs and essentials.

The neighbourhood shop will be a small, approximately 30m² facility that will sell general merchandise such as foodstuffs, boat supplies, and newspapers to both boaters using the marina and the general public (refer to Neighbourhood Shop Plan at **Appendix D**). It will enrich the public's use of the waterfront destination through complementary offerings, such as takeaway coffees and predominantly pre-prepared food which may be enjoyed in the surrounding Howley Park. It may also offer basic supplies, such as bait for fishing, to support water-based recreational activities. The shop will not include a commercial kitchen or require a grease trap.

The facility will be operated by a maximum of 1-2 employees at any one time which will be included within the overall maximum of 12 staff permitted to work from the marina premises at any one time (as per condition 57 of development consent DA 749/2009). It is proposed that the neighbourhood shop will operate seven days a week between the following hours:

- 7:00am to 8:00pm during daylight saving time; and
- 7:00am to 5:30pm during non-daylight saving time.

The existing marina businesses will continue to operate in accordance with its current approval (Condition 56), being:

- Monday to Friday – 7:30am to 5:30pm and
- Saturday, Sunday and public holidays – 9:00am to 5:00pm.

It is noted that these restrictions do not apply to the office use.

Given its location, the facility is only expected to attract those already using the marina (including members of the public arriving by kayak) or those nearby residents who would walk to the site. On this basis, it will be a low impact facility and would be unlikely to generate any significant demand for car parking (refer to **Section 3.3** below).

The proposed neighboured shop use is permissible with consent in the R3 Medium Density Residential zone and is consistent with the objective of this zone of enabling other land uses that provide facilities or services to meet the day-to-day needs of residents. There are no specific DCP provisions relevant to the use, with the exception of parking and waste management which have been addressed as part of the broader application. As the change of use is to predominantly offer a small ancillary facility for marina users and visitors, it is not expected to cause any other additional environmental impacts.

2.2.3 Introduction of public kayak pontoon

A new public kayak pontoon is proposed at the end of the existing slipway to contribute to the publicly accessible facilities offered at the site and to increase public access and enjoyment of the waterway for recreational purposes. The kayak pontoon is 2m wide by 25m long (refer to Plan K120 at **Appendix B**) and will allow kayakers and other small recreational craft to access the foreshore and marina facilities from the water. It is noted that kayakers can currently arrive by the beach located to the north of the site at low tide, however from here, access is not readily available up the sea wall to the marina or Howley Park. The proposed kayak pontoon will provide safe access throughout the day, irrespective of tides.



Figure 3 Proposed floating pontoon

Source: GHD

It is envisaged that this facility will be complementary to the proposed neighbourhood shop use, allowing kayakers to temporarily store their kayaks whilst visiting the shop for a takeaway coffee and enjoying the amenity offered by Howley Park. In addition, the Marina is currently in the process of refurbishing the existing hardstand area and installing portable landscape elements (not requiring development consent) to contribute to the overall amenity of the locality and enhance its attractiveness as a waterfront destination.

These initiatives are consistent with the objectives and management strategy of the Howley Park Management Plan (1989) which seeks to provide a relaxing, attractive atmosphere at the land/water interface and provide *access to the waterway for the public, for disabled people and marina patrons*. Being one of only a few marinas well positioned to service the inner west and western Sydney, the upgraded facilities will also provide additional access and opportunity for residents west of the Harbour Bridge to participate in water-based recreation across the city.

3.0 Key Issues and Applicant's Response

A response to the key issues raised by Council, other government agencies and the general public during the public exhibition of the application is provided below. Council provided an overarching letter (as the assessment authority) summarising the key matters to be addressed and additional information to be provided. These included:

- Visual impacts from private residences;
- Clarification regarding the proposed scope of works and swing moorings;
- Clarification regarding existing approved development with respect to waste and parking;
- Traffic and parking;
- Contamination and Acid Sulfate Soils;
- Waste management;
- Maintenance of a working harbour;
- Acoustic impacts; and
- Heritage impacts.

A number of the submissions comprised agencies or authorities confirming that they had no comment on the application or providing guidance on recommended conditions of consent and/or general terms of approval. The remaining agencies and authorities made a variety of comments but mainly sought further clarification and information on a number of matters including, acoustic impacts and contamination. Responses to these issues are detailed below and at **Appendix A**.

3.1 Visual impacts

Council has requested that a Visual Impact Assessment be undertaken of the proposal from private residences situated along the southern foreshore.

All objectors to the application were offered the opportunity for a visual assessment to be undertaken from their property and a total of 8 responses were received. The visual impact consultant visited each of the registered properties in conjunction with Council between 26 – 28 August 2020 to assess the views and take photographs for the purposes of the updated VIA. Based on this, photomontages are currently being prepared from a selection of the properties in accordance with Land and Environment Court principles to inform the revised Visual Impact Assessment. A copy of the revised assessment, incorporating an assessment of both private and public views will be provided to Council upon completion.

3.2 Clarification regarding scope of works and existing approved development

Council has requested clarification around the proposed scope of works, including the removal and/or relocation of the private swing moorings, and details regarding previous development consents relating to the existing onshore boat cradles and the car parking/delivery area located on the Crown Land license area.

3.2.1 Scope of works

The amended application seeks approval for alterations and additions to the existing marina to provide overall storage for 126 vessels comprising 15 swing moorings and 111 floating berths (an overall increase of 27 storage spaces as opposed to 31 spaces previously proposed). The revised scope of works includes:

- Removal of 29 existing swing moorings and retention of 15 existing swing moorings;
- Construction of 61 new floating berth spaces of varying sizes, that increases the number of storage spaces from 50 to 111;

- Cessation of the slipway activities and demolition of the slipway rails and internal office mezzanine structure within the covered slipway area;
- Installation of a new public kayak launch;
- A change of use to the existing kiosk/lounge for the purposes of a neighbourhood shop;
- A new waste enclosure area located to the south of the marina office building; and
- Provision of 8 valet car parking spaces within the existing slipway area and removal of 2 existing spaces to the rear of the marina building (providing 17 car parking spaces in total).

The Site Plan has also been updated to reflect the amended design and to confirm the land that is the subject of the application. This comprises:

- The onshore component, being:
 - Lot 1 in DP 549352;
 - Lot 1 in DP 430123; and
 - Lot B in DP 401843.
- The offshore component, being:
 - Area of floating berths within Lot 1 in DP 1019271, as outlined in green on the Marina Expansion Concept Layout Plan (K101) at **Appendix B**; and
 - Swing mooring field comprised of part of the land within Lot 1 in certificate of title Vol 5018 Folio 1, as outlined in red on the Overall Site Plan (K300) at **Appendix C**.

3.2.2 Existing approved development

Swing moorings

It is proposed to relinquish 29 swing moorings to permit the expansion of the navigation channel by up to 28m. As requested by Council, a Mooring Plan for the entire commercial marina and private swing moorings has been prepared to identify which swing moorings are proposed to be removed and/or relocated (refer to **Appendix B**).

In addition to this, the Marina's expert navigation consultant, Mr Brett Moore, has advised:

- *A mooring licence is allocated to a person, business or club by RMS [now Transport for NSW] based on certain criteria which may be applicable to the particular waterway in question. A mooring licence is a licence to occupy waters and in the case of Sydney Harbour RMS have care, control and management of the bed of the harbour on which the mooring apparatus sits.*
- *At a meeting on the 7th December 2018 with RMS, the subject of moorings amongst other matters was discussed principally the reduction of commercial moorings held by the proponent and what the mooring field would look like once the alterations to the current marina were approved. RMS suggested the proponent prepare a concept plan indicating a mooring field revision showing the reduction in commercial moorings and any private moorings, which may need to be repositioned.*
- *The Proponent obtained drawings of the existing mooring field and prepared a concept plan showing the reduction of commercial moorings and the possible relocation of private moorings. The plan also indicated an increase in the channel at the eastern side of the bridge by approximately 28m, which would provide greater navigation space in the river.*
- *The concept plan was provided to Harbour city Ferries and RMS to consider. No further consultation has occurred on the concept plan.*
- *Noting the reduction in commercial moorings and the gain in navigation space, it is likely RMS will accept the concept plan as presented or make some adjustments to suit any provisions they may have for the area.*

As such, it is requested that a condition of consent be imposed that requires the Marina to remove and/or relocate the existing swing moorings generally in accordance with the submitted Mooring Plan. This will facilitate TfNSW's expansion of the navigation channel by up to 28m as envisioned.

Existing approved development

Council has requested a copy of the parent consent and approved plan set for DA43/99 and the approved plan set referenced in Land and Environment Court of NSW judgement No. 10290 of 1993 (DA91/112). Specifically, information has been requested in relation to the six car spaces and delivery area located in the Howley Park (East) Crown Land license area.

A copy of the relevant approved plan and consent relating to Land and Environmental Court, in a Class 1 Appeal No. 10290 of 1993 is provided at **Appendix E**. This approval granted consent for the use of Howley Park for the purposes of an access road which included four parking spaces adjacent to the northern façade of the marina building (refer to **Figure 4**). A copy of the consent for DA43/99 is also provided for reference.

