

Project Application

Volume 2



Inner West Marina

Parramatta River, Sydney

Date of Issue: 7th July, 2010
Project No: 01013
Status: Project Application to NSW Department of Planning

Contents

Volume 1

1. Executive Summary
2. Introduction and Scope
3. The Site and Existing Environment
4. Proposed Development
5. Justification for the Proposal
6. Consultation
7. Statutory Context and Planning Controls
8. Requirements of The Director General of The NSW Department of Planning
9. Alternatives Considered
10. Identification of Issues
11. Environmental Assessment
 - 11.1 Contamination
 - 11.2 Visual Amenity
 - 11.3 Navigation and Safety
 - 11.4 Public Access
 - 11.5 Soils Sediment and Water
 - 11.6 Traffic
 - 11.7 Noise
 - 11.8 Aquatic Flora and Fauna
 - 11.9 Avian Fauna
 - 11.10 Air Quality
 - 11.11 Waste Management
 - 11.12 Social
 - 11.13 Heritage
 - 11.14 Hazard Assessment
 - 11.15 Economic
 - 11.16 Construction Impacts
 - 11.17 Cumulative Impacts
 - 11.18 Approvals and Licences
12. Statement of Commitments
13. Conclusion

Volume 7

Appendix 10:

- Construction Environmental Management Plan
- Operational Environmental Management Plan

Volume 8

Appendix 11:

- Berth Demand Study

Appendix 12:

- Construction Management Plan

Attachments

- Drawings CMP00, CMP01, CMP02, CMP03 and CMP04
- Geotextile Information

Volume 9

Appendix 13:

- Sediment Management Report
- Declaration of Remediation Fill from Environment Protection Agency
- Site Auditor Advice – Letter from GHD

Volume 10

Appendix 14:

- Assessment of Impact on Avian Fauna

Appendix 15:

- Marina Management Plan

Appendix 16:

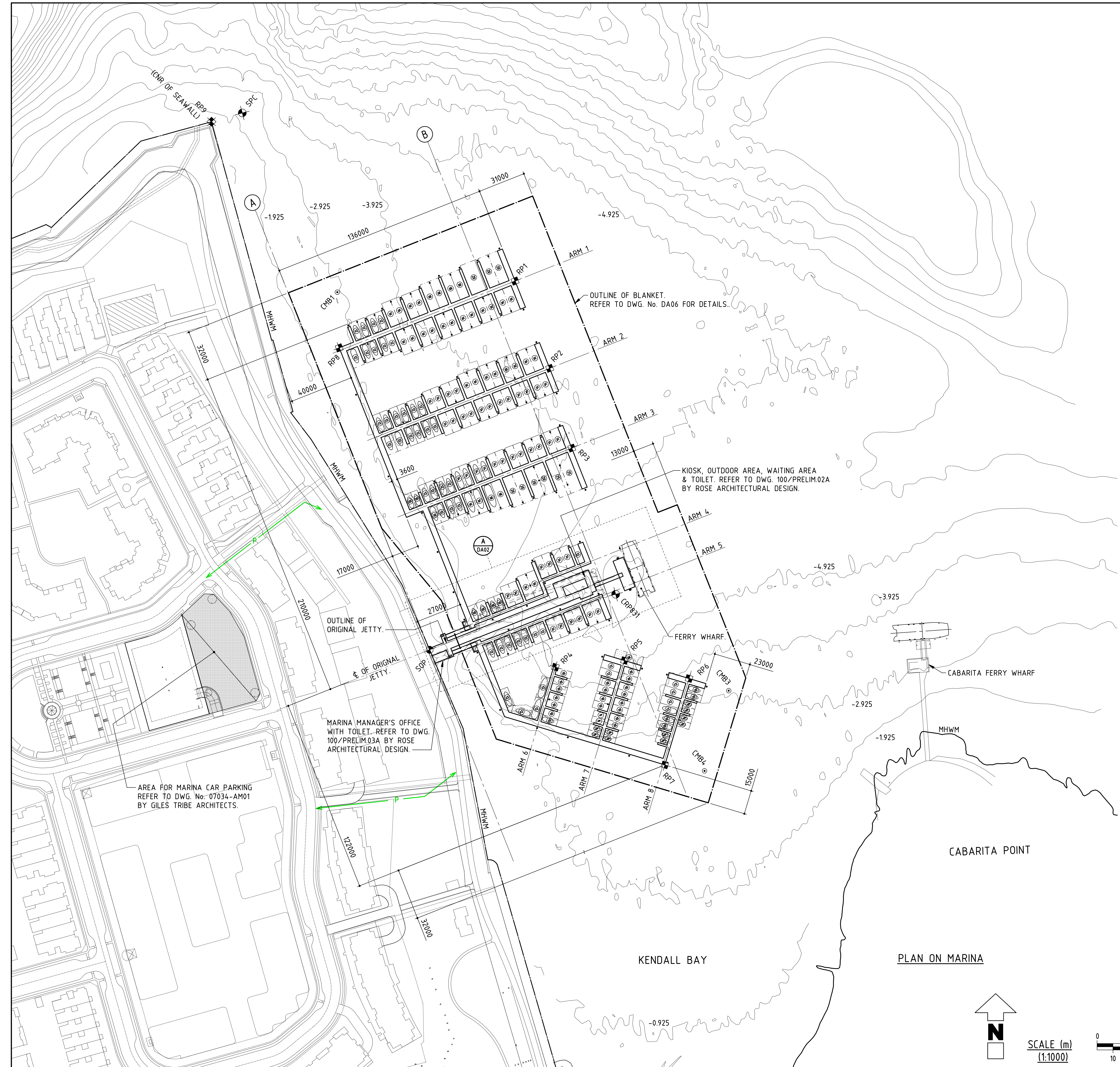
- Community Consultation Report

Appendix 17:

Navigation Information

- Drawing N01
- NSW Maritime Plan: Traffic Coordination of the Parramatta River
- Ferry Timetable
- NSW Maritime Schedules of Moored and Registered Vessels

APPENDIX 1:
▪ **DRAWINGS**



NOTES :

1. DATUM - AUSTRALIAN HEIGHT DATUM (AHD).
2. THE BED CONTOURS ARE TAKEN FROM A HYDROGRAPHIC SURVEY BY 'HARVEY HYDROGRAPHIC SURVEYS' UNDERTAKEN ON 06.08.01 TO 08.08.01 INCLUSIVE AND A HYDROGRAPHIC SURVEY UNDERTAKEN BY NSW MARITIME IN 2006.
3. WHERE VESSEL IS SHOWN IN BERTH ON PLAN 'V', BERTH IS TO BE USED FOR MOTOR VESSELS ONLY.
4. REFER TO DWG. No. DA03 FOR VESSEL SCHEDULE.

LEGEND :

- CMB1, 3 & 4 : CHANNEL MARKER BUOY.
- ⊕ CRP831 : EXISTING MARKER BUOY.
- ⊕ SPC : EXISTING CHANNEL MARKER PILE.
- ⊕ SOP : SET OUT POINT.
- (16) : VESSEL LENGTH.
- ← P → : PEDESTRIAN PUBLIC ACCESS.
- P → : DESTINATION (DAY TRIPPER) BERTHS - CASUAL BERTHING.
- ⊕ REFERENCE POINTS : REFER TO MGA94 (ZONE 56) CO-ORDINATES

MARK	MGA94 (ZONE 56) CO-ORDINATES (TO BE USED FOR FINAL SETOUT)	
	EASTING (m)	NORTHING (m)
CRP831	325535.00	6253927.00
SPC	325300.00	6254230.00
SOP	325417.91	6253892.06
RP1	325471.70	6254124.19
RP2	325493.48	6254069.24
RP3	325507.36	6254019.02
RP4	325497.08	6253881.15
RP5	325540.54	6253885.30
RP6	325581.20	6253873.97
RP7	325565.99	6253819.58
RP8	325361.01	6254082.15
RP9	325280.63	6254224.47

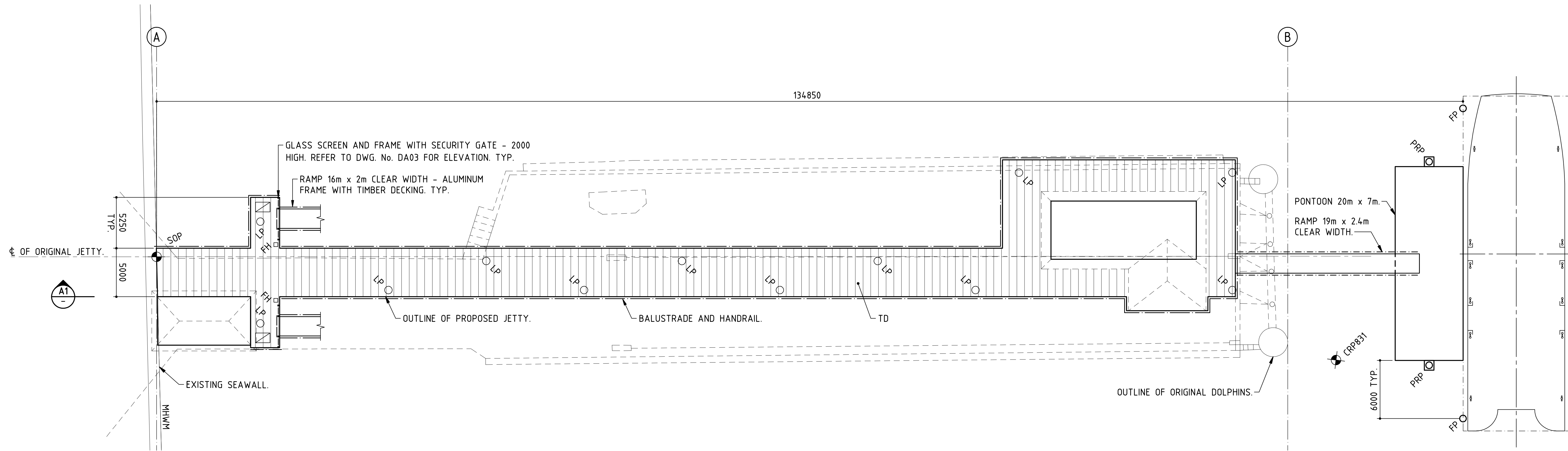
03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09



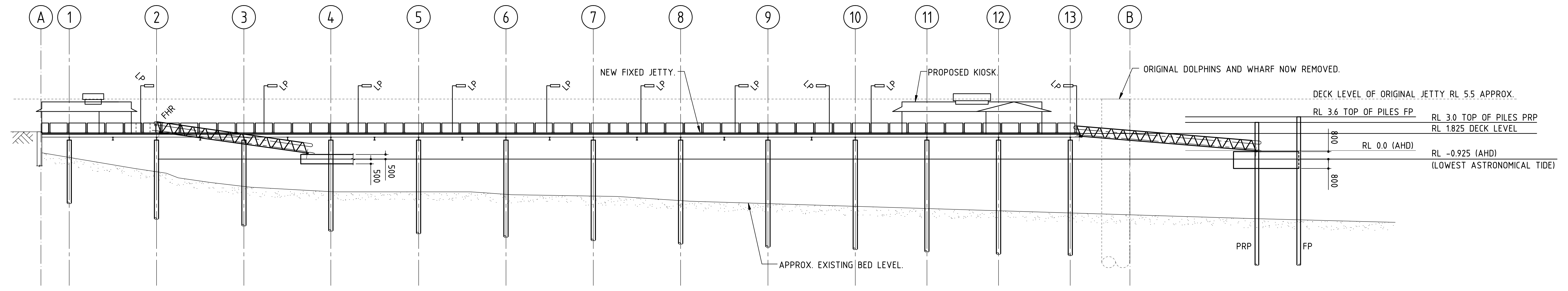
GENERAL ARRANGEMENT

Design H.B. Scales 1:1000 Job No. 01013
 Drawn S.K. Date 26.03.09 Dwg. No. DA01
 App'd. Sheet Size B1 Rev. No. 03





PLAN
 DATUM : AHD (AUSTRALIAN HEIGHT DATUM)
 FH : FIRE HYDRANT.
 FP : FENDER PILES.
 LP : LIGHT ON 5000mm POLE.
 PRP : PONTOON RESTRAINT PILES.
 SOP : SET OUT POINT.
 TD : TIMBER DECKING.
 NOTE : JETTY PILES NOR FLOATING STRUCTURE NOT SHOWN ON PLAN FOR CLARITY.

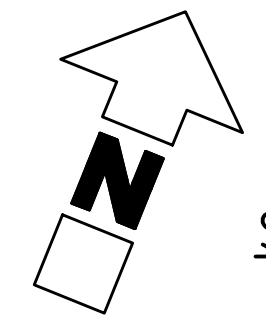
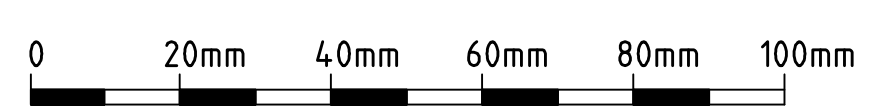


03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09

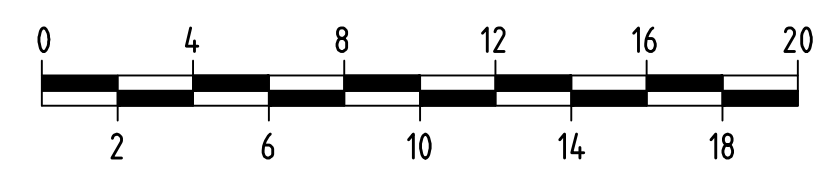


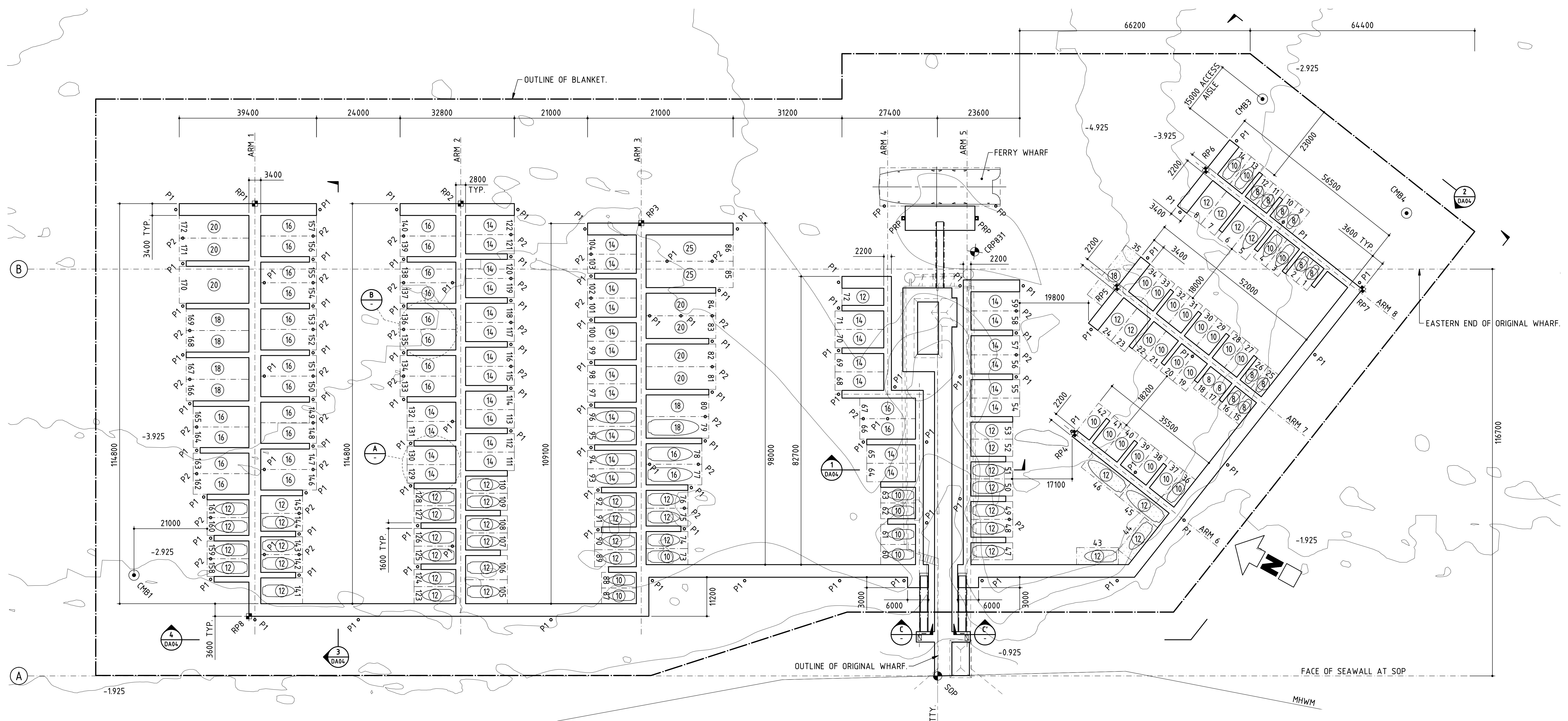
NEW JETTY

Design H.B. Scales 1:200 Job No. 01013
 Drawn S.K. Date 26.03.09 Dwg. No. DA02
 App'd. Sheet Size B1 Rev. No. 03



SCALE (m)
 (1:200)





PLAN ON MARINA

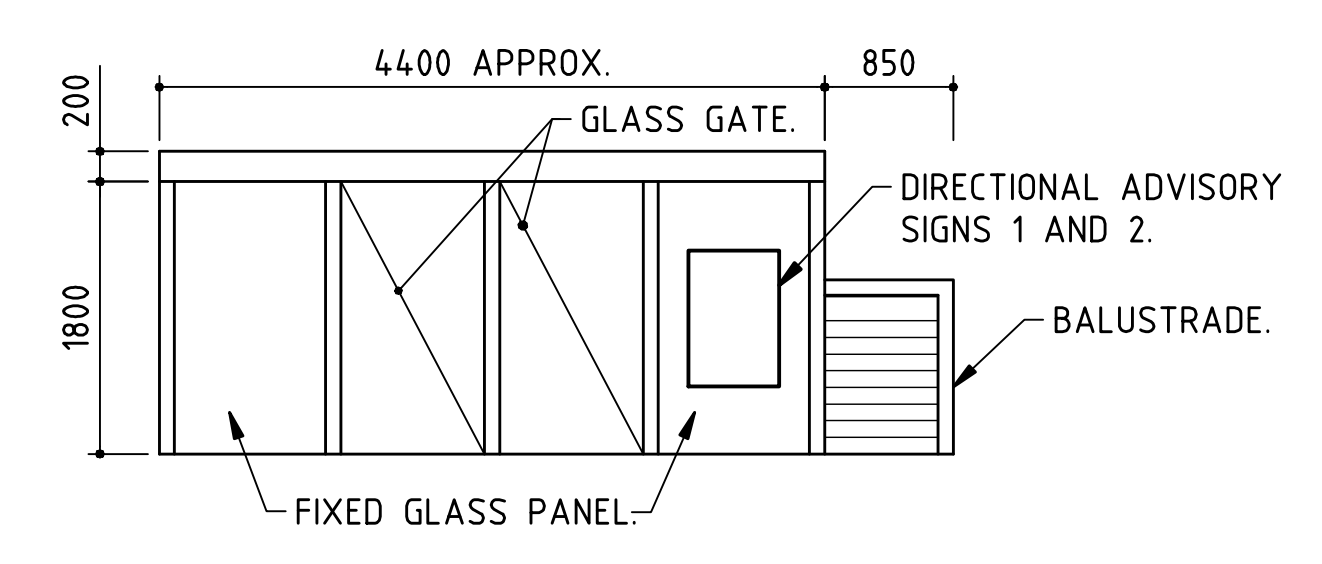
NOTES : 1. DATUM FOR LEVELS ON THIS DRAWING IS AUSTRALIAN HEIGHT DATUM (AHD).
 2. WHERE VESSEL IS SHOWN IN BERTH ON PLAN '1', BERTH IS TO BE USED FOR MOTOR VESSELS ONLY.

- (8) MAXIMUM LENGTH OF VESSEL FOR BERTH.
- 1 BERTH NUMBER

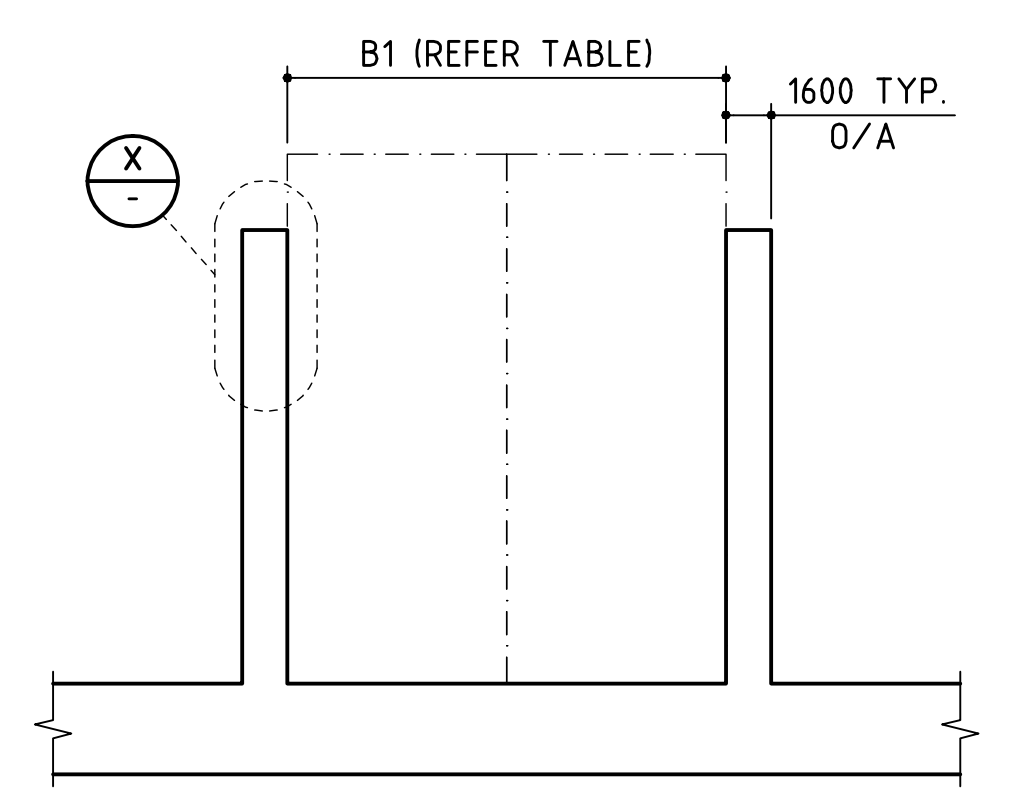
VESSEL LENGTH (m)	No. OF BERTHS			PERCENTAGE OF TOTAL (%)	WIDTH OF DOUBLE BERTH	
	TEMPORARY BERTHS	PERMANENT BERTHS	TOTAL		WITHOUT SEPERATION PILE B1 (m)	WITH SEPERATION PILE B2 (m)
8	-	12	12	7	7.8	8.2
10	-	30	30	18	9.0	9.4
12	4	42	46	27	9.8	10.2
14	-	40	40	23	10.6	11.0
16	-	28	28	16	11.4	11.8
18	1	6	7	4	11.8	12.4
20	-	7	7	4	12.4	13.0
>20 - 25	-	2	2	1	14.5	15.1
TOTAL	5	167	172	100		

- LEGEND :**
- ⊙ CMB1, 3 & 4 : CHANNEL MARKER BUOY.
 - ⊕ CRP831 : EXISTING MARKER BUOY.
 - ⊕ SOP : SET OUT POINT.
 - (16) : VESSEL LENGTH.
 - : PILES.
 - ⊕ REFERENCE POINTS : REFER TO DWG. No. DA01 FOR MGA94 (ZONE 56) CO-ORDINATES.

