

18th September, 2011

Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Sirs,

Proposed expansion of Dolans Bay Marina MP10-0017

We, members of the [REDACTED] which represents residents of Dolans Bay (DB) strongly object to the proposal to massively expand the Dolans Bay Marina (DBM) for the following reasons.

In Summary

The proposal is not supported by the NSW Government Department of Planning and Infrastructure which is concerned about the over development of Dolans Bay and the inappropriateness of its urban context.

The Sutherland Shire Council does not support the proposal. At a meeting of Councillors held on 12th September, 2011 a resolution was passed with one councillor dissenting and all others voting that the Dolans Bay Marina expansion proposal be opposed and unsupported by Council.

Council zoning prohibits the construction of a new marina at the current location of the Dolans Bay Marina.

The Port Hacking Management Panel an advisory committee to the Sutherland Shire Council at its meeting on the 7th September 2011 unanimously voted to oppose the development.

The Land & Environment Court in considering appeals against decisions by various Councils to refuse development approval for proposed marina developments has in turn, on appeal, denied permission for those proposals to proceed.

Dolans Bay Marina is located in NSW Maritime Waterways Zone 16 (Environment Protected Waterways) which requires recognition of the importance of the waterway as an environmental and recreational asset and seeks to ensure development is carried out in a way which protects ecology, scenic value and navigability. Private development should only be allowed where it does not reduce or hinder use of the waterway. The expansion proposal does not meet Zone 16 objectives.

There are no compelling arguments which support the further expansion of the Dolans Bay Marina which is already at a size which is beyond fair and reasonable existing rights usage guidelines and which is not in the best interests of all stakeholders and for the environment of Dolans Bay. No further marina development in Dolans Bay can be justified on any existing and reasonable grounds. It is totally unacceptable that no further off street parking is provided for by the proponent in the proposal with the residential street to provide for the substantial additional parking requirements needed for the proposal.

The significant visual impact of the proposal is not acceptable as it will overwhelm the residential ambience and serenity now intrinsic in the Bay.

There will be additional land and waterway environmental impacts from the expansion and this will compound environmental problems which are already apparent in Dolans Bay.

The marina is situated in a residential area Zoned 1 by Sutherland Shire Council as Environmental Housing (Environmentally Sensitive Land) and is operated because of existing use rights. A proposed development which is described by the NSW Government Department of Planning and Infrastructure as overdevelopment and inappropriate in its urban context cannot be allowed in an area zoned environmentally sensitive.

Instances of apparent non-compliance by the marina operator (The Proponent)

These matters raise questions about the ability of the proponent to properly operate the existing facility in accordance with regulations and raises questions as to whether or not the operator should be given control of more of the public waterway asset.

At the north eastern end of the existing floating marina there is a large mooring pylon which in recent years has been placed outside of the water licence area and which facilitates the mooring of a large catamaran which in part is outside the licence area. This is not the first time there has been occupation outside of the water licence area by the proponent.

The Sutherland Shire Council has in past years taken legal action against the marina in order to have it comply with current standards for slipway operation in relation to debris and pollutant capture and containment.

The effectiveness of the present Environmental Management Plan (EMP) is questionable. There are very regular appearances of diesel oil film and sludge floating on the surface of the Bay and coloured debris from slipway operations floating in suspension in the water. The proponent in the expansion proposal does not address these issues and it is proposed that the marina will continue to operate under its existing flawed EMP.

The slipways grated debris catchment system is outdated, ineffective and does not comply with current gross pollutant catchment requirements. A floating boom is not used to contain slipway pollutants and debris at high tide or during slipway operating times.

The DA for the reconstruction of the marina stated that 14 car spaces must be made available for marina operations. Today only 10 are provided.

The proponent continues to allow the operation of a non -marina related business, a gymnasium, out of the shore based facility against Council orders. Originally started without Council approval and following complaints by neighbours a subsequently lodged DA for approval to operate was rejected by Council.

Fuel storage regulations introduced in 2008 and covering underground fuel storage are not recognised in the EMP of the marina.

On the 3rd December 2002, one of the Cronulla-Bundeena ferries destabilised in the slipway cradle while being slipped and a significant oil spill occurred. There were no containment booms deployed and no satisfactory attempt was made to clean up the spill. To the detriment of the waterway and the environment it was left up to the tide to disperse the mess throughout the Bay.

In June 1999 Sutherland Shire Council had to commence legal proceedings against Dolans Bay Marina for its failure to complete all the works required under DA 176/85.

At the time of construction of the existing floating marina an unapproved section was added on the south western corner of the Marinas floating area .Unfortunately the then Department of Urban Affairs and Planning in giving its 2001 approval to increasing the limit to the number of boats moored in the floating marina from 20 to 29 “regularised the use of the unlawful pontoon.”

A building which should have been demolished under the terms of the original Council approval for the development of the present marina is still in existence.

The inclinator used as access to the marina has for many years been allowed to operate without regular maintenance and in a condition where an excessive level of noise occurs. Operating hours then set by the Council DA were regularly ignored.

In the period prior to 2001 the marinas 20 boat approved limit has been consistently exceeded in excess of the then 20 limit. Based on past performance the area of the new marina designated for visitor use could as previously be allocated to permanent boat berthing.

Background

The present marina building constructed in 1986-1987 is significantly larger than the old 2 storey wooden building it replaced which it is understood to have been heritage listed and which burned down in the mid-1980s shortly after its acquisition by the current owners. The old boatshed also had a small wharf. Construction of the floating component of the new marina effectively increased the over water section of the then old marina by 100%.

The current marina claimed existing use rights to enable it to undertake construction in 1987 in what is zoned as Environmentally Sensitive Land. These existing use rights have already been satisfied

many times over when the size of the existing marina is compared to what previously existed prior to the fire in the mid 1980's.

In 2001 the marina made application to Sutherland Shire Council for development consent to increase the number of boats berthed in the existing fixed marina from 20 by 9 to 29 in return for surrendering 9 swing moorings. No construction was required as the existing floating marina could accommodate the extra boats. During the Council evaluation process the NSW government announced it would take over responsibility for approving marina developments. At that point the Dolans Bay Marina application had progressed in Council assessment to the point where it was to be considered by the Environment and Health Committee and the recommendation to this committee was that the application be refused. The reasons given were unacceptable level of on street parking, adverse impact on the amenity of the surrounding land uses and berthing of additional vessels would likely lead to additional water pollution. Despite there being no construction involved the NSW Government declared the simple exchange of moorings to be State significant and took over the approval process. Residents were not given the opportunity to comment and were not involved in the process. This was a highly questionable process which lacked transparency particularly as residents were denied the opportunity to continue the debate of the proposal and its impacts, at Council in the more appropriate Sutherland Shire Council forum.

As a result in 2001 the berthing capacity limit of the marina was increased by nearly 50% from 20 to 29 berths by the State Government through a flawed process which was considered by many residents to be outside the intention of the planning and approval process and in circumstances which were not considered reasonable.

As it stands today the Dolans Bay Marina in comparison to the original boatshed has been increased in berthing capacity by 150% and in size by 100% by the present owner.

Points of Significance

The existing marina is already exceeding a reasonable size for Dolans Bay and any increase in size is not in proportion and character with this small bay. Dolans Bay is a community, public asset with stakeholders such as:

- the occupants of the 310 houses which surround Dolans Bay
- the holders of the 69 private non-marina swing moorings in Dolans Bay
- the holders of the 22 marina swing moorings which will be surrendered
- the residents of Parthenia Street who will be subjected to unreasonable noise, parking demands and increased and slowed traffic flow
- the recreational boats, kayaks and fishermen, who currently freely move through the waterway of the Bay for recreational enjoyment.

What is being forced upon the community is an expansion which greatly enhances the financial value of the marina and materially increases the income of the proponent. This coming at a huge cost to the community in loss of real estate values, loss of moorings, loss of navigability in the Bay, loss of

amenity and the unacceptable increase in parking demands and the imposition of compromised traffic safety in Parthenia Street.

No substantive justification is given by the proponent for the expansion of the marina in their proposal submitted. No financial analysis or details of economic contribution are provided and no form of contribution to the community asset of Dolans bay is offered (such as meeting the cost of dredging the northern end of Dolans Bay).

The proponent has not quantified in the proposal the current and future demand, if any, for marina boat berthing.

This is the grab of a community asset with nothing substantive offered in return. The expansion is not an equitable use of the waterway.

NSW Maritime is yet to finally assess the proposal and needs to consider all stakeholders. NSW Maritime has not notified mooring holders who will be impacted by the proposal. A minimum of 39 swing moorings will be affected and need to be displaced and relocated. The proposal if implemented will result in a net 31 extra boats in the Bay which NSW Maritime says can be accommodated. By any reasonable measure the Bay is already full not to mention the fact that there is a waiting list of 31 for swing moorings in Dolans Bay. In addition there will be an unacceptable level of boat movements in the access corridors and navigation channels on the eastern and western sides of the Bay. This has to provide access to the existing marina and will be the only access to the fuel pumps for all marina users and the public.

The Department of Environment, Climate Change and Water in its letter of 26 march, 2010, included in the DGRS submissions on p196, states "it believes the configuration of the current slipway and the related infrastructure presents challenges in preventing pollution from vessel maintenance and repair activities. Specifically vessel repair areas are not enclosed to retain dust and parts of the slipway are inundated at high tide."

The Port Hacking Integrated Environmental Management Plan (Plan) has been listed as a document relevant to deliberations on the marina expansion and this has received little, if any , consideration by the proponent in their submission to the NSW Government Department of Planning and Infrastructure. This Plan was agreed to by relevant State government departments and agencies and the Sutherland Shire Council as the blue print for the future management of the Port Hacking waterway. One of the main objectives of the Plan is to free up the waterway for the use of the public. In the case of the proponents proposal 53 extra boats will be moored in fixed berth in Dolans Bay in a large breakwall in the middle of the Bay. The marinas proposal has been submitted without adequate written consideration of the guidelines set out in the Plan or for the management of and future well-being of the Port Hacking waterway.