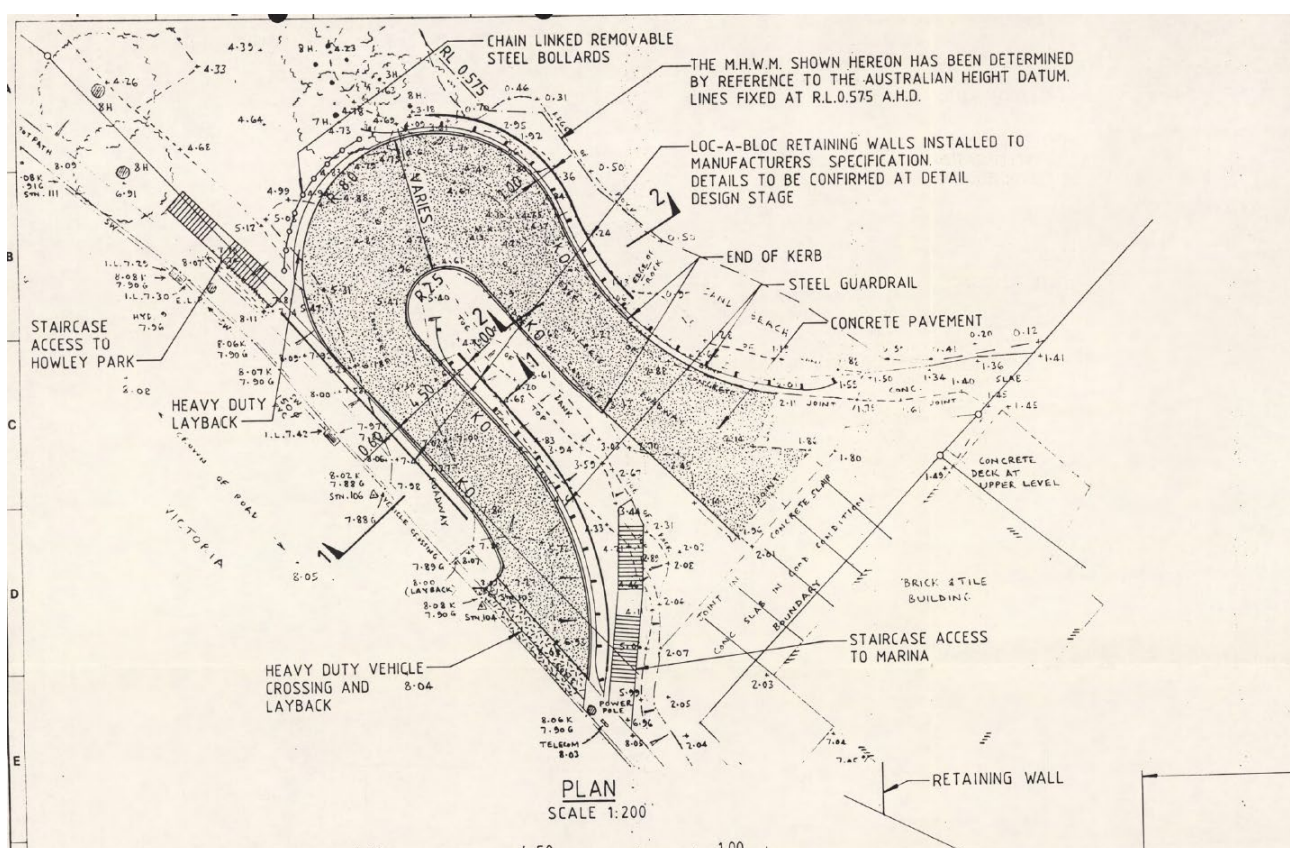


Figure 4 Extract of accessway plan

Source: Sinclair Knight

A subsequent application was approved by Council in June 2010 (DA 749/2009) for alterations and additions to the existing marina building. The approved Ground Floor Plan (Issue B, dated 31 March 2010) identifies an additional two parking spaces (six spaces in total) in this location, as well as the existing delivery area to the east. An extract of this plan is shown below at **Figure 5**.

It is noted that no amendments are proposed to these existing parking spaces located on Crown Land as part of this application.

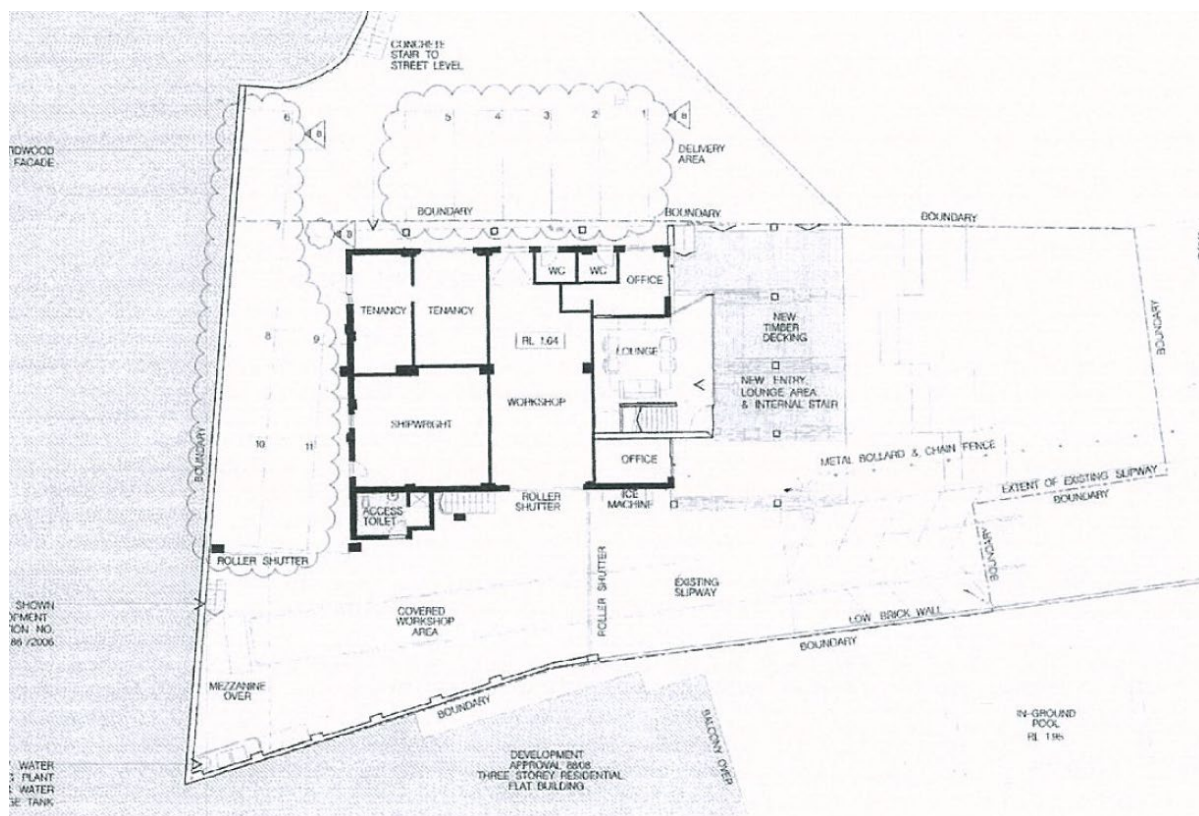


Figure 5 Ground Floor Plan (DA 749/2009)

Source: Candalepas Associates

3.3 Traffic and parking

Council's traffic engineer has raised issues with the number of parking spaces provided for the development, vehicle manoeuvring and the practicality and operation of the proposed valet service.

CBRK has prepared an Addendum Traffic and Parking Assessment (**Appendix F**) in response to the issues raised by Council and within the public submissions. A summary of these responses is included at **Table 2**. Noting that the overall number of vessels has been reduced from the original application, it is proposed to delete two of the existing parking spaces behind the marina building to address the issues raised by Council in relation to manoeuvrability and workability of the proposed valet system. On this basis, the assessment reconfirms the suitability of the amended parking arrangements to manage the demand created by the extension of the marina. It also addresses the proposed neighbourhood shop use.

In summary, the proposal represents a marginal expansion of boat capacity compared to the much larger expansion of car park availability (on a per berth basis). The development complies with the relevant parking standards for the proposed increase in berths and goes some way to making up for any existing shortfall based on the applicable surveyed rates. Furthermore, swept paths have been provided to demonstrate the suitability of the proposed parking arrangements and a management plan prepared to ensure the effective operation of this system.

