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From: John Sleeman <jsleeman@internode.on.net>
To: Michael Buckley <michael.buckley@planning.nsw.gov.au>
CC: <assessments@planning.nsw.gov.au>
Date: 4/03/2011 11:09 pm
Subject: Online Submission from John Sleeman (object)

I refer to the Environmental Noise Assessment of the proposed SuperYacht Marina by Benbow Environmental.

The assessment is fundamentally flawed as follows:

1. The assessment does not use the assessment methodology adopted by the majority of acoustic consultants in Australia for this type of development (live bands). The assessment should use the OLGR standard noise criteria.

The assessment uses the DECCW's Industrial Noise Policy (INP), which uses the 'average energy' A weighted LAeq noise descriptor to describe the music and people noise. The INP is however designed to assess industrial noise, being noise that is generally constant in nature.

The music and people noise will have a spectral components that may vary differently from the A weighting of the LAeq and background, for example rock and roll and pop music often has 'accentuated' low frequency components.

The NSW Office of Liquor, Gaming and Racing (OLGR 'formerly known as the Liquor Administration Board (LAB)) has standard noise criteria to assess the occurrence of nuisance and annoyance from licensed premises. The OLGR criteria applies to all noise from the premises including music and patron noise. This is the correct methodology, as the noise spectrum is assessed (by assessing in octave bands), and the criteria becomes more stringent during the night-time. Also the LA10 descriptor is used, ie the noise from the premises which occurs for 10 percent of the time, being the upper level of the time varying noise (or 'the average maximum deflection of noise from the licensed premises') rather than the energy based average. This is important as the upper level is what will annoy the community.

2. In the conclusion the assessment states 'it should be noted that a noise level change of up to 3 dBA generally cannot be detected by the human auditory system and is therefore deemed insignificant'. This is an incorrect statement. , and is used to essentially change the criterion from Background + 5dBA to Background + 8 dBA.

It is generally accepted a change in level of 1 dBA to 2 dBA may be not noticed, (and we note the DECCW's Environmental Criteria for Road Traffic Noise allows a 2 dBA increase) However a 3 dBA change is not insignificant, as for example with traffic noise this would correspond to doubling of the traffic flow, and in this instance two bands playing (the same) instead of one band. Furthermore that 3 dBA is 'deemed insignificant' is essentially being used to justify changing the criteria from Background + 5dBA to Background + 8 dBA. This is a not acceptable.

Name: John Sleeman

Address:

3/433 Glebe Point Road, Glebe NSW 2037

IP Address: ppp121-44-111-50.ins20.syd6.internode.on.net - 121.44.111.50

Submission for Job: #3599 Sydney Super Yacht Marina

https://majorprojects.onhiive.com/index.pl?action=view_job&id=3599

Site: #2144 Sydney Super Yacht Marina, Rozelle Bay

https://majorprojects.onhiive.com/index.pl?action=view_site&id=2144

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From: Rod Blay <rblay@optusnet.com.au>
To: Michael Buckley <michael.buckley@planning.nsw.gov.au>
CC: <assessments@planning.nsw.gov.au>
Date: 4/03/2011 4:59 pm
Subject: Online Submission from Rod Blay ()

My wife and I have lived opposite the subject site for almost eight years. Occasionally around Christmas time we are subjected to loud music from a passing "Partyboat". After ten minutes or so the boat returns to the main harbour; this happens a few times a year. We should not be expected to tolerate this intrusion on a regular basis. I strongly object to the way in which the Sydney Super Yacht operators are snubbing their noses at the goodwill of the original consent for maritime service operation by attempting to create a major entertainment facility. The responsibility for control of live music and behavior of patrons who have over indulged in alcohol cannot be left in the hands of the same self interested business operators. I strongly object to any broadening of the DA which will result in the loss of our right to enjoy the existing peace of the Rozelle bay area.

I have never made a political donation.

Rod Blay

Name: Rod Blay

Address:
13/501 Glebe Point Rd

Glebe NSW 2037

IP Address: d58-110-192-183.mas2.nsw.optusnet.com.au - 58.110.192.183

Submission for Job: #3599 Sydney Super Yacht Marina
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3599

Site: #2144 Sydney Super Yacht Marina, Rozelle Bay
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2144

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From: Simon Kalfas <s.kalfas@bigpond.com>
To: Michael Buckley <michael.buckley@planning.nsw.gov.au>
CC: <assessments@planning.nsw.gov.au>
Date: 4/03/2011 4:04 pm
Subject: Online Submission from Simon Kalfas (object)

I live directly opposite to the proposed project on the other side of Rozelle Bay. The proposed redevelopment will radically change the amenity of the whole area.

My principal concern relates to the noise that would result. When Liquidity was operating as a restaurant and function centre, on the occasions that it had functions, the noise level was very intrusive but those occasions were rare whereas the current proposal could result in unacceptable noise carrying across the water every day and night.

The proposed development is not in keeping with the historic usage of Rozelle Bay and its surrounds. In my view it will completely alter the ambience of the foreshore walk which has, since its redevelopment come to be utilised by many members of the public both from within and without the locality.

Apart from the Bay's history as a working maritime location, the area across the Bay is essentially a quiet residential area. This proposal introduces a number of mixed uses that are not in keeping with the area.