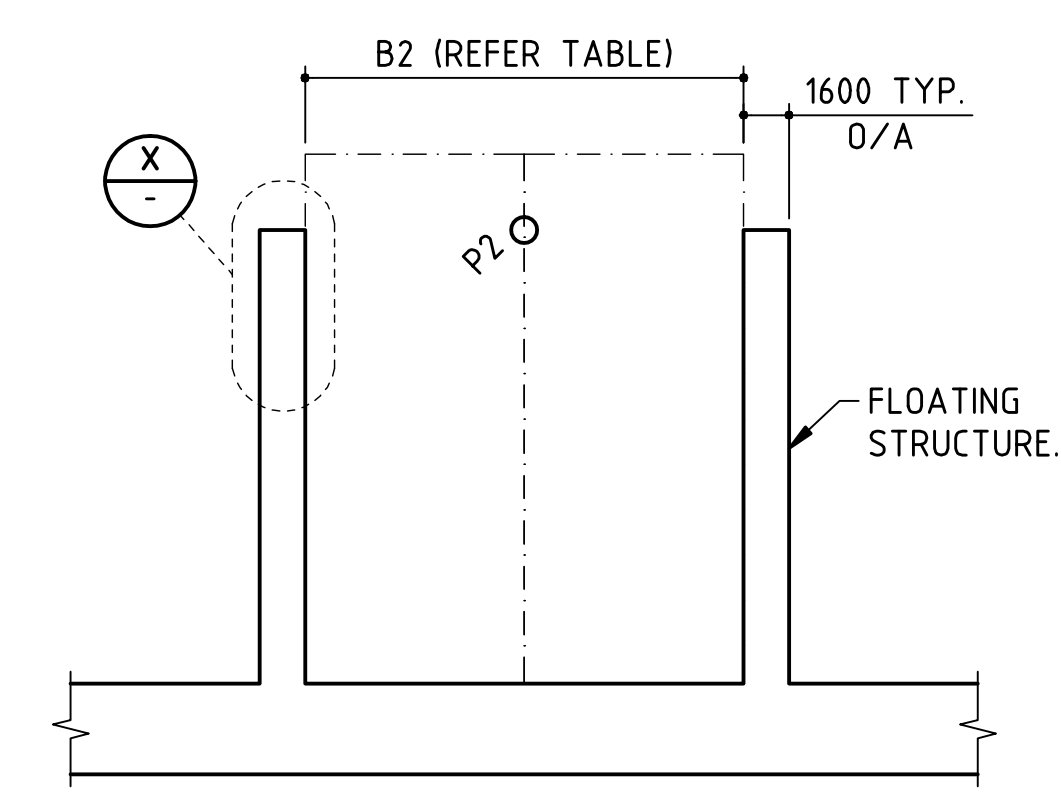
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING No. DA01



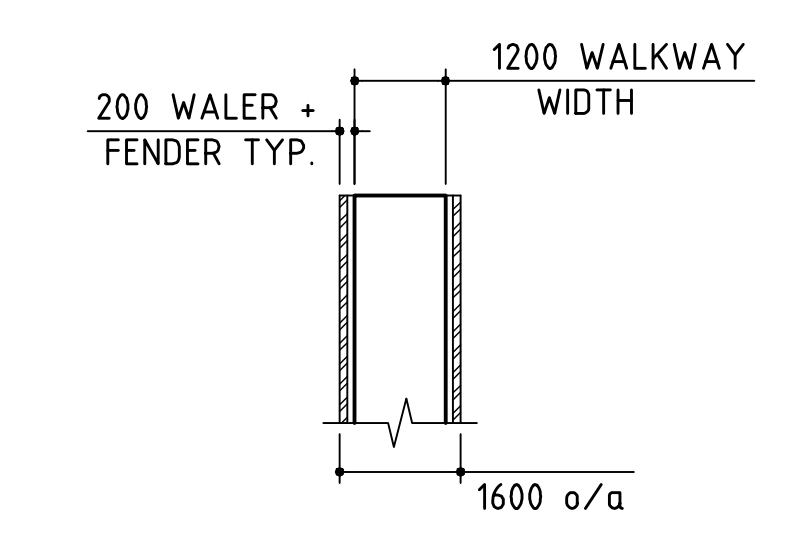
SCALE 1:50
 (C) INDICATIVE ELEVATION ON GLASS SECURITY GATE
 C' SIMILAR BUT OPPOSITE HAND



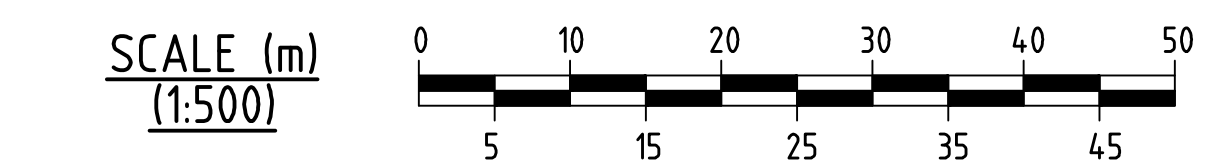
SCALE 1:200
 (A) DOUBLE MOORING PEN WITHOUT PILE



SCALE 1:200
 (B) DOUBLE MOORING PEN WITH SEPERATION PILE
 P2 : 400φ PILE FOR VESSELS UP TO 16m IN LENGTH
 600φ PILE FOR VESSELS GREATER THAN 16m IN LENGTH.



SCALE 1:100
 (X) PLAN ON FINGER (TYP)



- 03 : PROJECT APPLICATION 09.10.09
- 02 : PROJECT APPLICATION 14.07.09
- 01 : PROJECT APPLICATION 09.07.09

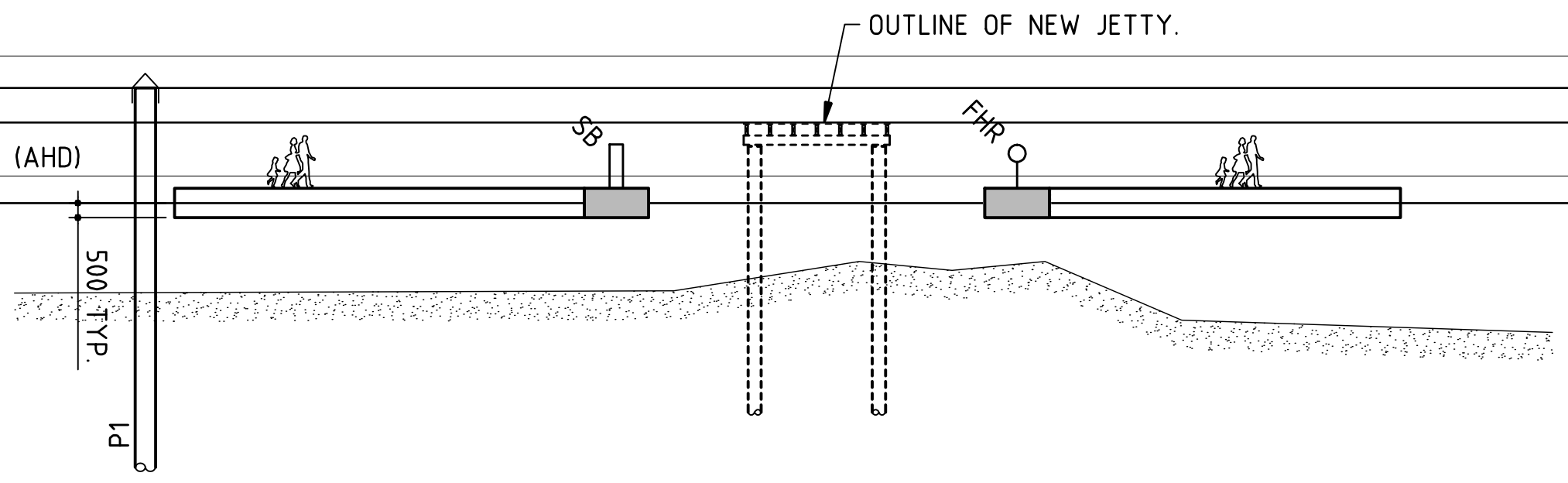


MARINA LAYOUT

Design H.B. Scales 1:500 UNO Job No. 01013
 Drawn S.K. Date 26.03.09 Dwg. No. DA03
 App'd. Sheet Size B1 Rev. No. 03

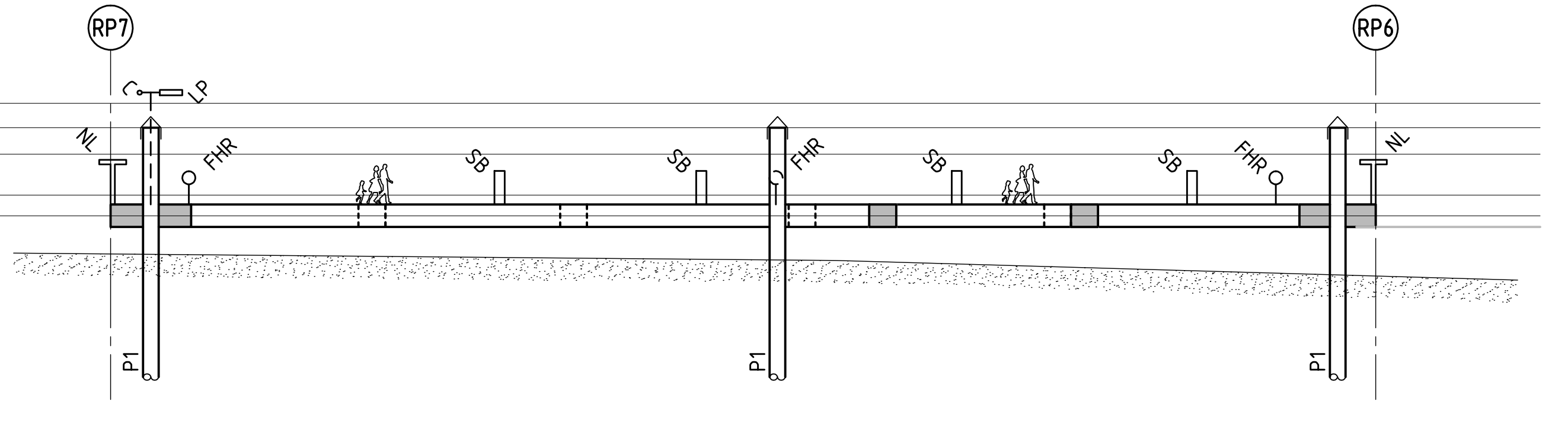


RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



1
DA03

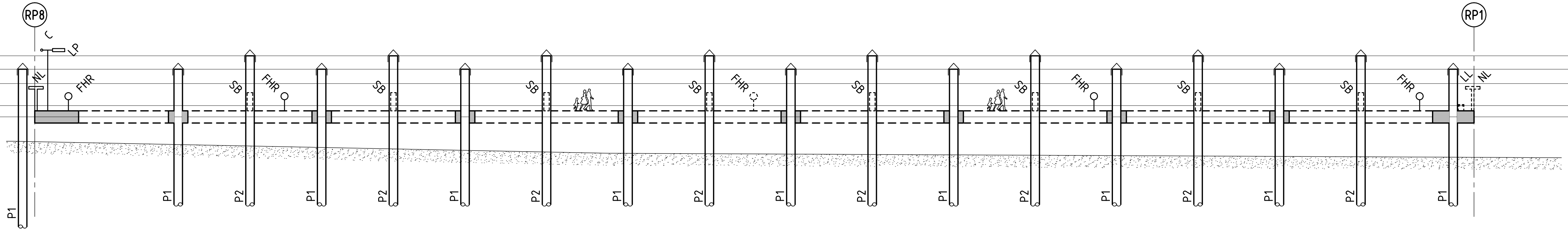
RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



2
DA03

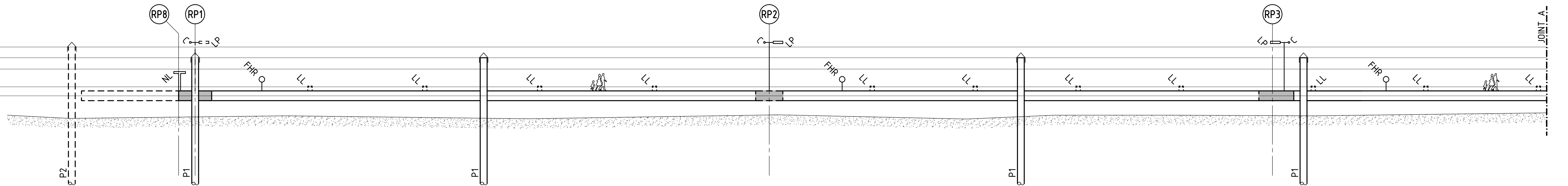
CMB3 & 4 NOT SHOWN FOR CLARITY

RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



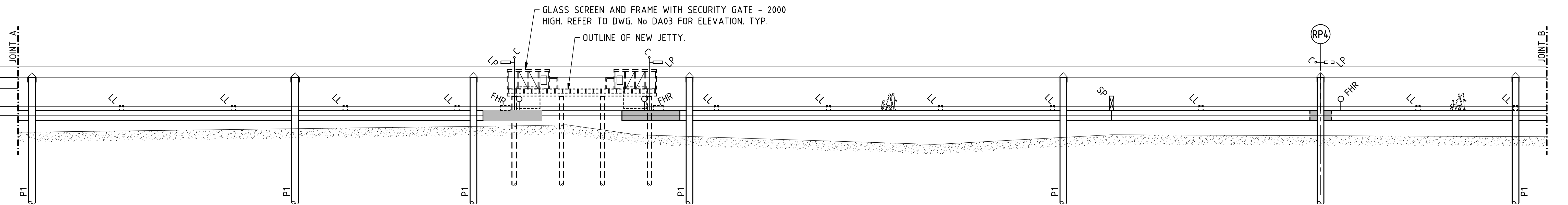
3
DA03

RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



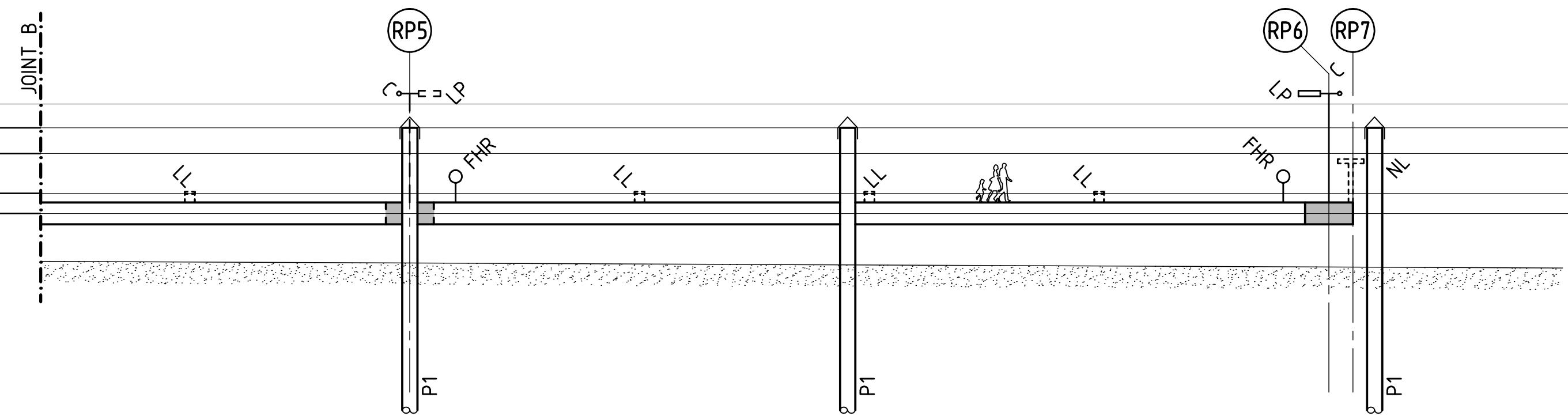
4
DA03

RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



4
DA03 CONTINUED

RL 4.1 TOP OF PILES P2
 RL 3.0 TOP OF PILES P1
 RL 1.825 DECK LEVEL
 RL 0.0 (AHD)
 RL -0.925 (AHD)
 (LOWEST ASTRONOMICAL TIDE)



4
DA03 CONTINUED

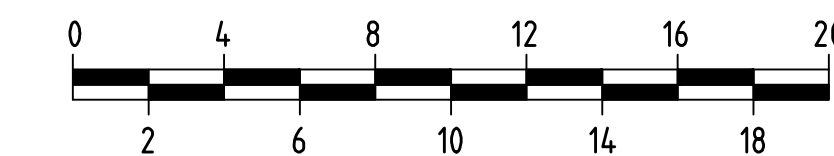
03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09

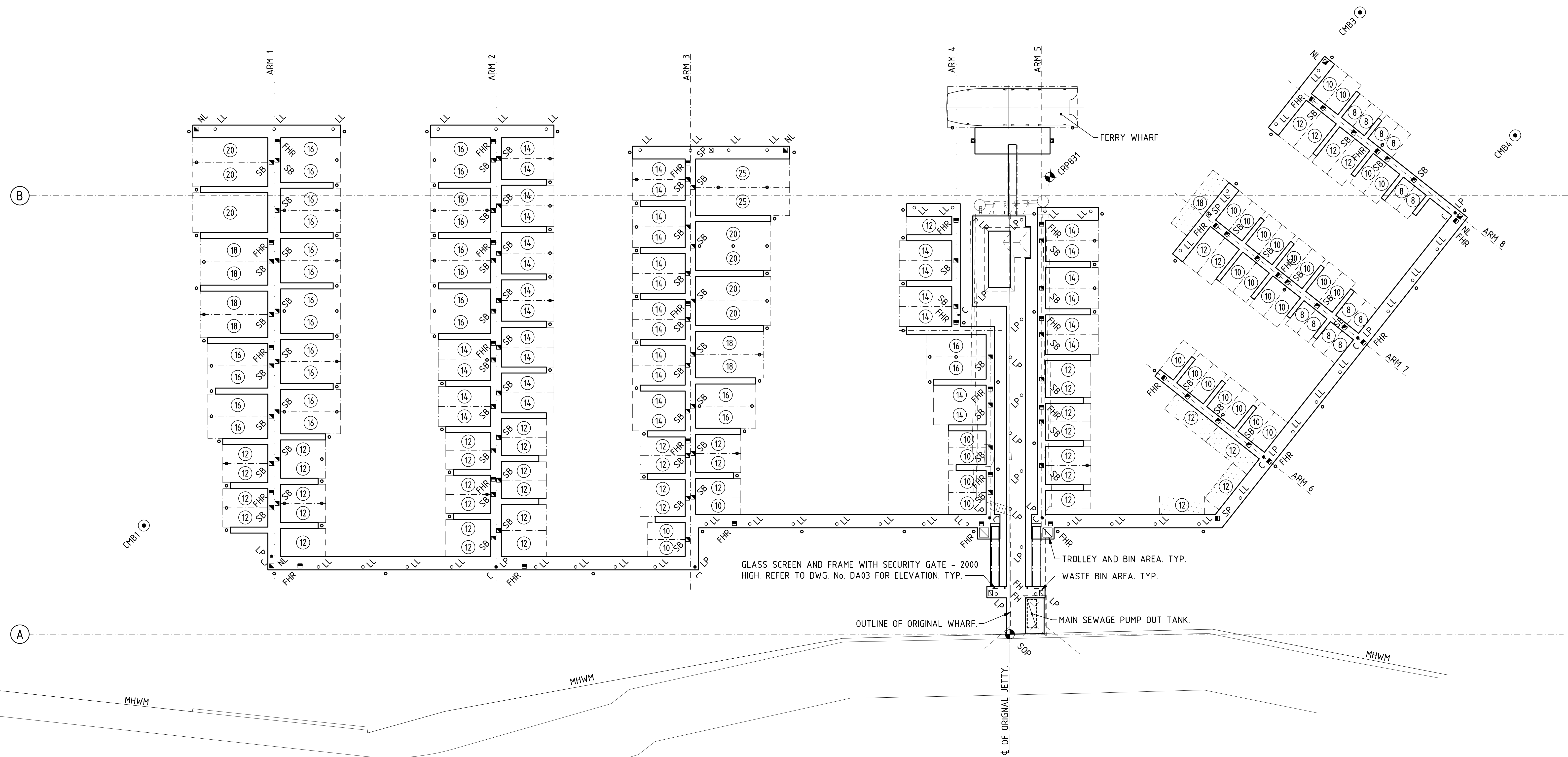


SECTIONS

Design H.B. Scales 1:200 Job No. 01013
 Drawn S.K. Date 26.03.09 Dwg. No. DA04
 App'd. Sheet Size B1 Rev. No. 03

SCALE (mm)
 (1:200)





- PLAN**
- ⑭ MAXIMUM LENGTH OF VESSEL FOR BERTH
 - SOP : SET OUT POINT.
 - CMB1, 3 & 4 : CHANNEL MARKER BUOY.
 - C : SECURITY CAMERA.
 - FHR : FIRE HOSE REEL.
 - FH : FIRE HYDRANT.
 - NL : NAVIGATION LIGHT.
 - SB : SERVICES BOLLARD 1200mm HIGH BOLLARD WITH LIGTH, WATER AND POWER.
 - SP : SEWAGE PUMP.
 - SERVICES BOLLARDS.
 - LL : LIGHT ONLY (LOW LEVEL - 500mm HIGH BOLLARD WITH DOWN LIGHT).
 - LP : LIGHT ON 5000mm POLE.