Table 2 Response to traffic and matters

Council Issue	Response
<i>The Traffic and Transport Study is unclear regarding the number of compliant parking spaces that are actually typically available. The study indicates that 11 parking spaces are currently provided, including six spaces within the crown lease and five spaces within the existing site. However some of the existing car spaces could not be reasonably utilized when moving of stacked vehicles is required to occur wholly within the property. This indicates that existing parking spaces are generally well utilized and the site already has a shortfall of parking spaces.</i>	Manoeuvring of vehicles can occur on both marina and Crown land because the Crown lease also provides for this purpose and aerial images provided demonstrate that these spaces are used even when there are spaces available on the Crown lease area.
<i>Due to the complexity of existing stacked parking configuration, it appears that some customers may already be parking on street and on the accessway as it is more convenient. Council has on multiple occasions observed vehicles parked in the ramped accessway which is contrary to the consent conditions g & j of DA91/112. The intensification of the marina use will further exacerbate existing parking issues in the area.</i>	The application does not rely on the use of the access ramp to accommodate parking demand and this is prohibited in accordance with development consent DA43/99.
<i>It is apparent that the calculated parking demand for the existing site may be significantly lower than the actual demand. The proposed development shall use the Council's DCP as a general guide. Council's DCP - General Controls requires 0.6 spaces per berth, 0.2 spaces per swing mooring and 0.5 spaces per marina employee. Based on these requirements the proposed development would require to provide minimum of 72 parking spaces (115 x 0.6 + 15 x 0.2) without considering parking spaces for employees. The parking numbers may change depending on resolution of the two items above.</i>	All relevant parking guidelines for the development (including the DCP, RMS Guidelines and Australian Standards) stipulate that parking requirements be determined based on parking surveys, and only provide recommended parking rates in the absence of a survey being undertaken. Based on the additional 27 berths associated with the amended proposal (which has been reduced from 31 as lodged with the DA), the additional parking required for the proposed marina extension is 4 spaces (rounded up from 3.24 spaces based on the more conservative surveyed rate of 0.12 spaces per berth). It is noted that the rate of parking provided for the new berths also complies with the Australian Standard rate of 0.25 spaces per berth.
<i>The parking requirement for the existing site would be a minimum of 39 spaces as per DCP - General Controls, as such the site already has a shortfall of parking spaces.</i>	
<i>The submitted parking assessment does not include any parking spaces for employees for the proposed development. Confirmation is required of the total breakdown of staff anticipated to be onsite at any given time. These numbers should be included in the total number of parking spaces required.</i>	The parking rates surveyed by CBRK and others include employee parking demands.
<i>The proposed stacked parking spaces are not considered feasible. For example, it appears at least 6 vehicles would need to be moved for a car parked in space no. 19 to exit. A stacked parking arrangement is generally only supported for a maximum of 2 vehicles i.e. a maximum of one vehicle needs to move for any vehicle to exit. Any stacked parking spaces must be also designed in such way that moving of stacked vehicles must occur wholly within the property.</i>	The proposal will result in only a very minor increase in trips and most visitors to the marina are for medium to longer stay (generally several hours), which means that turnover is low and can be easily managed. Notwithstanding, two of the parking spaces have been removed to allow more room for manoeuvrability and increased efficiency of the stacked valet arrangement.
<i>The applicant has not provided any management details on the operation and function of the valet service or how patrons will be managed at arrival / departure and during busy peak periods.</i>	A draft management plan for the proposed parking system has been prepared and attached to the Addendum Traffic and Parking Assessment.
<i>The submitted plan indicates that space no. 6 does not have sufficient turning / manoeuvring area to drive in and out from the parking bay. A superimposed vehicle turning manoeuvring diagram must be submitted to confirm that a vehicles can drive in and out from this space.</i>	This space is an existing space which is not proposed to be amended. A swept path plan is attached to the Addendum Traffic and Parking Assessment.
<i>AS/NZS 2890.6:2009 requires a bollard to be installed in the shared area for disabled spaces.</i>	This space has been removed from the proposal and no changes are proposed to the parking located on Crown Land.

Council Issue	Response
<i>Details are required regarding the servicing for the marina, including deliveries and the removal of sewage and waste from the site. The frequency and size of the trucks, including manoeuvring need to be submitted for consideration. The servicing would need to comply with condition No. 9 of DA91/112 which states that ridged vehicles of 7m or more in length are prohibited from using the accessway.</i>	<p>No changes to existing servicing arrangements are proposed for deliveries and the marina is connected to the sewer with a trade waste agreement with Sydney Water.</p> <p>An updated Waste Management Plan has been prepared, as described at Section 3.5 below.</p>

3.4 Contamination and Acid Sulfate Soils

3.4.1 Contamination

NSW EPA requested that a Site Auditor be engaged to review all relevant reports regarding contamination and sediment management to certify that the site can be appropriately remediated or managed.

Rambol Australia was engaged to undertake a review of the contamination management framework proposed for the development which involves retaining the concrete slipway in situ and the passive management of sediments on the lower slipway. An Interim Audit Advice (**Appendix G**) confirmed that active remediation of the sediments is not required in association with the proposed development and that contamination risks could be adequately managed through the implementation of an Environmental Management Plan (EMP).

On this basis, Marine Pollution Research has prepared an EMP (**Appendix H**) for the management of potential risks to human health and the environment during any potential disturbance of contaminated sediments in the future. The EMP identifies that, other than direct ingestion, the only risk pathway for human health arises from water ingestion if a person was to fall into the water and the sediments were disturbed enough to bring and keep pollutants in the water column. This combination of events is deemed low risk, however, can be mitigated by eliminating the factors that could lead to persistent agitation of the bottom sediments, slip prevention measures and the installation of signage warning of the potential risks. Accordingly, the EMP recommends the following:

- *The slipway is only to be used for the launching of non-motorised recreational craft.*
- *Motorised craft are not to use the inshore shallow waters at the front of the slipway.*
- *Limiting actual slipway usage will be achieved by incorporating a 2m wide linked pontoon launching ramp onto the north-west side of the slipway (against the existing fixed marina deck) that projects 2m north-east beyond the end of slipway over deeper water.*
- *The pontoon system to be used will be a low freeboard (kayak pontoon) system to lower the distance that persons need to launch and retrieve passive water craft from the pontoons and to better facilitate climbing out of (or off) passive water craft onto the pontoons.*
- *The remainder of the slipway is to be inspected at a suitable low tide at least weekly - or as necessary seasonally - for accrued algae films and/or silt/sediment films that make the ramp slippery and the intertidal slipway surface is to be cleaned at a sufficient frequency to minimise slipping risk.*
- *The signage is to alert persons of the contaminated status of the near-shore sediments and the need to minimise disturbance.*
- *The signage is to alert persons of slip-risk when using the facilities.*
- *The signage should say that access to the waterway or the seabed from the slipway is not safe and is prohibited.*
- *The signage should say that access to the waterway is limited to use of the pontoon system.*
- *The signage should say that only persons wearing appropriate footwear and appropriate buoyancy vests (the later as mandated by law) may use the launching facility.*

It is therefore recommended that the implementation of these mitigation measures be required through a condition of consent which necessitates the adoption of the EMP. A Section B Site Audit Statement and Report should also be obtained prior to Construction Certificate as recommended by Rambol Australia.

3.4.2 Acid Sulfate Soils

Council has requested confirmation as to whether Acid Sulfate Soils are present onsite and if an Acid Sulfate Soil Management Plan would be required.

Marine Pollution Research has prepared a supplementary report (**Appendix I**) to address Acid Sulfate Soils. The assessment found that there will be no excavation of soils and no interaction with groundwater adjacent the Class 2 Acid Sulfate Soil identified lands. There will be less than 1 tonne of potential Acid Sulfate Soils for the project which would be disturbed and brought from the seabed surface, which would largely be returned to the estuarine waters to be dispersed and reincorporated into the seabed sediments with no exposure to air, and no opportunity to become Acid Sulfate Soil.

The assessment concludes that the project would not disturb, expose or drain Acid Sulfate Soil, and will not cause environmental damage to the locality or to the waters and ecology of Parramatta River. In addition, the residual risk from the small amounts of sediments associated with piling for the marina can be appropriately managed in-situ via the Pile Removal Management Plan included within the assessment report. Accordingly, the project would meet the relevant provisions of Clause 6.1 of the LEP and therefore the project does not necessitate the preparation of an Acid Sulfate Soil Management Plan.

3.5 Waste management

Council has requested that the waste storage area be relocated from its current position in Howley Park to within the boundary of the marina site. Details regarding the revised waste management arrangements, including the location of the enclosure, servicing and access arrangements have also been requested.

A Revised Waste Management Plan (**Appendix J**) has been prepared by SLR to reflect the new waste area located to the south of the marina building, where an enclosure will be installed. This will ensure that all waste is stored completely within the marina boundary and that the Marina will no longer rely on land within Howley Park. SLR has reviewed the suitability of the proposed waste arrangements and confirm that the size and location of the area is appropriate to meet the operational requirements of the marina.

Servicing of the waste storage bins will be undertaken by a private waste contractor and the bins can continue to be towed from the waste area to the collection point on Victoria Place by GBM staff to facilitate this.

In order to appropriately manage and mitigate any potential adverse impacts arising from waste generation, the relevant operational components of the WMP, prepared by SLR will be incorporated into the operational management of the marina.

3.6 Maintenance of a working harbour

Noting the proposed removal of the existing slipway rails, engineering workshop and shipwright workshop, Council has requested that the applicant explore opportunities to retain and preserve the functions of the working harbour as part of the redevelopment of the marina.

GBM has prepared a statement in support of their commitment to the working harbour policy in an industry that continues to evolve (refer to **Appendix K**). As boat preferences are moving away from timber hulls (with timber boats making up less than 5% of boats currently serviced at GBM) and towards larger vessel sizes, there has been a substantial shift towards the servicing of vessels in berth rather than out of water. The current slipway is too small and unsuitable to service the majority of marina clients. Of the 735 contractor visits in the last financial year, only 5 contractors performed work on the slipway.