Name: Simon Kalfas

Address:
15/19-23 Stewart Street

Glebe NSW 2037

IP Address: user.counselschambers.com.au - 218.185.94.181

Submission for Job: #3599 Sydney Super Yacht Marina
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3599

Site: #2144 Sydney Super Yacht Marina, Rozelle Bay
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2144

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Major Projects Assessment
Dept. of Planning
GPO Box 39
Sydney NSW 2001

Email to: plan_comment@planning.nsw.gov.au

Attention: Michael Buckley

Dear Mr Buckley

Re: Major Project: Sydney Super Yacht Marina, Rozelle Bay (MP09_0165)

On behalf of SP 8483 we have a number of concerns in relation to the abovementioned Major Project proposal and take this opportunity to make my submission.

This proposal is in contravention of the intent of the Master Plan for the site which was approved by the Department of Planning in September 2002 and which does not identify as preferred uses the restaurants, liquor outlets and function facilities proposed in the business mix.

Further to the above we (SP 8483) are most concerned at the advice you allegedly dispensed recently ie that approval of the buildings will be determined **without examining the proposed uses**. The uses will need to have **individual applications** as they are to come on stream. This doesn't make any sense. The buildings are to be purpose built to allow for noise containment. The large number of balconies and areas of decking reflect the proposed uses which are not preferred uses under the Master Plan. **Add to this the need for the community to examine and comment on a large number of individual DAs. The proponents must be told now what is and isn't an acceptable use in accordance with the Master Plan or they will construct buildings for which there will be no use.**

Consultation

The applicants are required to consult with affected members of the community in relation to the Proposal. Consultation with the community was virtually non-existent. The proponents know the major community groups in Glebe Point. They worked with the Glebe Society and the Glebe Point Residents Group when the Slipways DA was under consideration, with a good result.

The proposal identifies Glebe Point residents as those closest to the proposed development. At p.25 of the Executive Summary it states that across Rozelle Bay are the closest properties at Glebe Point (approximately 200-250 metres distant) and Jubilee Park, Bicentennial Park and Federal Park open spaces. In fact far more residential properties than those identified in the proposal will be affected. This is well known in the Glebe Point Precinct because of the very bad experience with Liquidity. Noise travels across water and the noise from Liquidity affected properties in the streets leading back from the Parks as well as along Glebe Point Road and as far back as Leichhardt Street. All units and homes on the Point were affected.

The only consultation identified in the Proposal in relation to Glebe was with the White Bay Steering Committee, which has nothing to do with Glebe, and supposedly the Body Corporate of 501 Glebe Point Road being one apartment block on the Point. The Executive Committee of the Body Corporate of 501 have said that they were not consulted. The Executive Committee of the Body Corporate of SP8483 has never been consulted. The Glebe Point Residents Group has requested information on the consultation from the proponents but it has not been forthcoming. When the issue of consultation was raised with the proponents they advised that they had met their requirement with two small advertisements in the local paper in May and June last year and an exhibition at Liquidity. It was pointed out that residents don't necessarily read the advertisements in the local paper nor go to Liquidity for coffee. Liquidity is not in Glebe and is on the site for the proposed development.

In Appendix N there are only two submissions from Glebe following this supposed consultation. One submission was from a major importer of boats. This I think sums up the consultation process. At a meeting with the proponents requested by some residents, after receiving the notification of the Proposal from the Department of Planning, they were invited to meet with the Glebe residents and discuss their proposal. A meeting took place on 28 February in Liquidity. This was the first real consultation with the community and far too late. The residents who attended almost unanimously raised their objections to outside amplified music or any outside music at all.

Noise

Noise is my greatest concern. At P.32 of the Executive Summary it states that there are two main buildings. Both buildings have balconies, outdoor areas and decks. Together the buildings have 6,145 sqm of indoor footprint and outdoor deck and balcony areas of 1,843 sqm. Further both buildings, in addition to maritime related businesses, can have retail and commercial offices, cafes and restaurants, function facilities, a hotel (tavern) and package liquor outlets, general bar licence and package liquor outlets and a marine based club ('licensed facilities'). At p46 it states the operating hours for cafes, restaurants and licensed facilities would be 8.00am to 12.00 midnight or ideally 2.00am seven days a week. At the meeting with the proponents they said that the entertainment facilities would be secondary to the marine related activities. The proposed uses for the buildings would hardly substantiate this claim. See further comment on this below at 'Business Mix'.

The proponents say that the buildings will be purpose built to address noise abatement. However there were no answers to the major concerns with outdoor amplified music or any music outdoors. The noise from outdoor music cannot be captured.

As noted above there are a lot of outdoor deck and balcony areas, and this would be in addition to other open space. It is proposed to have live bands playing up until 10.00pm at night. Two independent Assessments have been made of the Noise Report at Appendix 'L'. The Assessments have been done by Dr Martin Lawrence and Dr Fergus Frick, both being people with credible qualifications in acoustics. These Assessments are to be submitted to the Department of Planning. Both Assessments reach the same conclusion being that **there should be no outdoor amplified music at any time because of the impact on Glebe residents.**

When Liquidity was operating the Executive Committee made numerous complaints to various bodies in relation to music, voices, cars, all clearly audible inside my unit... as residents often needed to turn the volume up on their TV sets. All to no avail as laws were not adhered to (initial POPE Licence was done so without a sound engineer's report on ambient noise) furthermore, Condition 14 (attached to the POPE licence) stipulated:

"The L10 noise level emitted from the premises, when assessed at any residential boundary, shall not exceed the L90 ambient background level in any Octave Band Centre frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB(A) between the period 7am to midnight.

The L10 noise level emitted from the premises, when assessed at any residential boundary, shall not exceed the L90 ambient background level in any Octave Band Centre frequency (31.5 Hz to 8 kHz inclusive) between the period midnight to 7am.