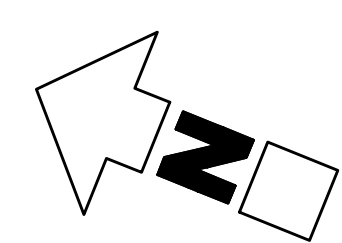
03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09



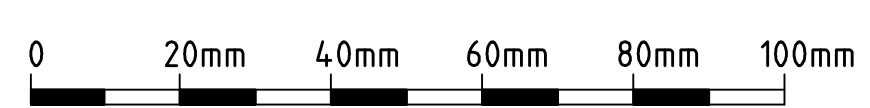
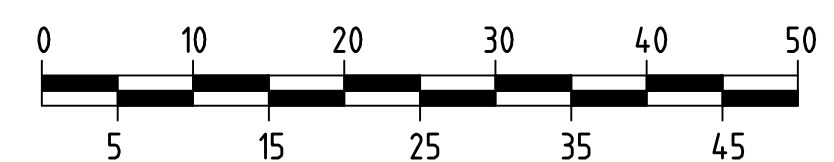
MARINA SERVICES

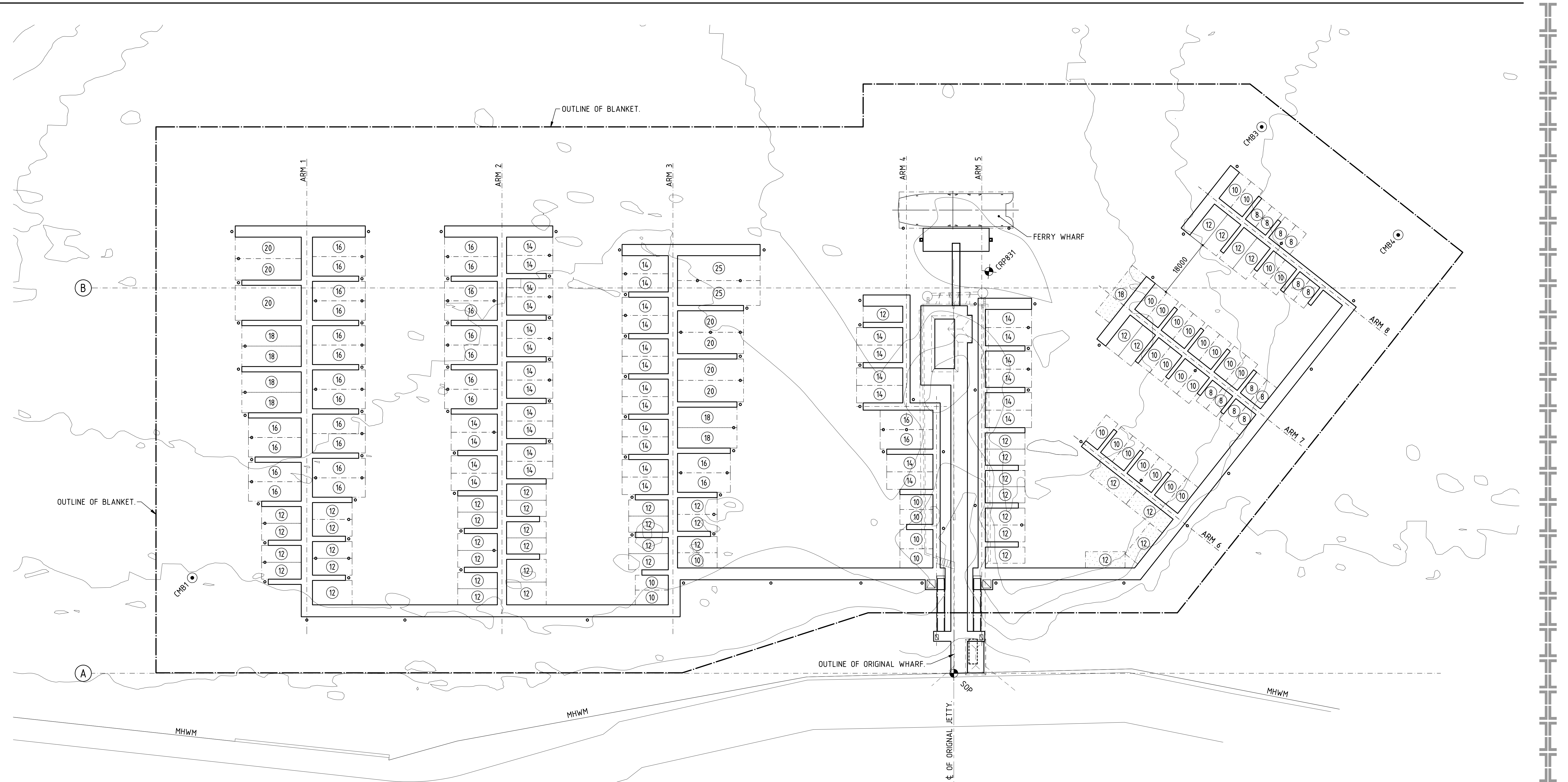
Design H.B. Scales 1:500 Job No. 01013
 Drawn S.K. Date 26.03.09 Dwg. No. DA05
 App'd. Sheet Size B1 Rev. No. 03

THIS DRAWING IS TO BE READ IN
 CONJUNCTION WITH DRAWING No. DA01

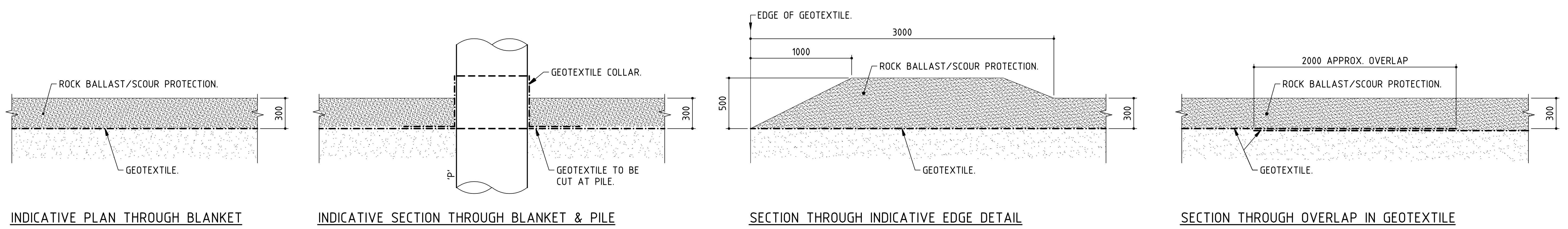


SCALE (m)
 (1:500)





SCALE 1:500
 PLAN
 ①④ MAXIMUM LENGTH OF VESSEL FOR BERTH
 ◆ SOP : SET OUT POINT.



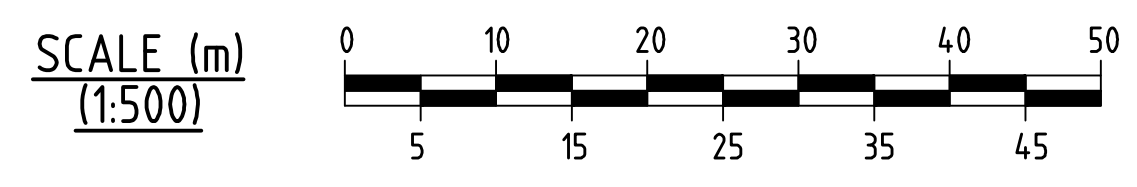
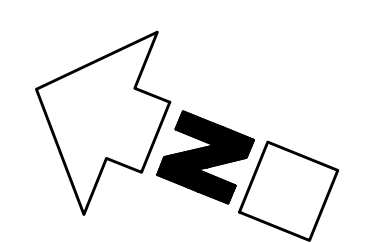
03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09



BED TREATMENT

Design H.B. Scales 1:20 UNO Job No. 01013
 Drawn S.K. Date 22.04.09 Dwg. No. DA06
 App'd. Sheet Size B1 Rev. No. 03

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING No. DA01



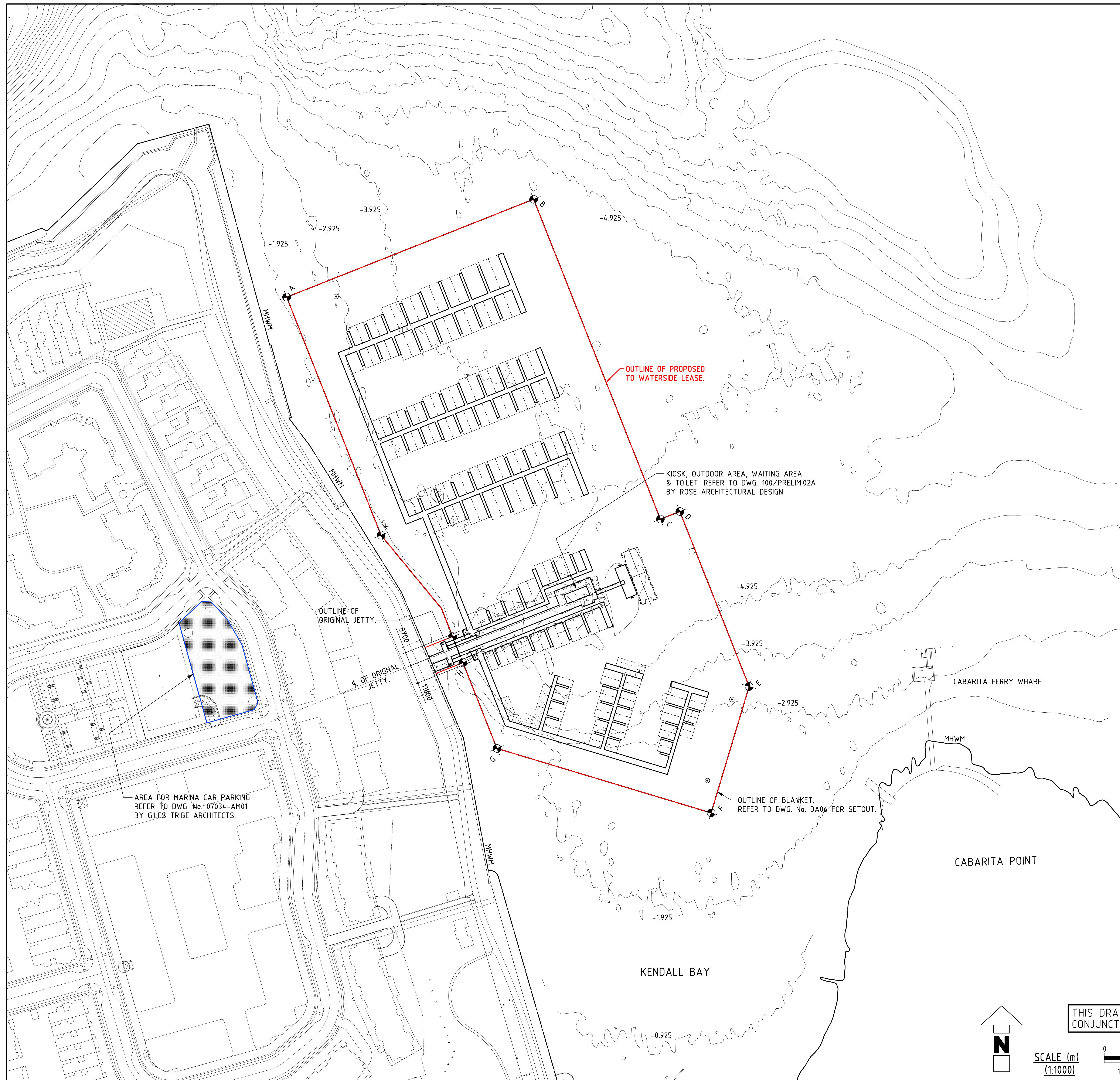
NOTES :

1. DATUM - AUSTRALIAN HEIGHT DATUM (AHD).
2. THE BED CONTOURS ARE TAKEN FROM A HYDROGRAPHIC SURVEY BY 'HARVEY HYDROGRAPHIC SURVEYS' UNDERTAKEN ON 06.08.01 TO 08.08.01 INCLUSIVE AND A HYDROGRAPHIC SURVEY UNDERTAKEN BY NSW MARITIME IN 2006.

LEGEND :

⊕ REFERENCE POINTS : REFER TO MGA94 (ZONE 56) CO-ORDINATES

MARK	MGA94 (ZONE 56) CO-ORDINATES (TO BE USED FOR FINAL SETOUT)	
	EASTING (m)	NORTHING (m)
A	325328.99	6254116.79
B	325482.76	6254177.72
C	325561.68	6253978.56
D	325573.77	6253983.35
E	325616.94	6253874.41
F	325593.26	6253795.71
G	325459.91	6253835.84
H	325438.76	6253889.20
J	325432.32	6253905.44
K	325387.72	6253968.58



03 : PROJECT APPLICATION 09.10.09
 02 : PROJECT APPLICATION 14.07.09
 01 : PROJECT APPLICATION 09.07.09



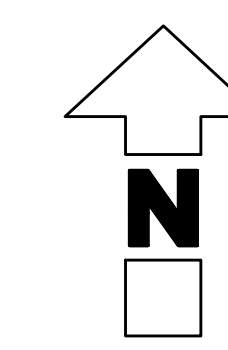
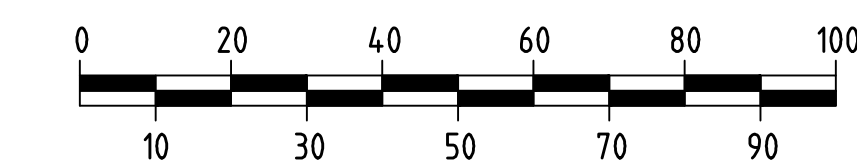
SITE DIAGRAM

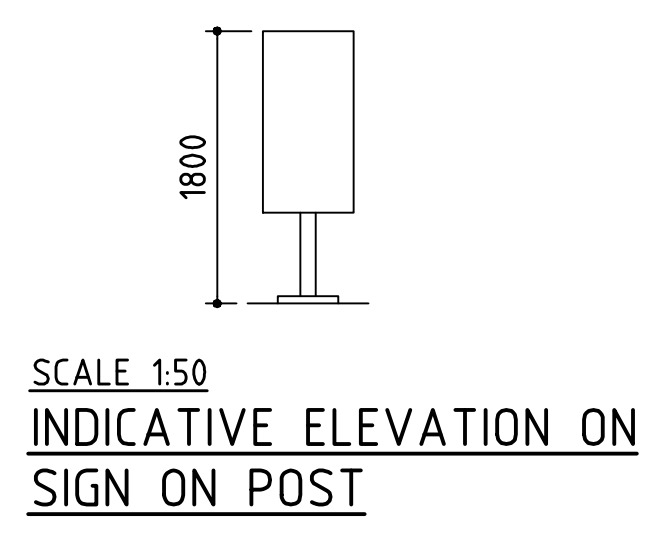
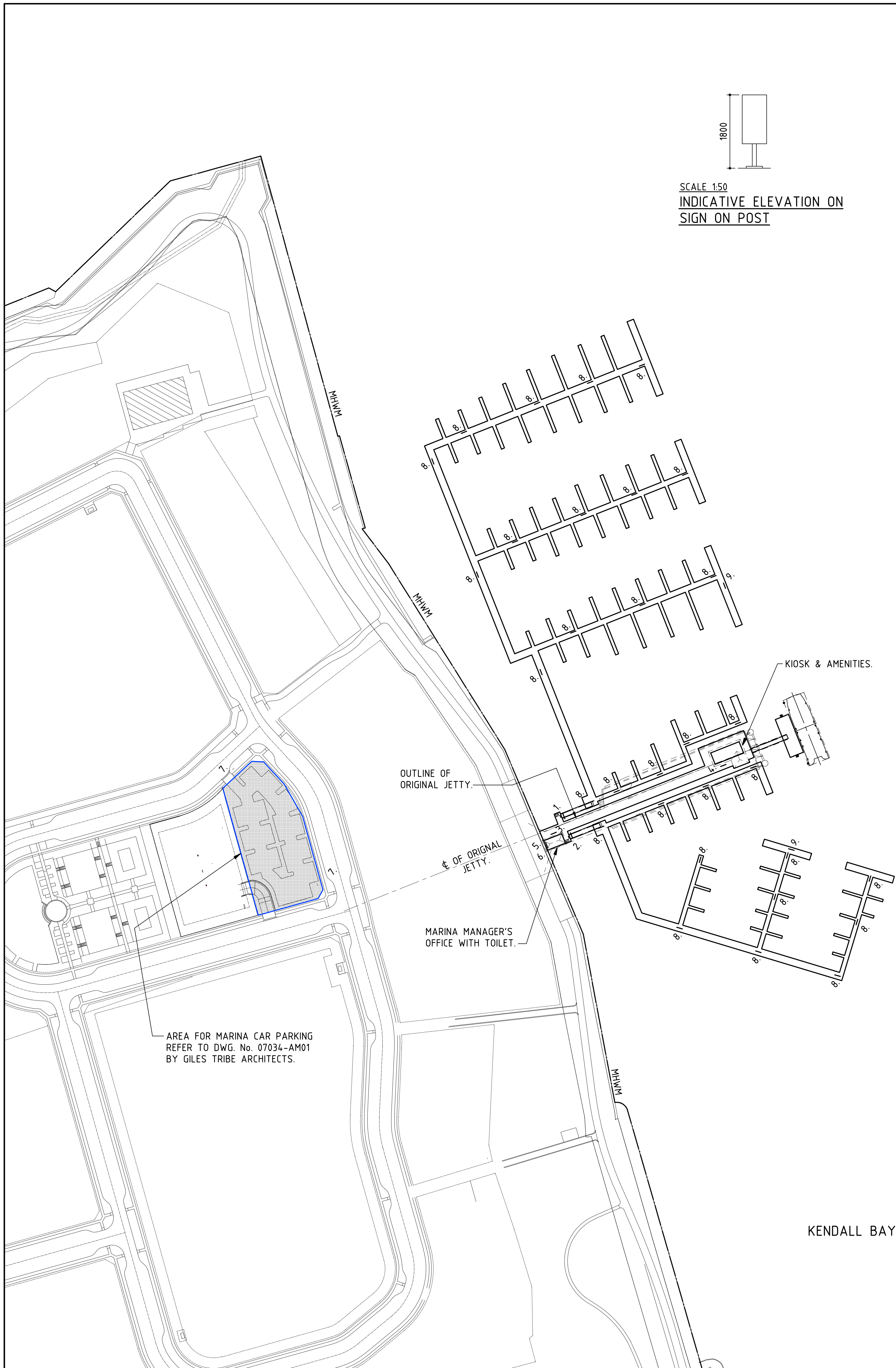
Design H.B. Scales 1:1000 Job No. 01013
 Drawn S.K. Date 26.05.09 Dwg. No. DA07
 App'd. Sheet Size B1 Rev. No. 03



THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING No. DA01

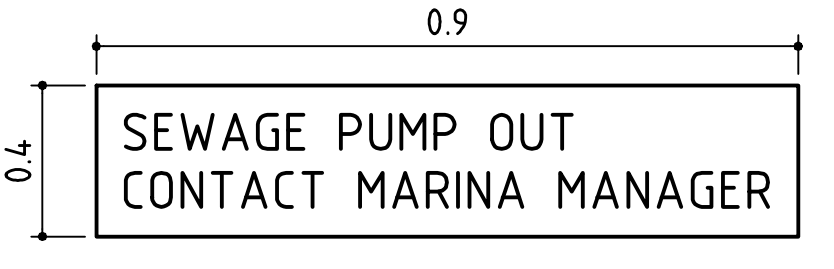
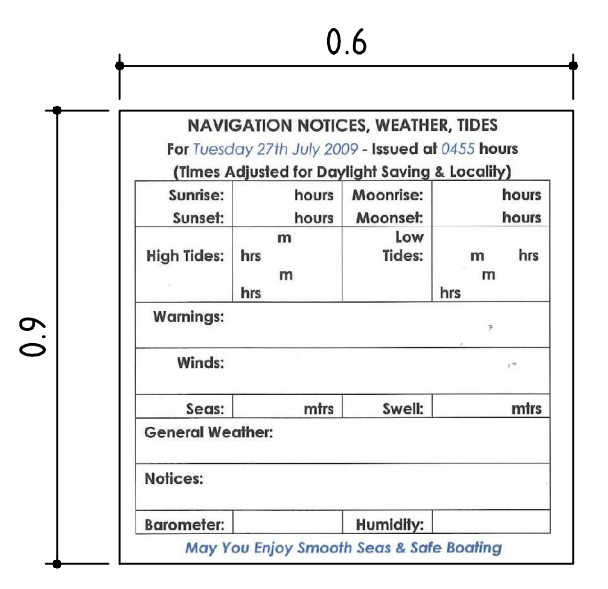
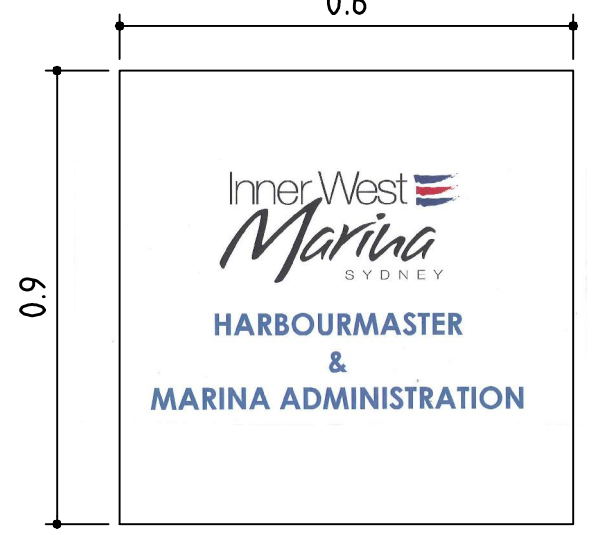
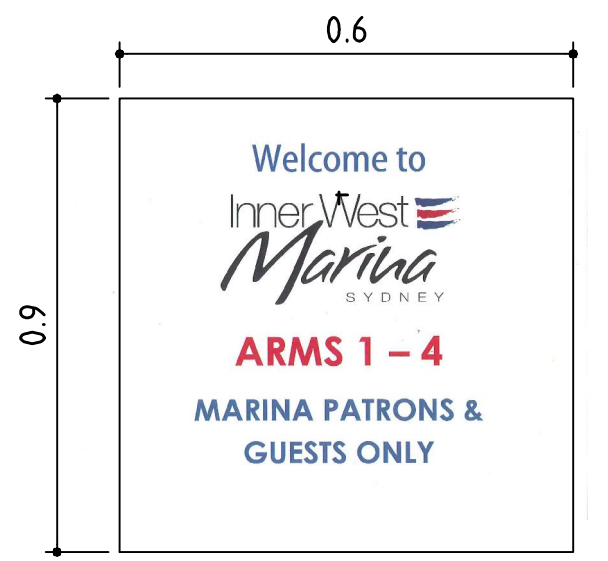
SCALE (m)
(1:1000)