A straddle carrier is another option allowing out of water work on vessels, however, the size of the existing hardstand and other site constraints renders its use impractical at the GBM. There are several straddle carrier

facilities available nearby that can accommodate any demand following the closure of the GBM slipway, including; White Bay 6, Sydney City Marine, Woolwich Dock, Noakes (North Sydney) and Fergusons Boatshed.

In this respect, the proposal will maintain the working harbour function of the site, albeit in a contemporary manner which reflects industry trends towards the servicing of boats in berth. The matters at Clause 23 of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP 2005) to be taken into consideration in relation to the maintenance of a working harbour are addressed in context of the amended proposal as follows:

(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,

The predominant character and function of the foreshore site is for a marina and this use is being expanded to accommodate both current and future demand. As noted above, the existing boat servicing activities will continue to be offered through a variety of contractors who undertake works on boats within their berths. This is in response to current industry trends in boating typologies and servicing methods which are expected to continue into the future. On this basis, the working harbour functions of the foreshore site will be preserved in accordance with both current and future demand.

(b) consideration should be given to integrating facilities for maritime activities in any development,

The development is for the expansion of an existing marina and therefore promotes increased access to maritime activities. The proposal has also been amended to integrate facilities for additional maritime activities through the provision of a new floating kayak pontoon to the benefit of the general public.

(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 development is proposed on land used for a commercial maritime purpose (i.e. marina).

(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 development retains existing public access to the foreshore and enhances access to the waterway through the provision of a floating kayak pontoon.

GBM will continue to facilitate the servicing of vessels within berths and other more suitable facilities will continue to be available nearby for any necessary out of water works. The amended proposal expands the commercial maritime purpose of the site and improves access to the foreshore for a range of boating and recreational activities. Accordingly, the development preserves the character and functions of a working harbour and is therefore consistent with the objectives of Clause 23 of SREP 2005.

3.7 Acoustic impacts

Council has requested additional details be provided in relation to the submitted Noise Impact Assessment. The Noise Impact Assessment has been updated (refer to **Appendix L**) and a response to each of the items raised has been provided by Pulse Acoustics and summarised at **Table 3**. The updated acoustic assessment also responds to the matters raised by NSW Environmental Protection Authority in their referral dated 14 February 2020.

Table 3 Response to acoustic matters

Council Issue	Pulse Acoustic Response
<p><i>Three operational scenarios are proposed and the predicted noise levels are published individually as opposed to collectively to give a worst-case scenario. A cumulative collective result will be more beneficial to give a better understanding of noise impacts.</i></p>	<p>An updated report acoustic report, dated 12 May 2020 by Pulse Acoustics (Appendix L), modelled an additional two noise scenarios to include a better understanding of potential worst-case activities. The updated report considers the worst-case scenarios of boats leaving from berths B1, A7, E28, E49 and D29. These scenarios cover the parts of the marina closest to different receivers as well as the largest boats. In section 6.2 of the report one of the dot points states <i>"Based on observations from site and discussions with GBM, it is assumed that a single boat arrives or leaves the Marina during a 15-minute period"</i>. In Pulse Acoustics observations from site, some days would only see a single boat arrive or leave and some days will see no movements. Given the amount of current and proposed boat movements from the Marina and that the vast majority of 15 minute periods during the day will see no boat movements at all, it is Pulse Acoustic's opinion that a single boat movement most accurately models the reasonable worst-case 15 minute scenario. Therefore, the scenarios are modelled separately, and not cumulatively as this would not produce an accurate noise prediction of potential noise impacts to the residential receivers.</p>
<p><i>The three operational scenarios included Marina use East, South and West. In all of the scenarios only 1 boat was used to produce startup noise and speed noise and this boat was identified as being a < 20m vessel or <40m vessel. Clarification is required on the use of a smaller vessel as oppose to the larger vessel and why only one boat in used in each scenario. This would not represent the worst case scenario.</i></p>	<p>As stated above, an updated report acoustic report (Appendix L) included an additional two noise scenarios being modelled. The updated report considers the worst-case scenarios of boats leaving from berths B1, A7, E28, E49 and D27. These scenarios cover the parts of the marina closest to different receivers as well as the largest boats. One boat movement was used in each 15-minute scenario as per the projected amount of boat movements, as explained above. The maximum vessel length on the site plans is 45m long, and this berth was included as one of the scenarios (B1). Therefore, between the largest berth and the closest berths to receivers, it is our opinion that the worst case scenarios have been modelled.</p>
<p><i>In each of the three scenarios there is only one boat patron and one shore patron. Clarification is required to understand why only two people with raised voices are used when there will be a greater number of patrons. The maximum number of patrons should be used to provide a worst case scenario.</i></p>	<p>As per the last dot point in section 6.2 of the updated report acoustic report (Appendix L), <i>"To assess the worst case scenario, a group of patrons has been located on the boat and a group of patrons has been located on shore for all scenarios"</i>. The group represents two patrons on the boat, and two patrons on the shore, where one would be in conversation at a time. The sound power level of the patrons has been estimated from data provided in Klark Teknik The Audio System Designer Technical Reference, Chapman Partnership. This reference provides noise levels for different voice effort ranging from Casual, Normal, Raised, Loud, and Shout. Patron noise was estimated using sound power levels of the male voice with a raised voice. Since the male voice is slightly louder than the female voice, and that observations on site showed that conversation levels were typically "casual" or "normal" levels - the raised voice scenario is considered to be conservative. From Pulse Acoustic's conversations with the client and their observations and noise measurements on site, the behaviour of patrons is quite transient - patrons typically walk through the area to and from the boat. It is very rare that more than 2 patrons would be talking in raised voices for more than 5 minutes on the shore. Similarly, it would be very rare that more than 2 people in raised voices would be in conversation on a boat that had docked. In fact, during their assessment and noise measurements, Pulse Acoustics did not observe such behaviour on the current Marina.</p>

Council Issue	Pulse Acoustic Response
	While Pulse Acoustics believes they have modelled the human voices accurately, if an extreme approach was considered, the sound power level of the boats moving are 85 dBA to 95 dBA compared to a human voice at 73 dBA. The noise impacts at the receivers are therefore dominated by the boats. It would take a very large, and unrealistic increase in the amount of patrons in the assessment to change the numerical results of the modelled scenarios.

3.8 Heritage impacts

Council's Heritage Advisor has raised a number of concerns in relation to the proposal's heritage impacts and satisfying Clause 5.10 of the Canada Bay LEP 2013 and Part D3 of the Canada Bay DCP 2017.

Urbis Heritage has reviewed the concerns raised by Council and has prepared a letter responding to each of the issues raised (refer to **Appendix M**). As the concerns also relate to potential visual impact on heritage properties in views from the public realm, IRIS Visual Planning and Design has also prepared a memo to supplement the conclusions of the heritage response (**Appendix N**). The key combined findings of these reports has been summarised in **Table 4**.

Table 4 Response to Heritage Issues

Council Issue	Response
<p>Howley Park <i>It is proposed to berth very large boats ("super yachts") close to the foreshore of Howley Park in addition to numerous smaller boats. The larger boats will be much closer to shore than the boats of the existing marina. The scale of the large boats proposed close to shore would disturb the relationship between the original Gladesville bridge and the later bridge as the boats would interrupt and dominate the view. The relationship between the foreshore and the Parramatta River would be adversely affected as rather than the shoreline fronting the open waters of the river, large boats would crowd close to the shoreline, blocking views from the headland and shore. This would have a dramatic impact on the park. The view to the rocky shoreline of the eastern edge of Hawley Park would be blocked by the proposed extension to the marina. The existing marina has been set back so as to retain the views.</i></p>	<p>The relationship between the original Gladesville Bridge and the latter bridge is not considered to be dramatically changed by the proposal due to the elevated viewing position from the main vantage point of the northern point of the headland. Whilst a portion of the new vessels will be seen in the view line, they will be located parallel to the headland and set back from the point of the headland from which the main view is seen. The marina is a well-established part of the view corridor and is a feature of the view from this location. Due to the height of the vantage point and scale of the Gladesville Bridge, the proposal will not obscure or diminish the importance of the bridge.</p> <p>Views from the foreshore of Howley Park to the bridge are not considered as important as it is not a readily accessible vantage point and it already looks out toward the existing marina.</p> <p>Views to the foreshore from the Parramatta River are not considered to be unacceptably impacted by the proposal as, whilst new vessels will obstruct part of the shoreline from some locations on the water, there would continue to be a vegetated backdrop to this view, defining the view and emphasising the landform of the headland. Furthermore, there would be an improvement gained by the vessels along the western edge of the proposal blocking the view to the existing ramped driveway which is a detracting element of the view.</p> <p>The findings of the heritage visual impact assessment concludes that the overall change in view is not dramatic, rather it represents an "incremental increase in the intensity of boating activity on the periphery of the main view line and would not visually dominate the main view to the Gladesville Bridge from the park".</p>