If the newly developed Cronulla marina expansion is not yet fully utilised what is the need for further development in the small Port Hacking waterway bay at Dolans Bay?

As a community we have a right to enjoy and use our waterway without a massive marina development in our public domain. The expansion will occupy an extra 280% of the waterway in the Bay when compared to the existing marinas footprint and create a significant visual impact.

Director General's Requirements (DGR's)

*request for Dolans Bay Marina to agree to operate under one modern amended planning approval.
– Dolans Bay Marina has not advised whether it is prepared to surrender existing approvals which hopefully would prove more beneficial for the environment than its operations under the current regime of regulation.

*need for the project. –Need has not been adequately demonstrated. On what basis of available records and research are the statements made at paragraph 4.2 of the Environmental Assessment. Are there marina waiting lists for Port Hacking marinas which demonstrate this position? Twelve months after expanding the Cronulla marina it is still not fully occupied. Dolans Bay Marina is not always full and contains runabout sized boats more appropriately stored on trailers.

*an EMP for the ongoing operation of the marina.- It is proposed to use the current EMP, which has not been updated since first introduced in 2001, to cover the expanded operations. The current EMP is deficient given the ongoing experiences of surrounding residents with oil, fuel and slipway waste pollution spills.

* a review of the compliance of the operations of the marina against the current conditions of consent.- This review process is flawed. No attempt has been made to compare, where appropriate, the statements by owner and staff against the experiences of surrounding residents.

* a description of the existing environment using sufficient baseline data.- There has been no use of baseline data in the Environmental Assessment (EA). This should have been collected at the time the 2001 EMP was brought into effect and a requirement included in the 2001 EMP that environmental performance be monitored by subsequent testing and comparison against baseline data. This would particularly apply to toxicity levels in the environment around the slipways.

* monitoring measures for the project. – No effective measures are proposed.

* justification of the project on economic, social and environmental grounds.- No plausible economic justification has been given. Paragraph 10.11 of the EA does not cover public interest at all and simply lists the benefits of the marina to the big boat fraternity. The expansion of the marina will result in berths being constructed in a part of the bay currently available for the use of all. The Dolans Bay Marina is not operated as a public marina and does not provide usual facilities such as hire boats /canoes, shop etc.

* navigation and safety impacts on water users. – The eastern and western navigation channels along the bay will be congested and restricted. These channels are shared by swing moored boats and waterfront facilities of waterfront property owners. This channel will provide access for the internally moored boats in the existing marina. In addition the channel will provide the only access to the fuel pumps for most of the users of marina berths and the public. Also with 53 extra fixed berthed boats in Dolans Bay this will cause further congestion at the entrance to Dolans Bay where Dolans Bay boat navigation combines with public boat ramp access using the Wally's Wharf boat launch facility on the southern entrance to Dolans Bay.

* noise-operational and traffic. - The proponents claim is made that as this noise is generally within limits it is acceptable. What has not been considered is that an increased consistency of noise is

condemning. It is claimed the slipway is now 100% utilised but this is not the case and further ambient bay and residential noise will arise from this source. This will combine with increased noise from inclinator use, noise from people and associated vehicle movements in the residential streets.

Parking and Traffic

The marina has submitted a traffic and parking report prepared by a consultant and this is largely based on data acquired at other marina locations and so is highly theoretical in its application to Dolans Bay Marina. Sutherland Shire residents tend to live less regimented lives than their city counterparts and make greater use of the waterway. Incredibly the report contains data gathered in winter 2008 and submits this as relevant for consideration. The report bears little resemblance to what is actually occurring in Parthenia Street during summer. No attempt has been made to assess the impact of the street parking by marina users on traffic flow in Parthenia Street and residents visibility with driveway access.

The conclusion of the consultants parking report is "that the proposal is unlikely to increase the parking demand of the marina ". This finding defies belief, is out of touch with reality and is a reason in itself to reject this proposal.

The report does not cover visits by a substantial number of sub-contractors who undertake work for the marina and boat owners. Marine maintenance by tradesmen for mechanical, electrical, electronic, boat detailing, boat covers /upholstery work. In addition there is the Coast Guard boat which operates out of the marina and requires at least 3 car spaces. Also to be considered are the private users of the slipway at weekends and the occasional boat broker. Currently the marina is operating a health/gymnasium business at varying times during the week.

The parking report covers an area of Parthenia Street from Wisteria Street to the south and from house numbers 27 and 40 to the north. This area includes 55 houses and some dual occupancy and comprising 87 street parking spaces to be shared with residents on street parking. In reality peak summer parking demands will require a much larger area than that examined and based on experience will affect Wentworth Street, Cecil Street, Langer Avenue and Wisteria Street.

Many of the 55 houses have permanent parking in Parthenia Street. Invariably on a summers weekend 5 or 6 houses will have a social function and many others will have visitors.

On a typical summers weekend day parking requirements for the marina in its existing form would be related to at least 30% of the 52 boats under the marinas care being used and would average at least 3 cars per boat taking all marina users into account. The marina has 10 off street parking places.

The net parking position outlined above is that the 87 parking spaces available are short of what is required by 31%.

This is before the marina is expanded.

Realistically the proposed expansion will put substantial extra parking demand on Parthenia Street and based on current experience this demand will be a lot more than a straight mathematical calculation would suggest.

The real parking position in Parthenia Street (pre-expansion) in the high summer is that all car parking spaces in the area under consideration are more than fully utilised with 1 to 2 cars parked in the no standing zone opposite the marina, 3 cars parked in the bus stop area at No 68 Parthenia Street and 1 or 2 cars parked on the footpath.

Add the impact of expansion and parking demand will in addition to other streets extend beyond the southern end of Parthenia Street and have to compete with the parking needs of users of the nearby Wally's Wharf launch ramp and the other facilities there.

The reality of the situation is that the proponent is unable to provide any additional off street parking. It is a commercial business activity being carried out in an area zoned residential .The expected impact on the neighbourhood is unacceptable. The marina does not have an intrinsic right to any residential parking space in Parthenia Street for its commercial use. Neighbours and their visitors have a right to street parking and should not be disadvantaged or penalised by the parking shortcomings of the Dolans Bay Marina.

No attempt has been made by the consultant to assess the impact on traffic flow of full parking occurring on both sides of Parthenia Street .The existing situation is that where cars are parked on both sides of Parthenia Street there is insufficient room for vehicles moving in opposite directions to pass safely with zigzagging and stopping of vehicles required. Any marina expansion will compound the problem reducing a large section of Parthenia Street to gridlock in periods of high parking demand.

Residential driveway access visibility will be severely impacted adding to street safety traffic issues.

The increased vehicle movements associated with the marina will impact on vehicle and pedestrian safety in Parthenia Street.

The proponent has failed to provide a Traffic Management Plan.

Design & Visual Issues

In summary this section of the EA concluded that "it is considered that the visual impacts of the development would be acceptable."

But to who? Certainly not most of the 145 waterfront households surrounding Dolans Bay.

No attempt has been made to quantify the visual issue in terms of actual size of the proposal to the waterway area of Dolans Bay. The waterway area occupied by the increased proposed floating marina (licenced area) will increase by about 280% to accommodate an extra 53 boats, a significant number of which will be large and visually significant.

The proposal comprises two marina arms of sizeable boats compacted into an area which to residents surrounding Dolans Bay will be an unacceptable intrusion, a visual aberration and a floating obscenity.

Bigger vessels will be moored on the eastern side of the southern end where contrary to the Consultant Report, Consultant – Richard Lamb & Associates “Visual Impact Assessment”. The only water view aspect of most of the surrounding houses is directly into Dolans Bay where a massive concentration of boats in a fixed berth marina will become the prime focus of their view.

Dolans Bay is by land form a small and steep sided Bay and the associated number of people impacted, will be the majority surrounding the Bay. Too much weighting has been given in the Consultant Report to visual impacts which are not entirely relevant i.e. impact on views from streets that had no views in the first place. This proposal is of massive impact on the majority of surrounding residents.

The present visually appealing character of the Bay is currently an acceptable mix of swing moored boats, the marina, Wally's Wharf facility and launch ramp, various boatsheds and walkway/pontoons. To construct two substantial arms of medium to large boats will detract significantly from the present intrinsically acceptable character of Dolans Bay. The present appealing nature of Dolans Bay will be destroyed and lost forever. Future generations will be the legacy of such overdevelopment.

As the Consultant Report notes “the development would make a significant change to the immediate setting”, “it is in an area that is generally considered to be of high intrinsic scenic quality. “These are the very reasons that surrounding residents oppose such developments.

Insufficient consideration is given by the Consultant Report to recreational users of the bay who are varied in summer and which cruise into and around Dolans Bay for pleasure. Putt putt boats, yachts, power boats of all sizes, kayaks and canoes, all of these users will be confronted by two large arms of boats which will restrict navigation and which will be visually unacceptable.

The Consultant Report also asserts that “impaction on intrinsic character would be low as it is an extension of an existing facility.’ As pointed out earlier it is impossible for a 280% increase to be regarded as anything but a massive expansion of unacceptable impact and an irreversible intrusion.