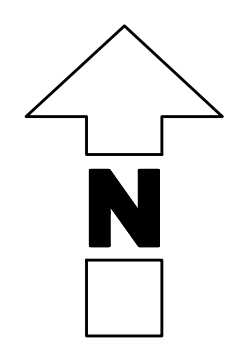
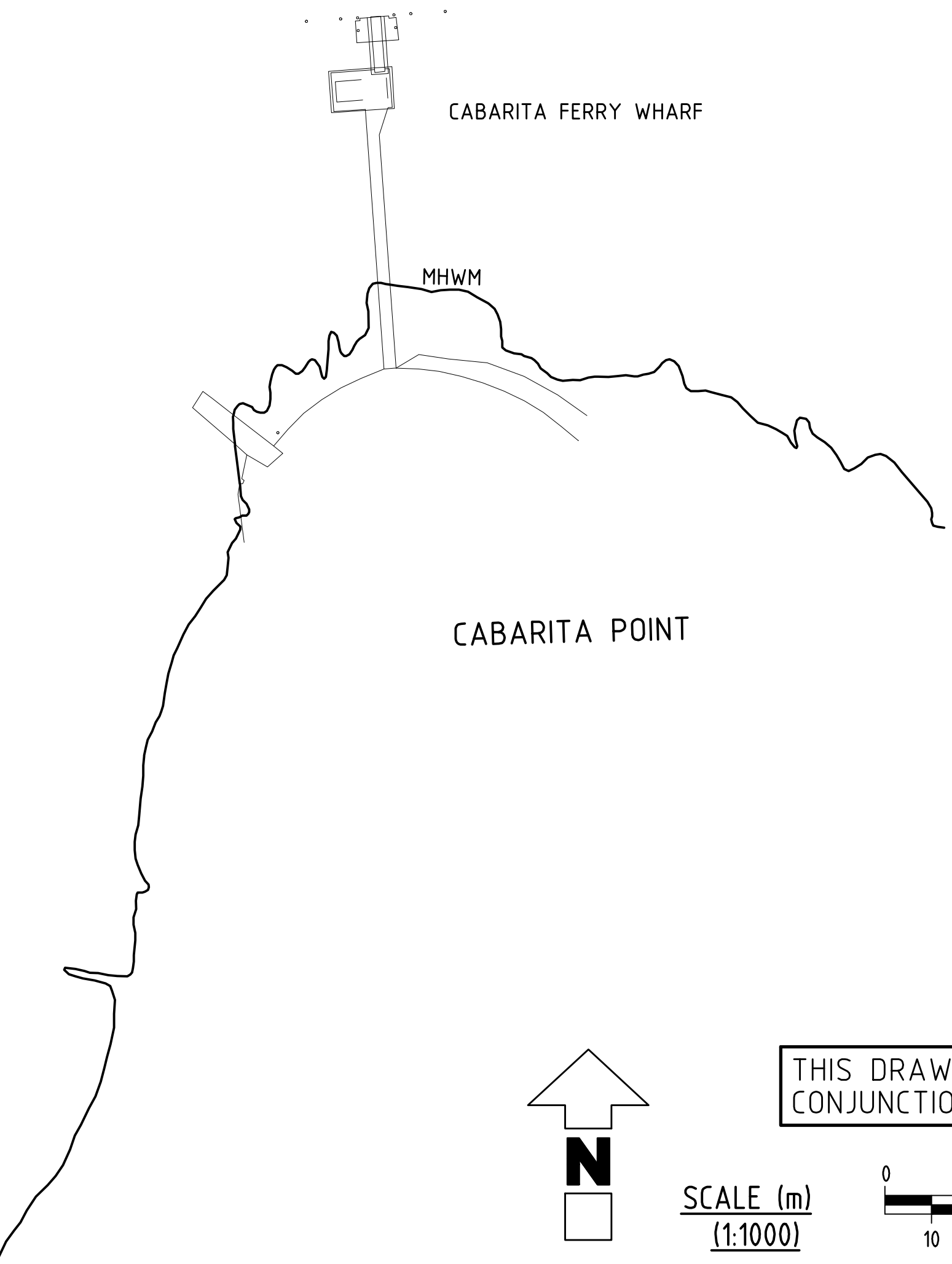
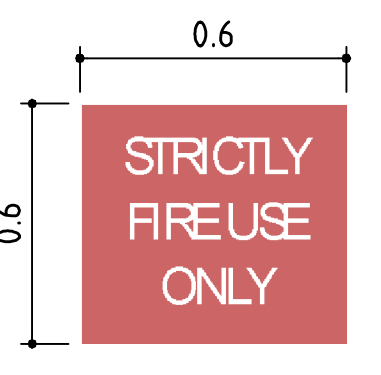
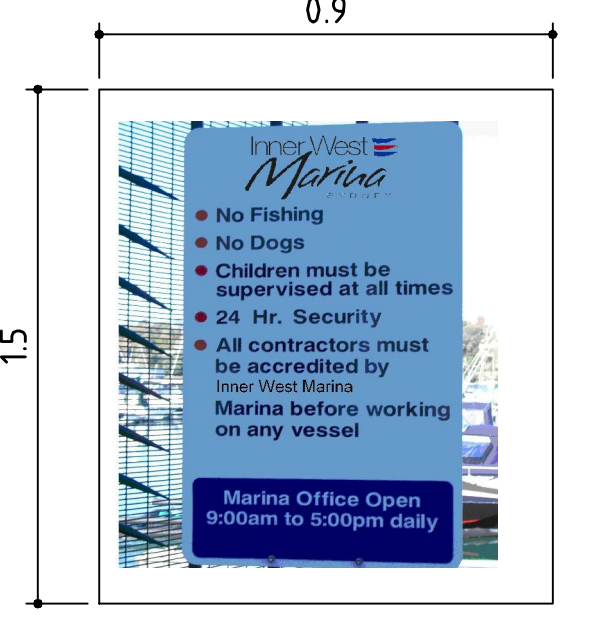
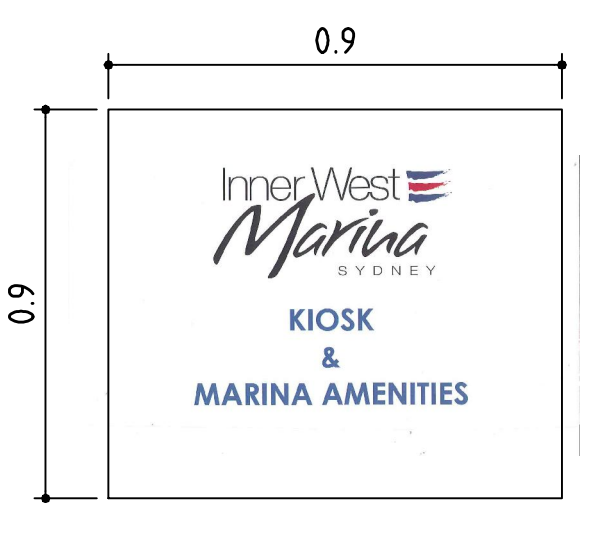
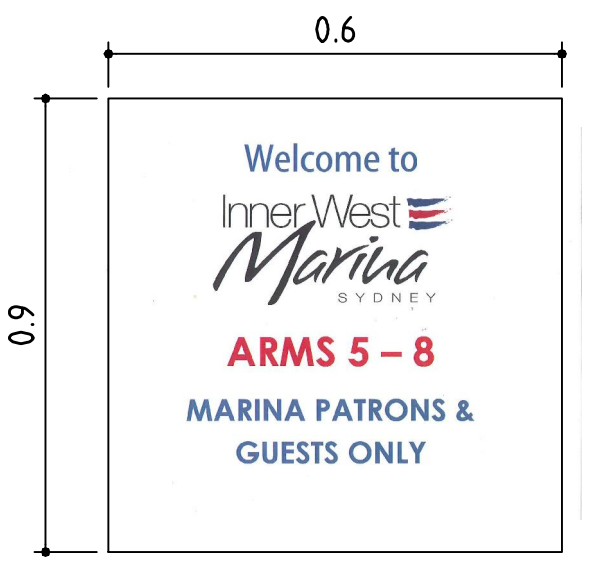


LEGEND :

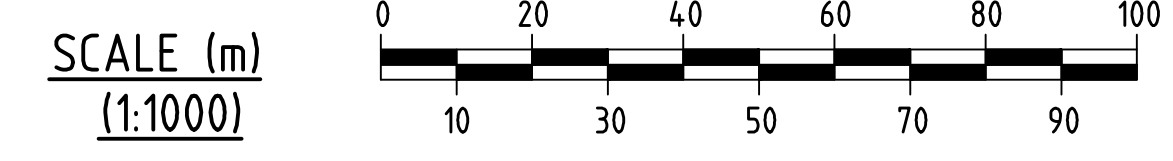
1. DIRECTIONAL ADVISORY SIGN FOR MARINA ARMS - EXAMPLE : (ON GLASS PANEL BESIDE GLASS SECURITY GATE).
2. DIRECTIONAL ADVISORY SIGN FOR MARINA ARMS - EXAMPLE : (ON GLASS PANEL BESIDE GLASS SECURITY GATE).
3. BUILDING DESIGNATION SIGN (TRANSFER ON GLASS DOOR) - EXAMPLE :
4. BUILDING DESIGNATION SIGN - EXAMPLE : (ON SIDE OF BUILDING).
5. ADVISORY SIGN (WEATHER) - EXAMPLE : (ON SIDE OF BUILDING).
6. ADVISORY SIGN (MARINA RULES) - EXAMPLE : (ON SIDE OF BUILDING).
7. DIRECTIONAL SIGN (ON 1800 HIGH POST).
8. SERVICES ADVISORY SIGN (FIRE) FOR FIRE HOSE REELS - EXAMPLE : ATTACHED TO HOSE REEL POST.
9. SERVICES ADVISORY SIGN (SEWAGE PUMP OUT) (ATTACHED TO SEWAGE PUMP OUT CABINET).



2. DIRECTIONAL ADVISORY SIGN FOR MARINA ARMS - EXAMPLE : (ON GLASS PANEL BESIDE GLASS SECURITY GATE).



THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING No. DA01



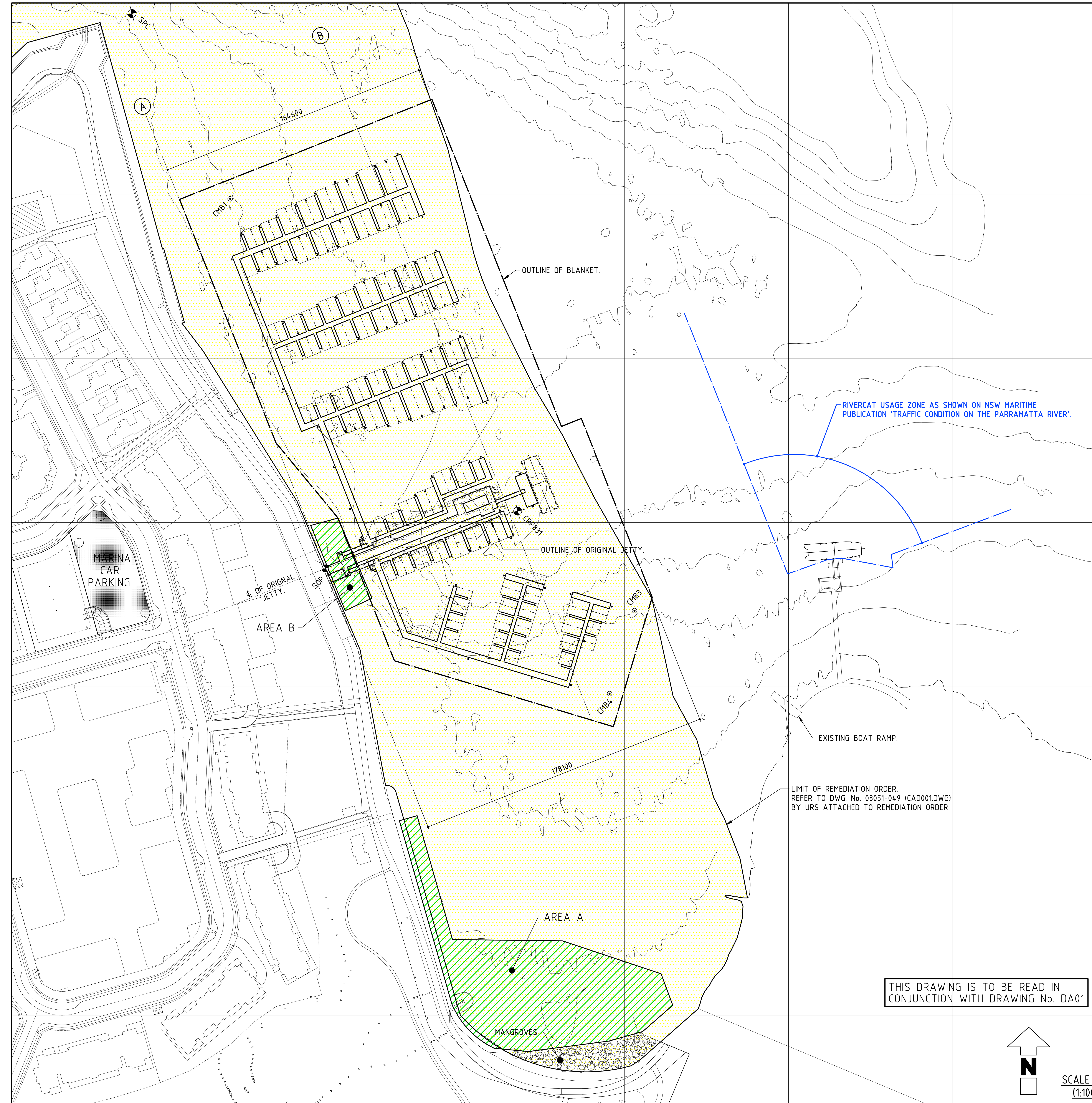
03 : PROJECT APPLICATION	09.10.09
02 : DIMENSIONS AND ELEVATIONS ADDED	24.09.09
01 : PROJECT APPLICATION	04.09.09



SIGNAGE

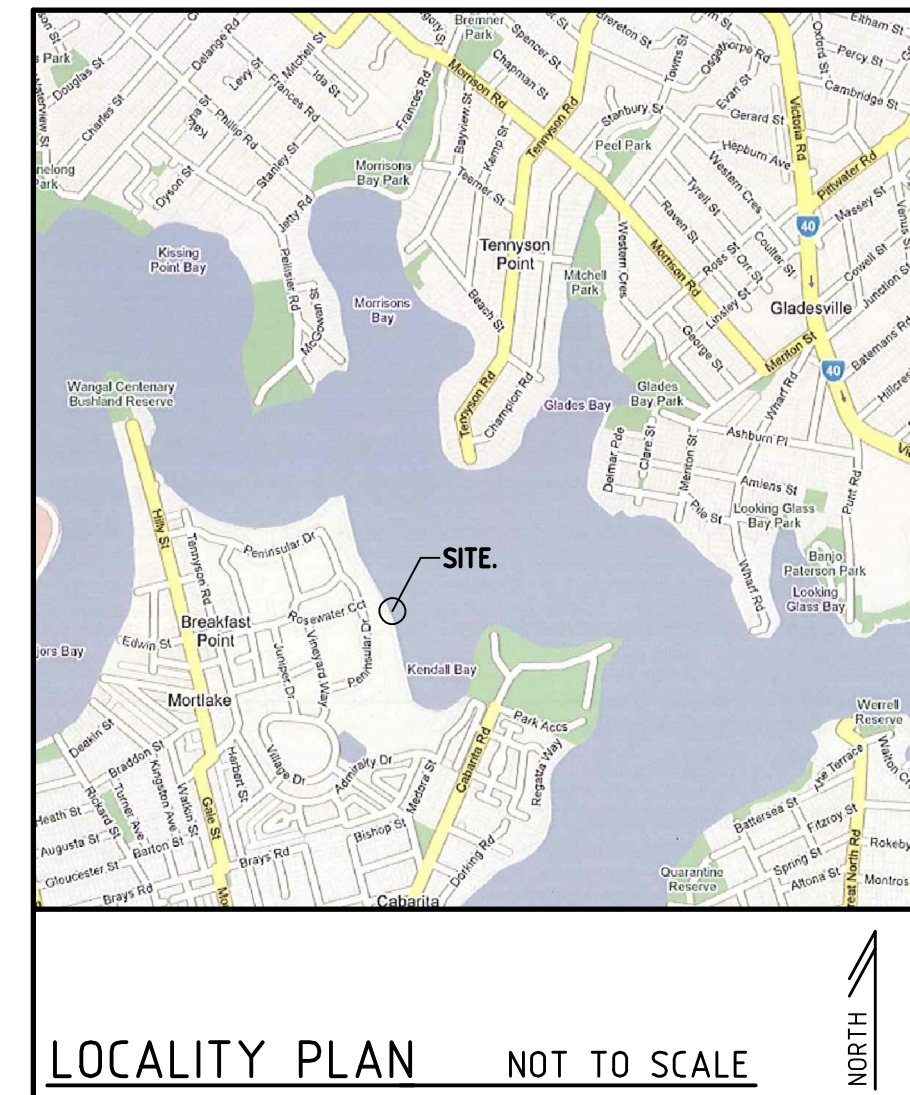
Design H.B.	Scales 1:1000 UNO	Job No. 01013
Drawn S.K.	Date 31.08.09	Dwg. No. DA08
App'd.	Sheet Size B1	Rev. No. 03





LEGEND

- : AREA PROPOSED TO BE REMEDIATED BY JEMEMA PTY. LTD.
- CMB1 - CMB4 : CHANNEL MARKER BUOY.
- CRP831 : EXISTING MARKER BUOY TO BE REMOVED ON CONSTRUCTION OF MARINA.
- SOP : SET OUT POINT.
- SPC : EXISTING CHANNEL MARKER PILE.



03 : PROJECT APPLICATION	09.10.09
02 : PROJECT APPLICATION	14.07.09
01 : PROJECT APPLICATION	09.07.09

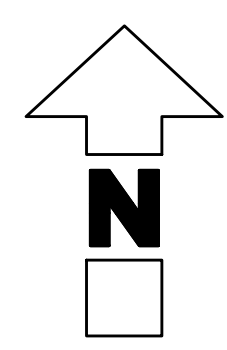


SITE ANALYSIS

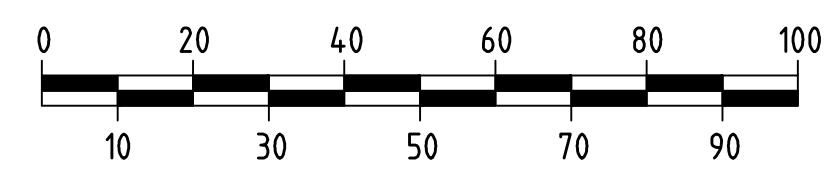
Design H.B.	Scales 1:1000	Job No. 01013
Drawn S.K.	Date 26.03.09	Dwg. No. DA10
App'd.	Sheet Size B1	Rev. No. 03

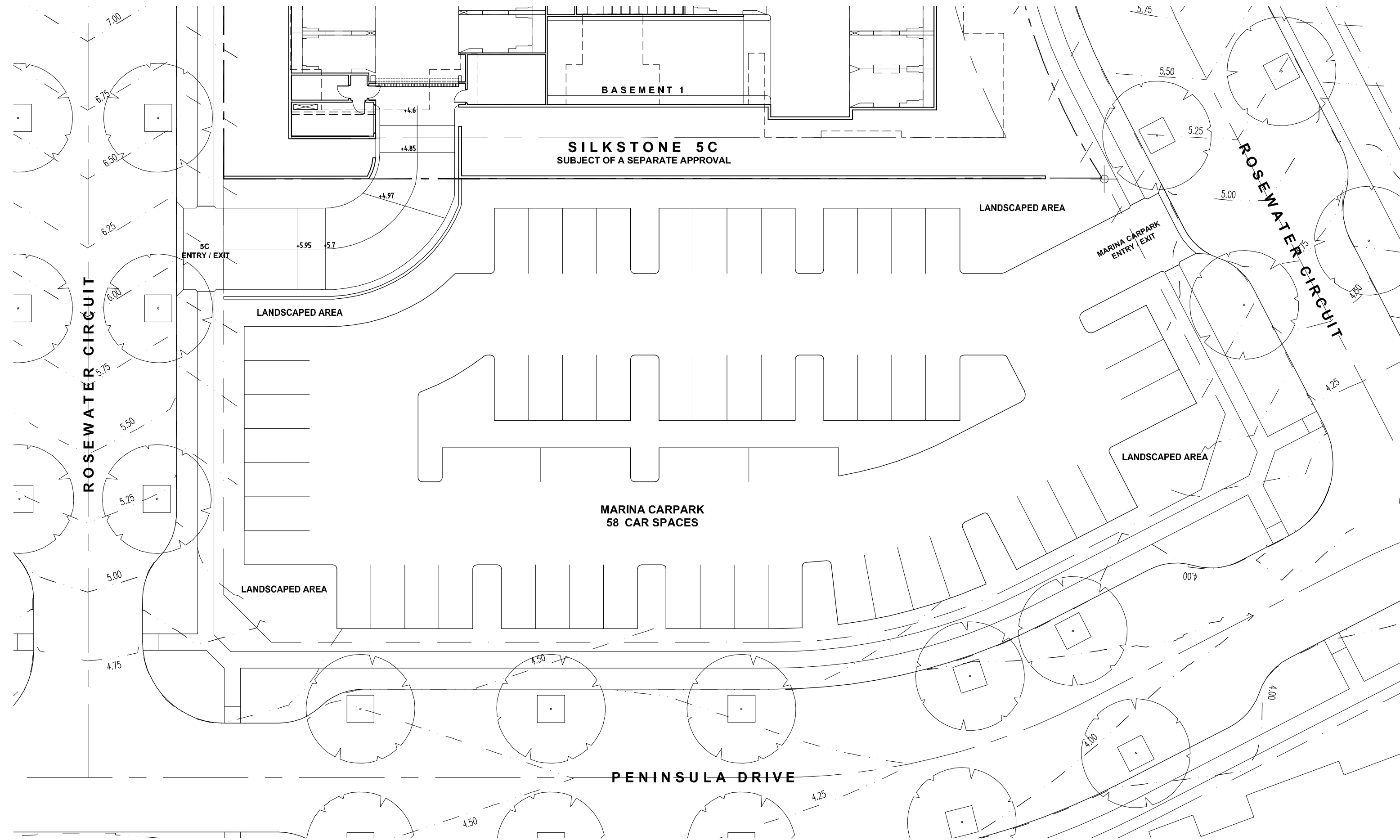


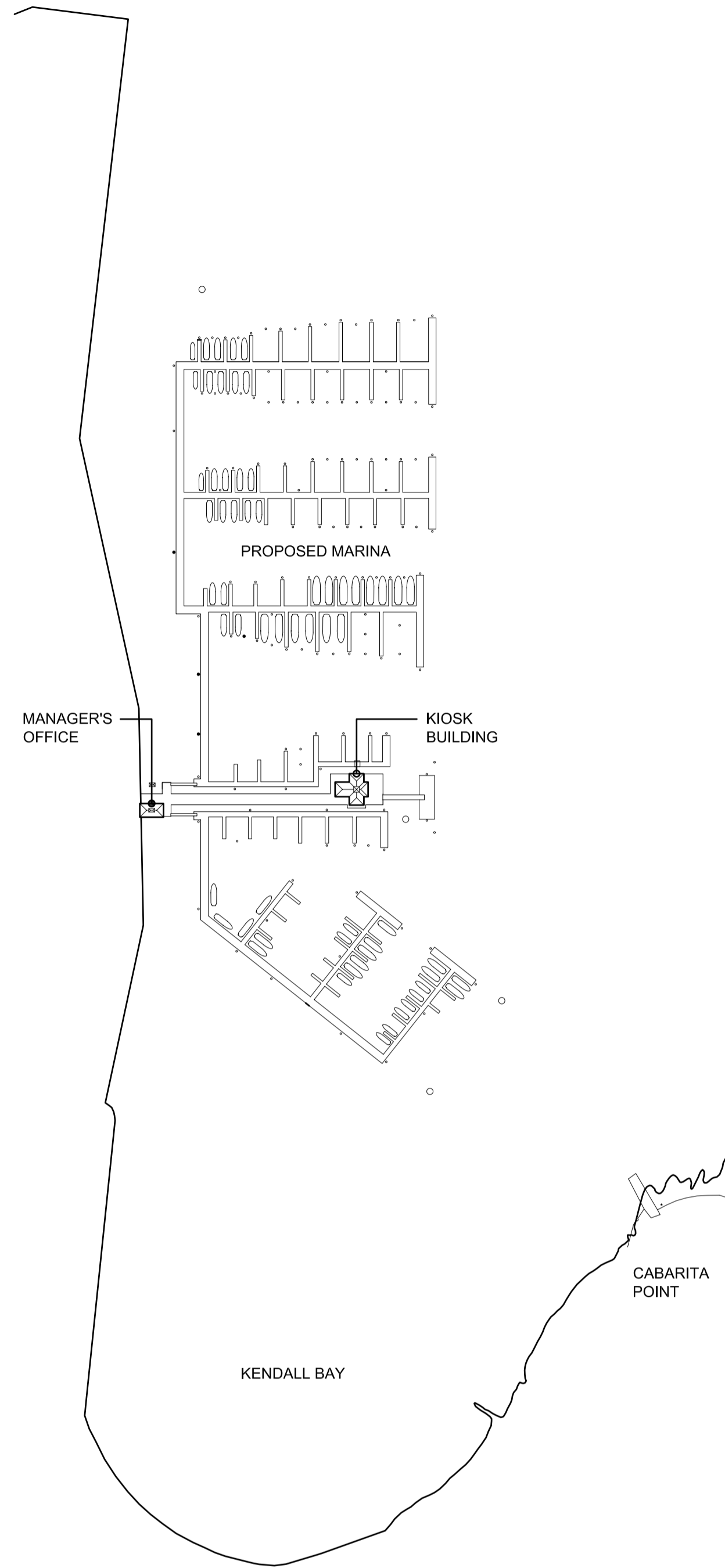
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING No. DA01



SCALE (m)
(1:1000)



