

Facilities Associated with Sydney Super Yacht Marina



Project Description
and Application

Sydney Super Yacht

Marine Pty Ltd

2009

1 Project Description

1.1 Introduction

Sydney Superyacht Marina was recently awarded tender RFP MA 08/42 to purchase the Superyacht Marina business, redevelopment and long-term lease of the Superyacht Marina and the redevelopment and long-term lease of the adjoining land at Rozelle Bay. The existing Superyacht Marina and adjoining land (the Site) comprise an area of land below the mean high water mark of 17544sq.m and an area above the mean high water mark of 11640sq.m.

Redevelopment of the site is subject to existing development consent (DA 088-05-08), which includes re-arrangement of existing berths, reconfiguration of pontoon layout and permitting berthing of a maximum of 24 Superyachts.

1.2 Description of proposal

In association with DA 088-05-08 Sydney Superyacht Marina Pty Ltd propose:

- two buildings of 2100 sq.m and 1400 sq.m footprint area, each over two levels approximately 8.5 metres in height.
- Parking for 100 cars on grade, with vehicle access made available to the rear of the proposed 'horseshoe' buildings to the east for delivery and logistics. The Site would be accessed via a one-way through-site link for waterfront access to accommodate servicing requirements. This is proposed to minimize conflict with general public pedestrian access provided on the boardwalk and space around the building.

Sydney Superyacht Marina's proposal is depicted in the attached photomontages (Section 2).

1.3 Planning Framework

SEPP (Major Development) 2005 identifies the site as State Significant in Clause 7(2) of Schedule 2. The proposed development has a capital investment of approximately \$31 million, which exceeds the \$5 million threshold in the SEPP. The proposal is therefore deemed to be Major Development and is to be assessed in accordance with Part 3A of the EP&A Act.

It is envisaged the proposal would be subject to the following statutory documents:

- Environmental Planning and Assessment Act 1979 (EP&A Act);
- State Environmental Planning Policy (SEPP) 55 Remediation of Land;
- Sydney Regional Environmental Plan (SREP) 26 City West;
- SREP Sydney Harbour Catchment;
- Rozelle and Blackwattle Bay Masterplan 2002 (the Masterplan); and,
- SHFA Harbour DCP 2005.

It is noted that from July 2009 all existing SREPs including those identified above are deemed SEPPs.

No EPA licence is required given the associated marina facility will hold fewer than 80 boats.

Project Description

1

Key environmental issues

Impacts	Unmitigated Risk Rating	Response
Contamination	Medium / high	Prior to the development of the Super Yacht Marina, the site was used for various maritime industrial purposes including timber yards, ship building and repairs, container storage, concrete storage and transportations. Large portions of the site have been reclaimed with surface fill, predominantly comprised of brown sandy gravel and crushed sandstone. A contamination site assessment was conducted by SKM in May 1998. The assessment identified the existence of contamination at the site. A full contamination assessment of the site in accordance with SEPP 55 will occur as part of Environmental Assessment. Approval under Development Consent DA 088-05-08 also includes the decommissioning of two large fuel tanks and refueling facility.
Scale and Intensity	Medium	The proposal is permissible under SREP 26 City West. The two proposed buildings equate to site coverage of 30%, which is within the Masterplan permitted site coverage of 50%. The proposal is responsive to the site's attributes, constraints and context, and implements the master plan's requirements to consolidate the precinct's character. However, some exemptions may be sought from the prescriptive requirements of the Masterplan. The current proposal slightly exceeds the 8 metre height limit and the building footprint is not fully within the site coverage boundaries. Therefore the Environmental Assessment will examine compliance of the proposal with height restrictions, building footprint and other planning elements of the Masterplan and submit justification for any non-compliances.
Visual Impacts	Medium	The proposed development is relatively small in the context of large scale structures such as the Anzac Bridge, NSW Maritime building, the Blackwattle Power Station and silos and the approved Dry Boat Storage Sheds (yet to be constructed). In addition the proposal does not block views from public open space, residential areas or defined view corridors (such as the "three bridges view". Nevertheless visual impact is a subjective issue that can be perceived differently by each person. The proposal will be submitted to the Foreshore and Waterways Planning Development Advisory Committee for assessment and the Environmental Assessment will address the proposal against the visual criteria within the Masterplan.