Legal Case Studies/Appeals

In comparison the proposal to expand the Double Bay Marina at Castra Pl. was ultimately denied in 2009. This was to be in a bay which is many times the size of Dolans Bay and the proposal was to demolish the existing fixed marina of 40 berths plus 25 swing moorings and construct a new floating marina of 51 berths plus 14 swing moorings. The proposal incorporated only a small increase in size but was denied, as the decision by Senior Commissioner Roseth of the Land & Environment Court to ‘the balancing of the convenience of the users of the marina against the maintenance of views and the preservation of the small scale permeable visual character of the bay .In my opinion the latter interests should prevail. The appeal is dismissed’. In this case a much smaller marina expansion than that proposed for Dolans Bay was denied because of issues concerning impact on views and preservation of small scale character of the bay. These issues are even more relevant to Dolans Bay and on the same basis the Dolans Bay Marina expansion must be denied.

Based on the Double Bay decision mentioned above a pro-rata determination for Dolans Bay Marina would result in 14 fixed berths and 8 swing moorings. This means Dolans Bay Marina is already at

double the boat to water ratio that existed at the time the Double Bay marina made application to expand. Approval of the DBM expansion will increase the boat to water area ratio to six times.

As far as Dolans Bay is concerned there have been two decisions by the Land & Environment Court which are relevant to any consideration as to whether the Dolans Bay Marina expansion should be approved. In 2001 an appeal concerning the construction of a 6 berth marina near Wally's wharf was dismissed on the basis that 'the cumulative effect on scenic quality, on navigability and on the licencees' of relocated moorings leads to the view that the proposed development is inappropriate.' For the same reasons the Dolans Bay Marina proposal, which is massive by comparison, is totally inappropriate and unacceptable by any measure. An over development which will negatively change Dolans Bay forever.

More recently an application to erect two fender piles at a property on the western side of Dolans Bay was denied. This property will be substantially impacted by the Dolans Bay Marina extension proposal. The court decision with regard to the piles was made on the basis of the adverse visual impact on the waterway, adverse effect on the natural scenic quality of the surrounding area and the effect on existing seagrass in the immediate vicinity.

No consideration has been given to the extent to which the Dolans Bay Marina has already been developed. Many of the residents which surround Dolans Bay are long term and remember the original Alexanders Boatshed and the construction and evolving visual impact of the present marina as it filled with boats. This was a substantial impact for Dolans Bay residents at that time seeing an old marina with virtually no water based component being, after a fire, replaced with what ultimately has become a 29 berth marina. Effectively there was then a 100% increase in size of the marina and now a 280% increase in size is proposed. Residents strongly hold the view that in fairness to all, the Dolans Bay Marina as is, is already at an unacceptable size and that any further expansion is beyond residents acceptability.

Of the 145 houses surrounding Dolans Bay there are only about 7 houses on the western side of the bay and 5 houses on the eastern side of the bay which have expansive views mainly to the east and south east. This means that there are 133 houses whose only substantial aspect is into Dolans Bay where the proposed extension will become a major feature of their views. This visual intrusion is not acceptable and is erroneously described by the Consultant Report as being modest. In addition this situation does not fit with a fair interpretation of the concept of view sharing discussed at paragraph. 6.2 of the Consultant Report.

The DCP for Sydney Harbour acknowledges that swing moorings are more visually acceptable than a fixed marina mooring. The expansion proposal promotes removal of swing moorings and a fixed marina extension to 83 berths, which is a very unacceptable outcome from a visual point of view.

At paragraph. 7.0 the Consultant Report states in conclusion "the visual character of the proposal is not qualitatively different from the existing situation". This statement is totally out of touch with reality. Qualitatively a massive marina extension (280%) is being imposed upon a small bay and this will:

Significantly impact on views

Reduce navigability

Reduce water quality and tidal flow/flush

Reduce real estate values

Greatly reduce the appeal of Dolans Bay as a place to live and visit.

The marina is located in an area which is Zoned 1 Environmentally Housing (Environmentally Sensitive Land) and continues to exist in a residential area due to existing use rights .The proposed marina expansion is massive over development of Dolans Bay and must not proceed if fair consideration is given to the unacceptable impact of the proposal on the Dolans Bay residential area and the environmentally sensitive Dolans Bay.

Originally where marinas applied to expand their fixed floating component, approval process required that 2 swing moorings be given up in exchange for 1 new fixed mooring. More recently this ratio of exchange has changed to 1:1 and applied to the 2001 expansion of Dolans Bay Marina where 9 swing moorings were relinquished for permission to place an additional 9 boats in the existing floating marina. The recent expansion of the Cronulla marina involved exchange on a 1:1 basis. A 1:1 basis for exchange is adopted by the NSW Government Department of Planning and Infrastructure and Councils as good planning practice which produces a fair result for all. So now Dolans Bay Marina proposes to give up 22 swing moorings in exchange for extending the fixed marina by 52 berths, a reversed ratio of giving up 1 swing mooring to hopefully gain 2.4 fixed berths .This proposal is a gigantic departure from the acceptable planning convention and cannot be allowed to happen.

Environmental Audit

The audit report states "that the EMP has not been updated since September 2001." The obligation under the current consent is for the EMP to be reviewed and updated regularly. This has not been done.

The audit report states "the audit is unable to comment directly on the environmental performance of the development". This is one of the main purposes of the audit. Simply talking to surrounding residents would reveal a high level of concern at the various contaminants which are sourced from the slipway. Also there are signs of environmental deterioration along the shoreline in the vicinity of the marina. Observations by the auditor are based on the say so of the owner.

Surrounding residents have not been made aware of the existence of a complaints register and in any case gave up complaining a long time ago as issues raised about pollution and noise were generally never satisfactorily dealt with.

Acoustic Assessment

Noise monitoring for this assessment was carried out in late March 2011 well outside the peak period of operation in the summer months.

It is incorrect to say the expansion will not lead to an increase in noise. More movement of additional people, vehicles and boats will all lead to increased noise. Boats and the people on them combine to produce waterway noise in a concentrated environment.

There is already migrating marina noise arising from boats running their engines for warm up prior to departure or to charge batteries while stationary. This noise while irregular will increase as the marina increases in size. All of this noise is amplified by the amphitheatre effect generated in the narrow end of Dolans Bay where the marina is located. This noise emits upwards into surrounding residences in the Bay.

Since it commenced operation in 1987 the inclinor, apart from recent times, has been badly maintained and allowed to operate for lengthy periods making an unacceptable level of noise. This noise has been an annoyance to a number residents at the end of DB due to the amphitheatre effect mentioned earlier. This inclinor must be replaced with a modern, reliable and quieter unit.

Engineering Assessment

At point 3.5 the existence of a gym on the marina premises is first mentioned in the context of it causing a need to increase the size of the waste water holding tank. The existence of a gym is not evaluated elsewhere for its impact on the expansion proposal.

At point 6.2 on compliance it is incorrectly stated that the slipway catch drain is located above the highest astronomical tide. This drain is observed to be under water at every reasonable high tide.

Priority action on page 14 states that all work is carried out above catch drains. This is not correct, when large boats are on the slipway they overhang the catch drain and run off from slipway operations largely falls below the catch drain. There appears to be no procedure for dealing with polluting debris which falls in the slipway area below the catch drain and there is no floating boom net deployed during any slipway activity regardless of the tide.

Ecology Of The Bay

Abel Consultants note that "as the exact extent of the seagrass has not been accurately mapped the effects of the proposed upgrade of the marina on the extent of the meadows of P Australis cannot be quantified." To what extent are sea grasses located in the eastern and western navigation channel and what will be the impact on this seagrass from boats moving through what will become a very busy channel?

In any event the consultant notes "increased wash due to higher boat numbers using the bay, therefore higher level of disturbance for P Australis located close to shore."

As far as the mud flats at the end of Dolans Bay are concerned it is a very regular occurrence that as the rising tide begins to cover the area a thick oily brown scum rises on the surface of the water. The cause of this pollution problem needs to be investigated and the impact on the ecology of the Bay assessed. The expansion of the marina will no doubt contribute to this problem and also restrict tidal flow and disbursement.

No attempt has been made to assess what the environmental impact is likely to be of mooring such a large concentration of boats close to the shore in a small bay. However at paragraph 1.6 point e (111) the report does say "the cumulative effect of both the moorings and the boats is likely to be detrimental." There has been no consideration given to any likely impact on increased siltation which is occurring in many places around Dolans Bay but particularly in the south western corner

near the southern end of the expansion proposal where the rate of siltation is very concerning. Here the long term owner of an adjacent swing mooring reports that the depth of water under his boat at low tide has decreased by 10 feet over the last 20 years.

Safety Issues – Fire Safety Standards

While the current EMP lists the fire equipment which Dolans Bay Marina has on hand (hose reels, extinguishers & blankets) there has been no consultants review to determine if this equipment meets current standards and as to whether or not the existing type of equipment is satisfactory for a marina containing 83 boats.

The report by NSW Fire Brigades on the fire at a Newport marina on July 22, 2009 makes very concerning reading and raised the following issues:

- *lack of marina access for fire fighting equipment and large diameter hoses
- *vessels alight and drifting preventing land based attack on these boats
- *marina employees operating a hose reel in a futile attempt to stop the fire spreading.
- *environmental impact of oil and other residues from the fire.
- *hose reels could not cope with the advanced fire
- *inability to contain the 7000 litres of fuel spilt.
- *the very hazardous conditions for fire fighters
- *impact of fumes and smoke on residents

In reality there are no staff at the marina to train to undertake fire fighting. For most of the year the only people present at the marina in working hours are the slipway sub-contractor and sometimes an assistant. It is rare for anybody to be present at the marina from 6.00 pm to 7.00 am, so a fire occurring between these times is likely to be well advanced before assistance arrives.

No risk assessment has been made of the likelihood of a fire occurring and if such a fire could develop into a major and dangerous fire. Recently in 2010 a house fire at a waterfront property opposite the marina was unable to be controlled by the fire brigade due to access problems and the house was destroyed.

There is a very real fire threat to surrounding residents particularly if burning boats come adrift. Under threat is some housing at water level plus boats, boatsheds, pontoons and walkways.