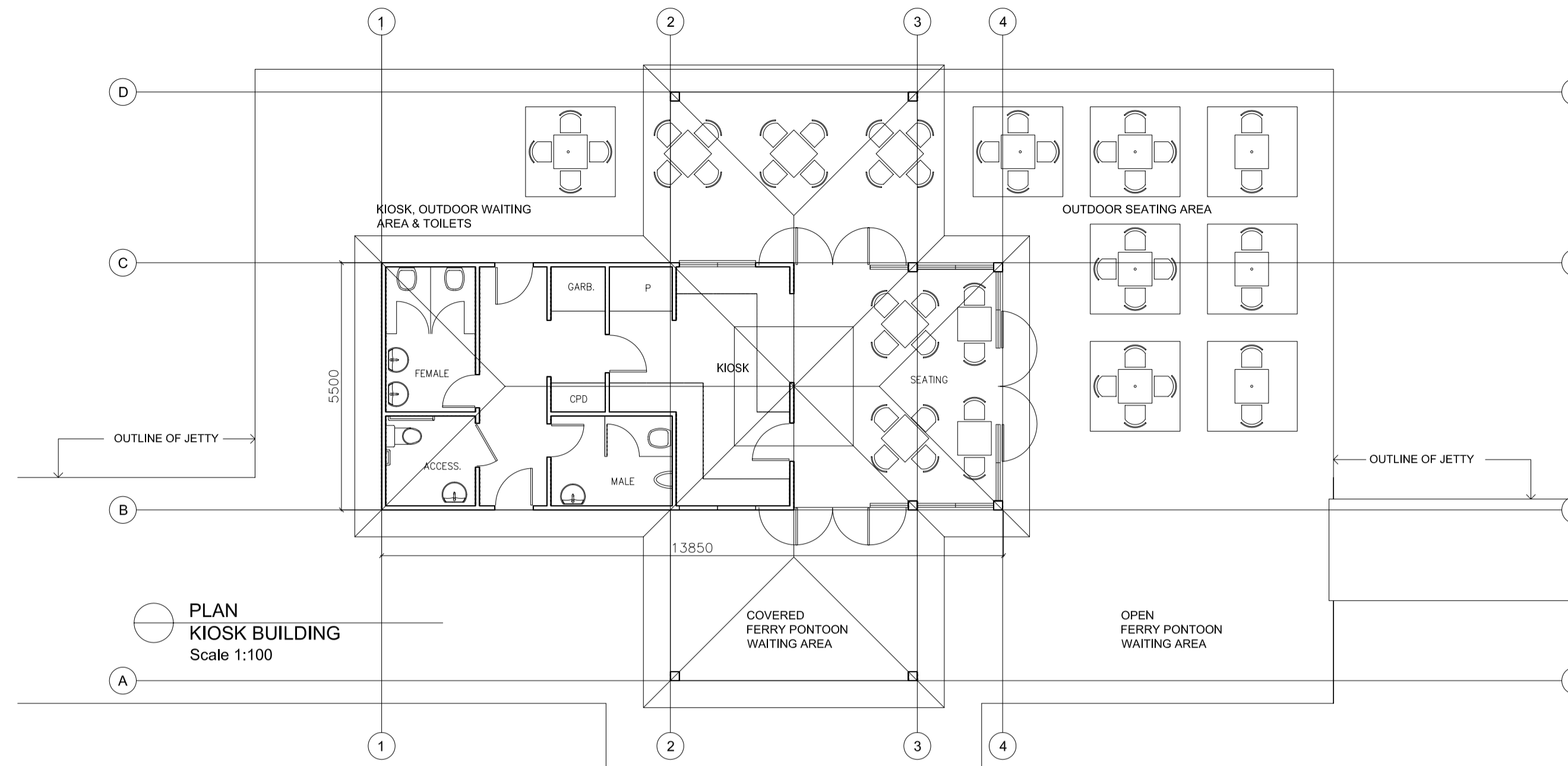




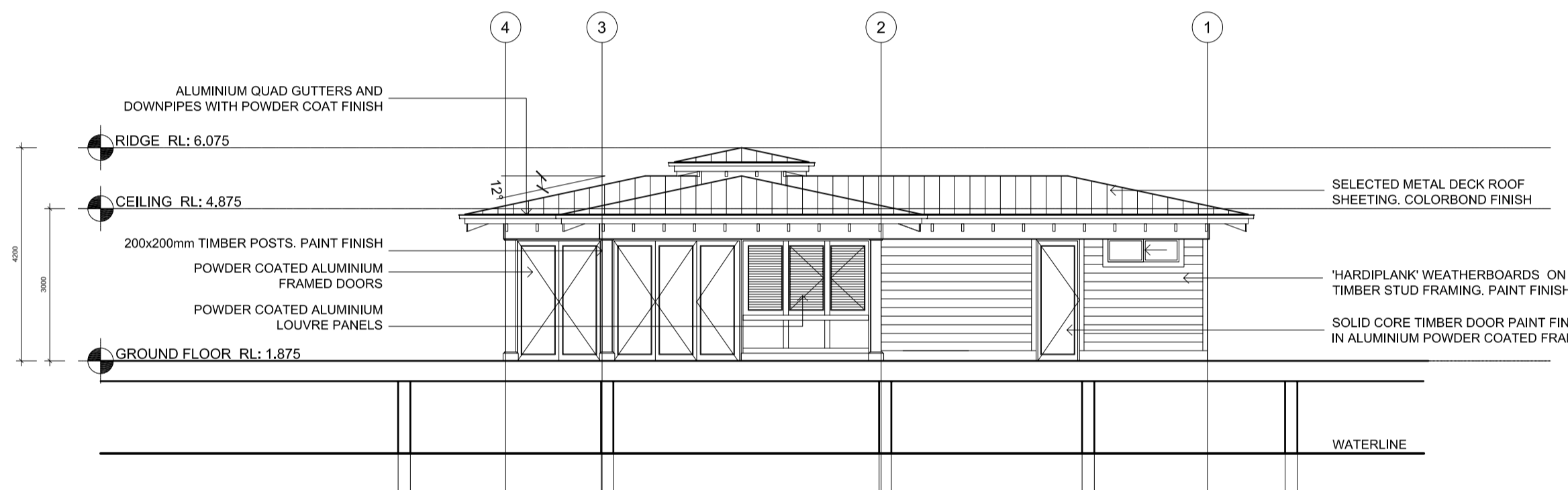
LOCATION PLAN
KIOSK BUILDING
Scale 1:2000

EXTERNAL FINISHES

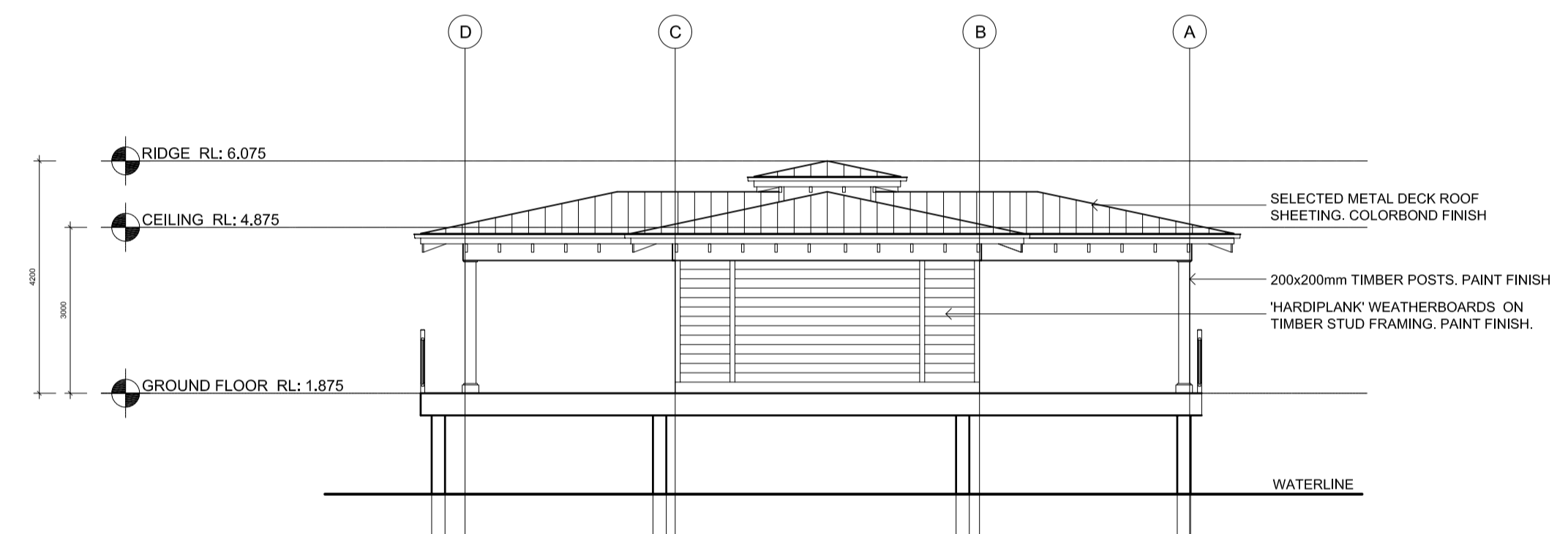
- 1. METAL DECK ROOFING
LYSAGHT CLIP LOCK ROOFING
COLORBOND FINISH "DUNE"
BY BLUESCOPE STEEL
- 2. METAL GUTTERS AND DOWNPIPES
COLORBOND FINISH "SURFMIST"
- 3. WEATHERBOARD CLADDING
"PRIMLINE-NEWPORT WEATHERBOARD"
BY JAMES HARDIE
PAINT FINISH "PALMER" DULUX PG.1.C3
100% STRENGTH TO KIOSK BUILDING
50% STRENGTH TO MANAGER'S OFFICE
- 4. EXTERNAL TIMBER FEATURE ELEMENTS
POSTS AND BEAMS
PAINT FINISH "ANTIQUE WHITE USA"
DULUX 73412
- 5. ALUM. FRAMED WINDOWS AND DOORS
ALUMINIUM FRAMED LOUVERS
POWDER COAT FINISH "WHITE SATIN"
32312



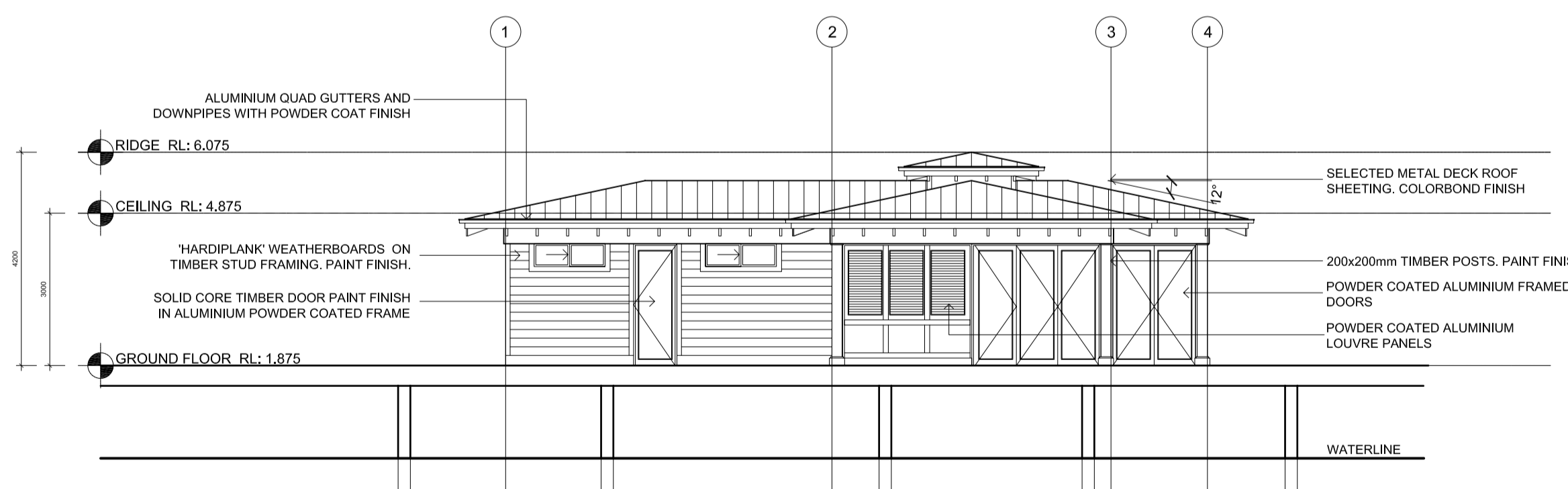
PLAN
KIOSK BUILDING
Scale 1:100



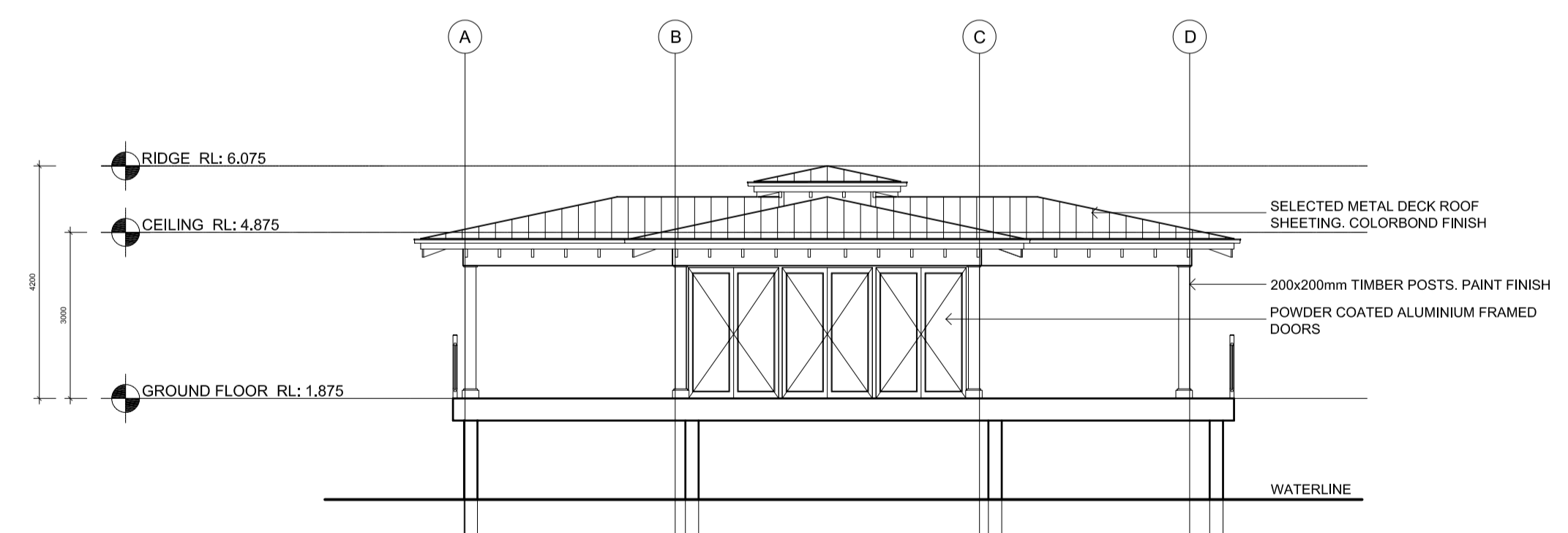
NORTH ELEVATION
KIOSK BUILDING
Scale 1:100



WEST ELEVATION
KIOSK BUILDING
Scale 1:100

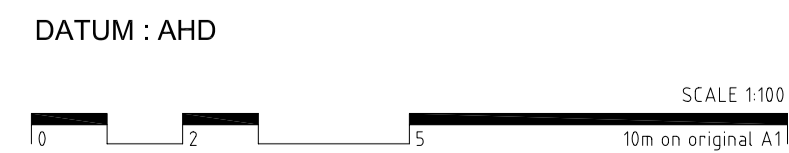
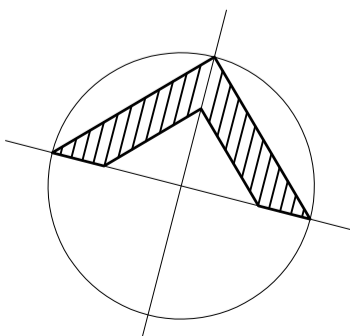


SOUTH ELEVATION
KIOSK BUILDING
Scale 1:100



EAST ELEVATION
KIOSK BUILDING
Scale 1:100

© ROSE This drawing & the design herein is the property of rose architectural design and shall not be copied nor reproduced in part or in whole without written permission.
Verify all dimensions on site prior to commencement of work. Refer all discrepancies to the Architect for determination. Use figured dimensions in preference to scaling.



Issue	Description	Date	Issue	Description	Date
A	For information	01.05.2009			
B	Development Application	31.07.2009			
C	Development Application - Additional Information	06.08.2009			

rose architectural design
51 Riley Street Woolloomooloo NSW 2011 Australia
T +61 2 9302 1400 F +61 2 9302 1444
admin@rosegroup.com.au
www.rosegroup.com.au