Project Description

1

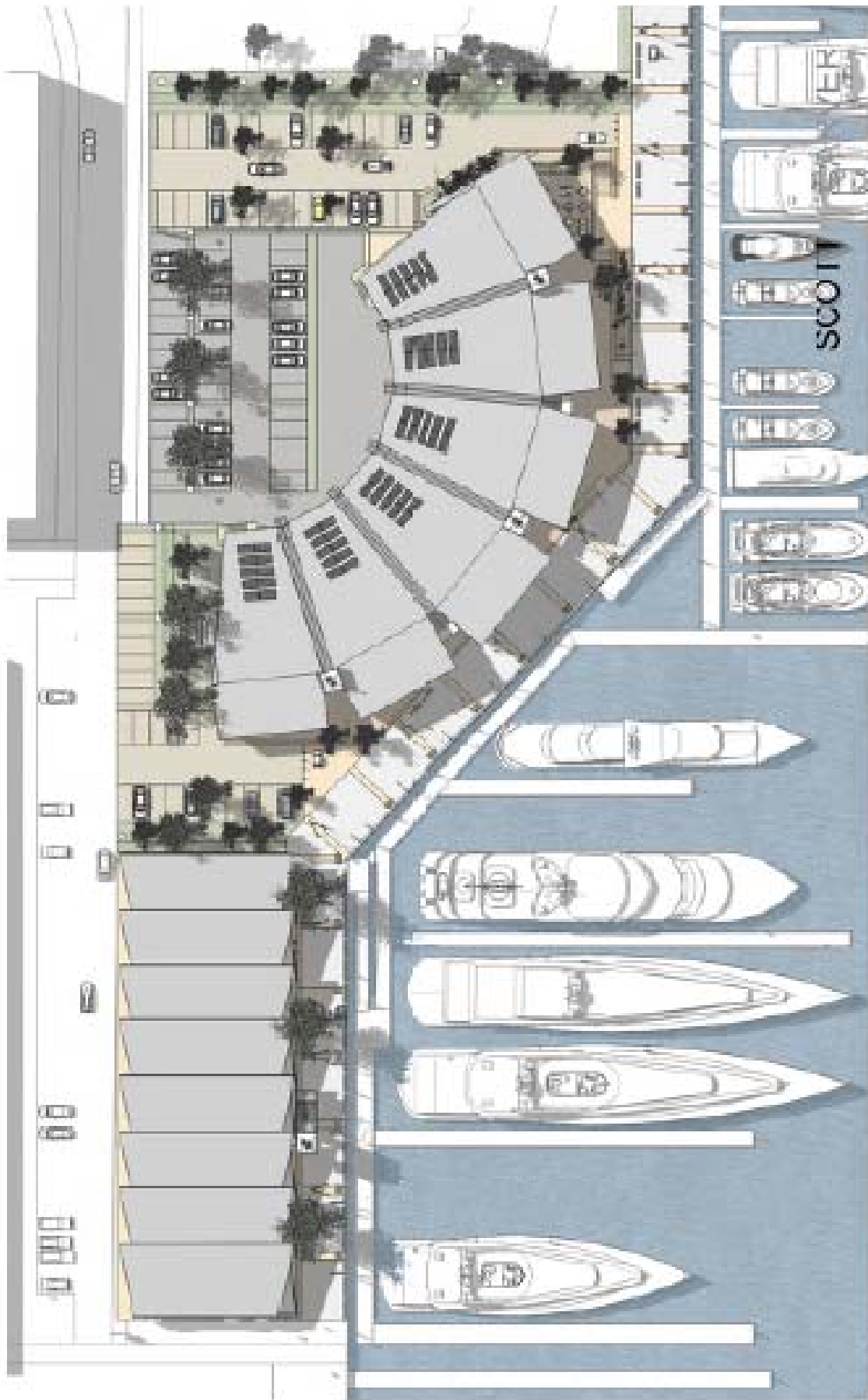
Impacts	Unmitigated Risk Rating	Response
Traffic Access and Parking	Medium	100 car parking spaces are proposed on grade, with vehicle access made available to the rear of the proposed building horseshoe' buildings to the east for delivery and logistics. The Site would be accessed via a one-way through-site link for waterfront access to accommodate servicing requirements. In addition the parking numbers, layouts, service vehicle provision, car park and traffic aisle sizes all comply with Australian Standards. A traffic study will be commissioned for the proposal.
Public Access	Low	The proposed design for the Site includes public access to boardwalks adjacent to the foreshore and proposed buildings. Traffic management will be designed to minimize conflict with general public pedestrian access provided on the boardwalk and space around the building.
Aquatic Habitat	Low	The aquatic ecology of the marina precinct is described in a report by Marine Pollution Research Pty Ltd (2008). The aquatic environment of Rozelle Bay is highly modified and disturbed. Stormwater runoff and detention will be addressed in the Environmental Assessment
Noise	Low	Proposed uses include marina related activities such as Brokerage, Chandlery, Provisioning, Café, Restaurants, Operations and Logistics, offices and associated Commercial offerings. Each form of potential noise will be assessed as well as the overall cumulative noise levels and compared to the relevant standards in relation to the closest sensitive land use being the residences on the Glebe foreshore.
European Heritage	Low	No listed non-indigenous heritage issues relate to site.
Aboriginal Land Claim	Low	On 16 June 2003, Office of the Registrar – Aboriginal Land Right Act 1983 received an Aboriginal Land Rights Claim No. 6959 from the Metropolitan Aboriginal Land Council pursuant to Section 38 of the Aboriginal Land rights Claim 1983 over Sydney and Middle Harbour. The Claim is yet to be determined however NSW Maritime is currently liaising with the Department of Land in relation to determination of the Claim.