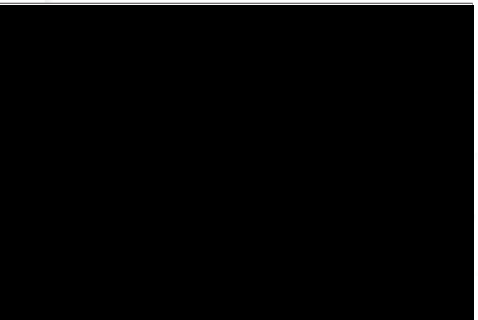
In the interests of public safety a thorough analysis of fire risk, fire fighting equipment required and intended fire fighting procedures must be carried out to ensure surrounding residents are protected in the event of a major fire.

All of the abovementioned summarises the much repeated concerns of many of the residents of Dolans Bay as expressed to the [REDACTED] and who as residents are entirely opposed to any expansion of Dolans Bay Marina.

We do not want our names to be available to the proponent, these authorities or on the departments website.

We have no reportable political donations to declare.

This objection is submitted by and on behalf of the



Dolans Bay Marina Expansion
(MP10-0017)

12 Sept 2011

I object to this proposal as I chose to live here for the Bays natural beauty and tranquility. Parthenia Street is a narrow single lane traffic flow street requiring drivers to juggle to pass when cars are parked on both sides of the street. Additional traffic movements create a road safety issue for users and add to congestion. I have lived in this street for 15 years and have noticed a significant increase in cars parked especially on weekends. Visibility for residents exiting driveways will be severely impacted and creates a traffic safety issue with increased traffic movement.

The marina's driveway access is on a blind corner with limited visibility with street parked cars. Also the increase in the number of berth and boat activity, both street and waterfront generated by people visiting and using the marina will be significantly increased. The marina can operate 24 hours/7 days a week. What about noise pollution on the natural environment? There is nothing in this proposal to benefit the residents and community and it detracts from the ambience of the bay!

"I do not want my name to be available to the proponent, these authorities or on the departments website".

"I have no reportable political donations to declare".

Yours sincerely

[Redacted Signature]

Dolans Bay Marina Expansion
(MP10-0017)

12 Sept 2011

I object to this proposal as I chose to live here for the Bays natural beauty and tranquility. The existing marina is already in proportion to size of the Bay and meets demands for the boat berthing and mooring. The boat traffic to and from the marina will be increased hugely which will have a detrimental impact on the environment. The displaced marina and private mooring boats will have to relocate their boatswhere? Dolan's Bay has demand for moorings. There is a waiting list of 31 applicants with NSW Maritime for moorings NOT MARINA BERTHS.

The marina's driveway access is on a blind corner with limited visibility with street parked cars. Also the increase in the number of berth and boat activity, both street and waterfront generated by people visiting and using the marina will be significantly increased. The marina can operate 24 hours/7 days a week. What about noise pollution on the natural environment? There is nothing in this proposal to benefit the residents and community and it detracts from the ambience of the bay!

"I do not want my name to be available to the proponent, these authorities or on the departments website".

"I have no reportable political donations to declare".

Yours sincerely

[Redacted Signature]

September 10, 2011



Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

APPLICANT: Dolans Bay Marina Expansion (MPI0-0017)

FROM: Mr and Mrs Sam Petrides
94 Parthenia Street
DOLANS BAY NSW 2229

STATEMENT: I object to this project for the following reasons:

- Restriction of access to private waterfront facilities
- Significant increase in noise within the Bay
- No additional off street parking proposed
- Significant visual impact on Bay views
- Restriction on the public to freely and safely use the bay for recreational purposes
- Ecology and marine life in the Bay will be affected by increased boat and human activity
- More boats means more slipway and servicing activity affecting the water quality in the Bay
- Financial greed to monopolise a large amount of public waterway
- We chose to live here for the Bays natural beauty and tranquility. Overdevelopment will change this way of life.

I have no reportable political donations to declare.

Yours sincerely


Sam and Faye Petrides



Department of Planning
Received
14 SEP 2011
Scanning Room

12th September, 2011

APPLICANT: Dolans Bay Marina Expansion (MP10-0017)

FROM:

Nick McGrath
7 Yowie Avenue
Caringbah 2229

I object to this project proposal for the following reasons.

The visual impact, loss of Bay navigation, refuge for paddle skis and a takeover of our public waterway for commercial purposes are my reasons for objecting to this proposal.

I am 27 years of age and have grown up on the Port Hacking waterways. In a short number of years I have seen the size of marinas and the number of moorings on the Port Hacking waterways expand and increase significantly, to a point where there needs to be some controlled development in the interests of visual impact, need and cost effective boat moorings. Marinas are an expensive means of boat storage and do not provide a cost effective waterway mooring for the general public boating person. This means of boat storage needs to be provided for and available to all of us who use the waterway.

Dolans Bay has a wait list of 31 people with the NSW Maritime as of 23/8/2011 for a private leased mooring.

The proponent has 22 marina moorings in the Bay, at least 17 existing private moorings will need repositioning and not one of these people with moorings will pay to keep their boat in the proposed expanded marina due to the significant cost involved per month for a fixed berth.

Parking, traffic congestion waterfront noise and resident neighbour ambience have not been considered or addressed in this proposal.

Let's keep Dolans Bay for us, the general public to enjoy and remember.

I have no reportable political donations to declare.

Nick McGrath

NSW PLANNING AND Infrastructure

21.09.11

Objection to expansion of existing marina dolans bay mp10-0017

I reside at 742 Port Hacking Rd, Dolans Bay.

In 2001/2002 I submitted a DA to Sutherland Council for an 8 berth Marina to provide facilities for a Cluster Housing Development I developed on the above site.

The application was strenuously resisted by Council and Residents.

Councils objections were mainly on "amenity of area" but specifically objections were due to

- a) a 15 m exclusion zone from MHWL to allow for passive recreation eg canoes etc.
- b) A further objection was view impact mainly from adjoining pontoon at boat ramp at end of Port Hacking Rd.

My experts showed quite clearly that (b) was not valid and I do not think that any such objections against the current proposal are valid.

Fisheries objected on the basis on the effect on Posidonia but again my experts clearly showed that the impact in this case was negligible and that in fact due to the small amount it would be quite possible to transplant the small area.

Fisheries representative lied by stating that such efforts had never been successful knowing full well that this was not the case.

If this current application affects Posidonia then the same arguments should apply.

Maritime NSW argued that certain vessels would have to be relocated to inconvenient positions and that there would be increased damage from chains etc.

This argument was blatantly incorrect as precise details from Sinclair Knight refuted such an argument.

However in this case if there is going to be removal of 22 swing moorings then these positions should not be filled by Maritime NSW but left clear and vacant.

In Land and Environment Court I lost unbelievably by the assessment that one elderly resident would have further to row to get to his yacht if it was relocated!!!

To be consistent , if this application causes any existing moorings to be relocated further away then same objection should be applied.

I do not have any objection to the changes if it is simply a matter of changing swing moorings to berths however I see no justification for extending by a further 53 berths simply for the commercial gain of the owner.

For some time I had a vessel located on a berth at the Marina and drove around there from my house. On weekends it was virtually impossible to obtain a parking space in the allocated area and there is no way to cater for the increase.

Parthenia St has a reasonable amount of resident car parking on the street and this makes passing other vehicles difficult at times but the location of the Marina is at the worst part of Parthenia being right on a difficult bend with poor visibility around the corner.

If you require and further information about my previous application please feel free to contact me on 0411 233 347.

Regards

Keith Levett

742 Port Hacking rd

20th September, 2011

Major Projects Assessment

Department Of Planning and Infrastructure

GPO BOX 39

SYDNEY NSW 2001

APPLICANT: DOLANS BAY MARINA EXPANSION (MPI0-0017)

FROM: LUKE JOHN TALBOT – 26/97-103 DENIMAN AVENUE, WOOLLOOWARE NSW 2230

OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

1. Financial Greed to monopolies a large amount of public waterway
2. Restriction of Access to private waterfront facilities
3. No additional off-street parking proposed
4. Increase in Dangerous Hazards and access for emergency services.
5. Increase of slipway use and the contamination to water quality and sand flats.

1. Financial Greed to monopolies a large amount of public waterway - The land occupied by the proposed developer is no different to every other title of land in Dolans Bay. If each owner of waterfront land in Dolans Bay decided they can make an enormous financial gain by building a marina that would occupy the majority of public water space of Dolans Bay, who would be awarded the opportunity to take advantage of this? Water space is no different to land space for the financial gain, the Australian Government and Sutherland Shire Council do not "give away" free land, therefore why should it give away "free water space" to one land title holder of Dolans Bay who sees to make a huge financial gain and impact the surrounding land title owners in so many ways.

2. Restriction of Access to Private Waterfront Facilities - Every Day of the week in Dolans Bay members of the Sutherland Shire community, not just Dolans Bay residents, use the public water areas of Dolans Bay to paddle ski, fish and swim. These activities will cease if this proposal goes ahead. Why should people lose this recreational enjoyment? For years I paddle ski every week around Dolans Bay, sometimes with a fishing rod freely, speaking with residents on their wharves as I slowly move along around the Bay. The boat traffic is balanced perfectly for a Bay of this size and sometimes, especially over the weekends in summer, very busy and hectic.

If the proposed marina is constructed the public water I use along with other members of the public will not be available for use. It will be gobbled up by a greedy individual who seeks to make a financial gain by taking this away from the members of the public. The boat traffic will increase by an unforeseen amount, not only for the berthing boats but for the boats using the slipway and filling up their petrol tanks. The minimal public water space left will simply not be usable safely for anyone on a paddle ski or small boat.

