

30 September 2011

Project Application for Jones Bay Wharf Marina Expansion

1.0 The Proposal

The project application seeks approval for the expansion of the Jones Bay Wharf Marina at Pirrama Road, Pyrmont. This includes:

- construction of 21 vessel moorings on the western side of the wharf
- construction of 1 additional vessel mooring on the eastern side of the wharf
- construction of finger pontoons, additional pontoon restraint piles and wave attenuators
- extension of services including potable water, telephone, power, lighting, safety equipment and fire hose reels, and
- realignment of waterside allotment boundaries.

2.0 Background

The existing marina is located on both the western and eastern sides of Jones Bay. The marina was approved by the former Minister for Planning in September 2003. The current marina contains both commercial and private moorings. However, the current consent does not specify a minimum or maximum number of vessels that are permitted in the marina. The current project application relates only to the commercial component of the marina.

The proposal will provide the marina with the capability to accommodate approximately 31 vessels in total ranging in size from 18m to 45 m.

3.0 Delegation to the Commission

The application was submitted with a Political Donations Disclosure Statement disclosing a reportable political donation. Consequently, the project meets the terms of delegation and the Planning Assessment Commission (the Commission) may determine the Project under delegated authority. On 5 September 2011, the Director General of the Department of Planning & Infrastructure referred the project application (MP 09_0205) to the Commission for determination under a delegation issued by the Minister for Planning & Infrastructure on 28 May 2011.

The Commission consisted of Mr Garry Payne (chair) and Mr Lindsay Kelly (member of the Commission).

4.0 Department's Assessment Report

The Director General's report identified the following key issues:

- visual impact and scenic quality
- heritage
- traffic, parking and public transport
- acoustic impacts
- aquatic impacts
- ecologically sustainable development
- public benefit.

The department considered the issues raised in these submissions can be addressed through appropriate conditions of consent and is satisfied that potential impacts have been adequately addressed by the proponent via the Environmental Assessment, Preferred Project Report, Statement of Commitments and the department's recommended conditions of approval.

A total of 424 submissions from the public and 5 submissions from agencies were received by the department during the public exhibition period. It is noted that the vast majority of the submissions were in the form of a proforma letter.

Following a review of public submissions, the Commission noted that many submissions were made by the Pymont Community Group, a special interest group which represents residents and businesses from the local area. The Commission decided that, due to the nature and number of submissions, it would meet with the Pymont Community Group to understand their issues with the proposal. Both the Council and the proponent were also invited to meet with the Commission.

5.0 Meeting with the Department of Planning & Infrastructure

On 13 September 2011, the Commission met with Ms Heather Warton and Mr Cameron Sargent from the Department of Planning & Infrastructure for a briefing.

Key issues discussed in this meeting included:

- chronology of the project application, including amendments made to reduce the number of moorings.
- clarification on the plans which approval is being sought. The Commission noted a number of the plans, relating to hydraulic and electrical details, still showed the original mooring layout. The Commission requested updated plans which reflect the final indicative layout of moorings.
- discussion on the demand for commercial moorings in Sydney and comparison with other marinas.

Additional information provided by the department

Following the briefing with the Commission, the department sought updated plans for electrical and hydraulic services from the proponent. The amended plans and updated instrument of consent was provided to the Commission on 29 September 2011.

6.0 Meeting with the Pymont Community Group

The Commission met with representatives from the Pymont Community Group on 28 September 2011. Those in attendance were:

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| • Garry Payne | Commission |
| • Lindsay Kelly | Commission |
| • Paulina Hon | Assisting the Commission |
| • Jean Stuart | Pymont Community Group |
| • Damian Hawcroft | Pymont Community Group |
| • David Boddam-Whethan | Pymont Community Group |

A broad range of matters related to the proposal were discussed at the meeting. The Pymont Community Group provided a summary of their key issues with the final proposal. This included:

- support of development on the western side of Jones Bay Wharf
- objection to the mooring of two 45m long vessels at the northern entrance to the eastern bay due to the following factors:
 - size and scale of the vessels
 - obstruction of views from private and public domain areas, as well as from the bay
 - vessels obscure the heritage fabric of the wharf
 - there may be other more appropriate locations in Sydney harbour for the mooring of larger scale vessels.

7.0 Meeting with the proponent

The Commission met with the proponent and their representatives on 28 September 2011. Those in attendance were:

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|-----------------|---------------------------------|
| • Garry Payne | Commission |
| • Lindsay Kelly | Commission |
| • Paulina Hon | Assisting the Commission |
| • James Mahchut | Development Manager, Toga Group |
| • Jody Barnes | Asset Manager, Toga Group |
| • Rob Welborn | Peleton |
| • Peter Mangels | RPS |

The meeting focussed on the following key issues:

- history of amendments
- clarification on number of moorings from existing approval
- demand for commercial moorings from the charter boat industry
- need for the additional mooring on the eastern side of the wharf
- alternative locations for moorings of commercial vessels

8.0 Commission's Comment

The Commission has examined the documents and plans provided by the department. To better understand the site constraints, the Commission also visited the project site and its surrounds on a number of occasions.

The Commission notes that the NSW Heritage Branch (now part of the Office of Environment and Heritage) and the City of Sydney have raised no objections with the final proposal and consider it to be acceptable.

The Commission has also considered the issues raised in public submissions, including those raised by special interest groups such as the Pyrmont Community Group. In essence, the main outstanding objection raised by the Pyrmont Community Group with the final proposal relate to the mooring of two 45 m long vessels on the eastern side of the wharf.

The Commission notes that the existing approval for the marina currently allows for one 45m vessel to be moored on the eastern side. Having considered the assessment presented in the department's Director General's Assessment Report, the Commission considers the final proposal to be reasonable and supports the department's recommendation to allow for the construction of 1 additional vessel mooring on the eastern side of the wharf.

The Commission acknowledges that the marina expansion is for commercial use, as opposed to private mooring, and accepts the department's assessment of the proposal's public benefit. Namely, there is an inadequate supply of commercial mooring spaces in Sydney Harbour and the proposal will assist in catering for the increasing charter and commercial vessel industry.

On balance, the Commission agrees with the department's conclusions that the proposal will have an acceptable and reasonable impact on the scenic quality of Sydney Harbour, surrounding views and adjacent heritage buildings and their settings.

9.0 Commission's Determination

The Commission is satisfied that the issues raised in submissions have been appropriately considered by the department in their assessment and has determined that the project application should be approved, subject to the recommended conditions.



Garry Payne
PAC Chair



Lindsay Kelly
PAC Member