Council Issue	Response
House, 352 Victoria Place <i>The house is a marine villa that has been designed to overlook the water. There will be some adverse impact on the setting of the house due to the some loss of views to open water as a result of the enlargement of the marina.</i>	<p>The proposal will not impact on the physical structure and there is no change to the heritage significance of the item as a Federation waterfront dwelling. The proposal will not alter the items relationship to the water which currently overlooks the marina.</p>
Boatshed, 348 Victoria Place <i>The impact on the heritage values of the boatshed will be minimal as the relationship between the water and the boatshed will remain.</i>	<p>Agreed.</p>
House, "Tobrique", 44 Drummoyne Avenue <i>The house is a marine villa that has been designed to overlook the water. There will be some adverse impact on the setting of the house due to the some loss of views to open water as a result of the enlargement of the marina - the marina is proposed to extend across the existing area of open water in front of the house. The proposed marina would be closer to shore than the existing marina - thereby having a greater visual impact than does the existing marina on the heritage items at nos. 352 and 348 Victoria Place. The proposal will also interrupt views to "Tobrique" from the water.</i>	<p>The development will not impact the physical structure of the heritage item nor change its relationship to the river.</p> <p>Tobrique House is not a prominent view from the waterway and whilst the proposal would introduce additional moored vessels into views of the building, water will continue to be viewed in the foreground and short views to the property would be maintained. In longer range views, 'Tobrique' would be seen above and between vessels on the water. While the character would be somewhat changed from predominantly swing moored to a more regularly and densely arranged vessels in the marina, the location of the property elevated above the foreshore, would reduce the potential for interruption of views to the property.</p>
Abutments of the former Gladesville Bridge <i>The heritage values of the abutments of the former Gladesville Bridge will be adversely affected as there will be a loss of ability to interpret the relationship between the old and new Gladesville Bridges due to the visual intrusion of very large boats close to shore.</i>	<p>Only middle to long range views eastward and westward along the Parramatta River show both the original Gladesville Bridge and the latter bridge in the same view (and therefore the relationship between the structures). The marina extension has been designed so that the layout of new vessels would be obscured when viewed from the east as the berths would tuck the vessels into the bay and the boats aligned so that the visual scale of the largest vessels would be reduced as the vessels progressively increase in size. The Five Dock headland and abutments of the former bridge will continue to be visible beyond the vessels.</p> <p>From the west, the largest vessel does not protrude beyond the headland and is setback into the bay.</p> <p>In addition, the development will not significantly impact views to the abutment when viewed from a boat travelling along Parramatta River.</p>
Gladesville Bridge <i>The proposal will have some impact on the setting of the Gladesville Bridge. The bridge will remain a landmark, however it's visual relationship with the abutments of the former Gladesville Bridge will be adversely affected. The setting of the bridge, when viewed from Drummoyne Avenue and the park under the bridge, will be affected as boats would occupy an area that is currently open water.</i>	<p>There is limited visibility of the Five Dock headland and former bridge abutment from the Gladesville Bridge park and where glimpses of the Five Dock headland are visible (only over an adjacent residential property), the abutment is screened from view by existing vegetation. Accordingly, there is no apparent visual relationship between the items at this vantage point.</p> <p>The overall setting of the Gladesville Bridge from the park will not be unacceptably impacted as views to the water are already restricted by adjoining residential properties and the bridge pylons. The areas of water that are visible are already characterised by the existing marina and swing moorings. Furthermore, the view forms part of a much wider view which would continue to include glimpses to the active water edge.</p>

4.0 Social and Economic Benefits

The project has the potential to deliver significant social and economic benefits, as outlined in the Social and Economic Benefits Statement (**Appendix O**). Expanding the capacity of the marina will help to maximise the value of the Parramatta River as a social, cultural, economic and environmental resource, and the proposed development will deliver significant social and economic benefits to the local and regional community.

From an economic perspective, the proposed development will support the local economy through the creation of jobs in the local area, increased local output and value add, business growth and increased expenditure. Marinas are significant investors and play an important role in the regional economy. The *Club Marine 2019 Health of the Australian Marina Industry Survey*, a biannual survey of Australian Marinas, identified that two thirds of marinas made capital investments in the 2018/19 period, with an average capital investment value of \$526,000. In the same year, Marinas with a storage capacity of 101-250 spaces paid a mean amount of taxes to federal, state and local government of \$388,215. A further \$544,000 was paid on average on payroll.

Analysis undertaken in relation to the proposed Gladesville Bridge Marina expansion has identified the following key economic benefits:

- Stimulation to the economy in the short term to aid with the post Covid-19 recovery efforts;
- Catalyst for local economic growth with the total output (Gross Regional Product) estimated at an additional \$2.4 million (2019 dollars) each year from the proposed redevelopment;
- Increased employment opportunities with the project estimated to support some 36 jobs during construction and 12 ongoing jobs once the project is complete and operational – these ongoing jobs are estimated to contribute approximately \$0.9 million to the economy annually; and
- Increased tourism and local visitation, and increased spending that will support the growth in cultural and recreational activities in the local region and Sydney Harbour catchment.

The expanded Gladesville Bridge Marina will also result in a broad range of social benefits by increasing opportunities for water-based recreation, social interaction and enhancing community connection and sense of place to the Parramatta River foreshore. The Club Marine 2019 survey identified that Australian marinas provide recreational opportunities and access not only to clients but also for other boaters and members of the public who do not rent storage spaces from them. The Gladesville Bridge Marina development will result in the following local and regional benefits:

- A 10% increase to commercial marina berths west of the Harbour Bridge which will help distribute access to maritime activities more evenly across Greater Sydney;
- The maintenance and enhancement of public access to the foreshore of Sydney Harbour and to the waterway, for anyone, and in particular for all the community that does not have exclusive access to the foreshore, such as through private residential properties;
- The provision of an increased level of equitable access due to the conversion of moorings to berths, which are more accessible for people with limited mobility;
- The cessation of slipway activities which will greatly benefit the acoustic amenity of nearby residents, overall water quality and aquatic ecology;
- The provision of new wetted surfaces to promote new encrusting assemblages to colonise and provide a net increase in the hard substratum habitat; and
- The provision of a new public kayak pontoon and small neighbourhood shop to contribute to the community facilities offered at the site and to increase public access and enjoyment of the waterway for recreational purposes.

The expansion of Gladesville Bay Marina will not only support community wellbeing by creating new opportunities for water-based recreation, social interaction, and enjoyment of the foreshore, it will also boost economic activity

by generating new employment opportunities and expenditure in the local area. By supporting both economic growth and community development at this critical time, there is potential for Gladesville Bay Marina to contribute to the State's recovery during the post-COVID environment – and beyond.

5.0 Conclusion

GBM and its specialist consultant team have considered all submissions made in relation to the public exhibition of the proposed development. A considered response to all submissions has been provided within this letter and the accompanying documentation attached.

In response to recent changes to AS3962:2020 and in addressing the range of matters raised by Council, Government agencies and authorities, the proposed marina design has been refined. The changes proposed to the development address concerns raised within the submissions and do not result in any new environmental impacts relative to surrounding sites or the wider community.

The amended application seeks consent for alterations and additions to the marina berth layout to provide overall storage for 126 vessels comprising 15 swing moorings and 111 floating berths. The works include:

- Removal of 29 existing swing moorings and retention of 15 existing swing moorings;
- Construction of 61 new floating berth spaces of varying sizes, that increases the number of floating berths from 50 to 111;
- Cessation of the slipway activities and demolition of the slipway rails and internal office mezzanine structure within the covered slipway area;
- Installation of a new public kayak launch;
- A change of use to the existing kiosk/lounge for the purposes of a neighbourhood shop;
- A new waste enclosure located to the south of the marina office building; and
- Provision of 8 valet car parking spaces within the existing slipway area and removal of 2 existing spaces to the rear of the marina building (providing 17 car parking spaces in total).

The amended application has been submitted to enhance the waterfront destination by broadening the range of facilities available to the public, including the neighbourhood shop and kayak pontoon, and reducing the reliance on Howley Park by ensuring the waste management processes for the marina are contained within the site.

The environmental impact assessment of the amended proposal demonstrates that the development will have an overall positive social and economic impact. The proposal will result in the upgrade of a regional facility that will address the recognised shortage of suitable maritime facilities for the existing and future boating community, particularly west of the Sydney Harbour Bridge. It will also result in a number of other important regional benefits for the locality, region and Greater Sydney, identified above.

Given the planning merits described above, and the significant public benefits associated with the proposed development, it is recommended that this application be approved.

Appendix A – Response to Submissions

Ethos Urban in collaboration with GHD have reviewed and considered all issues raised in the submissions and have provided a response to the matters raised at **Table 5**. Issues raised have been categorised into 12 broad themes, alongside a summary of points raised for each issue and the amount of times the issue was raised. The broad themes identified relate to:

- Environmental concerns;
- Heritage impacts;
- Visual impacts;
- Traffic and parking;
- Amenity impacts;
- Navigation;
- Loss of working harbour activities and jobs;
- Compliance issues;
- Demand analysis;
- Fire safety;
- Public consultation; and
- Accuracy of technical studies.