Notwithstanding the above, noise emission from the premises shall not be audible inside any habitable room of any residential premises between the period 12 midnight and 7 am.

L10 may be taken as the average maximum deflection on a sound level meter.

Yet, notwithstanding the above the occupants' lifestyle was regularly negatively impacted upon. Therefore, the Executive Committee of the Body Corporate of SP8483 cannot agree to any outdoor music (amplified or not) at any time.

Mixed Uses

There are two buildings proposed to accommodate the businesses. A third building is to be used as a car park. Of major concern with the two buildings is that there are no specified areas for the different types of businesses. This means that the areas can be put on the market and the most attractive offers will be successful without any obligation on the proponents to have a specified business mix. It could be that most of the space will become entertainment related. It could become a major restaurant /functions precinct operating 7 days a week until 2.00am with all the related noise problems. **This would be in contravention of the Master Plan which does not allow an Entertainment Precinct on this site.** The Department of Planning signed off on the Master Plan for this Bay in September 2002. It is called: **Master Plan, Rozelle and Blackwattle Bays Maritime Precincts.**

In this Master Plan at page 34 it states under Preferred Land Uses for this site:

Food and retail outlet ancillary to main use

All other preferred uses are maritime related.

Traffic

Traffic is of concern in particular with the announcement that the Cruise Passenger Terminal is to move to

White Bay. A new road is to be built to join up with James Craig Road which is a private Road servicing the total Maritime Complex. The ingress from Robert Road to the site and the egress from James Craig Road to Robert Road already have problems and that is without this proposal, the Dry Boat Storage facility still to be developed and the Cruise Passenger Terminal.

Conclusions

In the Master Plan approved by the Department of Planning in September 2002, the only preferred use that relates to food and retail for this site is for one food and retail outlet ancillary to the main use. Therefore this proposal should not be allowed as it contravenes the intent of the Master Plan which is a legal document.

In the event that the Department chooses to act outside the intent of the Master Plan, the following major concerns need to be addressed being outdoor amplified music, **outdoor music in general and business mix.**

There should be no outdoor music. There are nine large balconies on one of the two main buildings. Ideally all balconies should be enclosed. If this cannot be achieved then the Consent Provisions must require that balcony doors are closed when there is music being played inside. These provisions should also place restrictions on the use of balconies and decks in the evening after a certain time as noise, other than that from music (scraping of tables and chairs on decking), travels in the evening and over water.

In relation to Business Mix, the Consent Provisions must specify strict requirements for the business mix which will result in this precinct being developed as a Maritime Precinct and not an Entertainment Precinct.

NOTE: We have attached a copy of a document issued by the Directors of the Superyacht Marina following the meeting held with residents. The document outlines the commitments of the Directors. Dot point no 7, music simulations, is the only matter that was agreed at the meeting. As I have said in my submission, the residents almost unanimously said no to any outdoor music. However, some of them did agree to participate in the music simulations. Dot point 6, a Community Liaison Group, is considered to be a good initiative as is dot point 8, a Noise Management Plan.

Regards

Roberta di Brazza
On behalf of Executive Committee of the Body Corporate of SP8483
22 Alexandra Road
Glebe

Cc: Executive Committee of the Body Corporate of SP8483

All Suburbs Strata Management (Managing Agents for SP 8483)



Following a public meeting on 28 February 2011 with residents of Glebe and members of the Glebe Society, the Directors of Sydney Superyacht Marina Pty Ltd makes the following commitments:

- É The number of outdoor bands would be restricted to two bands playing at any one time.
- É The hours that outdoor bands could play would be restricted to 11:00hrs to 20:00 hrs. During special events¹ the hours would be 9:00hrs to 20:00 hrs.
- É Outdoor bands would only play on the ground level.
- É Sub-tenants would be required to arrange outdoor bands with the facility manager
- É All doors and windows would be closed after 20:00hrs for tenancies playing indoor music.
- É Sydney Superyacht Marina Pty Ltd would set up a Community Liaison Group, which would include Sydney Superyacht representatives, NSW Maritime and representatives of the affected community.
- É Prior to submitting a Preferred Project Report to Department of Planning, Sydney Superyacht Marina Pty Ltd would engage Benbow Environmental to conduct music simulations from the Superyacht Marina Site and noise monitoring at the nearest residents. The volume of music would be incrementally increased until it is audible at the nearest residence. The acceptable criteria for amplification of music would be set below the measured audible recognition level.
- É Sydney Superyacht Marina Pty Ltd would prepare a Noise Management Plan for the construction and operation phases of the development.
- É The Noise Management Plan would address site management issues such as booking of bands, restriction on type of amplifiers that can be used on site, liaison with the community, compliant response, compliance monitoring and contingency measures.

The above commitments would be included in the preferred project report and form part of the proposed project.

Tony Ellis	Brian James	Justin James
Director	Director	Director
Sydney Superyacht Marina	Sydney Superyacht Marina	Sydney Superyacht Marina

¹ Special Event Days are Christmas Day, Boxing Day, New Years Eve, New Years Day, Australia Day, plus five additional days per calendar year provided 21 days notice is provided to the Department of Planning and NSW Maritime.

