



planning consultants

14 August 2014
Our Ref: 8493B.2KO

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Dear Ms McNally

**RE: SECTION 75W APPLICATION TO MODIFY MAJOR PROJECT MP06_0210
Lots 29 and 30, James Craig Road, Rozelle**

1.0 Introduction

DFP Planning Pty Ltd (DFP) has been commissioned by Rozelle Bay Pty Ltd to prepare an application to modify Project Approval MP06_0210 under the transitional arrangements for Part 3A projects, which continue the application of Section 75W, in accordance with Schedule 6A of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

This modification application seeks to amend the design of the Western Boat Store to introduce a mezzanine level within the approved commercial maritime and ancillary maritime area. As a consequence of previous design changes to the Western Boat Store these areas within the building were reduced. This application seeks to effectively re-introduce floorspace of an area similar to that originally approved.

This letter has been prepared in support of the s75w modification application and includes the information necessary for Department of Planning and Environment (DP&E) to assess and determine the application including:

- A background of the approved development;
- Details and reasons for the proposed modifications;
- An environmental assessment; and
- Our conclusion and recommendations.

The amended marina design is shown in the architectural drawings prepared by Micheal Fountain Architects Pty Ltd and included at **Attachment A**.

We have concluded that the proposed modification will not substantially alter the approved project and the proposed modifications are unlikely to result in any adverse or additional environmental impacts and accordingly, we are of the view that the proposed modifications are acceptable in this particular instance.

2.0 Background

The Sydney Boathouse (formerly known as Rozelle Bay Marine Centre) was approved by the Minister for Planning on 21 May 2007. The approved project comprises construction of two dry boat store buildings, commercial building, marina and multi-storey car park. A total of 670 boats were approved to be stored on the site.

Since the original approval five modifications have been lodged:

- Modification 1 sought approval for an extension of the time period of approval from 3 years to 4 years. The modification application was approved on 31 March 2010.
- Modification 2 proposed minor design variations and additional stages of construction. The modification application was approved on 16 September 2010.
- Modification 3 proposed an additional construction phase, interim hardstand storage of up to 78 vessels, and interim car parking. The modification application was approved on 27 March 2012.
- Modification 4 sought a design change to the Western Boat Store and changes to the façade material to both the Western and Eastern Boat Store buildings. The modification application was approved on 19 August 2012.
- Modification 5 sought an extension of time for the use of Lot 29 for temporary car parking and office uses. This modification was approved on 19 March 2014.

The project has commenced and Phase 1 works were completed in December 2010. Phase 1 works included the construction of some of the marina berths and temporary office facilities. Interim boat storage and car parking on the hardstand, consistent with Modification 3 has also been completed.

Western Boat Store

The Western Boat Store, when originally approved included a boat racking area for boat storage and commercial maritime and ancillary maritime floor space. A total of 852m² of commercial maritime and ancillary maritime floor space was approved. The original design included the boat racking storage system extending over the commercial maritime floorspace.

Modification 4 amended the design of the Western Boat Store by separating the commercial maritime and ancillary maritime (workshop) areas from the boat racking by setting back the boat racking area behind these areas. As a result of the design changes the commercial maritime and ancillary maritime areas were reduced in size to approximately 431m².

It should be noted that there is no commercial maritime and ancillary maritime floor space within the Eastern Boat Store Building.

The approved design of the Western Boat Store (as modified) is illustrated in **Figure 1**.