3. No additional off-street parking proposed – I think anyone driving down Parthenia Street on any given day would agree that it's a narrow street. Slowing down, pulling in behind parked cars to allow oncoming cars to drive through is part of something Parthenia Street users have gotten used to. If the proposed marina of 82 berths was constructed this would have a dramatic increase of the parked cars and traffic in Parthenia Street, Palm Lane, Cecil Street, Wentworth Avenue and Wistaria Street to name a few. During Spring and Summer weekends if you visit Dolans Bay you will notice that Dolans Bay Marina will be empty. Boat owners are out enjoying their boat owning luxury, the street is full of parked cars and the traffic is heavy. Port hacking Road and Parthenia street already feel the pinch from Wally's Wharf boat uses parking their cars and trailers and driving angrily and erratically because of the lack of parking availability. The fact this development proposal offers no increase for off street parking is going to make a huge impact on the surrounding street which truly cannot handle this. Residents ,resident visitors and marina users already park very closely to driveways as parking is already restricted. Blind spots and poor visibility when accessing Partheina Street is already hard to manage, the additional traffic and parked cars will make Partheina Street a huge hazard and dangerous drive. Dolans Bay Marina currently has 10 parking spaces for its client use, where will the entire new marina staff park? There will also be staff for the Gym which currently operates Slipway staff and the boat sales staff.

I guarantee that when a boat owner and family and their friends decide to go boating from their berth at Dolans Bay Marina they don't all turn up in 1 car. The dramatic increase in boat berth, staff and visitors can easily add an additional 200 parked cars to Parthenia Street and sound rounding streets on any given Spring and Summer day.

4. Increase in Dangerous Hazards and Access for Emergency Services – Dolans Bay landscapes and steep waterfront limit the access for all Emergency Services. Many years ago Dolans Bay Marina caught fire and burnt down with no help from the fire brigade to stop the fire. In May 2011 a house based on the water on Gannon's Road, Dolans Bay burnt down with none to limited help from the fire brigade. The reason for this is due to the limited access caused by the steep landscape. Dolans Bay Marina is situated on one of the steeper blocks of land in Dolans Bay. The increased threat to other nearby homes from fire hazards during every day of the year will not change due to the nature of the land format. The track record of previous fires in Dolans Bay and the limited access Emergency Services have, there is no need to increase to possibility of potential fire hazards. Additional berths, additional boats, additional marina users, additional staff, additional water way users, additional cars means additional risk to health and safety. There is no additional access to the marina for Emergency Services such as ambulance, police and fire brigade. Dolans Bay Marina currently has a small inclinator and a huge set of stairs. This is in no way this is suitable or safe access for our Emergency Services. If there was to be a fire on the marina or the slipway the damage would be horrendous. If there was injury to anyone involved with the marina including staff the implications of access would make all injuries life threatening.

5. Increase of slipway use and the contamination to water quality and sand flats – The Dolans Bay Marina Slipway is always in use, they have a drain/gutter below the cradle that is there to catch the runoff from slipway use such as cleaning chemical, paints and oils. The gutter is rarely cleaned out and if it is, it's done at a ridiculous time which contradicts the point of having it. Every day the tide comes up it washes the caught runoff into Dolans Bay. If you paddle past the marina you can see the slick, grime floating around the gutter and shoreline in both directions towards the Sand Flats at the end of the bay, and south along the Parthenia Street waterfronts. The increase in marina berths means the increase in

the slipway use and the increase in slick, oil and grime which will leak into the Bay and whole Port Hacking River System. The pollution will impact the fish that are caught and eaten, the water quality for swimming, the oily slick which lays on the sand flats and low tide which increase. Recently we have seen small mangroves pop up on the sand flats at the end of Dolans Bay, mangroves play a huge role in a healthy river ecosystem. This vital plant with be at risk due to the heavy increase in oil, paint, cleaning products and debris that Dolans Bay Marina and Slipway wish to make to our environment.

I would like to finish my objection asking why Dolans Bay Marina should be able to make this expansion.

There is no need for this in so many aspects listed above and many more. There is no demand, there is no room and the implications and disadvantage it will have to the residents of Dolans Bay who are going to lose so much including property value, pleasure and the right to use the public water of Dolans Bay is not fair and unjustified.

I look forward to your details and prompt reply.

I have no reportable political donation to declare.



Luke John Talbot

20.9.11

NSW Department of Planning & Infrastructure

Attention: Mr Scott Schimanski

September 21st, 2011

From :



Application: Expansion proposal, Dolans Bay Marina: MP10-0017

Dear Mr. Schimanski,

I refer to my phone call of 21st September. We have exchanged contracts on the purchase of above residence address, close to Dolans Bay, and expect to take up residence mid November.

Our current home address is



We wish to register our objection to the project proposal. Reasons are:

- Dolans Bay is a quiet and pristine corner of Port Hacking, and the extensive marina proposal would dramatically impact on this small section of public waterways' marine and foreshore environment
- The limited size of this bay will mean that such an expanded marina location will restrict the public from freely and safely using the bay for recreational purposes.
- The proposed 82 berth marina construction in such a small bay area will impact badly on the current aesthetic bay views.
- The expanded marina overdevelopment will result in significant increase in noise and movements of boats in this small bay.
- The expanded marina facility will result in increased slipway boat hull de-fouling, surface treatment, and other maintenance work on site, resulting in greater pollution burden of this pristine bay.
- The lack of additional off street parking in what is already a narrow marina access Parthenia street will adversely effect residents & road safety in the vicinity.

As Caringbah residents for many years, and having raised our children here to also appreciate the beautiful Port Hacking waterways, we have strong stance on the environmental protection of the bays from overdevelopment.

The proposed magnitude of this commercial marina expansion will change Dolans Bay and its surrounds for the worse, and monopolize this public waterway.

We do not want our names disclosed to the proponent, these authorities or on the Departments website. We have no reportable political donations to declare.

Yours Sincerely,



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Department of Planning and Infrastructure

In the interests of public safety a thorough analysis of fire risk, fire fighting equipment required and intended fire fighting procedures must be carried out to ensure surrounding residents are protected in the event of a major fire.

(ii) The increased parking demands on Parthenia St will create more congestion ,increased traffic and increased danger to those moving in and out of driveways plus there will be a lot more people movements .All of these factors increase safety concerns for the many different users of the street.

(iii) The excessive boating traffic proposed for the relatively narrow western channel raises navigational issues and safety concerns.

(iv) The extra navigational congestion which will occur around Wally's wharf.

(v) The fuel delivery system is old and is noisy and does not appear to have been the subject of detailed review.

The abovementioned summarises my concerns. I am opposed to any expansion of DBM.

Yours Faithfully.

A handwritten signature in black ink, appearing to read 'Greg Skehan', with a large, stylized loop at the end.

Greg Skehan

9
Mr Greg Skehan
650 Port Hacking Road
DOLANS BAY NSW 2229

21 September 2011

The Contact Officer
Scott Schimanski
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

And by email: plan_comment@planning.nsw.gov.au

Dear Sirs,

Proposed expansion of Dolans Bay Marina MP10-0017

I am an owner occupier of waterfront premises at 650 Port Hacking Road Dolans Bay. I strongly and vehemently object to the proposal to expand the Dolans Bay Marina (DBM) for the following reasons.

In Summary

The proposal is not supported by the Dept. of Planning which says it is an over development of Dolans Bay and inappropriate in its urban context.

The Sutherland Council does not support the proposal. Council zoning prohibits the construction of a new marina at the current location of the DBM.

The port hacking management panel, an advisory committee to the Sutherland Council, does not support the proposal.

The Land & Environment Court in considering appeals against decisions by various councils to refuse development approval for proposed marina developments has confirmed the denial of permission for those proposals to proceed.

DBM is located in Waterways zone 16 which requires recognition of the importance of the waterway as an environmental and recreational asset and seeks to ensure development is carried out in a way which protects ecology, scenic value and navigability. Private development would reduce or hinder use of the waterway. The expansion proposal does not meet zone 16 objectives.

There are no compelling arguments which support the further expansion of the DBM which is already at a size which is fair and reasonable to the interests of all stakeholders and for the environment of Dolans Bay. There cannot be any further marina development in Dolans Bay.

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It is unacceptable that no further off street parking is provided thus forcing Parthenia St. to provide all parking requirements for the expansion which is a major adverse impact on the area.

The significant visual impact of the proposal is not acceptable. It will overwhelm the heritage values now intrinsic in the bay.

There will be environmental impact from the expansion and this will compound environmental problems which are already apparent in Dolans Bay.

The marina is situated in a residential area zoned 1 environmental housing (environmentally sensitive land) and is only tolerated because of existing use rights. A proposed development which is described by the Dept. of Planning as overdevelopment and inappropriate in its urban context cannot be allowed in an area zoned environmentally sensitive.

The proposal seeks use of a public waterway for the personal financial gain of the applicant to the detriment of the public and residents. No proper notice, or indeed any notice, has been given to individual mooring owners in Dolans Bay unless they also happen to be adjoining property owners. No regard has been given to the effect on mooring owners who will either lose their moorings or be extensively relocated.

Major Instances of Non-Compliance by the Marina Operator and Environmental Risk

These matters question the ability of the operator to properly operate the existing facility and question whether the operator should be given control of more of a public asset. Moreover they show increased pollution is not just a likelihood it is a certainty.

Off the north eastern end of the floating marina there is a large mooring pylon which is located outside of the water licence area and which facilitates the mooring of a large catamaran which in part is outside the licence area. This is not the first time there has been occupation outside of the water licence area.

The Sutherland Council had to take legal action against the marina in order to have it comply with current standards for slipway operation.

The effectiveness of the present Environmental Management Plan (EMP) is questionable. There are very regular appearances of diesel oil film and sludge floating on the surface of the bay water and coloured debris from slipway operations floating suspended in the water. Unfortunately it is proposed that the marina continue to operate under this flawed plan.