4 Dugald Rd
MOSMAN
4 March 2011

Major Project Assessments
Department of Planning
GPO Box 39
SYDNEY 2001
Attention: Michael Buckley

RE: **Sydney Super Yacht Marina, Rozelle Bay (MP09_0165)**

I write as the owner of 27/13-17 Stewart St GLEBE 2037. I am an active owner of my Owners Corporation as evidenced by my membership of the Executive Committee of the Body Corporate. I also write this as an experienced Community and Stakeholder engagement practitioner and urban planner.

I am very concerned about the subject development as outlined in the EA plans and documents which have been on exhibition and available on the Departments web site.

My concerns relate to the following:

1. Appropriateness of the development The proposal effectively squanders its foreshore location

The development is inherently inappropriate in the location proposed. It is essentially a commercial development that for the most part involves development that does not depend on a waterfront location.

2. Non Compliance with the Master Plan- the waterfront uses are subservient to the commercial restaurant etc uses and bulk and scale does not comply

There are significant non compliances with the Master Plan for this site.

- In zones R2d and R4 and the intention is to encourage uses directly associated with and dependent on a foreshore location. The non-compliances relate to the food beverage and retail outlet, described as ancillary to the marina servicing facility and in the case of .R4 the commercial marine offices non-compliance.
- The proposal does not meet the requirement of the master plan to "provide facilities for local food outlets associated with the working waterfront operation as appropriate." The proposal is essentially a restaurant and entertainment venue and makes a mockery of the master plan controls and vision.
- There are non-compliances with building envelopes and height controls. These are significant given the location of the project on a site visible to and from the water. The non compliances have created a development that is an overdevelopment of the site.

3. Residential amenity- a significant and widespread impact- especially noise and traffic

The proposed development will have a significant and adverse impact on the densely developed residential areas of Glebe Point and the northern area of Glebe. These impacts relate primarily to noise and also to traffic impact. They are discussed below.

3.1 Noise: The project will have a significant noise impact for residents living in Glebe at its north and around the Glebe foreshore. My property in Stewart St is within this location. It is noted that the Noise Impact Assessment report indicates that noise levels will exceed

requirements/standards at R5 and R6 both Glebe receptors in the evening when people need peace and quiet. R5 is very close to my property. These two sites are more impacted by operations than any of the other receivers. Noise travels very effectively across water so this is not surprising. The design of the various commercial premises restaurants etc includes multiple open balcony areas that address the foreshore and the densely developed residential areas of Glebe. The impact from so many noisy sources will be huge and is unacceptable.

Restricting hours of operation is not a solution as these can be varied and this is likely to occur

The only way to protect the large numbers of residents impacted by noise generated by this development is to ensure that the building is designed to prevent any noise transfer across the water. There should be no open balconies associated with any eating entertainment facilities on this site.

Live music should not be permitted at any venue. The noise study notes that live music is the greatest noise problem source.

Any foreshore eating and entertainment areas should only be permitted if they have enclosed balconies with double glazing. This will allow patrons to enjoy a waterfront outlook when they visit the areas and at the same time protect the amenity of residents. This treatment will also have no impact on visual amenity as would be the case if a noise wall was considered as means to mitigate noise generated by the development.

3.2 Traffic – cumulative impacts need to be addressed

Traffic is a potential problem with the use of this site combined with that of the yet to be built Dry Boat Storage facility and the Cruise Passenger Terminal proposed for White Bay. Traffic from all these activities feeds into James Craig Road. The intersection of James Craig Road and Robert Road is already a problem.

4. Community Consultation-a flawed and inadequate process as part of the development of the EA

The purpose of the engagement process prior to the exhibition of the EA is to ensure that community and stakeholders ideas, issues and knowledge can be captured and considered. This is a significant opportunity and in my experience can provide important advice, knowledge and understanding of the community impact of projects.

The community consultation process that was undertaken as part of the EA document was inadequate and has not provided local land owners and residents a real opportunity to raise significant issues early in the process. As a consequence we are now faced with a highly developed proposal that has not had the scrutiny of the many people who will be affected by it, while the plans were being developed..

The ads for the information day had low visibility, being located at the back of a local paper amongst the classified ads . They would not have been easy to find. In addition the resident notification was very restricted to White Bay Steering Committee and the residents Body Corporate at Pavilions development.

This process has paid lip service to any reasonable community consultation process and reflects a lack of understanding of the place in which the development is proposed. To assume that the Pavilion residents were the only ones on the Glebe foreshores who should have been notified is inadequate to say the least. I do not regard this aspect of the EA process as satisfying the DG's

requirements. Moreover the comments of support for the development included in the Consultation chapter of the EA document come from residents who are remote from the site and who will not be affected by the amenity impacts of the project. One of the two Glebe submissions came from a marina operator.

5. Proposed Mixed Uses:

It is understood the commercial space is proposed to be put on the market without any controls on the amount of space for any one use. This could result in the precinct becoming an entertainment precinct with the principal uses being cafes/restaurants/function centres/liquor outlets. The potential to erode the use of this waterfront site for marine and water based uses will be further increased without some overall limits on the amount of commercial development.

Conclusion

The proposal is no more than a proposal for commercial eating/entertainment uses. It will have a significant adverse impact on the amenity of surrounding areas particularly in relation to noise and traffic. The densely developed residential area of Glebe will be particularly affected by noise from the many restaurants and entertainment venues and because the design of the building will encourage noise to travel easily across the water.

The development squanders its foreshore location because the maritime based activities are secondary to the overdeveloped entertainment eating aspects of the proposal.

The development should not be permitted as proposed. There should be an appropriate balance of maritime uses to other uses. Maritime being the predominant use. It should comply with the Master Plan in relation to uses, height and bulk.