Project Description

1

Impacts	Unmitigated Risk Rating	Response
Flora and Fauna	Low	The site contains no threatened plants, known significant habitat for threatened fauna or endangered ecological communities or populations.
Adverse Economic and Social Impact in Locality	Low	Economic impact on locality will be positive as it improves the existing maritime business activity. The facility will cater for an important part of the visiting vessel industry. Social impacts will also be positive as proposal will increase diversity of businesses and improve public domain aesthetics.
Navigation Issues	N/A	Navigation issues were addressed in DA 088-05-08.

2. Plans and Photomontage







3. Project Application

Major project application

NSW GOVERNMENT
Department of Planning

Date duly made: ____/____/____

Project application no. _____

1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your project.

A Planning Focus Meeting may need to be held for this project involving the Department, relevant agencies, council or other groups identified by the Department. If a Planning Focus Meeting is held, the Department will issue the Director-General's requirements for the Environmental Assessment following the meeting.

Disclosure statement

Persons lodging applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

For more details, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All applications must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be emailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, Sydney NSW 2000
GPO Box 39 Sydney NSW 2001
Phone 1300 305 695.

2. Details of the proponent

Company/organisation/agency

Sydney Superyacht Marina

ABN

127 177 904

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Tony

Family name

Ellis

Position

Director / Secretary

STREET ADDRESS

Unit/street no.

Street name

James Craig Road

Suburb or town

Rozelle Bay

State

NSW

Postcode

2041

POSTAL ADDRESS (or mark 'as above')

PO Box 16

Suburb or town

St Peters

State

NSW

Postcode

2044

Daytime telephone

Fax

Mobile

0418 810 896

Email

tony@superyachtmarina.com.au

3. Identify the land you propose to develop

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Rozelle Bay

Postcode

2041

Local government area(s)

Leichhardt

State electorate(s)

Balmain

REAL PROPERTY DESCRIPTION

Part Lot 32 in the Rozelle Bay Draft Plan of Subdivisions of Lots 2,3&4 DP 873379, Lot 10 DP 1017387 and Lot 1 DP 1049334

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the project applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR detailed description of land attached. ☒

MAP: A map of the site and locality should also be submitted with this application.