The substantive proportion of issues raised were adequately addressed in the EIS and technical studies, with key responses synthesised for convenience in the accompanying table. Issues requiring further detail and assessment as a result of the public submissions have been addressed within the updated technical studies identified above.

Table 5 Response to Submissions

Issue	Number of times raised	Response	EIS Reference
Environmental	59		
Environmental impacts (ecology, water quality and pollution)		<p>The EIS included an assessment of environmental impacts associated with the development, including in relation to marine ecology, water quality, contamination and pollution. In summary:</p> <ul style="list-style-type: none"> • The Ecology Study assessed the potential for the development to impact upon terrestrial and aquatic biodiversity. The study concludes that there are no terrestrial habitats or bat roosting areas in the vicinity of the development and that there will be no impact on terrestrial biodiversity. • The Water Management Report concluded that the development would have a neutral or beneficial effect on the quality of water entering the waterway. • The Supplementary Contamination Report concluded that potential contaminants are 'locked up' in the sediments and do not present any risk to local marine biota provided they are left undisturbed. An EMP has since been prepared to ensure the effective ongoing management of the sediments. • The Air Quality Assessment Report confirms that primary pollutants from combustion will be negligible and comply with the relevant criteria at all sensitive receptors. <p>Furthermore, all potential environmental impacts associated with the construction and ongoing operation of the marina are all able to be appropriately managed and mitigated, as outlined within the EIS.</p>	<ul style="list-style-type: none"> • Marine Ecology Study – Appendix J and Water • Water Management Report – Appendix O • Sediment Management Report – Appendix N • Contamination Investigation Report – Appendix G • Supplementary Contamination Report – Appendix H • Air Quality Assessment Report – Appendix Q • Construction Management Plan – Appendix S • Environmental Management Plan – Appendix H (of this document)
Fumes from diesel engines		GHD prepared an Air Quality Assessment to assess the potential air quality and odour impacts that may arise during	<ul style="list-style-type: none"> • Air Quality Assessment Report – Appendix Q

Issue	Number of times raised	Response	EIS Reference
		the construction and operational phases of the development. The air quality modelling confirms that the levels of primary pollutants from combustion above the existing background level will be negligible and that the predicted levels will comply with the relevant criteria at all sensitive receptors for both the existing and future operations.	
Sewage being discharged from boats into waterways / no pump out facilities at the marina		<p>The Marina does provide pump out facilities and it is proposed that these facilities will be relocated to provide better access for larger boats.</p> <p>The Ecology Assessment submitted with the proposal included an assessment of the increased risks of spillages of liquids and solids caused by overwater pump-out and maintenance works on vessels in the marina. This assessment concluded that the identified risks can be appropriately mitigated by prevention, minimisation and control measures that will be specified in the Marina's Operational Management Plan, marina usage documents provided to users and via public signage displayed prominently around the marina.</p>	<ul style="list-style-type: none"> • Marine Ecology Study – Appendix J
Local residents observing oil and waste from the marina since the development in 2000		No previous environmental issues or complaints have been received by GBM. GBM is recognised as an 'International Clean Marina' which encourages environmental compliance and the use of best management practises for marinas. This requires the implementation of an ongoing maintenance schedule and reporting requirements which will be continued with the expanded marina. The Marine Ecology Study submitted with the EIS also confirms that any risk of spillage can be appropriately mitigated by appropriate prevention, minimisation and control measures.	<ul style="list-style-type: none"> • Marine Ecology Study – Appendix J and Water
Contamination from disturbance of the seabed and from chemicals and waste.		As outlined in the Marine Ecology Study, the overall depths at the reconfigured marina berths mean that there is only a low	<ul style="list-style-type: none"> • Marine Ecology Study – Appendix J and Water • Navigation Report – Appendix F

Issue	Number of times raised	Response	EIS Reference
		<p>risk of bottom sediment disturbance from vessels manoeuvring in and out of the berths or transiting the marina fairways.</p> <p>This is supported by the Navigation Report which states that the depth of the water mitigates any sediment movement from propeller agitation. Vessels berthed at the marina closest to the shore, or operating in shallower water, will be encouraged to keep their wash and propeller agitation to a minimum to control the possibility of any sediment movement.</p> <p>Furthermore, it is noted that vessels berthed at private residences against the shore in the bay are more likely to cause sediment movement as they are typically secured 'stern to' in their allocated berths and operate in shallower water. Therefore, the proposal will help mitigate this issue by providing access to additional berths in a low risk environment.</p>	
Increase in general rubbish and the fact that rubbish "currently goes into the waterway".		<p>As above, GBM is recognised as an 'International Clean Marina' and will continue to operate in an environmentally sensitive manner.</p> <p>A new waste storage enclosure area is proposed within the Marina site so that Howley Park is no longer required to be used for waste storage. The bin storage area will be enclosed to ensure waste does not blow into the waterway and bunded to ensure the capture of any liquid wastes. The new enclosure's location closer to the marina berths is more convenient for the marina users and management, thereby improving the management of waste at the site.</p> <p>A revised Waste Management Plan has been prepared for the amended proposal which confirms the suitability of the new enclosure for the management of waste associated with the marina.</p>	<ul style="list-style-type: none"> Updated Waste Management Plan – Appendix J (of this document)

Issue	Number of times raised	Response	EIS Reference
Wash and damage to sea walls and infrastructure		The area of the Parramatta River within the vicinity of the marina is an established 'Low wash zone', and therefore all vessels, including ferries are required to slow down to ensure that their wash is minimised.	<ul style="list-style-type: none"> Navigation Report – Appendix F
Heritage			
Heritage value of Gladesville Bridge		The Heritage Impact Statement submitted with the EIS concludes that the heritage curtilage of the Gladesville Bridge does not include the water below it and, although vessels moored at the altered marina facility will be seen in some views of the Gladesville Bridge, it will remain a dominant feature in the locality. In this regard its landmark status will not be challenged or compromised by the proposed development. Residents and users of the area will be able to continue to view and appreciate its technical significance and therefore the proposed development will not have an adverse impact on the established heritage significance of the Gladesville Bridge.	<ul style="list-style-type: none"> Heritage Impact Statement – Appendix Y
Heritage value of view from Five Dock Point		<p>The Heritage Impact Statement submitted with the EIS concludes that whilst there are uninterrupted views to the Parramatta River, including the marina from the portion of the park adjoining the marina and limited views near the street edge in the western portion of the park, these views are not identified as an important contribution to the cultural significance of Howley Park / Five Dock Point.</p> <p>In addition, IRIS Visual Planning and Design and Urbis Heritage have both undertaken further assessments of the heritage and visual impacts of the development and have found that due to the height of the most prominent vantage point of Howley Park and scale of the Gladesville Bridge, the proposal will not obscure or diminish the importance of the bridge. The marina is a well-established part of the view corridor and is a feature of the view from this location.</p>	<ul style="list-style-type: none"> Heritage Impact Statement – Appendix Y Visual Impact Review – Appendix N (of this document) Heritage Review – Appendix M (of this document)

Issue	Number of times raised	Response	EIS Reference
		Accordingly, the overall change in view is not considered dramatic, rather it represents an <i>“incremental increase in the intensity of boating activity on the periphery of the main view line and would not visually dominate the main view to the Gladesville Bridge from the park”</i> .	
Visual Impact – Private	80		
Visual impact from private properties		An updated VIA that incorporates views from private properties is currently being prepared and will be submitted to Council shortly.	
Visual Impact – Public	55		
Visual impact from public space		A VIA was undertaken from key areas of public space in the catchment of the development. This concluded that, although the development will be visible from each of the public domain locations, the impact is limited to a small area of waterway within a wider panorama of open water. The development does not restrict or obscure any significant or prominent views to or from the waterway. In accordance with the conservative assessment matrix of the DCP, the development has an impact rating of ‘Below Medium’ and none of the locations are subject to a ‘High’ impact rating that would warrant amendments to the development.	<ul style="list-style-type: none"> • Visual Impact Assessment – Appendix W
View from Cambridge Park		The view from Cambridge Park was considered as part of the VIA. This found that a portion of the waterside view beyond Arm D from Cambridge Reserve may be affected, however, this is only a minor portion of the overall aspect. There will be no impact upon the waterway aspect east of the bridge. Accordingly, the development was deemed as having a ‘Low Impact’ upon views from Cambridge Park reserve.	<ul style="list-style-type: none"> • Visual Impact Assessment – Appendix W • Visual Impact Review – Appendix N (of this document) • Heritage Review – Appendix M (of this document)