Noise management should not rely on operational controls such as hours of operation or numbers of bands/live music. Effective noise management will only be achieved if there are appropriate design and building conditions and controls. These should include enclosed balconies with double glazing. This will protect the amenity of residents and will not have any adverse visual impact at the waterfront location.

Yours sincerely



Rosemary Adams

Owner: 27/13-17 Stewart St GLEBE 2037

Mailing address: 4 Dugald Rd MOSMAN 2088

Contact details not to be on web site

Please do not publish any of my contact details on the department's web site.



From: "Hannah Middleton" <peace@mira.net>
To: <plan_comment@planning.nsw.gov.au>
Date: 4/03/2011 2:16 pm
Subject: objection to MP09_0165

Dr Hannah Middleton
Unit 10
19-23 Stewart Street
Glebe NSW 2037

Ph: 9660 7562
0418 668 098

Michael Buckley
Major Projects Assessment
Department of Planning

Sydney Super Yacht Marina, Rozelle Bay
MP09_0165

Dear Mr Buckley,

I have lived in Glebe for more than 30 years, at my present address, and I wish to object to this proposed development.

When the Super Yacht Marina and Liquidity restaurant were first developed, residents were assured that this was not permanent but were temporary facilities servicing special needs associated with the Olympic Games.

The local community were apparently lied to for the marina and restaurant have remained and now this expansion is proposed. Following the same undemocratic process, there was woefully inadequate information distributed to and consultation with the local community. The majority would never have heard of the proposal had it not been for a handful of local residents who began to alert the community and request consultation.

This is unacceptable and flies in the face of accepted standards for community consultation on major projects.

There are serious objections to the proposed development on traffic and noise grounds.

Traffic is a potential problem with the proposed development, especially when the proposed dry boat storage facility and the White Bay cruise ship passenger terminal are also taken into account.

Traffic from all these activities will feed into James Craig Road but the intersection of James Craig Road and Robert Road is already a problem.

Public transport, environmentally the best option, is currently confined to bus routes along Victoria Road and the light rail, which stops at the western end of Rozelle Rail Yards and Rozelle Bay. Victoria Road carries more than 1,000 buses a day and these routes are already affected by heavy traffic congestion, despite dedicated bus lanes.

My unit faces the site across Rozelle Bay and I have suffered over many years now from noise generated by activities at the super yacht marina and especially Liquidity - on occasions even calling

the police to object when the level or duration became unendurable.

As a result, I object strongly to the prospect of significantly increased noise which will inevitably be generated by the licensed facilities, hotel, function facilities, liquor outlets and cafes and restaurants and other developments proposed for the site.

The proposal talks about restaurants and licensed facilities operating 7 days a week and possibly being open until 2am, with outdoor amplified music and live bands playing until 10pm.

I would argue that a major entertainment and business precinct is too large, too noisy and too intrusive a development for Rozelle Bay and should not be permitted to proceed.

I also object strongly to the potential for the proposal to dominate and change the character of Rozelle Bay and to remove its working harbour element by stealth.

The commercial space is proposed to be put on the market without any controls on the amount of space for any one use. This could result in the precinct becoming an entertainment precinct with the principal uses being cafes/restaurants/function centres/liquor outlets. The maritime uses could become secondary.

The working harbour is an important part of our heritage. Glebe Island and White Bay still play an important role for industries requiring shipping access, including cement, gypsum, sugar and vegetable oil imports and major vessel repairs. Blackwattle and Rozelle Bays support commercial maritime industries, charter and fishing fleets and heavy construction facilities.

Future planning needs to consider local needs, as well as the protection of Sydney's maritime economy. It would be inexcusable if commercial over-development was inflicted on Rozelle Bay which is an important component of the Bays Precinct, replacing the previous character and heritage of the area and denying access to the wider community. Uncontrolled commercial development will lead to the loss of control over major public infrastructure and community assets and amenities.

The remaking of inner city Pyrmont and Ultimo created, according to academics Glen Searle and Jason Byrne, 'repackaging and sanitization of the history of the area and more specifically its working class roots'. This gentrification was fast-tracked by rezoning, bypassing local government planning powers, allowing greater control by developers and ensuring significant capital returns to government.

It would be a tragedy if the Rozelle Bay site became just another commercial development in order to gain windfall profits for developers and government.

Instead, to preserve Rozelle Bay's character and heritage and to protect the quiet enjoyment of the local amenities by residents and visitors, Rozelle Bay should be reserved as passive water for community boating activities such as rowing and the dragon boats.

The super yacht marina should be removed and the dry boat storage should be transferred from Rozelle Bay to Glebe Island No 1 or No 2. The charter vessels and fishing fleets in Blackwattle and Rozelle Bays should be preserved, together with the marine contracting and salvage businesses.

Yours sincerely,

Hannah Middleton

23

19 Avenue Road
Glebe 2037
4th March 2011

Michael Buckley
Major Projects Assessment
Department of Planning

Major Project: Sydney Super Yacht Marina, Rozelle Bay (MP09_0165)

As residents of Glebe Point who will be directly affected by this proposed development, we wish to register a number of major concerns to the proposal set out in the DA..

1. This is yet another development that is proceeding without reference to the recommendations of the Government's Bays Precinct Community Reference Group (CRG). Most significantly the CRG urged Government to halt further development decisions in the Bays Precinct until there was a strategic plan that allowed intelligent and integrated decisions to be taken for the whole precinct. If there were legal reasons for proceeding with developments the CRG argued that any interim development be consistent with both an existing Master Plan AND the CRG recommended principles. This was a position supported by all community members of the CRG including our local member of Parliament.