Project: PROPOSED MARINA BUILDINGS
PENINSULA DRIVE,
BREAKFAST POINT, NSW, AUSTRALIA

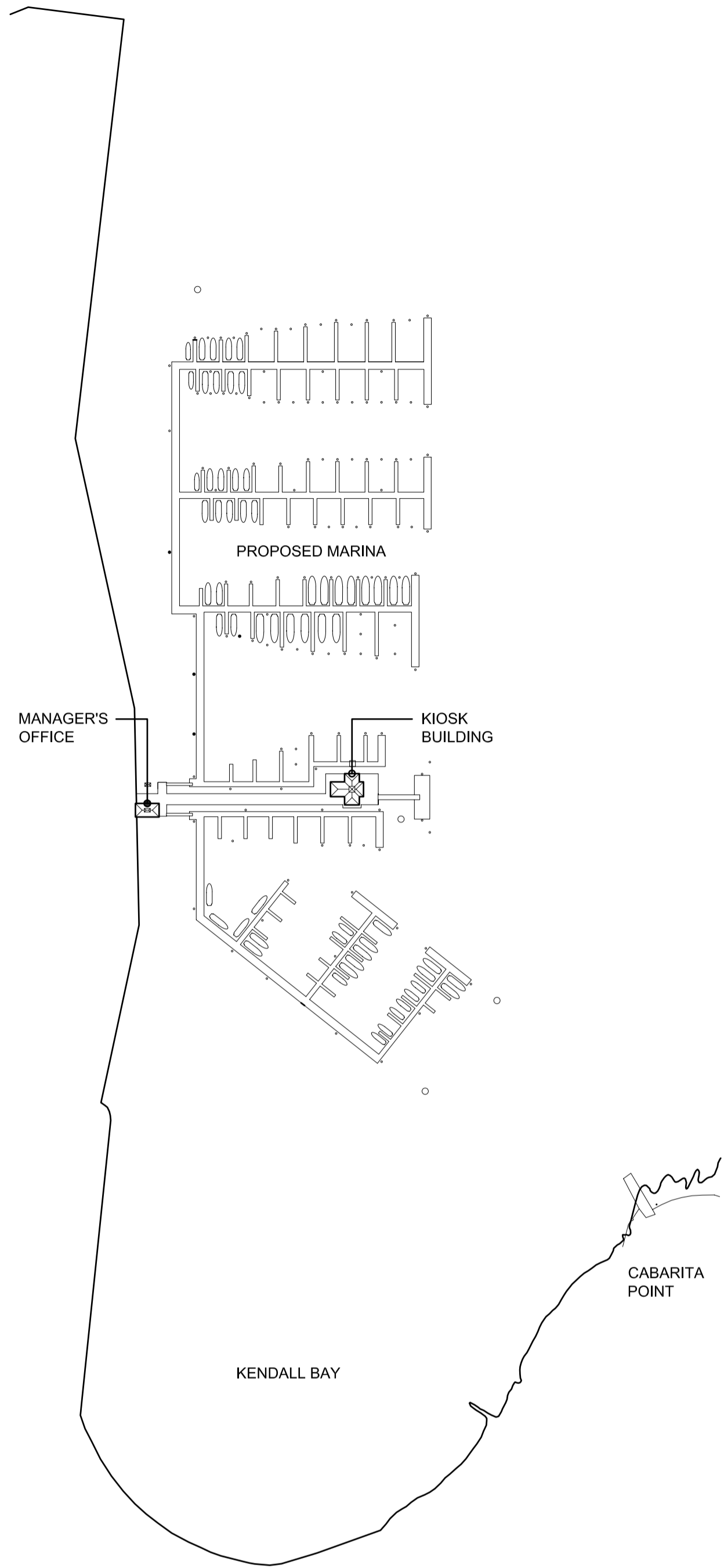
Title: KIOSK BUILDING



Scale: 1:100/1:2000 Reviewed: -
Date: July 2009 Approved: -
Drawn: AD

Project No: 0911 Drawing No: DA.100 Revision: C

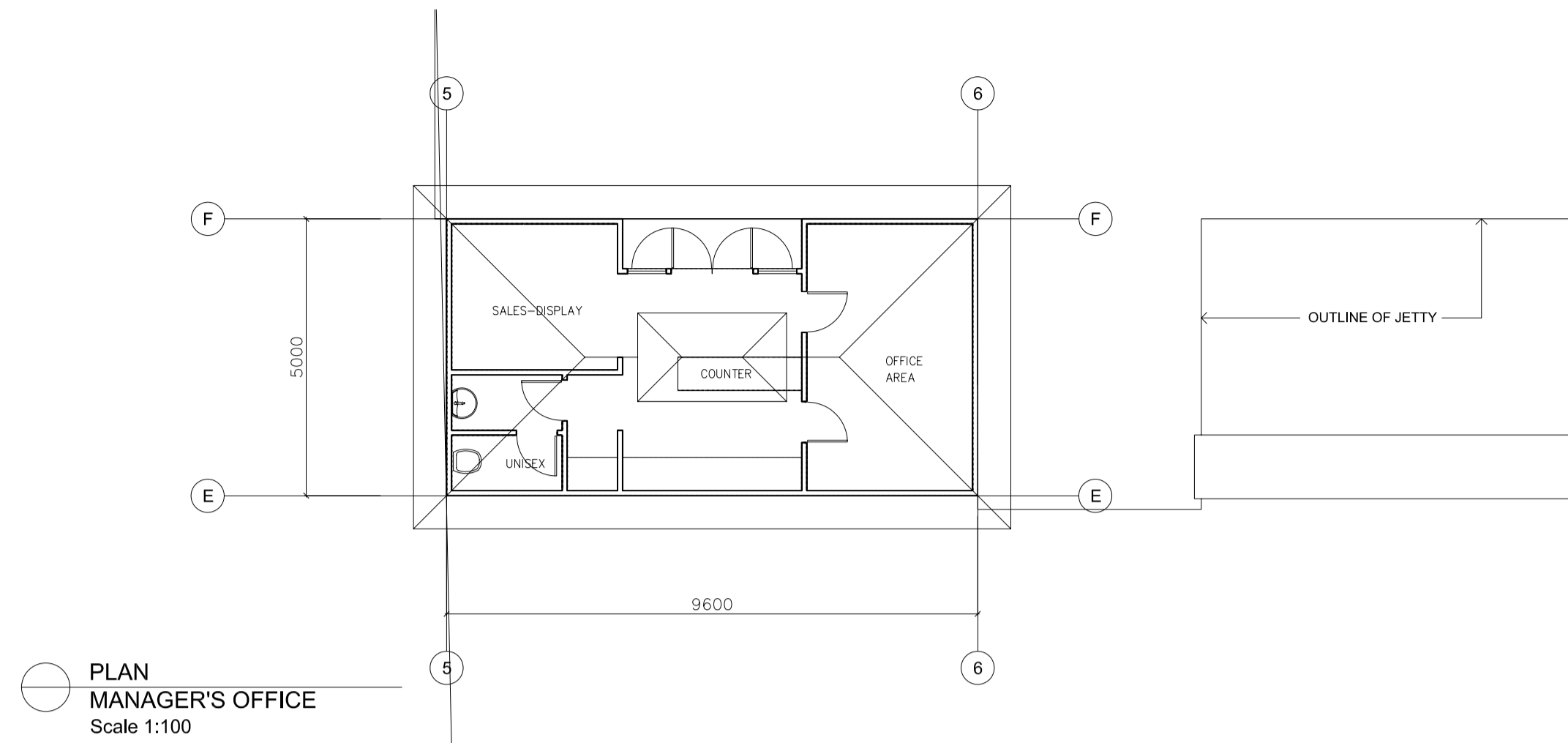
Status: DEVELOPMENT APPLICATION



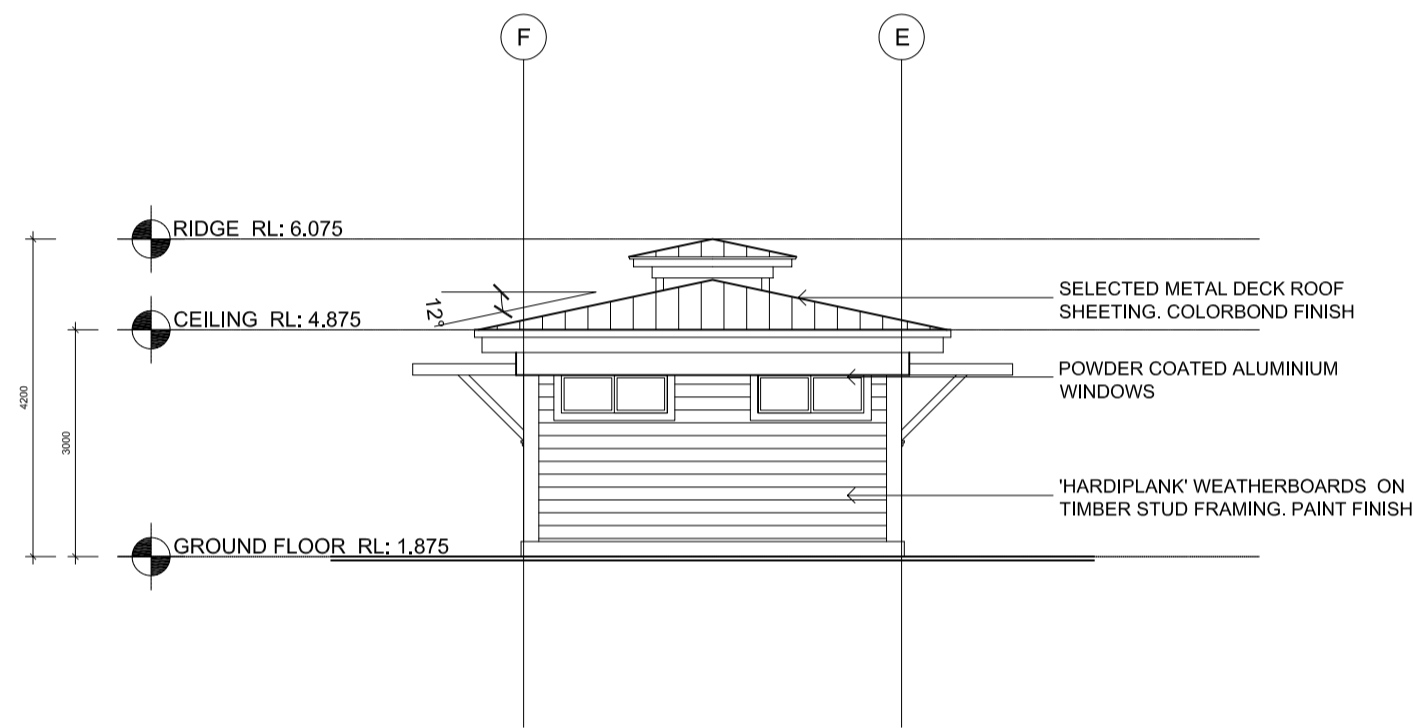
LOCATION PLAN
MANAGER'S OFFICE
Scale 1:2000

EXTERNAL FINISHES

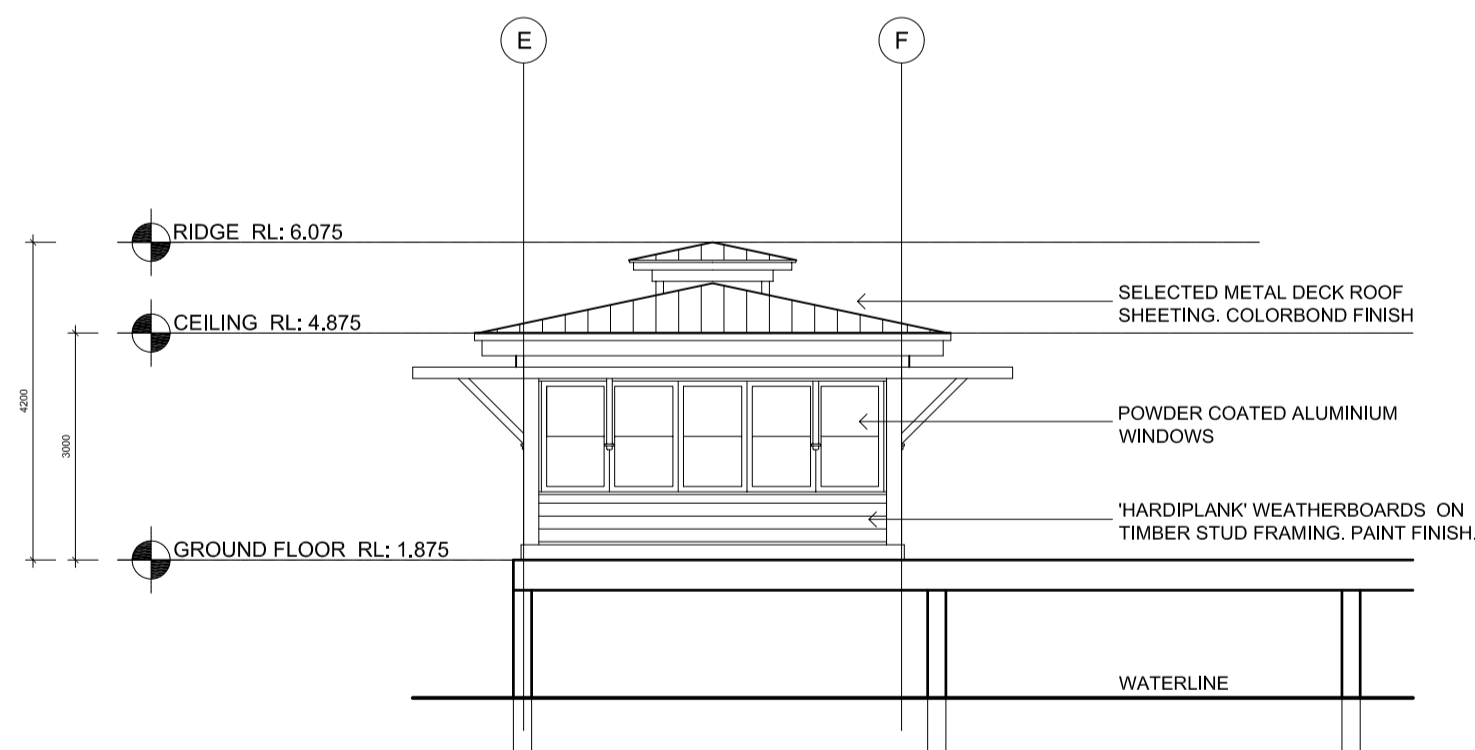
- 1. METAL DECK ROOFING
LYSAGHT CLIP LOCK ROOFING
COLORBOND FINISH "CUNE"
BY BLUESCOPE STEEL
- 2. METAL GUTTERS AND DOWNPIPES
COLORBOND FINISH "SURFMIST"
- 3. WEATHERBOARD CLADDING
"TRIMLINE" WOOD WEATHERBOARD
BY JAMES HARDIE
PAINT FINISH "PALMER" DULUX PG.1,C3
100% STRENGTH TO KIOSK BUILDING
50% STRENGTH TO MANAGER'S OFFICE
- 4. EXTERNAL TIMBER FEATURE ELEMENTS
POSTS AND BEAMS
PAINT FINISH "ANTIQUÉ WHITE USA"
DULUX 73412
- 5. ALUM. FRAMED WINDOWS AND DOORS
ALUMINUM FRAMED LOUVERS
POWDER COAT FINISH "WHITE SATIN"
32312



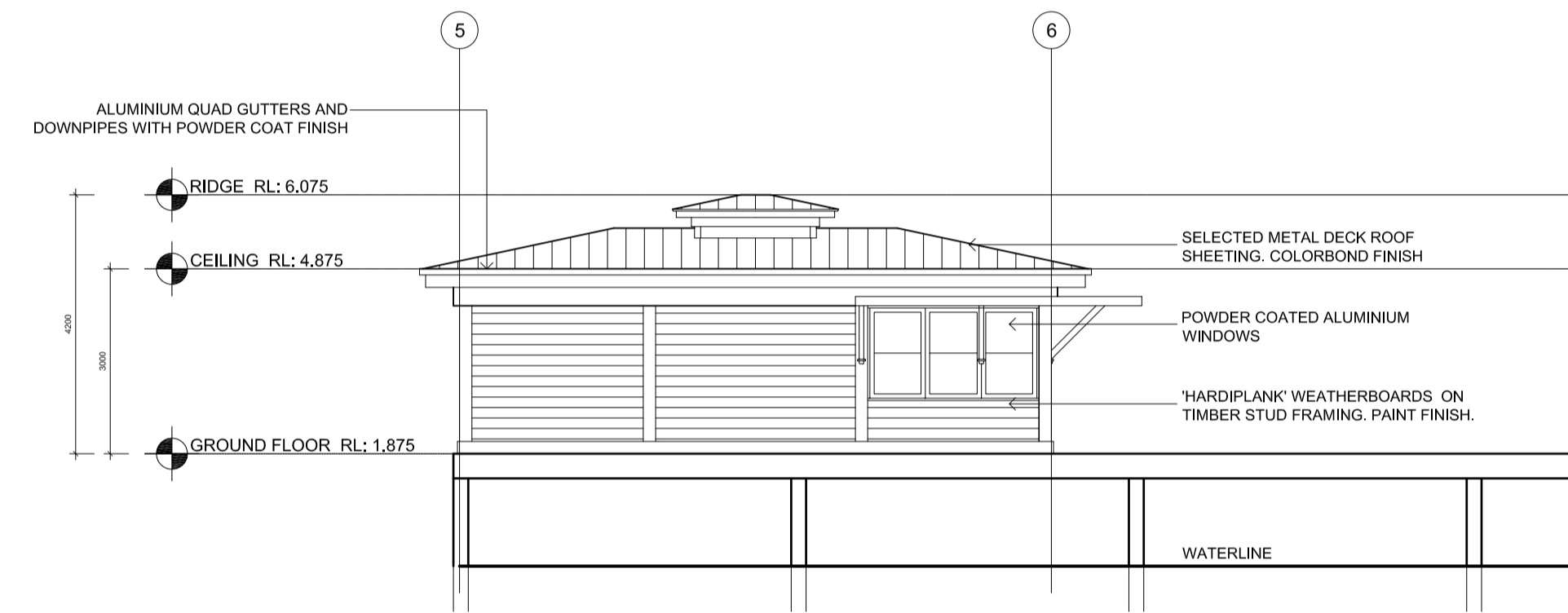
PLAN
MANAGER'S OFFICE
Scale 1:100



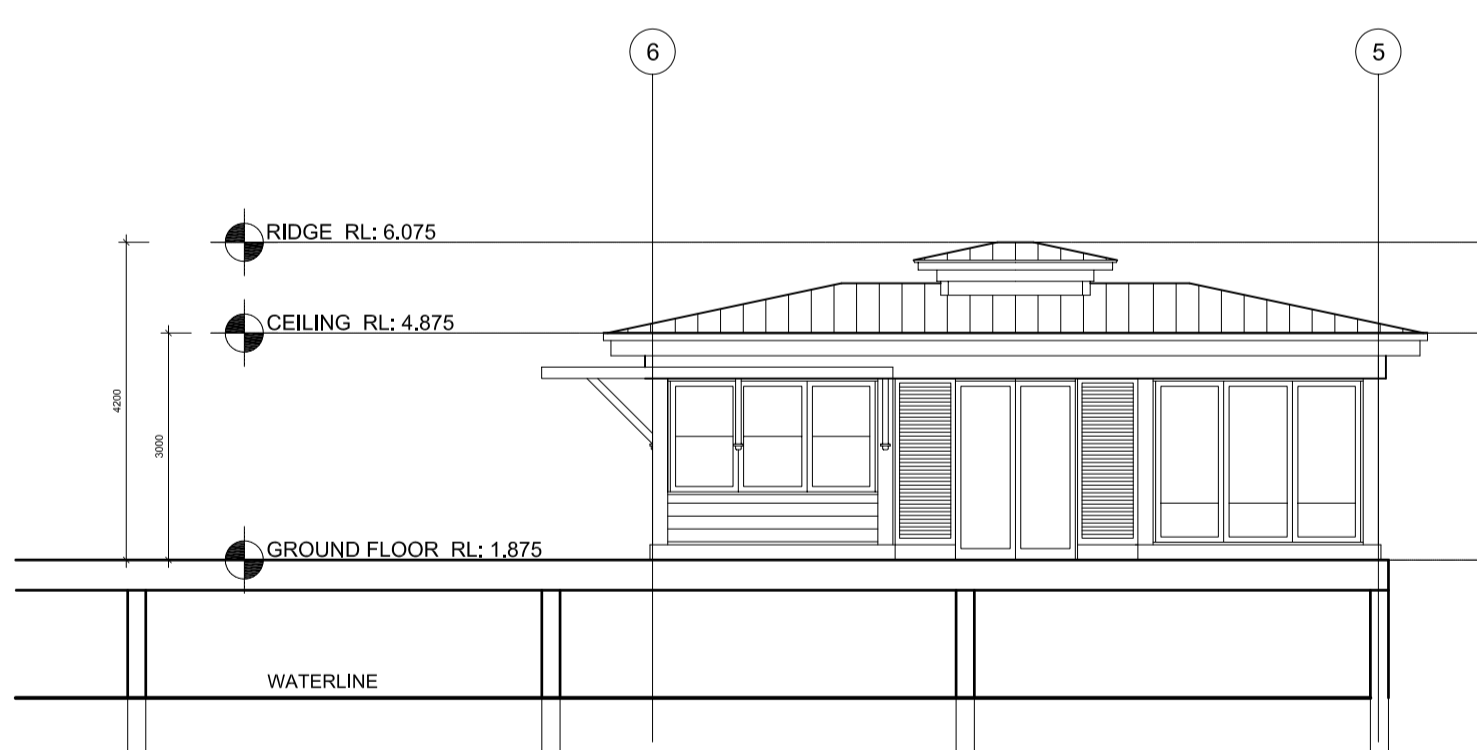
WEST ELEVATION
MANAGER'S OFFICE
Scale 1:100



EAST ELEVATION
MANAGER'S OFFICE
Scale 1:100

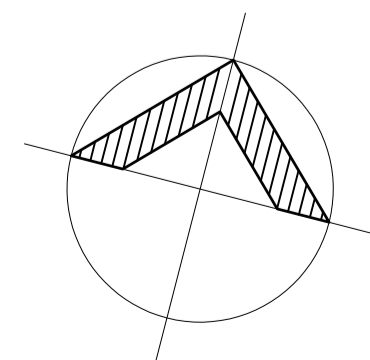


SOUTH ELEVATION
MANAGER'S OFFICE
Scale 1:100



NORTH ELEVATION
MANAGER'S OFFICE
Scale 1:100

© ROSE This drawing & the design herein is the property of rose architectural design and shall not be copied nor reproduced in part or in whole without written permission.
Verify all dimensions on site prior to commencement of work. Refer all discrepancies to the Architect for determination. Use figured dimensions in preference to scaling.



DATUM : AHD
SCALE 1:100
10m on original A11

Issue	Description	Date	Issue	Description	Date
A	For Information	01.05.2009			
B	Development Application	31.07.2009			
C	Development Application - Additional Information	06.08.2009			

rose architectural design
51 Riley Street Woolloomooloo NSW 2011 Australia
T +61 2 8302 1400 F +61 2 8302 1444
admin@rosegroup.com.au
www.rosegroup.com.au

Project PROPOSED MARINA BUILDINGS
PENINSULA DRIVE,
BREAKFAST POINT, NSW, AUSTRALIA

Title: MANAGER'S OFFICE



Scale: 1:100/1:2000 Reviewed: -
Date: July 2009 Approved: -
Drawn: AO

Project No: 0911 Drawing No: DA.200 Revision: C

Status: DEVELOPMENT APPLICATION

Volume 2**Appendix 1:**

- Drawings
- Photographs of Indicative Elements
- NSW Maritime Authority Plans
- Hydrographic Survey Drawings HS01 and HS02

Appendix 2:

- Major Project Declaration and Director-Generals Requirements

Appendix 3:

- Land Owner's Consent

Volume 3**Appendix 4:**

- Aquatic Environmental Assessment
- Aquatic Ecology Studies

Volume 4**Appendix 5:**

- Construction and Operational Noise Assessment

Appendix 6:

- Historical and Aboriginal Heritage Impact Statement

Appendix 7:

- Traffic and Parking Report

Volume 5**Appendix 8:**

- Visual Assessment Report

Volume 6**Appendix 9:**

- Estuary Hydrodynamics and Physical Sedimentary Environment Report incorporating Turbidity Investigation

APPENDIX 1:
▪ **PHOTOGRAPHS OF
INDICATIVE ELEMENTS**



Photograph 1: View of indicative walkway and services bollards.



Photograph 2: Detailed view of services bollards.



Photograph 3: Detailed view of buoyancy ring and fire point service bollard.



Photograph 4: Floating Structure – View of Seaward End of Concrete Type Finger with Concrete Pile and Pneumatic Fenders.



Photograph 5: Floating Structure – View along Finger Element of Floating Structure with Concrete Walking Surface with Service Bollard.



Photograph 6: Fire Services – View of Fire Hose Reel with Cover.



**Photograph 7: Sewage Pump Out –
View of Sewage Pump Out Point in Lockable Cabinet.**



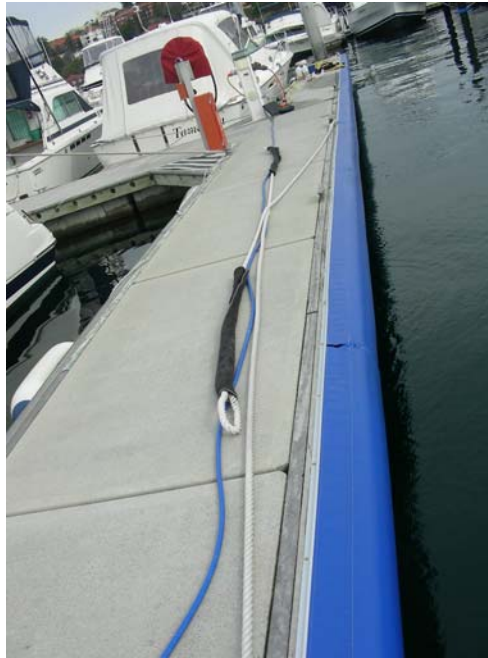
Photograph 8: Piles – View of Concrete Pile.



**Photograph 9: Piles – View of Mooring Pile with HDPE Sleeve.
Photograph taken at low tide.**



Photograph 10: Fenders – View of Pneumatic Type Fenders.



Photograph 11: Fenders – View of Continuous Soft Fendering (also available in light grey).

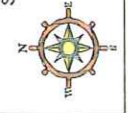
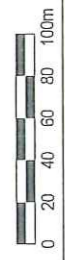
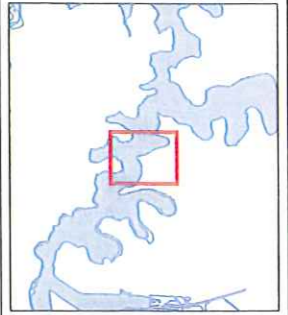
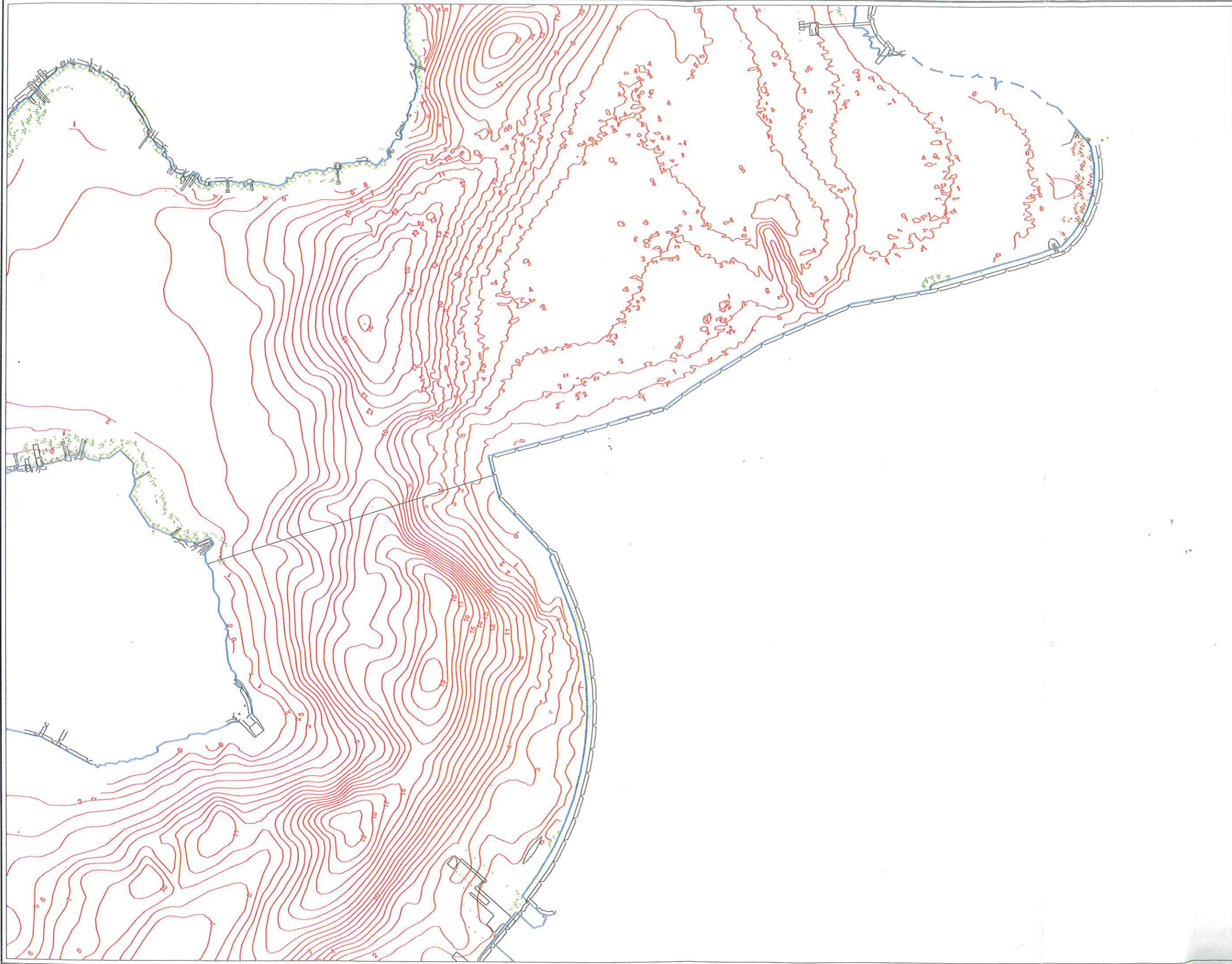


Photograph 12: Gates – View of Glass Security Gate.