The slipway is used regularly when the debris catchment system is under water.

The DA for the original construction of the marina stated that 14 car spaces must be made available for marina operations. Today only 10 are provided.

The continued operation of a non -marina related business, a gymnasium, out of the shore based facility. Originally started without council approval and following complaints by neighbours a subsequently lodged request for approval to operate was rejected by council.

The regulations brought into effect in 2008 and covering underground fuel storage are not recognised in the EMP of the marina.

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On the 3rd December 2002, one of the Cronulla-Bundeena ferries moved on to its side in the slipway cradle while being moved and a significant oil spill occurred. No attempt was made to deploy containment booms and no satisfactory attempt was made to clean up the mess. To the detriment of the environment it was left up to the tide to disperse the mess.

In June 1999 Sutherland Council had to commence legal process against DBM for its failure to complete all the works required under DA 176/85.

At the time of construction of the existing floating marina an unapproved section was added on the south western corner. Unfortunately the then Dept. of urban affairs and planning in giving its 2001 approval to increasing the limit to the number of boats moored in the floating marina from 20 to 29 "regularised the use of the unlawful pontoon."

A building which should have been demolished under the terms of the original council approval for the development of the present marina is still in existence.

The inclinator has for many years been allowed to operate without reasonable maintenance and regularly in a condition where an absurd level of noise occurred. Operating hours set by council DA were largely ignored.

Particularly in the period prior to the 29 boat limit being approved there has been consistent berthing of boats well in excess of the then 20 limit. The limit here was the physical capacity of the marina which could hold up to 29 boats. Based on past performance the area of the new marina designated for visitor use will no doubt be allocated to long term use.

Background

The present marina building constructed in 1986-1987 is significantly larger than the old 2 storey wooden building it replaced which it is understood to have been heritage listed and which burned down in the mid-1980s. The old boatshed also had a small wharf. Construction of the floating component of the new marina effectively increased the over water section of the marina by 100%

The new marina claims existing use rights to enable it to undertake construction in what is zoned as a residential area. These existing use rights have already been satisfied many times over when the size of the existing marina is compared to what previously existed.

In 2001 the marina made application to Sutherland Council for development consent to increase the number of boats berthed in the existing fixed marina from 20 by 9 to 29 in return for surrendering 9 swing moorings. No construction was required as the existing floating marina could accommodate the extra boats. During the council evaluation process the NSW government announced it would take over responsibility for approving marina developments. At that point the DBM application had progressed in council to the point where it was to be considered by the environment and health committee and the recommendation to this committee was that the application be refused. The reasons given were unacceptable level of on-street parking, adverse impact on the amenity of the surrounding land uses and berthing of additional vessels would likely lead to additional water pollution. Despite there being no construction involved the NSW Gov. declared the simple exchange of moorings to be state significant and took over the approval process. Residents were not given the opportunity to comment and were not involved in the process. This was highly questionable process which lacked fairness particularly as residents were denied the opportunity to continue debate of the proposal and its impacts, at a local level in the more appropriate Sutherland Council forum.

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So, in 2001 the berthing capacity limit of marina was increased by nearly 50% from 20 to 29 berths by the state Gov. through a flawed process which was considered by many residents as not in accordance with the intent of the law.

As it stands today the DBM in comparison to the previous marina has been increased in berthing capacity by 150% and in size by 100% by the present owner.

Points of Significance

The existing marina is already at a reasonable size for Dolans Bay and any increase in size is not in character with this small bay and is highly unacceptable if fair regard is given to the rights of the Dolans bay community who are:

- the occupants of the 300 houses which surround Dolans bay;
- the holders of the non-marina swing moorings in Dolans bay;
- the holders of the 22 swing moorings which will be surrendered;
- the residents of Parthenia St who will be subjected to unreasonable noise, parking demands and increased and slowed traffic flow;
- the boat and other watercraft owners, the fishermen, who currently freely move through the waterway for recreational enjoyment.

What is being forced upon the community is an expansion which greatly enhances the value of the marina and materially increases the incomes of the proprietors and which gives some convenience gain to marina users. On the other hand there is a huge cost to the community, loss of real estate values, loss of moorings, loss of navigability in the Bay, loss of amenity and an unacceptable increase in parking demands and the imposition of slowed traffic flow in Parthenia Street.

No substantive justification is given for the expansion of the marina in its submitted proposal. No financial analysis or details of economic contribution are provided and no form of contribution to the community asset of Dolans bay is offered (such as meeting the cost of dredging sections of Dolans Bay).

This is the grab of a community asset with nothing substantive offered in return. The expansion is not an equitable use of the waterway.

NSW maritime is blindly supporting the proposal and not acting fairly for all stakeholders. It claims the marina proposal and its flow through effects can be fully accommodated within Dolans bay. NSW maritime has not bothered to contact those mooring holders who will be impacted by the proposal. At the end of the day there will be 31 extra boats in the Bay! By any reasonable measure the bay is already full not to mention the fact that there is a waiting list for moorings in Dolans Bay. In addition there will be an unacceptable level of boat movements in the access corridor on the western side of the bay. This has to provide access to the existing internal marina and will be the only access to the fuel pumps for all marina users and the public. This will prove to be a navigational nightmare and a safety and noise issue.

The Dept. of Environment, Climate Change and Water in its letter of 26 march, 2010, included as p196, states "it believes the configuration of the current slipway and the related infrastructure presents challenges in preventing pollution from vessel maintenance and repair activities.

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Specifically vessel repair areas are not enclosed to retain dust and parts of the slipway are inundated at high tide."

The Port Hacking Integrated Environmental Management Plan has been listed as a document relevant to deliberations on the marina expansion and this has received little consideration by the marina in its submission to the department of planning. This plan was agreed by relevant State Government departments and agencies and the Sutherland council as the blue print for the future management of the Port Hacking Waterway. One of the main objectives of the plan is to free up the waterway for the use of the public. The marina proposal has been submitted without adequate consideration of the guidelines set out in the management plan for the future well-being of Port Hacking.

If the newly developed Cronulla marina expansion is not yet fully utilised what is the need for further development in the next bay?

We all have a right to enjoy and use our waterway without a massive marina development in our face. The expansion will occupy an extra 280% of the bay when compared to the existing marina footprint and create chaotic boating conditions along the western side of the bay.

Director General's Requirements

- Request for DBM to agree to operate under one modern amended planning approval. – DBM has not advised whether it is prepared to surrender existing approvals which hopefully would prove more beneficial for the environment than its operations under the current regime of regulation.
- Need for the project. – need has not been adequately demonstrated. On the basis of what available records and research are the statements made at paragraph 4.2 of the Environmental Assessment. Are there marina waiting lists for port hacking marinas which demonstrate this position? Twelve months after expanding the Cronulla marina it is far from full, DBM is not full and contains runabout sized boats more appropriately moored elsewhere.
- An EMP for the ongoing operation of the marina. – It is proposed to use the current EMP, which has not been updated since first introduced in 2001, to cover the expanded operations. The current EMP is deficient given the ongoing experiences of surrounding residents with fuel and slip waste pollution.
- A review of the compliance of the operations of the marina against the current conditions of consent. – This review process is flawed. No attempt has been made to compare, where appropriate, the statements by owner and staff against the experiences of surrounding residents.
- A description of the existing environment using sufficient baseline data. – There has been no use of baseline data in the Environmental Assessment (EA). This should have been collected at the time the 2001 EMP was brought into effect and a requirement included in the 2001 EMP that environmental performance be monitored by subsequent testing and comparison against baseline. This would particularly apply to toxicity levels in the environment around the slipways.

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- Monitoring measures for the project – No effective measures are proposed.
- Justification of the project on economic, social and environmental grounds. _ No plausible economic justification has been given. Paragraph 10.11 of the EA does not cover public interest at all and simply lists the benefits of the marina to the big boat fraternity. The expansion of the marina will result in berths being allocated in a part of the bay currently available for the use of all. The DBM is not operated as a public marina and does not provide usual facilities such as hire boats /canoes, shop etc.
- Navigation and safety impacts on water users. – The western access channel along the western side of the development will be a navigational nightmare. This channel is also shared by the moored boats of waterfront property owners. This channel will provide access for the internally moored boats in the existing marina. In addition the channel will provide the only access to the fuel pumps for most of the users of marina berths and the public. Also with 31 extra boats moored in Dolans Bay this will cause further congestion at the entrance to Dolans Bay where Dolans Bay boat traffic combines with craft using the Wally's Wharf boat launch facility on the southern entrance side of Dolans Bay.
- Demonstration that infrastructure meets best practice _ in its letter of initial comment on the proposal Sutherland council notes that in giving any approval for expansion there may be further opportunity to improve the slipway situation.
- The inclinator is 24 years old and requires updating through replacement with a modern unit with improved safety features.
- Noise-operational and traffic. _The claim is made that as this noise is generally within limits it is acceptable. That is denied. What has also not been considered is that an increased consistency of noise is also annoying. It is claimed the slipway is now 100% utilised but this is not the case and further noise will arise from this source. This will combine with increased noise from increased use of the inclinator and increased noise from people and vehicle movements.

Parking and Traffic

The marina has submitted a traffic and parking report prepared by a consultant and this is largely based on data acquired at other marina locations and so is highly theoretical in its application to Dolans Bay Marina. Shire residents tend to live less regimented lives than their city counterparts and make greater use of the waterway. Incredibly the report contains data gathered in winter 2008 and submits this as relevant for consideration. The report bears little resemblance to what is actually occurring in Parthenia St during summer. No attempt has been made to assess the impact of the street parking by marina users on traffic flow in Parthenia St.

The conclusion of the consultants parking report is "that the proposal is unlikely to increase the parking demand of the marina ". This finding defies belief and is out of touch with reality. It is a nonsense.