This proposal is sadly another example of the long tradition of one off ad hoc developments. It does not conform with the CRG principles and seems to be moving away from the basic intent of the existing Master Plan.

2. It is also another example of Government usurping the planning role of local government and we share the concerns of the community that, as so often demonstrated, this will mean the community's views will have little influence over the outcome. In this regard, we note the limited and belated consultation with the Glebe Point community- which was in response to pressure from the community. .
3. We are concerned that the noise impact that will certainly come with the provisions for outdoor entertainment and amplified music will be at unacceptable levels.
4. The proposal is very open ended in terms of uses for the buildings. The uses should be defined before approval for the construction of buildings.
5. This relates to a core concern that the overall flavour of the proposal will transform the site into a commercial/entertainment precinct with little connection to the preservation of the maritime character of the Bay and foreshore.

In addition to these comments we endorse the more detailed submission made by the Glebe Point

Residents Group.

With regards,

Lesley Lynch and Susan Tiffin

Email to: plan_comment@planning.nsw.gov.au note there is an underscore between plan and comment.

Post to: Major Projects Assessment, Dept. of Planning, GPO Box 39, Sydney NSW 2001

Mark: Attention Michael Buckley for all submissions.

Closing Date: 4 March 2011

View the full Proposal on line: majorprojects.planning.nsw.gov.au
or in the Glebe Library as a hard copy.

Objections

There would appear to be at least four grounds for objection in the proposal although there might be other matters which are of concern to you. The proposal could be modified to address the major objections relating to noise and business mix.

Noise

The major problem is noise from outdoor amplified music. Two buildings are proposed for mixed uses including Maritime uses, retail and commercial offices, cafes and restaurants ,function facilities, Hotel(tavern), liquor outlets and a marine club ('licensed facilities'). There are 9 open restaurant balconies and some open space. It is proposed to have outdoor amplified music (live bands) playing up until 10.00pm at night. Dr Martin Lawrence and Dr Fergus Fricke have both made independent Assessments of the Noise Report at Appendix 'L'. Both Dr Lawrence and Dr Fricke have credible qualifications in acoustics. These two Assessments are to be submitted to the Department of Planning. **Both Assessments conclude that outdoor amplified music is not acceptable at any time because of the impact on the nearest residential properties being Glebe properties.**

NOTE: For those people putting in objections who have suffered as a result of the noise from Liquidity when it operated as a restaurant/Function Centre then please include your comments relating to your particular experiences.

Proposed Mixed Uses

The commercial space is proposed to be put on the market without any controls on the amount of

space for any one use. This could result in the precinct becoming an entertainment precinct with the principal uses being cafes/restaurants/function centres/ liquor outlets. The maritime uses could become secondary. The proposal talks about cafes and restaurants and licensed facilities operating 7 days a week and possibly being open until 2.00am.

Traffic

Traffic is a potential problem with the use of this site combined with that of the yet to be built Dry Boat Storage facility and the Cruise Passenger Terminal proposed for White Bay .Traffic from all these activities feeds into James Craig Road. The intersection of James Craig Road and Robert Road is already a problem.

Consultation

There was minimal consultation with the Glebe community. Two small advertisements were placed in the local press in May and June last year and the proposal put on exhibition at Liquidity for those who chose to have a coffee there!! In Appendix N, the consultation Appendix, only 2 responses were received from Glebe. One of these was from a major importer of boats. I think this says it all for consultation. Following an approach by concerned residents after the proposal went on exhibition the proponents have agreed to a small meeting of residents at Liquidity to allow discussion on the proposal.

In summary:

Outdoor amplified music should not be allowed at any time and there should be conditions in the Consent provisions that will result in an appropriate business mix which recognises that this is a Maritime Precinct.

Susan Cleary

Phone: 9660 4189

Michael Buckley
Major Projects Assessment
Department of Planning
GPO Box 39
Sydney NSW 2001

11/19 Stewart Street
Glebe NSW 2037

29

4 March 2011

Dear Michael

Re: **Sydney Super Yacht Marina Rozelle Bay (MP 09_0165)**

My main objection to this proposal is NOISE.

- I cannot agree to **outdoor** entertainment.
- All noise must be contained in the buildings

I live directly across the water from the proposed development and I want to continue being able to play and enjoy music of my own choice. It is of great importance to me that my visitors enjoy being here. We show restraint when entertaining here and we would expect you to do the same.

Paula Thomas
Glebe Point Resident
plv@bigpond.com

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From: Elaine Diffey <elainediffey@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 4/03/2011 10:58 am
Subject: Sydney Super Yacht Marina, Rozelle Bay

From: Elaine Diffey
1/19-23 Stewart Street
Glebe 2037.
Tel: 9518 8985
email: elainediffey@gmail.com

Re: Redevelopment of Sydney Super Yacht Marina, Rozelle Bay (MP 09_0165)

I write to register my objection to the plans for the above proposal on the following grounds (due to ill health I am unable to make a more detailed submission):

1. My primary objection relates to the noise which will be generated and its effects on the enjoyment and amenity of residents of Glebe Point and surrounds.

It is unacceptable that there should be venues which will have loud amplified music. This will be disastrous for me - due to chronic illness and being largely

housebound, I chose to live here precisely because of the quietness of the area.

In the past during functions at Liquidity restaurant/function centre the noise was unbearable - very loud music with thumping bass sounds which went

right through one's system. As you will know, noise travels across water more than over land. Added to this would be the noise of people who are intoxicated,

given the number of venues which serve alcohol that are anticipated.