**Photograph 13: Ramps –
View along Aluminium Access Ramp with Timber Deck.**

APPENDIX 1:
▪ **NSW MARITIME
AUTHORITY PLANS**



Plan compiled from information held in the Survey & Spatial Information Branch.

John Ireland
Surveyor registered under the Surveying Act 2002

NSW MARITIME

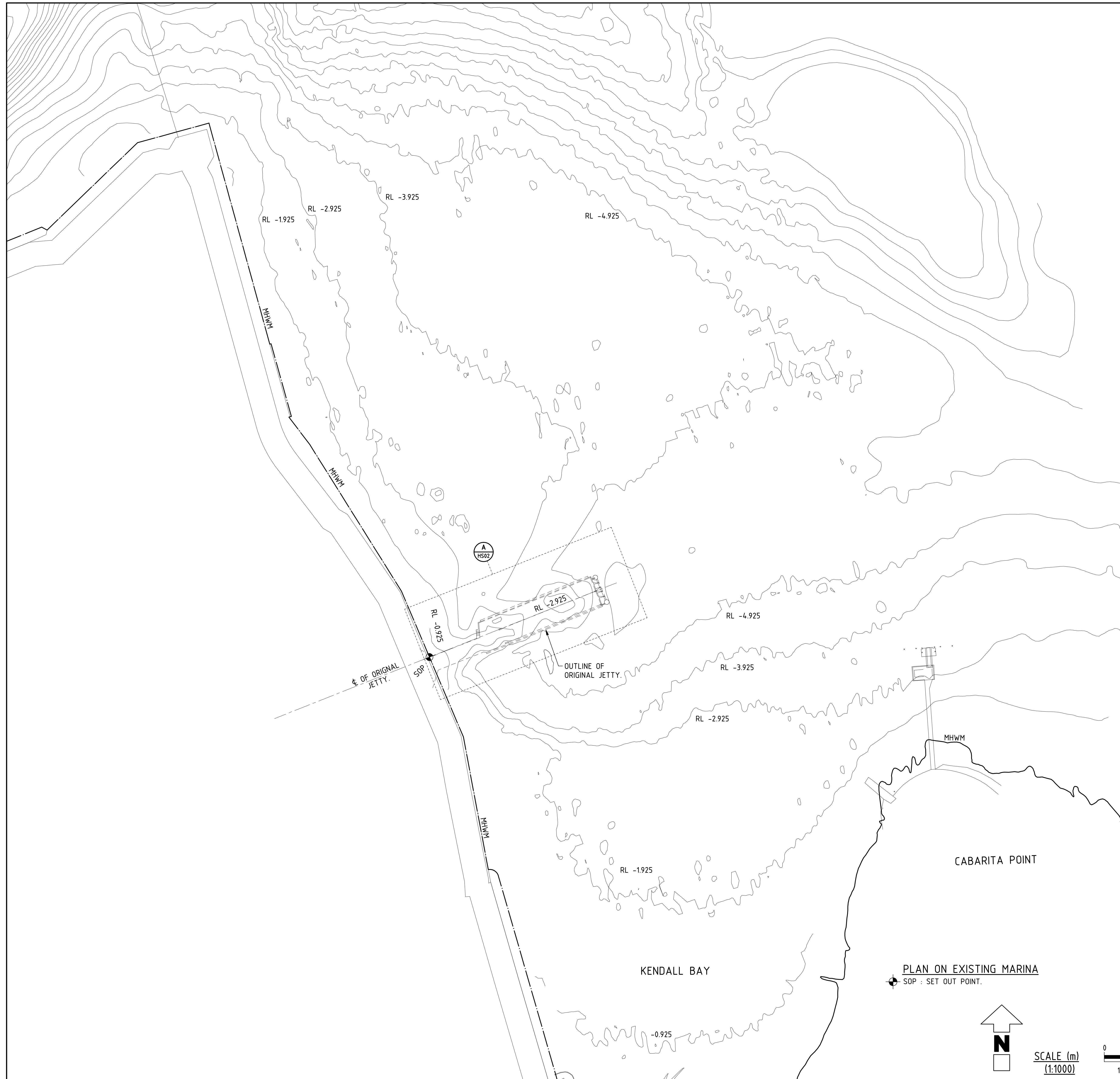
CUSTOM PLAN
LGA: RYDE/CANADA BAY
Breakfast Point

Date Produced: 02 May 2006
PLAN N°:

APPENDIX 1:
▪ **HYDROGRAPHIC SURVEY
DRAWINGS HS01 AND
HS02**

NOTES :

1. DATUM - AUSTRALIAN HEIGHT DATUM (AHD).
2. THE BED CONTOURS ARE TAKEN FROM A HYDROGRAPHIC SURVEY BY 'HARVEY HYDROGRAPHIC SURVEYS' UNDERTAKEN ON 06.08.01 TO 08.08.01 INCLUSIVE AND A HYDROGRAPHIC SURVEY UNDERTAKEN BY NSW MARITIME IN 2006.



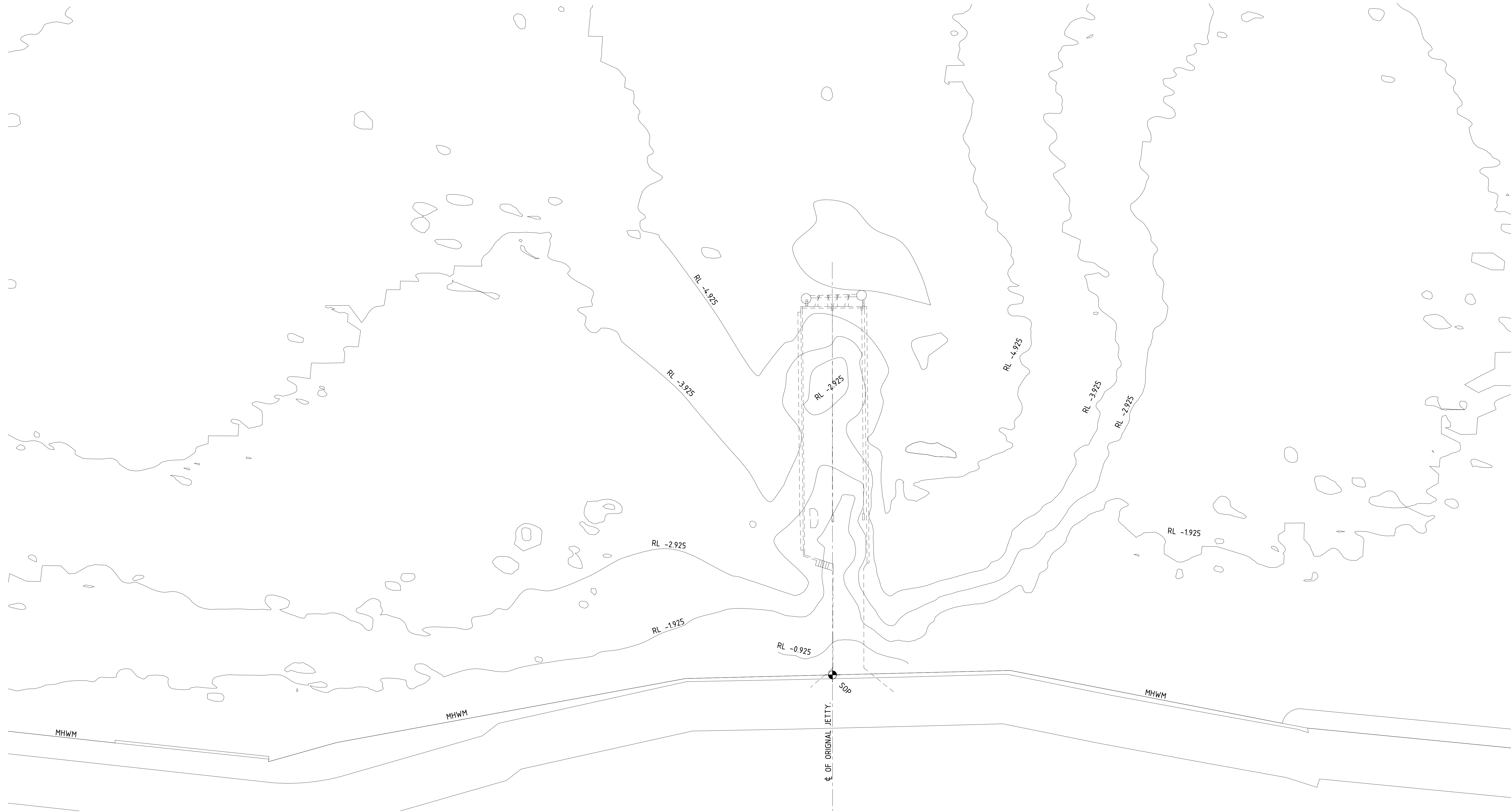
01 : PROJECT APPLICATION 14.07.09



HYDROGRAPHIC SURVEY DRAWING

Design H.B.	Scales 1:1000	Job No. 01013
Drawn S.K.	Date 24.07.09	Dwg. No. HS01
App'd.	Sheet Size B1	Rev. No. 01





SOP : SET OUT POINT.

NOTES :

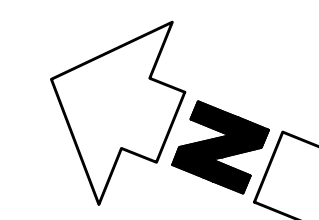
1. DATUM - AUSTRALIAN HEIGHT DATUM (AHD).
2. THE BED CONTOURS ARE TAKEN FROM A HYDROGRAPHIC SURVEY BY 'HARVEY HYDROGRAPHIC SURVEYS' UNDERTAKEN ON 06.08.01 TO 08.08.01 INCLUSIVE AND A HYDROGRAPHIC SURVEY UNDERTAKEN BY NSW MARITIME IN 2006.

01 : PROJECT APPLICATION 14.07.09

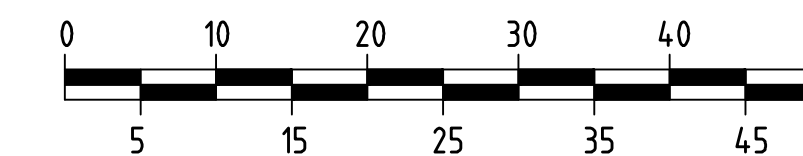


HYDROGRAPHIC SURVEY DRAWING

Design H.B.	Scales 1:500	Job No. 01013
Drawn S.K.	Date 24.07.09	Dwg. No. HS02
App'd.	Sheet Size B1	Rev. No. 01



SCALE (m)
(1:500)



APPENDIX 2:

- **MAJOR PROJECT
DECLARATION AND
DIRECTOR-GENERALS
REQUIREMENTS**



NSW GOVERNMENT
Department of Planning

16 January 2007

Mr Howard Bersten
TLB Engineers
514 Miller Street
Cammeray NSW 2062

Dear Mr Bersten

Notification of Major Project - Commercial Marina, Kendal Bay - Canada Bay Local Government Area

I refer to your correspondence to the Department, dated 23 November 2006, in which you sought confirmation on whether the above project is a development of a kind described in *State Environmental Planning Policy (Major Projects) 2005* and consequently, a Major Project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

I wish to advise you that your request has been considered and on 29 December 2006, the Director-General of the Department of Planning, as delegate of the Minister for Planning, formed the opinion that the proposed commercial marina is a Major Project to which Part 3A of the Act applies (copy attached).

Should you have any questions in relation to this or any other matters relating to the major project, please do not hesitate to contact me on 9228 6550 or via email (Ann-Maree.Carruthers@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Ann-Maree Carruthers'.

Ann-Maree Carruthers
A/Senior Environmental Planning Officer,
Major Project Assessment

01013

19 JAN 2007

Contact: Ann-Maree Carruthers
Phone: (02) 9228 6550
Fax: (02) 9228 6466
Email: Ann-Maree.Carruthers@planning.nsw.gov.au

Our ref: S07/00082

17 9 JAN 2007



NSW GOVERNMENT
Department of Planning

Record of Minister's opinion for the purposes of Clause 6(1) of the *State Environmental Planning Policy (Major Projects) 2005*

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning under delegation executed on 31 October 2005, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 1 of the State Environmental Planning Policy (Major Projects) 2005 – namely Clause 14 “Development for the purposes of marinas or other related land or water shoreline facilities that moor, berth or store vessels (excluding dinghies and other small craft) at fixed or floating berths, at freestand moorings, alongside jetties or pontoons, within dry storage stacks or on cradles in hardstand areas that moor, berth or store more than 30 vessels in Sydney Harbour, Middle Harbour, North Harbour, Botany Bay, Port Hacking, Broken Bay or associated tidal waters”- and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

A proposal to redevelop a commercial marina at Kendal Bay, Sydney, generally as described in a letter dated 9 November 2006 from the TLB Engineers on behalf of Breakfast Point Pty Ltd to the Department of Planning.

Sam Haddad

Sam Haddad
Director-General

Date: 29. 12. 2006.



NSW GOVERNMENT
Department of Planning

18 JAN 2008

01013

Contact: Ann-Maree Carruthers
Phone: (02) 9228 6550
Fax: (02) 9228 6466
Email: Ann-Maree.Carruthers@planning.nsw.gov.au

Our ref: S07/00082

Mr Howard Bersten
TLB Engineers
514 Miller Street
Cammeray NSW 2062

Dear Mr Bersten

**Director General's Requirements
Kendall Bay Commercial Marina
Project Application No: 07_0006**

The Department has received your application for the Kendall Bay Marina Project in the Canada Bay local government area.

Following a review of the project, I have determined that the Director-General's requirements (DGRs) for the project should be reissued. I have therefore attached a copy of the revised DGRs for the project.

Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements will need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment for the project to determine:

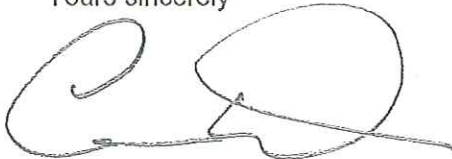
- The fees applicable to the application (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- whether the proposal requires an assessment under the EPBC Act and any assessment obligations under that Act;
- the consultation and public exhibition arrangements that will apply; and
- the number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

As you may know, the Department will review the Environmental Assessment in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

result, I would appreciate it if the documents submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on a suitable website with a link to the Department's website.

If you have any enquiries about these requirements, please contact Ann-Maree Carruthers of the Department's Manufacturing and Rural Industries team (02 9228 6550).

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. Wilson', written in a cursive style.

14.1.08

Chris Wilson
Executive Director
As delegate of the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Project	Construction and operation of a commercial marina at Kendal Bay.
Site	19 – 21 Tennyson Road, Breakfast Point
Proponent	Breakfast Point Pty Ltd
Date of Issue	14 January 2008
Date of Expiration	14 January 2010
General Requirements	<p>The Environmental Assessment (EA) must include</p> <ul style="list-style-type: none"> • an executive summary; • a detailed written and graphical description, including engineering and/or architectural plans, of the project including the: <ul style="list-style-type: none"> – need for the project; – alternatives considered; and – various components and stages of the project; • consideration of any relevant statutory provisions including the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; • a general overview of the environmental impacts of the proposal, taking into consideration any issues raised during consultation; • a detailed assessment of the key issues specified below and any other significant issues identified in the general overview of the environmental impacts of the proposal (see above), which includes: <ul style="list-style-type: none"> – a description of the existing environment; – an assessment of the potential impacts of the project, including any cumulative impacts from construction activities and from all water related craft that would utilise the marina; – a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and the costs and benefits of the proposal; and • a signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Strategic Planning - an assessment of the proposal in the context of the strategic direction of the locality and region with consideration of the <i>Breakfast Point Master Plan 2002</i>, the <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>, and the <i>Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005</i>. Any inconsistencies between the proposal and these plans must be justified; • Contamination – including: <ul style="list-style-type: none"> ○ a detailed assessment of the potential impacts on the disturbance of contaminated marine sediments. This shall take into account information from any previous investigations as well as any additional investigations as necessary and will need to include a thorough description of the methodology used in the assessment, and justification for the methodology used and predications made; ○ details of any proposed remediation works required and justification for why the proposed remediation measures will succeed; ○ a site audit statement and a site audit report by an auditor accredited under the <i>Contaminated Land Management Act 1997</i>.

	<p>with the assessment and recommendations of the investigations;</p> <ul style="list-style-type: none"> o consideration of the impact of the proposed marina operations on possible future remediation actions; o details of compliance with any order issued under the <i>Contaminated Land Management Act 1997</i>. <ul style="list-style-type: none"> • Visual Amenity – including an assessment of the visual impact of the proposal (height, scale and lighting) on the local and regional area, particularly on: <ul style="list-style-type: none"> o any adjoining land owners and land owners along the foreshore areas of Putney, Tennyson Point, Gladesville and Cabarita; o water uses of Parramatta River; and o significant vantage points in the public domain; • Navigation and safety – including: <ul style="list-style-type: none"> o details of commuter ferry routes and an assessment of the impact of the construction and operation of the marina on these services; and o an assessment of the impacts on water based traffic and the existing users of the Parramatta River in the vicinity of the marina; • Public Access; • Soils, Sediments and Water – including: <ul style="list-style-type: none"> o an assessment of surface water impacts on Kendall Bay and the Parramatta River. The assessment must include details of proposed erosion and sediment controls (during construction), the proposed stormwater management system (during operations) and management measures for the containment of pollutants (e.g. fuel and sewage); and o an assessment of acid sulfate soils, including management measures and disposal strategies. • Traffic – including details of the traffic volumes likely to be generated during construction and operation, and an assessment of the predicted impacts of this traffic on the safety and capacity of the surrounding road network. Details on site access, internal roadways and parking must also be provided; • Noise – including construction, operation and traffic noise; and • Flora and Fauna – including an assessment of any impacts on critical habitats, threatened species, populations or ecological communities and their habitats in the region.
References	The Environmental Assessment must take into account relevant State government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners.</p> <p>In particular you should consult with;</p> <ul style="list-style-type: none"> o City of Canada Bay Council; o Department of Environment and Climate Change; o Roads and Traffic Authority; o NSW Maritime Authority; and o Sydney Ferries Corporation. <p>The consultation process and the issues raised should be described in the EA.</p>
Deemed Refusal Period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy/Methodology
Contamination	
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)
	Best Practice in Contaminated Sites (Commonwealth DEH, 1999)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (NHMRC, 1992)
	Toxicity Assessment for Carcinogenic Soil Contaminants (NHMRC, 1999)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	Contaminated Sites: Guidelines for the NSW Auditor Scheme (EPA, 1999)
	Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and Duty to Report (EPA, 1999)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
Soil and Waters	
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC)
<i>Erosion & Sediment Control</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
<i>Water Quality</i>	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	Bunding and Spill Management (EPA)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA, 2002)
	Road Design Guide (RTA, 1996)
Noise	
	NSW Industrial Noise Policy (DEC, 2000)
	Environmental Criteria for Road Traffic Noise (DEC, 1999)
	Environmental Noise Control Manual (DEC, 1994)
Flora and Fauna	
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities. Working Draft (DEC)
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries 1999)

Draft Guidelines for Threatened Species Assessment under Part 3A of the
Environmental Planning and Assessment Act 1979 (DEC)

Industry Guidelines - For Reference

Aspect	Resource
Marinas	
	EIS Guideline: Marinas and Related Facilities (DUAP)
	Best Management Practice for Marinas and Boat Repair Facilities (NSW EPA)
	AS 3962 - Guidelines for Design of Marinas

29 June 2007

CEO:073./07

Ms A. Carruthers
Senior Environmental Planning Officer
NSW Dept of Planning
GPO Box 39
SYDNEY NSW 2001



Dear Ms Carruthers,

RE: KENDAL BAY COMMERCIAL MARINA

Thank you for your letter of 9 May 2007, inviting Sydney Ferries to comment on the proposal for a new commercial marina at Kendal Bay.

Sydney Ferries Corporation has significant concerns that this development would have a marked impact on our services and as such, this development is strongly opposed. Sydney Ferries knows from experience that such development would be followed by complaints of vessel wash and claims for compensation. Furthermore Sydney Ferries will be the target of such claims even when damage from wash is caused by vessels not belonging to this corporation.

The TLB Engineers report devotes considerable attention to the issue of wash generated by RiverCats. This attitude is not surprising as Sydney Ferries is a high profile state owned corporation and its vessels are easily identifiable. Sydney Ferries considers the report would have been more balanced had it gone into as much detail regarding the potential for significant wash to be generated by large, privately owned, luxury recreational vessels.

The TLB statement at Paragraph 5.4 that "of all the waves and propeller wash effects which occur in Kendal Bay, the RiverCat waves have the greatest potential to disturb bed sediments" is flatly rejected. The statement would seem to be a subjective view to support the submission, with no factual analysis included. Furthermore, in relation to seabed sediments, RiverCats pass Kendal Bay now and this should be irrelevant to the proposed marina. Rather it appears the risk of RiverCats disturbing the seabed is used to support the reports recommendation to place restrictions on RiverCat operations.

RiverCats were purpose designed for service on the Parramatta River as high speed, low wash vessels. A RiverCat passing at speed, in deeper water will generate some wash, however this may be less than a large recreational vessel maneuvering within

the marina. For example, in the vicinity of the large vessel berths on the 3 metre contour, a Riviera 60 would have less than 1.3 metres clearance under the propellers, with 50% more engine power than a RiverCat and could generate considerable wash.

Over the past few decades, industrial sites along the Parramatta River have been demolished and redeveloped for high density housing. The Breakfast Point development adjacent to the proposed marina is typical of these new developments. The new developments generate increased demand for public transport service to the region. Sydney Ferries is a key public transport provider along the Parramatta River.

Sydney Ferries predicts considerable growth in demand for ferry services on the river. The State Plan calls for increased use of public transport. The number of people wanting to use the public transport ferry service will greatly exceed those wanting to use a marina and yet a proliferation of marinas along the river could impose restrictions on ferry operations that render the service not viable. This could occur as such developments slow the service down to the point where it ceases to be an efficient and effective mode of public transport.

The TLB Engineers submission at Paragraph 5.5 recommends the RiverCat route be modified to pass no closer than 120m east of the marina and notes that, *"This is a similar distance to that which occurs when Sydney Ferries 'vessels pass Cabarita Marina"*. What it does not state is that Cabarita marina is nevertheless, a source of complaints regarding RiverCats. Furthermore, such restriction would reduce safe options available to the Master of a RiverCat when maneuvering in a variety of environment conditions.

With 177 berths, a kiosk and timber ramp for small boats, the proposed development would greatly increase the number of vessels in the area. Such an increase in congestion has the potential to contribute to accidents or at best slow SFC operations. The increase in vessel numbers would be especially noticeable at the southern end with marina traffic, kayaks and rowing boats, the existing Cabarita boat ramp and RiverCat operations at Cabarita Wharf.

To summarize, a new development on such a large scale would increase the risk of accidents, expose Sydney Ferries to malicious claims for compensation and could lead to speed restrictions in the area that, when added to other restrictions along the river, render the important public transport ferry service unviable. I repeat, Sydney Ferries is strongly opposed to this development.

Yours sincerely,

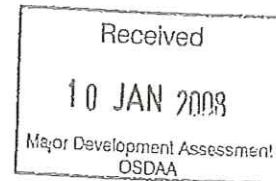


Geoff Smith, AO
Chief Executive Officer



ASSOCIATION INC

Level 1, 6A Figtree Drive
Sydney Olympic Park 2137
(PO Box 722 Glebe 2037)
Phone: (02) 8116 9777, Fax: (02) 8732 1618



7 January 2008

Mr Chris Wilson
Executive Director
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

Ann-Maree Carruthers

Dear Mr Wilson

SUBJECT: KENDAL BAY MARINA

It has come to our attention that NSW Planning is currently considering a proposal for a 177 berth marina in Kendal Bay, on the Parramatta River adjacent to Breakfast Point. NSW Rowing has reviewed the proposal as presented on the Department of Planning website, and wishes to register its total objection to the project, and express the greatest concern that such a project is being considered in this area of the River.