The report does not cover visits by a substantial number of sub-contractors who undertake work for the marina and boat owners. Work is mechanical, electrical, electronic, boat detailing, boat covers /upholstery. In addition there is the coast guard boat which operates out of the marina and

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requires at least 2 car spaces. Also to be considered are the private users of the slipway at weekends, the occasional boat broker and the boat share business which was operating in 2008 with 4 to 5 boats. Now the marina also has a health/gymnasium business.

The parking report covers an area of Parthenia St from Wisteria St in the south to numbers 27 and 40 in the north. This area includes 55 houses and some dual occupancy and has 87 parking spaces available.

Many of the 55 houses have permanent parking in Parthenia St (utilises 35 spaces). Invariably on a summers weekend 1 or 2 houses will have a social function and many others will have visitors (easily utilises 40 spaces).

This leaves 12 spaces to cover marina requirements.

On a typical summers weekend day parking requirements for the marina in its existing form would be related to at least 25% of the 52 boats under the marinas care being used and would amount to at least 2 cars per boat. The marina has 10 off street parking places. (Net requirement of 18 places.)

The net parking position outlined above is that there is a deficiency of at least 6 parking places to meet marina requirements.

This is before the marina is expanded.

Realistically the proposed expansion will put substantial extra parking demand on Parthenia St and based on current experience this demand will be a lot more than a straight mathematical calculation would suggest.

The real parking position in Parthenia St (pre-expansion) in the high summer is that all car parking spaces in the area under consideration are fully-utilised with 1 to 2 cars parked in the no standing zone opposite the marina, 3 cars parked in the bus stop area at no 68 and 1 or 2 cars parked on the footpath.

Add the impact of expansion and parking demand will extend beyond the southern end of Parthenia St and have to compete with the parking needs of users of the nearby Wally's Wharf launch ramp and the other facilities there.

The Marina is a business being carried out in an area zoned residential. The expected impact on the neighbourhood must be reduced. Larger off street parking facilities can easily be provided by demolition or storied construction. The marina does not have an automatic right to any unused parking space in Parthenia St for commercial purposes. Neighbours and their visitors have an equal right to street parking.

No attempt has been made to assess the impact on traffic flow of full parking occurring on both sides of Parthenia St. The existing situation is that where cars are parked on both sides of the street it is the perception of most drivers that there is insufficient room for vehicles moving in opposite directions to pass safely and so drivers significantly reduce speed. This is occurring now and any expansion will compound the problem reducing a large section of Parthenia St to walking pace in periods of high parking demand.

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Also not considered is the tendency of marina users to park right on top of private driveway exits making it impossible to observe moving traffic and so increase the danger to residents exiting their driveways.

The increased requirements of the expansion will increase danger levels in Parthenia St.

Design & Visual Issues

In summary this section of the EA concluded that "it is considered that the visual impacts of the development would be acceptable."

But to who? Certainly not the 145 households surrounding Dolans Bay.

No attempt has been made to quantify the visual issue in terms of actual size of the proposal to the size of Dolans Bay. The water area occupied by the floating marina (licence area) will increase by about 238% and the floating marina will then be capable of holding an extra 53 boats, a significant number of which will be large.

The proposal will comprise two rows of sizeable boats compacted into an area which to residents surrounding Dolans bay will be an unacceptable intrusion , a visual aberration and a floating obscenity.

Bigger vessels will be moored on the eastern side of the southern end where contrary to the Lambertert Report, the only aspect of the surrounding houses is directly into Dolans Bay and so a massive marina development will be present.

Dolans Bay is by nature a small and steep sided Bay and so the number of people impacted, while small, will never- the- less be materially impacted. Too much weighting has been given in the Lambertert Report to visual impacts which are not entirely relevant i.e. impact on views from streets that had no views in the first place. This proposal is of massive impact on the majority of surrounding residents and consequent loss of value in their homes.

The present visually appealing character of the bay is currently an acceptable mix of swing moorings , marina, Wally's Wharf facility and launch ramp , various boatsheds and walkway/pontoons.to add two substantial rows of medium to large boats is going to detract significantly from the present intrinsically acceptable character of Dolans Bay. The present appealing nature of Dolans Bay will be destroyed forever. Future generations will be stuck with the results of a bad decision.

As the Lambertert Report notes "the development would make a significant change to the immediate setting ", "it is in an area that is generally considered to be of high intrinsic scenic quality. "These are the very reasons that surrounding residents do not want this development.

The Lambertert Report says that certain surrounding residences and boatsheds will due to council policy eventually disappear. Not so, most of these residences are freehold title and some of the boatsheds are heritage listed. Boatshed owners are encouraged to heritage list their boatsheds. If the abovementioned structures were to be removed then the visual impact of the marina would become even more overwhelming.

Insufficient consideration is given by the Lambertert Report to casual users of the bay who are many on summer weekends and which cruise into and around Dolans Bay for pleasure putters, yachts, power boats of all sizes, kayaks and canoes, all of these users will be confronted by two

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large rows of boats which will restrict navigation and pleasure and which will be visually unacceptable.

The Lambert report also asserts that "impaction on intrinsic character would be low as it is an extension of an existing facility." As pointed out earlier it is impossible for a 238% increase to be regarded as anything but a massive expansion of unacceptable impact and an irreversible intrusion

In comparison the proposal to expand the Double Bay Marina at Castra Pl. was ultimately denied in 2009. This was to be in a bay which is many times the size of Dolan Bay and the proposal was to demolish the existing fixed marina of 40 berths plus 25 swing moorings and construct a new floating marina of 51 berths plus 14 swing moorings. The proposal incorporated only a small increase in size but was denied as the decision came down for Senior Commissioner Roseth of the land 7 environment court to 'the balancing of the convenience of the users of the marina against the maintenance of views and the preservation of the small scale permeable visual character of the bay. In my opinion the latter interests should prevail. The appeal is dismissed'. So a much smaller marina expansion than that proposed for Dolans Bay was denied because of issues concerning impact on views and preservation of small scale character of the bay. These issues are even more relevant to Dolans Bay and on the same basis the DBM expansion must be denied.

As far as Dolans Bay is concerned there have been two land & environment court decisions which are relevant to any consideration as to whether the DBM expansion should be approved. In 2001 an appeal concerning the construction of a 6 berth marina near Wally's wharf was dismissed on the basis that 'the cumulative effect on scenic quality, on navigability and on the licences' of relocated moorings leads to the view that the proposed development is inappropriate.' For the same reasons the DBM proposal, which is massive by comparison, is totally inappropriate and unacceptable by any measure. An over development which will negatively change DB forever.

More recently an application to erect two fender piles at a property on the western side of DB was denied. This property will be substantially impacted by the DBM extension proposal.

No consideration has been given to the extent to which the DBM has already been developed. Many of the residents which surround Dolans Bay are long term and remember the original Alexanders Boatshed and the construction and evolving visual impact of the present marina as it filled with boats. This was a substantial impact for Dolans Bay residents at that time seeing an old marina with virtually no water based component being, after a fire, replaced with what ultimately has become a 29 berth marina. Effectively there was then a 100% increase in size of the marina and now a 238% increase in size is proposed. Residents strongly hold the view that in fairness to all the DBM as is, is already at an acceptable size and that any further expansion is beyond being fair and reasonable.

Of the 145 houses surrounding DB there only about 7 houses on the western side of the bay and 5 houses on the eastern side of the bay which have expansive views mainly to the south east. This means that there are 133 houses whose only substantial aspect is into DB where the proposed extension will become a major feature of their views. This visual intrusion is not acceptable and is erroneously described by Lambert as being modest. In addition this situation does not fit with a fair interpretation of the concept of view sharing discussed at paragraph. 6.2 of the Lambert report.

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Dolans Bay is a very scenic bay, a pleasurable place to live or visit. It's very special attribute is the visually pleasing mix of the old (boatsheds) and the new (modern housing) with a marina already at an acceptable size, deep water and some room to navigate around the small bay. The DCP for Sydney harbour acknowledges that swing moorings are more visually acceptable than a fixed marina mooring. The expansion proposal promotes removal of swing moorings and a fixed marina extension to 83 berths, which is a very unacceptable outcome from a visual point of view.

At paragraph. 7.0 Lambert states in conclusion "the visual character of the proposal is not qualitatively different from the existing situation". This statement is out of touch with reality and is wrong. Qualitatively a massive marina extension (280%) is being imposed upon a small bay and this will:

- Badly impact views
- Reduce navigability
- Reduce water quality and tidal flow/ flush
- Reduce real estate values
- Greatly reduce the appeal of DB as a place to live and visit.

The marina is located in an area which is zoned 1 environmentally housing (environmentally sensitive land) and continues to exist in a residential area due to existing use rights. The proposed marina expansion is massive over development of Dolans Bay and must not proceed if fair consideration is given to the unacceptable impact of the proposal on the Dolans Bay residential area and the environmentally sensitive Dolans Bay.

Originally where marinas wished to expand their fixed floating component, approval process required that 2 swing moorings be given up in exchange for 1 new fixed mooring. More recently this ratio of exchange has changed to 1:1 and applied to the 2001 expansion of DBM where 9 swing moorings were relinquished for permission to place an additional 9 boats in the existing floating marina. The recent expansion of the Cronulla marina involved exchange on a 1:1 basis. A 1:1 basis for exchange is adopted by the dept. of planning and councils as good planning practice which produces a fair result for all. So now DBM proposes to give up 22 swing moorings in exchange for extending the fixed marina by 52 berths, reversed ratio of giving up 1 swing mooring to hopefully gain 2.4 fixed berths. This proposal is a gigantic departure from the acceptable planning convention and cannot be allowed to happen. Further of those 22 moorings given up only a few are in the area proposed for expansion private owners form the majority.