Issue	Number of times raised	Response	EIS Reference
		Furthermore, the findings of the supplementary visual impact/heritage reports conclude that the overall setting of the Gladesville Bridge from the park will not be unacceptably impacted as views to the water are already restricted by adjoining residential properties and the bridge pylons. The areas of water that are visible are already characterised by the existing marina and swing moorings. Furthermore, the view forms part of a much wider view which would continue to include glimpses to the active water edge.	
View from ferries / millions of annual trips down the Parramatta River; objectors noting that they specifically go on ferry rides to see the majestic arch of the bridge.		The view from ferries travelling along Parramatta River was considered as part of the VIA. This found that there will be no view impact of open water until approaching the bridge and that the removal of swing moorings will reduce visual impacts. Views will be retained to foreshore development and the ridge line of Five Dock Point. Accordingly, the development was deemed as having a 'Low Impact' upon views from ferries.	<ul style="list-style-type: none"> Visual Impact Assessment – Appendix W
Traffic and Parking	124		
Lack of parking		A Traffic and Transport Study was conducted to inform the parking requirements of the development, as recommended in the Australian Standard - AS 3962 (Marina Design) and other relevant documents. This study surveys the site, looking at traffic flow, parking conditions, public transport availability and accessibility. Alongside other previous surveys of the site, the study found there could be parking demands of up to 0.15 spaces per berth, which the current configuration of the site does not satisfy. The proposed amended proposal will provide storage for an additional 27 vessels (originally 31 vessels), and 6 additional car parking spaces, bringing the total number of parking spaces up to 17. This represents a marginal expansion of boat capacity compared to the much larger expansion of car park availability (per berth). Accordingly, the development complies with the relevant parking standards for	<ul style="list-style-type: none"> Transport Impact Assessment – Appendix U Addendum Transport Impact Assessment – Appendix F (of this document)

Issue	Number of times raised	Response	EIS Reference
		the proposed increase in berths and goes a long way to making up for any existing shortfall.	
Accessible parking		As part of the development, a new accessible parking space will be provided as part of the valet parking system which will ensure equitable access to the marina. Morris Goding Access Consulting has prepared a statement describing the proposed measures which will form part of the operational management plan.	<ul style="list-style-type: none"> • Transport Impact Assessment – Appendix U • Access Statement – Appendix Q (of this document)
Requests for parking hour restrictions with resident only stickers		This issue is a matter for Council and falls outside the scope of the DA. The application proposes parking to cater for the demand caused by the proposed marina expansion.	<ul style="list-style-type: none"> • Transport Impact Assessment – Appendix U
Impact for older community having to park further from homes		As outlined above, it is noted that the proposal provides parking in accordance with the relevant standards and will improve the overall ratio of parking spaces to berths at the site. Furthermore, the Transport Impact Assessment found that existing on-street parking issues in the vicinity of the site are generally unrelated to the marina.	<ul style="list-style-type: none"> • Transport Impact Assessment – Appendix U
Amenity	43		
Maintaining general security, health and safety from increased marina users		The marina will continue to operate in accordance with its existing operational procedures to ensure the security, health and safety of its users and surrounding community. Furthermore, GBM adopts best practice principles and will continued to be managed in line with the existing Operational Environmental Management Plan which was developed in consultation with the NSW Environment Protection Authority during the Industry Partnership program.	<ul style="list-style-type: none"> • EIS – Section 3.4
Privacy – looking directly from boats into private homes		There is ample separation between the proposed development and existing residential properties to ensure privacy is	

Issue	Number of times raised	Response	EIS Reference
		maintained. It is noted that the closest berth is situated at least 50m from the foreshore and a further 20m+ to the building line of any residence.	
Acoustic impacts, including party boats and associated noise at all hours (24/7)		<p>An Acoustic Study has been prepared for the development which undertook modelling based on a worst case 15-minute scenario, with the assumption that boats can arrive at the marina anytime over a 24 hour period and that clients may stay on their boat overnight. The study found that the predicted noise levels generated indicate that the operation of the marina will not exceed the maximum noise criteria thresholds at all times of the day.</p> <p>Furthermore, operational management measures to control unacceptable noise issues will continue to be enforced. As part of these measures, customers are given an induction and agreement which covers acceptable noise levels. This includes restrictions such as a maximum time to run engines at the marina and no loud parties. In addition, there is also signage regarding noise installed around the marina.</p>	<ul style="list-style-type: none"> Updated Noise and Vibration Assessment – Appendix L (of this document)
Degradation of the appearance of the waterway		As outlined above, visual impact studies of both public and private views have concluded that the development will have an acceptable impact on the appearance of the waterway.	<ul style="list-style-type: none"> Visual Impact Assessment – Appendix W
Loss of affordable swing moorings		The extension of the marina will allow for more berths for use by the public to address the significant, current shortfall and will represent a more efficient use of Parramatta River. As outlined in the Marina Strategic Review and the Safety and Navigation Report, marina industry operatives have found that owners of larger vessels typically do not wish to locate their vessels on swing moorings due to swing moorings posing a greater environment risk and the desire to have their vessels moored at a modern and secure marina berths with safer and more appropriately managed access. Fixed berths also	<ul style="list-style-type: none"> Marina Strategic Review – Appendix E Marine Safety and Navigation Report – Appendix F

Issue	Number of times raised	Response	EIS Reference
		provide better mobility that promotes equitable access to the waterway.	
Riparian water rights		A Marine Engineering Review has been undertaken by, Navigation and Marine consultant, Mr Brett Moore OAM. This review identifies that landowners can make an application for a berthing area to RMS at any time and the approving authority will make a determination taking into account matters like the size and type of vessel, the protrusion of the structure into the access channel and if the berthing area with attendant vessel is likely to constitute a navigation hazard. The report concludes that the proposal provides good clearances for vessels attached to private shore facilities and should not present a problem for competent skippers.	<ul style="list-style-type: none"> • Marine Engineering Review – Appendix P (of this document)
Ten Steps (swimming in Parramatta River)		The site and its surrounds are not identified as an existing or future swimming area under the <i>Duba, Budu, Barra Ten Steps To A Living River The Parramatta River Masterplan</i> . Although the site itself is not a swimming location, the marina will accommodate other recreational water uses such as for kayaks and other small passive craft. The Social Impact Assessment consultation also indicated that recreational boating provides increased access to associated recreational activities such as fishing, water-skiing and swimming.	<ul style="list-style-type: none"> • Marine Safety and Navigation Report – Appendix F • Social Impact Assessment – Appendix Z

Issue	Number of times raised	Response	EIS Reference
Navigation	116		
Navigation (accessibility, including access to private moorings, and safety and transport).		<p>A Marine Safety and Navigation Report was prepared to assess the potential impacts of the construction and operational phases of the proposed development on existing harbour uses. The study concludes that the proposed additional capacity will not adversely impact on current river traffic, including ferries and charter boats. Noting the regulatory provisions already in place, the Marina Safe Operating Procedures and the vessels involved, navigation is anticipated to be conducted safely in the marina confines and its surrounds.</p> <p>In consideration of feedback about navigation issues, ENARES proposes to relinquish 29 moorings to permit the expansion of the navigation channel by up to 28m. As requested by Council, a Mooring Plan for the entire commercial marina and private swing moorings has been prepared to identify which swing moorings are proposed to be removed and/or relocated.</p>	<ul style="list-style-type: none"> • Marine Safety and Navigation Report – Appendix F • Swing Mooring Plan – Appendix B (of this document)
Relocation of private moorings and mooring field		<p>GBM will consult and negotiate through Transport for NSW with private mooring licensees who will be affected by the positioning of the new arms to relocate their moorings to an agreed position east of the bridge as close as possible to their current location at no cost to the licensee.</p> <p>Existing private licensees east of the bridge will retain their positions and should not be affected. Should some slight repositioning be required, the cost of any revision will be borne by GBM. A total of 15 commercial moorings will be retained by GBM to service clients requiring a swing mooring.</p>	<ul style="list-style-type: none"> • Marine Safety and Navigation Report – Appendix F
Danger to young sailors / rowers		An existing aquatic license course is located across the northern face of the marina and facilitates rowing activities in	<ul style="list-style-type: none"> • Marine Safety and Navigation Report – Appendix F

Issue	Number of times raised	Response	EIS Reference
		<p>the area. During the design development, amendments were made to ensure that there were no conflicts with the aquatic license course. Furthermore, given rowers tend to train in the early morning, this lessens the frequency of interaction with marina traffic.</p> <p>Navigation on the river is governed by the Marine Safety Regulation 2016 and the International Regulations for Preventing Collisions at Sea. It is anticipated that as long as all vessels follow the Regulations, as required, and the marina vessels and other users of the river proceed with caution in and around pinch points such as under the Bridge, no adverse impacts by a greater number of berths being provided would be generated.</p> <p>Paddle craft utilising the bay will be able to circumnavigate the marina, or with the addition of a gangway that will allow kayakers and other small passive craft, to navigate close to the shore near the marina, as an additional access option. This will also benefit any paddlers launching from the adjacent beach attached to Howley Park East. Paddlers will also be able to pass under the gangway at all tides.</p>	
Working Harbour / Loss of Jobs	31		
Loss of jobs – 11 jobs to go. Loss of Shipwright service and removal of the slipway.		<p>The proposed development seeks to remove the existing slipway and associated activities which will significantly reduce environmental risk and storage requirements of hazardous chemicals adjacent to a designated Wetland Protection Area (Sydney REP) and marine environment.</p> <p>It is noted that Shipwright services ceased at the marina in 2016 and only hull maintenance currently remains. Trends in the industry have seen a large percentage of boat repair and maintenance activities now occurring at berths as recognised</p>	<ul style="list-style-type: none"> Working Harbour Statement – Appendix K (of this document)