2. I am concerned that the proposal contains so many uses, with the potential for the maritime use being overwhelmed by entertainment and licensed venues.

I do not object to maritime use or some commercial use, but do object to the open nature of the proposal. This could see the area becoming a very noisy

entertainment precinct. With Darling Harbour and Birkenhead Point seemingly struggling, it does not make sense to add more of this type of development.

Any proposal should control the number of restaurants and cafes and there should be no taverns or function centres for the reasons mentioned above.

3. A development of the size proposed would generate a large increase in traffic in an already congested area.

4. I strongly object to the fact that this proposal was not made available on display in Glebe, as any major development which affects the area should be.

Also that we were given only four weeks to go through, discuss and come to conclusions about this. There should have been a large public meeting

called for interested residents, with plenty of notice and information given beforehand.

5. I would like to see any development be in keeping with the quiet nature

of Rozelle Bay, relatively low key and with maritime affiliations.

Yours faithfully,

Elaine Diffey
4 March 2011.

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From: "Tom & Kay Morrison" <tom.kay@bigpond.net.au>
To: <plan_comment@planning.nsw.gov.au>
Date: 3/03/2011 6:24 pm
Subject: REDEVELOPMENT OF SYDNEY SUPER YACHT MARINA

Dear Sirs,

Re: REDEVELOPMENT OF SYDNEY SUPER YACHT MARINA
ROZELLE BAY (MP 09_0165

We write to OBJECT to the abovementioned proposed development.

Firstly, we consider it vastly different to the original plan for a Marina with ancillary services to an ENTERTAINMENT PRECINCT OUT OF SYNCH WITH THE MARTIME INDUSTRIAL CHARACTER OF THE AREA AND THE EXPECTATION THAT THIS BE PART OF AN OVERALL PLAN FOR A WORKING HABOUR.

Secondly, we are most concerned in particular to the 43 page "ENVIRONMENTAL NOISE IMPACT ASSESSMENT" in relation to potential noise problems from the proposed entertainment facilities in the Super Yacht Marina Development. We remember clearly the impact from the one restaurant venue "Liquidity" when it was operational some years ago with amplified music. The possibility of a capacity to entertain about 2,000 on the site is completely unacceptable.

We would appreciate your consideration and intervention at this stage for the residents of Glebe.

Yours faithfully,

MRS KAY MORRISON
MR THOMAS MORRISON

Apartment 41,
501 Glebe Point Road
GLEBE NSW 2037

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From: "Rose & Wolf Zwi" <rosewolf@optusnet.com.au>
To: <plan_comment@planning.nsw.gov.au>
Date: 3/03/2011 6:12 pm
Subject: Attention: Michael Buckley

MAJOR PROJECT: Sydney Super Yacht Marina,
Rozelle Bay (MPO9 0165)

Attention Michael Buckley
From: Rose Zwi

Major Projects Assessment
14/501 Glebe Point Road

Dept. of Planning
Glebe, NSW 2037

GPO Box 39, Sydney NSW 2001

As I did not have your email address, I sent off my opinion about the Sydney Yacht Marina to you by ordinary mail. In order that it should reach you in time, I am also sending you a précis of what I wrote in the letter to you.

I object to the proposed development because I believe the site should be operated for genuine maritime uses, not as an entertainment venue. It is far too close to residences for any amplified music.

The problem is not the marina. My specific objection is to the noise pollution which is likely to arise from amplified live or recorded music at those venues. We have already had experience of how disrupting noise can be when the Liquidity venture was at its height and was run as a restaurant and as a function centre. In practice, resident's complaints to the Balmain Police, Water Police and the Leichhardt Council proved ineffective in getting the noise of the bands controlled. It was impossible to sleep at our residence until the bands stopped playing.

The developers of this proposed venture agreed to meet with local residents to discuss their concerns about the development. Fifty or more people attended the meeting and clearly indicated strong concern about the noise from the proposed entertainment. The PDF from the developers shows no agreement with the residents who attended, nor does it reflect the views of those present. They say that two bands would be permitted to play for nine hours a day, seven days a week, and this is entirely at odds with the overwhelming sentiment expressed at the meeting, i.e. that there should be no bands which are permitted to play outside at any time.

Would you kindly give serious attention to the views of the residents who are very upset about the Project's committee.

Thank you

Rose Zwi

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Sharon Zwi
298 Glebe Point Road
GLEBE
NSW 2037
9660-6613
3 March 2011

Attention Michael Buckley
Major Projects Assessment,
Dept. of Planning,
GPO Box 39, Sydney NSW 2001

Major Project: Sydney Super Yacht Marina, Rozelle Bay (MP09_0165)

I object to the proposed development as follows:

The site should be operated for genuine maritime uses; not as an entertainment venue. It is far too close to residences for any amplified music.

The problem is not the marina. The proposal is for redevelopment of the land based component of the Sydney Super Yacht Marina comprising 2 x two-storey buildings for mixed uses including some seemingly genuine maritime related activities, namely: maritime (brokerage, chandlery) and dormitory accommodation.

My objection is to the proposed entertainment quarter that appears to be the primary purpose of the application, namely: 2 x two-storey buildings for mixed uses including, a marine club, retail, commercial, cafes and restaurants, function facilities, hotel (tavern), liquor outlet, as well as a four-storey car park and public domain works.