4. Major project description and other requirements

Provide a brief title for your project.

Associated Facilities for the Superyacht Marina, Rozelle Bay

PROJECT APPROVAL

If you are applying for approval of a project, include in the project title, all significant components for which approval is being sought. If the application relates to part only of a project, the project title should reflect this.

Is the application for approval of a project?

☒ Yes ☐ No

Is the application related to part only of a project?

☒ Yes ☐ No

CONCEPT PLAN APPROVAL

If you are applying for approval of a concept plan, include in the project title, all components for which approval 'in concept' is being sought. If the application also relates to approval of a project, a description of this should also be included in the project title.

Is the application for approval of a Concept Plan?

☐ Yes ☒ No

Is a project application being made concurrently for all or part of the project?

☐ Yes ☒ No

You are also required to provide a Project Description and address any matters required by the Director-General in accordance with section 75E or section 75M of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached?

☒ Yes ☐ No

Does the Project Description include any additional matters required by the Director-General under section 75E or section 75M of the Act?

☐ Yes ☒ No

Note: An electronic copy of the project description is also required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the project. The CIV includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding GST and land costs).

\$ \$31 million

EQUIVALENT FULL-TIME JOBS

Please indicate the number of jobs created by the project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

100

Operational jobs (full-time equivalent)

150

5. Approvals from State agencies

Does the project require any of the following: (tick all that are appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☐ a consent under section 138 of the *Roads Act 1993*
- ☐ a licence under the *Pipelines Act 1967*

6. Landowner's consent or notification

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the proponent:

Land

Signature

Name

Date

Land

Signature

Name

Date

Note: Under clause 8F of the Environmental Planning and Assessment Regulation 2000 (the Regulation), certain applications for approval under Part 3A of the Act do not require the consent of the landowner, however, the proponent is required to give notice of the application:

- in the case of linear infrastructure projects, by notice in a newspaper circulating in the locality prior to the commencement of the public consultation period,
- in the case of mining or petroleum production projects, by notice in a newspaper circulating in the locality within 14 days of this application being made,
- in the case of critical infrastructure projects, to the owner of the land within 14 days of this application being made, and
- in other cases, to the owner of the land at any time before the application is made.

7. Political donation disclosure statement

Persons lodging applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. Disclosure statements are to be submitted with your application or request.

Have you attached a disclosure statement to this application?

- ☐ Yes
☒ No

Note: For more details about political donation disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the project and address all matters required by the Director-General pursuant to section 75E and/or section 75M of the Act, and
- apply, subject to satisfying clause 8D of the Environmental Planning and Assessment Regulation, for the Director-General's environmental assessment requirements pursuant to Part 3A of the Act, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

A. W. ELLIS.

In what capacity are you signing if you are not the proponent



4. Land Owners Consent



Mr Justin James
Director
Sydney Superyacht Marina Pty Ltd
Po Box 16
St Peters NSW 2044

Dear Mr James

Thankyou for your letter seeking NSW Maritime's approval for Sydney Superyacht Marina Pty Ltd to request for Director Generals Requirements with regard to the Development Application for the land based works on Part Lot 32 in the Rozelle Bay Draft Plan of Subdivision of Lots 2, 3 & 4 DP 873379, Lot 100 DP 1017367 and Lot 1 DP 1049334.

NSW Maritime approves this request.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ken Bywater", written over a horizontal line.

Ken Bywater
Manager Business Improvement and development

11 August 2009

Action Officer: Ken Bywater
Phone: 02 9563 8896

NSW MARITIME
James Craig Road, Rozelle Bay NSW 2059
Locked Bag 5100, Camperdown NSW 1450
T 02 9563 8511 F 02 9563 8530 www.maritime.nsw.gov.au