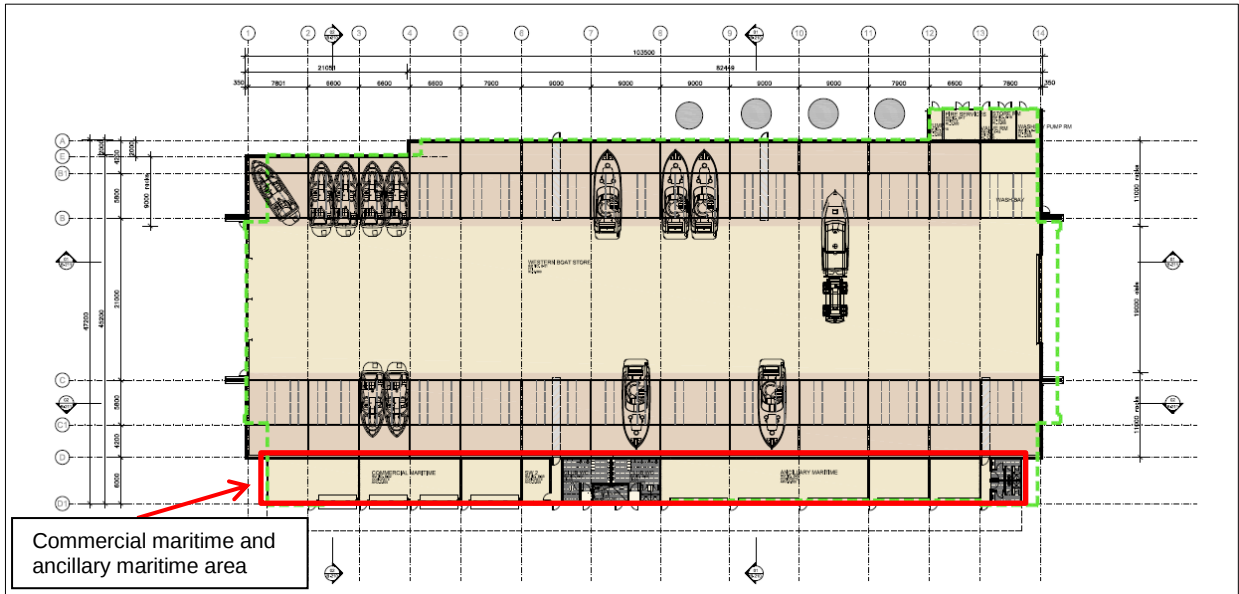


Figure 1: Approved Western Boat Store design

3.0 Proposed Modification

This modification proposes to introduce a mezzanine level to the commercial maritime and ancillary spaces in the Western Boat Store. No other changes to the Western Boat Store are proposed. The proposed design change is illustrated in **Figure 2** below and on the architectural plans included at **Attachment A**.

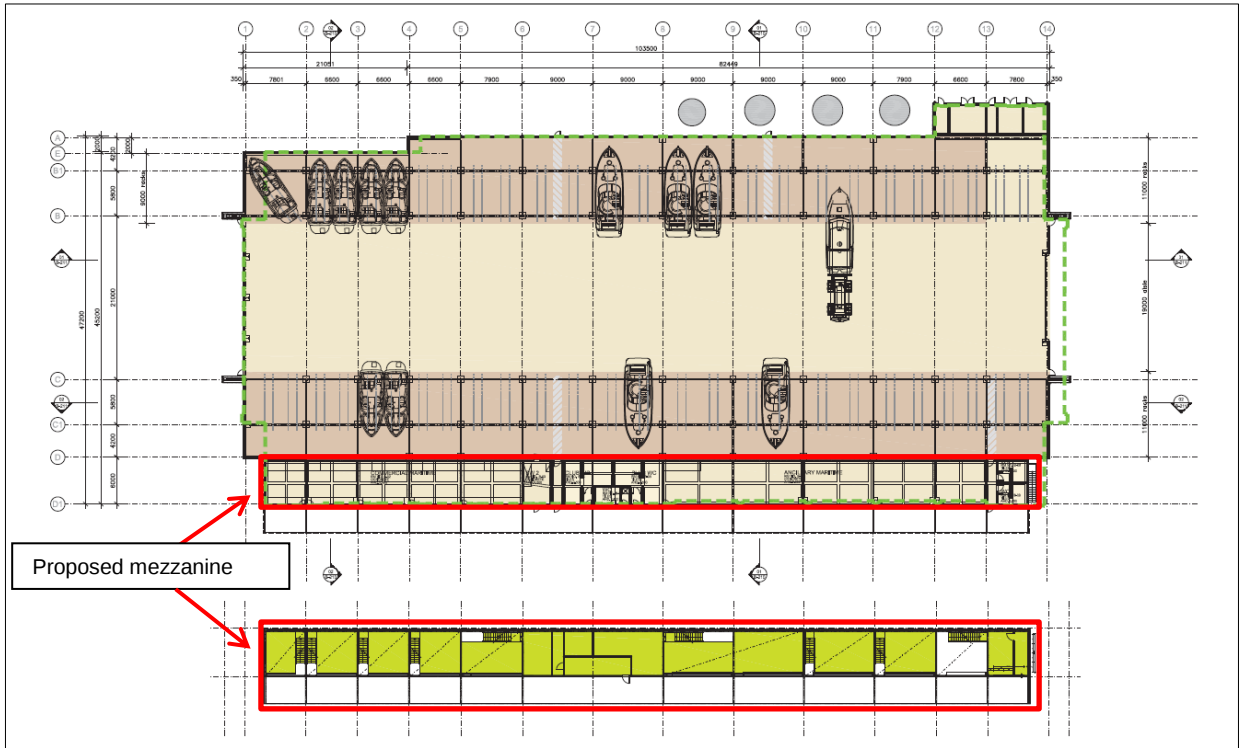


Figure 2: Proposed mezzanine in the Western Boat Store

The introduction of a mezzanine level in the commercial maritime and ancillary maritime space will increase the floor area of these spaces to 857m², similar to the 852m² originally approved.