The document 'Proposed Development - Outline of Works' which is on display on the Department of Planning website states that the marina will cater mostly to motor vessels of between 8 and 25 metres in length (Section 2.6 and 2.7 Proposed Development). The document does not identify the impact which vessel movements will have on existing users of the River as being an issue (Section 5.1 - Identified Issues).

Further, the Director-General's requirements for the Environmental Assessment do not require any consideration of the impact which the movement of vessels to and from the marina will have on existing users of the River.

There are 12 small boat, passive recreation clubs within 2 kilometres of this proposed development, catering for rowing, sailing and girl guides. 10 of these clubs are directly downstream from the development. There are many more such clubs further downstream. The clubs have grown and existed here, some for more than a century, because the waters of the upper Parramatta River are relatively calm and protected, and are far more suitable for this type of activity than most areas of the Harbour.

The introduction of ferry services, and the growth of marinas, moorings and boat ramps in the upper Parramatta River are all having a negative impact on the wave environment in the area and on the enjoyment and viability of the existing clubs.

The proposal for a 177 berth marina right in the centre of the existing clubs, and the impact on the wave environment which such vessels will have must be taken into account when considering this development. Typically, motor vessels of between 8 and 25 metres in length create a wash which far exceeds the freeboard of rowing and small sailing craft, even when travelling at slow speeds. The impact of such vessels will be devastating for existing users.

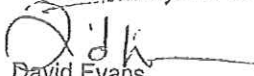


NSW Rowing requests that the Environmental Assessment be amended to require a full consideration of the impact of vessel movements on existing users of the Parramatta River.

Further, NSW Rowing urges you to reject this application for development as it is totally inappropriate for this area of the Harbour.

Finally we ask that you advise us of any action you take in response to this letter, and of any changes to the status of this proposed development.

Yours sincerely.....



David Evans
Chief Executive Officer

- cc. The Hon. Frank Sartor, MP, Minister for Planning
The Hon. Graham West, MP, Minister for Sport and Recreation
The Hon. Angela D'Amore, MP, Member for Drummoyne
Angelo Tsirekas, Mayor, City of Canada Bay Council
Ms Ann-Maree Cairuthers, NSW Department of Planning
NSWRA Clubs and Schools
Sandra Donovan, Secretary, Concord and Ryde Sailing Club
John Cooke, Secretary, Parramatta River Sailing Club
Matthew Peat, Hon. Secretary, Abbotsford 12ft Flying Squadron
Girl Guides Association (NSW)

APPENDIX 3:
▪ LAND OWNER'S CONSENT

01013
879/8

NSW MARITIME

Our ref: W06/832
PTL 592

Breakfast Point Pty Ltd
51 Riley St
Woolloomooloo 2011

RECEIVED

08 JUL 2008

Dear Mr N Jackman

Premises: 19-21 Tennyson Road, Breakfast Point
Proposal: Installation of 172 Berth Marina
Applicant: Breakfast Point Pty Ltd

I refer to your Application, dated 13th November, 2007 for Land Owner's Consent to make a Project Application in relation to the abovementioned proposal.

NSW Maritime is the owner of the land to which your Application relates and, in accordance with Clause 49(1)(b) of the *Environmental Planning and Assessment Regulation 2000*, its Land Owner's Consent is required before you may make a Project Application.

Land Owner's Consent Granted

NSW Maritime has assessed your Application by reference to its "Obtaining Permission to Lodge a Development / Project Application" Policy and consents to the making of your Project Application in accordance with the attached plans submitted to it on 13th November, 2007, prepared by Taylor Lauder Bersten P/L, numbered SK15G dated 27/10/06, SK16C dated 1/11/07 and SK17A dated 16/1/08, and stamped as approved by NSW Maritime on 2nd July, 2008.

A Statement to the above effect is attached to this letter. It is a requirement of Clause 50 (1)(a) and Clause 1(i) of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* that the attached Statement (original copy) must be included with your Project Application to the relevant Consent Authority.

Should the nature, extent or specific location of your proposal change prior to the making of the Project Application, you must re-apply to NSW Maritime for its consent to the making of the varied Development Application.

Validity of Land Owner's Consent

NSW Maritime's Land Owner's Consent to the making of the Project Application is valid for a period of 12 months from the date of this letter.

Business Case

Breakfast Point P/L are required to submit to NSW Maritime, financial information as requested in the Business Case Template to determine tenure and rental. The template will be forwarded shortly.

NSW MARITIME

James Craig Road Rozelle NSW 2039
Locked Bag 5100 Camperdown NSW 1450

T 02 9563 8511 F 02 9563 8530 www.maritime.nsw.gov.au

Contamination

NSW Maritime is subject to a Remediation Order under Section 23 of the Contaminated Land Management Act 1997 in relation to near shore sediments at the subject site, a copy of which is attached.

This Order requires NSW Maritime to refrain from carrying out or causing, permitting or allowing another person to carry out works or activities at the site that that would result in the disturbance or further disturbance of the bed sediment at the subject site.

Therefore, NSW Maritime would not issue an agreement to enter into a lease with Breakfast Point P/L until the Department of Environment and Climate Change's (DECC) requirements at Points 2 to 7 of the aforementioned Order have been satisfied.

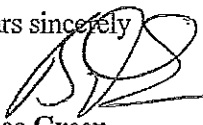
Construction Approval

You should also be aware that if the Consent Authority grants Development Consent for the proposal, work on NSW Maritime's land must not commence unless:

- (a) Breakfast Point P/L have submitted evidence of the approval by DECC to the management plan as required at Point 6 of Remediation Order No. 23022; Declaration Number 21055; Area 3335;
- (b) there is a land tenure arrangement in place which is suitable to NSW Maritime; and
- (a) a Construction Certificate has been issued pursuant to Part 4A of the *Environmental Planning and Assessment Act 1979*; and
- (b) NSW Maritime has issued Construction Approval pursuant to clause 65A of the *Management of Waters and Waterside Lands Regulation – NSW* pursuant to section 13T of the *Maritime Services Act 1935*; and
- (c) you have complied with all other requirements of the law.

If you have any questions about this letter please contact Geoff Monkhouse on 9364 2313.

Yours sincerely


Bruce Green

3 JUL 2008

A/General Manager, Maritime Property Division

cc: TLB Engineers – Att Howard Bersten
P.O. Box 110, Cammeray 2062

Encl: Stamped Approved Drawings

**Land Owner's Consent Statement Required by
Clause 50(1)(a) and Clause 1(i) of Part 1 of Schedule 1
of the Environmental Planning and Assessment Regulation 2000**

Premises: 19 -21 Tennyson Road, Breakfast Point
Proposal: Installation of a 172 Berth Marina
Applicant: Breakfast Point Pty Ltd

As the owner of the land to which this Project Application relates, NSW Maritime consents to the making of the Project Application in accordance with the plans submitted to it on 13th November, 2007, prepared by Taylor, Lauder Bersten numbered SK15G dated 27/10/06, SK16C dated 1/11/07 and SK17A dated 16/1/08 and stamped as approved by NSW Maritime on 2nd July, 2008.

Signature:



.....

Name & Title:

Bruce Green
A/General Manager, Maritime Property Division

Date:

3 JUL 2008
.....

**THIS STATEMENT MUST BE INCLUDED IN THE DEVELOPMENT
APPLICATION MADE TO THE CONSENT AUTHORITY**

NSW MARITIME

James Craig Road Rozelle NSW 2039
Locked Bag 5100 Camperdown NSW 1450

T 02 9563 8511 F 02 9563 8530 www.maritime.nsw.gov.au



NSW MARITIME

- 2 JUL 2008

This is the plan referred to in the Authority's Letter Dated Above

- NOTES:**
1. DATE - 2008 FOR FIRST OPTION FOR OWNER CONTROL.
 2. THE 2008 CONTROL ARE TAKEN FROM A HYDROGRAPHIC SURVEY BY QUANTY HYDROGRAPHIC SURVEY UNDERTAKEN ON BEHALF OF GREAT AUSTRALIAN BAY.
 3. WHEN VESSEL IS SHOWN IN WHITE ON PLAN IT IS DESIGNATED TO BE USED FOR MOTOR VESSEL ONLY.
 4. TERRESTRIAL ONLY THROUGH SERVICE.

VESSEL SCHEDULE

VESSEL No	No. of		PERCENTAGE OF TOTAL No
	PERMANENT	TOTAL	
0	21	26	54
1	2	4	8
2	4	4	8
3	2	2	4
4	2	2	4
5	2	2	4
6	2	2	4
7	2	2	4
TOTAL	33	64	100

- LEGEND**
- 005 - MARINE BUOY
 - 006 - LIGHT
 - 007 - LIGHTING DEVICE, MARINE P.L.
 - 008 - VESSEL LIGHT
 - 009 - LIGHT AND VESSEL'S SAIL ACCESS

WAVE CLIMATE

DIRECTION	10 YEAR	1%
NORTH	0.10	2.2
EAST	0.15	2.7
SOUTH EAST	0.10	2.3

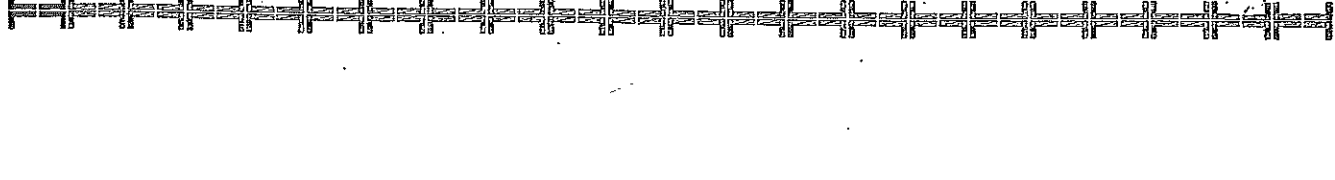
- DRAWN FOR MARINE WORKS**
- 0 - OVERALL LAYOUT DRAWING
 - 1 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 2 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 3 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 4 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 5 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 6 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 7 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 8 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - 9 - LAYOUT DRAWING TO BE USED FOR ISSUE
 - A - PRELIMINARY ISSUE
 - B - PRELIMINARY ISSUE
 - C - PRELIMINARY ISSUE
 - D - PRELIMINARY ISSUE
 - E - PRELIMINARY ISSUE
 - F - PRELIMINARY ISSUE
 - G - PRELIMINARY ISSUE
 - H - PRELIMINARY ISSUE
 - I - PRELIMINARY ISSUE
 - J - PRELIMINARY ISSUE
 - K - PRELIMINARY ISSUE
 - L - PRELIMINARY ISSUE
 - M - PRELIMINARY ISSUE
 - N - PRELIMINARY ISSUE
 - O - PRELIMINARY ISSUE
 - P - PRELIMINARY ISSUE
 - Q - PRELIMINARY ISSUE
 - R - PRELIMINARY ISSUE
 - S - PRELIMINARY ISSUE
 - T - PRELIMINARY ISSUE
 - U - PRELIMINARY ISSUE
 - V - PRELIMINARY ISSUE
 - W - PRELIMINARY ISSUE
 - X - PRELIMINARY ISSUE
 - Y - PRELIMINARY ISSUE
 - Z - PRELIMINARY ISSUE

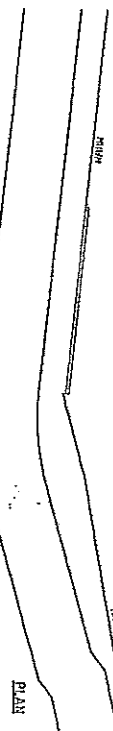
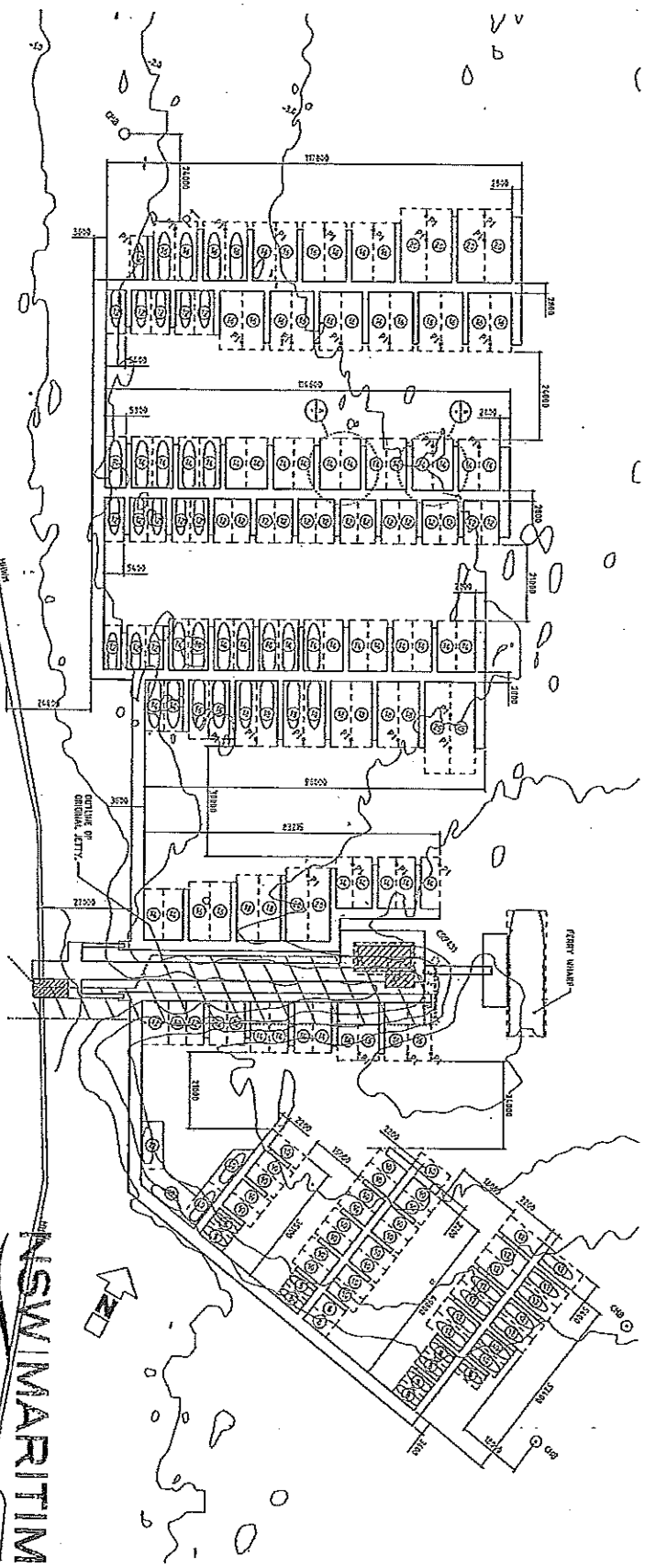
CONCEPT FOR MARINA

DATE: 2008 10/10 00:19
 DRAWN BY: 220548
 CHECKED BY: 220548
 SCALE: 1:1000
 PROJECT: CABARRA POINT MARINE WORKS
 DRAWING NO: 0019
 SHEET NO: 01
 TOTAL SHEETS: 01

DESIGNED BY: 220548
 CHECKED BY: 220548
 SCALE: 1:1000
 PROJECT: CABARRA POINT MARINE WORKS
 DRAWING NO: 0019
 SHEET NO: 01
 TOTAL SHEETS: 01

DESIGNED BY: 220548
 CHECKED BY: 220548
 SCALE: 1:1000
 PROJECT: CABARRA POINT MARINE WORKS
 DRAWING NO: 0019
 SHEET NO: 01
 TOTAL SHEETS: 01





THIS DRAWING IS TO BE READ IN CONJUNCTION WITH DRAWING NO. SKCS

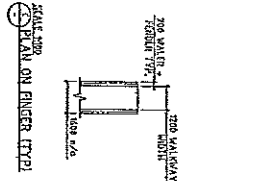
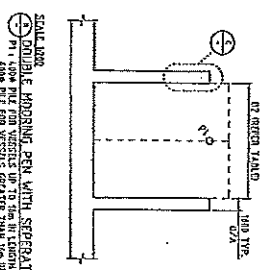
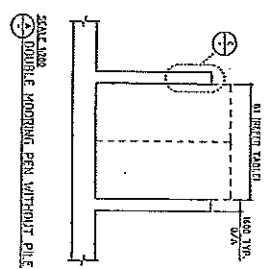
This is the plan referred to in the Authority's Letter Dated Above

- 2 JUL 2008

NSW MARITIME

VESSEL LENGTH (m)	No. of REFRIGERATORS		RESERVES	RESERVES	RESERVES	RESERVES	RESERVES	RESERVES	RESERVES
	TEMPERARY	PERMANENT							
0	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1
2	1	1	1	1	1	1	1	1	1
3	1	1	1	1	1	1	1	1	1
4	1	1	1	1	1	1	1	1	1
5	1	1	1	1	1	1	1	1	1
6	1	1	1	1	1	1	1	1	1
7	1	1	1	1	1	1	1	1	1
8	1	1	1	1	1	1	1	1	1
9	1	1	1	1	1	1	1	1	1
10	1	1	1	1	1	1	1	1	1
11	1	1	1	1	1	1	1	1	1
12	1	1	1	1	1	1	1	1	1
13	1	1	1	1	1	1	1	1	1
14	1	1	1	1	1	1	1	1	1
15	1	1	1	1	1	1	1	1	1
16	1	1	1	1	1	1	1	1	1
17	1	1	1	1	1	1	1	1	1
18	1	1	1	1	1	1	1	1	1
19	1	1	1	1	1	1	1	1	1
20	1	1	1	1	1	1	1	1	1
21	1	1	1	1	1	1	1	1	1
22	1	1	1	1	1	1	1	1	1
23	1	1	1	1	1	1	1	1	1
24	1	1	1	1	1	1	1	1	1
25	1	1	1	1	1	1	1	1	1
TOTAL	1	1	1	1	1	1	1	1	1

LEGEND
 (S) SHARED HANDED QUAY
 (H) SHARED HANDED QUAY
 (V) SHARED HANDED QUAY
 (W) SHARED HANDED QUAY



SCALE (mm)
 0 1000 2000 3000 4000 5000

SCALE (mm)
 0 1000 2000 3000 4000 5000

MARINA LAYOUT

A.1 PROVISION TO LOOSE DA 1501E 22/01/08
 BREAKFAST POINT MARINE WORKS
 CLIENT: NSW MARITIME
 PROJECT: PLY 114

TLB ENGINEERS
 5000 120/100 J.A.M. 0903
 5000 120/100 S.M. 0903
 5000 120/100 S.M. 0903
 5000 120/100 S.M. 0903

25mm 15mm 10mm 5mm 2mm

SHAWSON LUBRICATION PTY. LTD. AND M. G. S. PTY. LTD. CONSULTING STRUCTURAL, CIVIL & MARINE ENGINEERS 25 WILTON STREET, CANNINGVALE, NSW 1585, AUSTRALIA. PHONE: 02 9272 3333. FAX: 02 9272 3333. WWW: WWW.SHAWSON.COM.AU

Environment Protection Authority

Remediation Order

(section 23 of the Contaminated Land Management Act 1997)

Order Number 23022; Declaration Number 21055; Area: 3335

Service: By Registered Mail to address shown in EPA records

Maritime Authority of New South Wales
Locked bag 5100
CAMPERDOWN NSW 1450

Attention: Mr S Montgomery

Background

- A. On 25 May 2004 the Environment Protection Authority (EPA) declared the sediments of the bed of Kendall Bay and the Parramatta River which fall within 200 metres of the land based boundary of the former Mortlake gasworks site as a remediation site ("the site") under section 21 of the *Contaminated Land Management Act 1997* ("the Act"). A map of the area is attached at Attachment 1.
- B. The site has been found to be contaminated with polycyclic aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPHs) ("the contaminants").
- C. The EPA has considered the matters in s.9 of the Act and found that, the contamination in the near-shore sediments adjoining the former Mortlake gas works site pose a significant risk of harm (SRoH) for the following reasons:
 - Environmental harm has occurred in that there is a "lack of benthic biota" in the area. Although "cause and effect" has not been established it is reasonable to assume based on the scientific literature that the nature and degree of the contaminants results in the "lack of benthic biota";
 - The concentration of total polycyclic aromatic hydrocarbons (both low and high molecular weight components) are significantly elevated above ANZECC 2000 sediment quality guideline levels. Although there is no criteria for TPHs, these are also present in the sediment in significant concentrations and separate phase product has been observed;
 - Some PAHs are classifiable as human carcinogens;
 - PAHs have the potential to biomagnify through the food chain;
 - Benthic biota, and humans could be exposed to the contaminants;
 - It is likely that further development of the area would increase the risk of harm
 - Disturbance of the sediments would mobilise contaminants and hence increase the risk of harm.

5. EPA may approve the plan as submitted or approve the plan subject to a requirement that additional mitigation measures be implemented. The person proposing to conduct the works or activities cannot commence such works or activities until the management plan submitted to the EPA has been approved in writing.
6. The works or activities must be carried out in accordance with the management plan approved by the EPA.
7. On completion of the works or activities, the person having conducted them must prepare, and furnish the EPA with a report which addresses the manner in which the works were implemented and how the plan was complied with.

At this stage, no active remediation works are envisaged. Rather, the critical issue is that the bed sediments are not further disturbed without appropriate investigation and remediation. EPA may review this strategy and require a more active remediation approach in light of future investigations and remediation actions and scientific knowledge on the impact caused by these sediments.

NJ

NIALL JOHNSTON
A/Manager Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Date: 22/6/2007

NOTE:

Cost Recovery

Section 34 of the CLM Act allows the EPA to recover its costs in connection with the issue of a remediation order.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this investigation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this order to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act 1979 that the land is currently subject to a remediation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate can be removed.

Relationship to other regulatory instrument

This order does not affect the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Guidelines made or approved under section 105 of the CLM Act

All the investigation or remediation must be carried out consistent with guidelines made or approved under section 105 of the CLM Act. (See <http://www.environment.nsw.gov.au/clm/guidelines.htm>).

Term of this order

This order may only be varied or revoked in writing pursuant to section 44 of the Act. A variation to the order may modify or add to the terms and specifications of the order. The EPA may issue a further remediation order to an appropriate person or public authority as defined in s.12 (2) of the Act, including 'a person who had principal responsibility for such contamination of the land'. Such decisions may be made as a result of new

File No: W06/832

Our Ref: MP09/240

18 May 2009

Contact Officer:
Geoff Monkhouse

Tel: (02) 9563 8626

Fax: (02) 9563 8428

E-Mail: gmonkhouse@maritime.nsw.gov.au

Mr Ray Kearns
Development Manager
Rosecorp Management Services Pty Ltd
51 Riley St
Woolloomooloo NSW 2011

Dear Mr Kearns,

Applicant: Breakfast Point Pty Ltd
Proposal: Installation of 172 Berth Marina
Premises: 19-21 Tennyson Road, Breakfast Point

I refer to your letter of 12 May, 2009 requesting that Land Owners Consent Application No.592 be amended by allowing additional time to lodge the Project Application with the Department of Planning.

NSW Maritime (NSWM) has no objection to the request and advises that Validity of Land Owners Consent in NSWM's letter of 3rd July, 2008 is varied by deleting "within 12 months of the date of this letter" and inserting "by the 3rd January, 2010".

This letter should accompany the aforementioned letter when submitting your Project Application to Department of Planning.

Should you require further information please contact Geoff Monkhouse on (02) 9563 8626 at your convenience.

Yours sincerely



20 MAY 2009

Bruce Green
General Manager Maritime Property Division