My specific objection is to the noise pollution likely to come from amplified live or recorded music at those venues. That objection is based on the design of the proposed facilities and their proposed use and their closeness - about 250 metres - from residents across open water. It is also based on the experience of when the Liquidity a function venue and restaurant was on part of the proposed site. In practice, resident complaints to the Balmain Police, Water Police and Leichhardt Council proved ineffective in getting the noise of bands to be controlled before the venue closed in the early morning. Sleep was not possible at our residence until the bands stopped. It sounded as if a music system was just outside our bedroom window!

The Department of Planning needs to appreciate that trying to get enforcement of any conditions of consent is generally ineffective and is not possible outside of working hours when the impact of this facility will be worst. Seeking enforcement to stop noise pollution is also difficult with premises that do not require Environment Protection Licences as council officers are generally unavailable and the Police often have other priorities.

My concern is about noise from both live bands and recorded amplified music. I object to any amplified music from the premises at any time because of the impact on the close residential properties in Glebe.

In relation to noise the proponents indicated (not in writing and not in the proposal before the Department of Planning) at a public meeting on site on 28 February 2011 that they would place limitations on building design and music noise and seek conditions of consent as follows:

- noise levels at neighbouring premises not to exceed 3 dB(A) above background levels
- set practical and enforceable limits on amplifiers to limit noise at source to prevent such exceedances based on trials on what would cause nuisance to neighbours
- no more than one band (presumably that also included recorded noise but it was not explicitly stated) (Concern: the number of bands is not the issue the issue is the volume and frequency of music noise sources)
- no percussion instruments (presumably that also excludes amplified bass music but it was not explicitly stated) and
- restrict outside music to between 9-10 am and 8 pm (The proposal actually provides for entertainment venues to operate 7 days a week up to 2.00am).

The proponents suggested that they intended that the music would be quiet gentle music but no commitment was given in that regard. In the case of the venue changing hands, we have no guarantees of "quiet gentle music" instead of loud or any other kinds of music.

Despite requests from residents, the proponents gave no undertakings to:

- ensure that any amplified music outside the proposed hours was limited to indoor facilities that were double glazed and soundproofed (No guarantee or credible argument was provided for how the many rooms with access to balconies and the ground level would be kept closed to prevent people moving in and out and thus allowing the proposed unrestricted noise to escape).
- restrict the number and which days/nights per week in which amplified music would be allowed - consequence 7 days.
- restrict or specify the number of weeks per year on which amplified music would be allowed -consequence 52 weeks.

The site should be operated for genuine maritime uses, not as an entertainment venue. It is far too close to residences for any amplified music.

Many impacted residents have late 19th Century or early 20th Century houses that would be very expensive to soundproof. Soundproofing the impacted residences would not be an appropriate answer to the noise pollution as it should be stopped at source. Any such sound proofing would require air-conditioning for houses to be liveable in Summer and that is unnecessary, expensive and unsustainable.

Yours sincerely,

Sharon Zwi.

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From: Anton Crouch <anton.crouch@optusnet.com.au>
To: Michael Buckley <michael.buckley@planning.nsw.gov.au>
CC: <assessments@planning.nsw.gov.au>
Date: 4/03/2011 11:24 am
Subject: Online Submission from Anton Crouch (object)

Although described as a "yacht marina", it is apparent that "entertainment" will be a significant activity on the site. It is clear that noise, under the guise of music, will be a major problem for the people in the whole Glebe Point area.

The minimum requirement for the occurrence of music (whether live or recorded) on the site is NO amplified music outside the buildings AT ANY TIME

Name: Anton Crouch

Address:
300 Glebe Point Road

Glebe NSW 2037

IP Address: d110-33-219-242.mas801.nsw.optusnet.com.au - 110.33.219.242

Submission for Job: #3599 Sydney Super Yacht Marina
https://majorprojects.onhiive.com/index.pl?action=view_job&id=3599

Site: #2144 Sydney Super Yacht Marina, Rozelle Bay
https://majorprojects.onhiive.com/index.pl?action=view_site&id=2144

3rd March, 2011

4/29 Leichhardt Street

GLEBE 2037

Michael Buckley
Major Projects Assessment
Department of Planning
GPO Box 39
SYDNEY 2001

Dear Mr Buckley,

**RE: SYDNEY SUPER YACHT MARINA, ROZELLE BAY
(MP 09_0165)**

As a long time resident of Glebe Point, I have lived through the Liquidity debacle with loud music and public address systems belting out noise till all hours of the early morning. It is not acceptable to have a repeat of the above.

I attended the meeting on Monday 28th February, a bit late to have a community consultation when the closing date is 4th March. However, I was most unimpressed with the attitude of the Directors of Sydney Superyacht Marina. Their proposal to develop this site with restaurants, taverns, music and entertainment venues is not acceptable to the residential environment of Glebe Point. We are entitled to our rest like everyone else. I propose that if any music is to be played at all, it is contained inside the building with the windows and balcony doors closed. As you are aware noise carries across the water. It is not just music but the revving of cars when patrons are departing after a night at the tavern!

My understanding is that this proposal is in contravention of the intent of the Master Plan for the site which was approved by the Department of Planning in September 2002 and which does not identify as preferred uses the restaurants, liquor outlets and function facilities proposed in this business mix.

I am also concerned that the proposed hours of construction are too long. They should be contained to 7am – 4pm Monday to Friday and 7am – 1pm Saturday. Surely we are entitled to some respite from their noise.

Summing up I have to say **no outdoor amplified music at any time.**

Yours faithfully,

ROBYN THEW