4.0 Amendments to the Consent

It is proposed to modify the description of the approved development in Schedule 1 and the Conditions of Approval in Schedule 2. Words proposed to be inserted are shown in ***bold italics*** and words proposed to be deleted are shown in ~~**bold strike through**~~.

Schedule 1

Project Approval for:

- two boat storage buildings with a total capacity of 670 boats and ~~852m²~~ ***857m²*** of commercial maritime and ancillary maritime floorspace;
- a commercial maritime building with a total 3,024m² of commercial maritime, maritime brokerage, maritime workshop and restaurant/café floor space;
- a multi-storey car park and at-grade car parking for 272 vehicles;
- underground fuel storage tanks;
- a marina comprising 36 layover berths and 24 brokerage berths;
- a boat in/out feed system to move boats between the dry boat stores and the water; and
- associated signage, landscaping and rainwater tanks.

Schedule 2

It is proposed to modify Schedule 2 of the Conditions of Approval as follows

Condition A2

Amend Condition A2 by inserting the following drawing references for the plans showing the revised design for the commercial maritime and ancillary maritime space in the Western Boat Store.

Drawing Ref	Name of Plan	Revision	Date
<i>B 103 DA</i>	<i>Western Boat Store Plan – Mezzanine Floor</i>	<i>Issue A</i>	<i>7/8/2014</i>
<i>B 218 DA</i>	<i>Western Boat Store Section FF - West</i>	<i>Issue A</i>	<i>7/8/2014</i>
<i>B 219 DA</i>	<i>Western Boat Store Section FF – East</i>	<i>Issue A</i>	<i>7/8/2014</i>

5.0 Environmental Planning Assessment

The design changes to the Western Boat Store are minor internal changes which are seeking to re-introduce an area of commercial maritime and ancillary floorspace, consistent with that originally approved.

As discussed in Section 2, the Western Boat Store, when originally approved included a boat racking area for boat storage above the commercial maritime and ancillary maritime floor space. A total of 852m² of commercial maritime and ancillary maritime floor space was approved.

For fire and safety reasons, Modification 4 amended the design of the Western Boat Store by separating the commercial maritime and ancillary maritime (workshop) areas from the boat

racking by setting back the boat racking area behind these areas. As a result of the design changes the commercial maritime and ancillary maritime areas were reduced in size to approximately 431m².

This modification seeks to amend the currently approved design to introduce a mezzanine level to the commercial maritime and ancillary maritime area. As illustrated in the attached architectural plans (**Attachment A**) the proposed changes are limited to the internal area of the Western Boat Store and there are no significant built form changes to the boat store or design changes to the external appearance of the building.

The commercial maritime and ancillary maritime area is 5m² larger than the approved area of floorspace for these uses. However, this increase is considered to be minor and does not give rise to any additional environmental impacts, nor have any additional impacts in terms of traffic generation or parking. It is noted that original traffic and parking assessment submitted with the Project Application assessed the potential traffic and parking impacts based on 4,360m² of commercial maritime floorspace. The approved development has a total of 3,876m² of commercial maritime and ancillary floorspace (within the Western Boat Store and Commercial Maritime buildings) and the minor 5m² increase is well within the original assessment and modelling of traffic and parking impacts. Therefore the proposal will not generate any additional traffic or parking impacts.

The proposed modification does not fundamentally change the approved project in that the modified proposal will comprise two dry boat storage buildings, a commercial maritime building and a marina. The maximum boat storage of capacity of 670 vessels remains unchanged. Further, there are no changes proposed to the hours of operation of the facility, the approved car parking or gross floor area of the commercial maritime building.

6.0 Conclusion

The project, as proposed to be modified will be substantially the same as the approved project. The design changes to the commercial maritime and ancillary maritime spaces within the Western Boat Store building are limited to internal changes. The total floorspace is similar to that originally approved.

The total boat storage capacity at the Sydney Boathouse will remain capped at 670 boats and there are no other changes proposed to the boat storage and marina facilities in this modification. It is therefore considered that no additional environmental impacts arise due to the proposed modification.

Accordingly, we are of the view that the proposed modification is acceptable in this particular instance and can be approved under the Section 75W transition provisions. Should you have any enquiries please contact Kirk Osborne on 9473 4904 or at kosborne@dfpplanning.com.au.

Yours faithfully

DFP PLANNING PTY LTD



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Reviewed: 