Issue	Number of times raised	Response	EIS Reference
		<p>across the marina industry. In this regard, GBM will continue working harbour activities at the site through the ongoing provision of access to a variety of contractors who undertake working harbour activities on boats.</p> <p>Furthermore, the development will provide direct employment during the construction phase and 12 ongoing operational jobs.</p>	
Compliance Issues	1		
The extended marina is an original planning “mistake”		Development consent for the extended marina was granted by the Land and Environment Court in December 1999 (DA43/99)	<ul style="list-style-type: none"> Development Consent 43/99 – Appendix E (of this document)
Marina was given a new extension to triple the moorings, this was to be removed after the Olympics but did not happen.		Development Consent 43/99 for the extended marina was not granted on a temporary basis and does not include any conditions that require the removal of the additional moorings after a designated time.	<ul style="list-style-type: none"> Development Consent 43/99 – Appendix E (of this document)
Non-compliant with current DA		A review of past development consents has not found the marina to be in breach of any of its conditions. It is noted that this application seeks to amend the waste management arrangements for the site, with the enclosure to be moved onto the Marina's land.	
Does not have consent for Howley Park East driveway (“unlawful” use of public land).		Development Consent 43/99 granted approval to use part of Howley Park for the purposes of a road as shown in ‘Accessway Concept Plan’ drawing no. RA165-003-P1.	<ul style="list-style-type: none"> Development Consent 43/99 – Appendix E (of this document)
Demand	24		
Boat storage demand (size and number of vessels)		A Marina Demand Study was undertaken to inform the strategic need to expand the existing marina. The strategy identifies the need for additional capacity in boat storage in	<ul style="list-style-type: none"> Marina Demand Study – Appendix D

Issue	Number of times raised	Response	EIS Reference
		Sydney based on trends in vessel registration figures. The proposal responds to this demand by providing new wet berths, particularly in that it will accommodate additional vessels greater than 24m in length where there is significant identified demand. In addition, over 90% of registered boats are smaller than 24m which the proposal addresses by providing a greater number of berths for smaller boats as compared to the current configuration.	
Fire Safety	15		
Risks of fires at the marina		<p>Fire safety was considered as part of the Marine Safety and Navigation Report. The study outlines a strategy to contain and manage a boat fire at the marina. It is noted that Sydney Ports can respond upon request from the brigade which will allow a high capacity firefighting tug to approach from the channel or the small ports pump vessels to get in close to the shore.</p> <p>In addition, a fire system will be integrated into the design and management of the facility in accordance with AS3962-2001 (Guidelines for design of marinas) and any other relevant Australian Standards and BCA requirements.</p>	<ul style="list-style-type: none"> Marine Safety and Navigation Report – Appendix F
Consultation Process	8		
Consultation process		<p>GBM has undertaken an extensive consultation programme with the community and government agencies prior to and throughout the preparation of the EIS. It is noted that this consultation process has gone above and beyond the minimum statutory requirements.</p> <p>A Community Consultation Report has been prepared which provides an overview of the consultation undertaken to date and to provide an overview of the concerns raised and</p>	<ul style="list-style-type: none"> Community Consultation Report – Appendix AA

Issue	Number of times raised	Response	EIS Reference
		<p>responses to those concerns. The current design of the marina expansion is a result of extensive technical assessment to respond to the opportunities and constraints of the site in relation to environmental, social and economic factors. The design is also based on the outcomes of consultation with key stakeholders, including the local community, since October 2018 which has resulted in amendments during the design process.</p> <p>Representatives of the GBM project team have also recently visited properties of objectors for the purposes of undertaking a VIA, as requested by Council and within the submissions.</p>	
Public benefits	52		
Benefit to local community, inclusion of café, loss of fishing area. Impact to recreational users, kayakers, swimmers, local amenity		<p>The proposed development will result in a range of public benefits and the application has now been amended to include a public kayak pontoon and small neighbourhood shop which will further add to the amenities offered to the general public.</p> <p>The Social Impact Assessment submitted with the proposal assessed the social benefits and impacts of the construction and operation of the development. A further Social and Economic Benefits Statement has since been prepared to supplement the original report and to identify the important regional benefits the proposal will have for Greater Sydney, including:</p> <ul style="list-style-type: none"> • Ability to provide stimulation to the economy in the short term to aid with the post Covid-19 recovery efforts; • Catalyst for local economic growth with the total output (Gross Regional Product) estimated at an additional \$2.4 million (2019 dollars) each year from the proposed redevelopment; • Increased employment opportunities with the project estimated to support some 36 jobs during construction and 12 jobs on an ongoing basis once the project is complete 	<ul style="list-style-type: none"> • Social Impact Assessment – Appendix Z • Social and Economic Benefits Statement – Appendix 4.0 (of this report)

Issue	Number of times raised	Response	EIS Reference
		<p>and operational – these jobs are estimated to contribute approximately \$0.9 million (value added) to the economy annually;</p> <ul style="list-style-type: none"> Increased tourism and local visitation, and increased spending that will support the growth in cultural and recreational activities in the local region and Sydney Harbour catchment; A 10% increase to commercial marina berths west of the Harbour Bridge which will help distribute access to maritime activities more evenly across Greater Sydney; The maintenance and enhancement of public access to the foreshore of Sydney Harbour and to the waterway, for anyone, and in particular for all the community that does not have exclusive access to the foreshore, such as through private residential properties; The provision of an increased level of equitable access due to the conversion of moorings to berths, which are more accessible for people with limited mobility; The provision of some wave sheltering of the shorelines directly behind the proposed extension; The cessation of slipway activities which will greatly benefit the amenity of nearby residents, overall water quality and aquatic ecology; The provision of new wetted surfaces to promote new encrusting assemblages to colonise and provide a net increase in the hard substratum habitat; The provision of a new public kayak pontoon and small neighbourhood shop to contribute to the community facilities offered at the site and to increase public access and enjoyment of the waterway for recreational purposes. <p>The Social and Economic Assessment therefore concludes that expanding the capacity of the marina will enhance the value of the Parramatta River as a social, cultural, economic and natural asset, in line with State and local government priorities for Sydney's waterways.</p>	

Issue	Number of times raised	Response	EIS Reference
Accuracy of EIS/Technical Studies	1		
Visual Impact Assessment		An updated Visual Impact Assessment is currently being prepared to incorporate private views. A supplementary review of the visual impacts on public views has been undertaken which supports the findings of the original assessment.	<ul style="list-style-type: none"> Visual Impact Review – Appendix N (of this report)
Marine Engineering		A Marine Engineering Review has been undertaken by, Navigation and Marine consultant, Mr Brett Moore OAM. This assessment responds to the issues identified in the Tonkin Marine Engineering Review and confirms the suitability of the proposed marina layout (as amended).	<ul style="list-style-type: none"> Marine Engineering Review – Appendix P (of this document)
Traffic and Parking		CBRK has prepared an Addendum Traffic and Parking study in response to the issues raised by Council and within the public submissions. The assessment reconfirms the suitability of the proposed parking arrangements (as amended) to manage the demand created by the extension of the marina.	<ul style="list-style-type: none"> Addendum Traffic and Parking Study – Appendix F (of this document)
Agency Submissions			
<u>DPI – Fisheries</u>		Noted.	
No objections, general terms of approval issued			
<u>Environmental Protection Authority</u> <ul style="list-style-type: none"> The noise impact assessment should be updated to address Noise Policy for Industry (NPfI) and Interim Construction Noise Guideline (ICNG). An accredited Site Auditor should be engaged to audit all relevant reports regarding contamination and sediment management and endorse 		<p>The Noise Impact Assessment has been updated in accordance with the matters raised by EPA.</p> <p>Rambol Australia was engaged to audit all relevant reports regarding contamination and sediment management to endorse the proposed contamination management strategy. This review confirmed that active remediation of the sediments is not required in association with the proposed development and that contamination risks could be adequately managed</p>	<ul style="list-style-type: none"> Updated Noise Impact Assessment – Appendix L (of this report) Interim Site Audit Advice – Appendix G (of this report) Environmental Management Plan – Appendix H (of this report)

Issue	Number of times raised	Response	EIS Reference
the conclusion that remediation is not recommended.		through the implementation of an Environmental Management Plan (EMP). An EMP was subsequently prepared and it is recommended that the implementation of this EMP is imposed via a condition of consent.	
<u>Department of Planning, Industry and Environment</u> The Department recommends Council and the Sydney Eastern City Planning Panel ensure the submissions received during the exhibition period (both in objection and support) be carefully considered and addressed before a decision is made on the proposal.		GBM and its specialist consultant team have reviewed and considered all issues raised in the submissions received. This Response to Submissions Report provides a response to each of the concerns raised to assist Council in their assessment of the application.	
<u>The Natural Resources Access Regulator</u> The Natural Resources Access Regulator (NRAR) has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), the proposed works are exempt from the need to obtain a controlled activity approval and no further assessment by this agency is necessary.		Noted.	
<u>Water NSW</u> WaterNSW does not assess activities that fall within s91 controlled activity under the Water Management Act 2000		Noted.	

Issue	Number of times raised	Response	EIS Reference
- please refer this matter to NSW Natural Resources Access Regulator.			