Environmental Audit

The audit report states "that the EMP has not been updated since September 2001." The obligation under the current consent is for the EMP to be reviewed and updated regularly. This has not been done.

The audit report states "the audit is unable to comment directly on the environmental performance of the development". This is one of the main purposes of the audit. Simply talking to surrounding residents would reveal a high level of concern at the various contaminants which are sourced from the slipway. Also there are signs of environmental deterioration along the shoreline in the vicinity of the marina. Observations by the auditor are based on the say so of the owner.

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Surrounding residents have not been made aware of the existence of a complaints register and in any case gave up complaining a long time ago as issues raised about pollution and noise were generally never satisfactorily dealt with.

Acoustic Assessment

Noise monitoring for this assessment was carried out in late march 2011 well outside the peak period of operation in the summer months.

It is wrong to say the expansion will not lead to an increase in noise. More movement of additional people, vehicles and boats will all lead to increased noise. Some boats are extremely noisy.

There is already very annoying marina noise arising from boats running their engines for warm up prior to departure or to charge batteries while stationary. This noise while irregular will increase as the marina increases in size. All of this noise is amplified by the amphitheatre effect generated in the narrow end of Dolans Bay where the marina is located. All this noise easily travels upwards into surrounding housing.

Since it commenced operation in 1987 the inclinator, apart from recent times, has been badly maintained and allowed to operate for lengthy periods making an unacceptable level of noise. This noise has been an annoyance to a number residents at the end of Dolans Bay due to the amphitheatre effect mentioned earlier. This inclinator must be replaced with a modern, reliable and quieter unit.

Engineering Assessment

The existence of a gym on the marina premises is first mentioned in the context of it causing a need to increase the size of the waste water holding tank. The existence of a gym is not evaluated elsewhere for its impact on the expansion proposal.

Compliance - it is incorrectly stated that the slipway catch drain is located above the highest astronomical tide.

Priority action on page 14 states that all work is carried out above catch drains. This is not correct, when large boats are on the slipway they overhang the catch drain, there appears to be no procedure for dealing with polluting debris which falls in the slipway area below the catch drain.

Flora & Fauna

Abel consultants note that "as the exact extent of the seagrass has not been accurately mapped the effects of the proposed upgrade of the marina on the extent of the meadows of P Australis cannot be quantified." To what extent are sea grasses located in the western navigation channel and what will be the impact on this seagrass from boats moving through what will become a very busy channel? No evidence has been provided.

In any event the consultant notes "increased wash due to higher boat numbers using the bay, therefore higher level of disturbance for P Australis located close to shore."

As far as the mud flats at the end of Dolans Bay are concerned it is a very regular occurrence that as the rising tide begins to cover the area a thick oily brown scum rises on the surface of the

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water. Will the expansion of the marina contribute to this problem and also restrict tidal disbursement?

No attempt has been made to assess what the environmental impact is likely to be of mooring such a large concentration of boats close to the shore in a small bay. However at paragraph 1.6 point e (111) the report does say "the cumulative effect of both the moorings and the boats is likely to be detrimental." There has been no consideration given to any likely impact on increased siltation which is occurring in many places around Dolans Bay but particularly in the southern western corner near the southern end of the expansion proposal where the rate of siltation is very concerning. Here the long term owner of an adjacent swing mooring reports that the depth of water under his boat at low tide has decreased by 10 feet over the last 20 years. Nearby at surface over the same period the amount of accumulated siltation which has occurred is extensive. This will worsen if the expansion of DBM is allowed.

Safety Issues

(i) While the current EMP lists the fire equipment which DBM has on hand (hose reels, extinguishers & blankets) there has been no consultants review to determine if this equipment meets current standards and as to whether or not the existing type of equipment is satisfactory for a marina containing 83 boats.

The report by NSW fire brigades on the fire at a Newport marina on July 22, 2009 makes very concerning reading and raised the following issues:

- lack of marina access for fire fighting equipment and large diameter hoses
- vessels alight and drifting preventing land based attack on these boats
- marina employees operating a hose reel in a futile attempt to stop the fire spreading.
- environmental impact of oil and other residues from the fire.
- hose reels could not cope with the advanced fire
- inability to contain the 7000 litres of fuel spilt.
- the very hazardous conditions for fire fighters
- impact of fumes and smoke on residents

In reality there are no staff at the marina to train to undertake fire fighting. For most of the year the only people present at the marina in working hours are the slipway sub-contractor and sometimes an assistant. It is rare for anybody to be present at the marina from 6.00 pm to 7.00 am, so a fire occurring between these times is likely to be well advanced before assistance arrives.

No risk assessment has been made of the likelihood of a fire occurring and if such a fire could develop into a major and dangerous fire. Recently a house fire at water level opposite the marina was unable to be controlled by the fire brigade due to access problems and the house was destroyed.

There is a very real fire threat to surrounding residents particularly if burning boats come adrift. Under threat is some housing at water level plus boats, boatsheds, pontoons and walkways.

18th September 2011

APPLICANT: Dolans Bay Marina Expansion (MP10---0017)

FROM: I object to this project proposal for the following reasons.

As a resident of the Port Hacking area I regard the proposal as a commercial business occupying a large proportion of our public space and waterway.

Dolans Bay is known for its tranquil and pristine environment for recreational boaters and kayakers such as myself to enjoy. The bulk and scale of this developments footprint on the Bay will prohibit the present open space and shoreline navigation access, which the scattering of the moored boats now provides. The size and position of the proposal will effectively create a breakwater in the Bay, which will visually dominate the Bay and impede any boating and kayaking along the protected shoreline of this beautiful Bay.

This is the only Bay on the Port Hacking, which provides a haven for kayaks and small putt-putt boats to escape the main channels, and large Bays, which attract large boats at cruising speed and their associated wave wash. An increase of marina boat traffic in Dolans Bay will create increased wave wash and impact on the visual navigation safety of small boats and kayaks within the Bay.

There are no benefits for anyone in this proposal, except for the proponent in a commercial business decision to make money from our public waterway.

All the public loses out recreational boaters, kayaks, fishermen, private mooring holders, marina mooring holders and residents within the Bay.

I have no reportable political donations to declare.

Michael Hardwick

Waterfront/Street Noise

The amphitheatre nature of the Bay will concentrate and amplify more waterway marina noise from boats and their patrons associated with more boat movements and usage in an expanded marina environment.

Residential street noise will also increase with traffic and parking activity being more prevalent and occurring more often. The marina has access available 24/7.

In Summary

There are no benefits for anyone in this proposal, except for the proponents financial gain from a public waterway asset. Everyone who uses this waterway loses out: private mooring holders, marina mooring holders, fishermen, kayakers, recreational boaters and the residents within the Bay.

Parking, traffic congestion, waterfront noise, resident neighbour ambience, visual impact, all have not been considered in this proposal.

The waterway of Dolans Bay is for all to enjoy. Lets keep it this way for us and future generations to enjoy. This is the Port Hackings most pristine residential Bay and should not be taken from us for commercial financial gain by one individual.

I propose that the proposal be REJECTED IN TOTAL by the NSW Government Department of Planning and Infrastructure and NO SCALING BACK OR COMPROMISE is acceptable to the residents of Dolans Bay and the general public whom enjoy this beautiful waterway.

I have no reportable political donations to declare.

IAN CASSIDY

Waterway Navigation

The bulk and scale of this developments footprint within the Bay will prohibit open waterway space and channel all boat navigation within the Bay along the eastern and western shorelines which are presently occupied by swing moored boats and waterfront owner private pontoons and boatsheds. The size and position of this development will effectively create its own breakwater seawall within this pristine tranquil Bay.

The proposal will require the removal of 22 marina swing moorings and impact on and require the displacement and relocation of some 17 private swing moorings in the Bay. These boat owners have had no notification or opportunity of expressing their views on this proposal.

These boat owners choose to keep boats on swing moorings by choice as a cost effective boat ownership option. Fixed marina berths are not in excess demand of current supply and will never be an alternative proposition for swing moored boats. The proponent does not address this issue in their proposal.

The position and size of the proposal will also impeded any boating, fishing, kayaking and recreational waterway activities preventing any shoreline navigation around the perimeter of the Bay.

Parking/Traffic

The existing marina provides for 10 off street parking spaces, for 29 marina berths and 22 swing moorings. The proposal provides for NOT ONE additional off street parking space. How can such a proposal be acceptable.

As the marina is located in a residential street, with already limited resident and visitor parking, such a proposal **SHOULD BE REJECTED TOTALLY ON THE PARKING ISSUE ALONE.**

The narrow double sided parking situation in Parthenia Street does not provide for an environment to introduce more congestion, traffic noise and resident driveway access safety concerns.

Land Based Infrastructure

The topography of the land on which the existing marina occupies does not lend itself to expansion for parking, fuel storage, service vehicle access and marina patrons. The only access by land to the marina is via steep narrow stairs and a 24 year old inclinator. The proponent has not provided in the proposal for any upgrade or expansion of the existing inadequate facilities in this steep terrain of the Bay. This has been omitted for two very good reasons; it is not feasible and is cost prohibitive.

20th September, 2011

Applicant: Dolans Bay Marina Expansion (MP10-0017)

From: Ian Cassidy
82 Parthenia Street
Dolans Bay NSW 2229

I object to this project proposal for the following reasons.

Background

Being a waterfront resident in close proximity to the marina I consider the proposal to be an extreme overdevelopment of Dolans Bay which is a public waterway and domain for all the community to use and enjoy.

The proponent in his proposal has not clearly stated and justified the reason for the application other than for a commercial financial gain and value added consideration for the existing marina business.

The existing marina has been expanded twice since the original boatshed (Alexanders Boatshed) was burnt down in a fire in 1986. How much more development is permissible and reasonable under existing usage rights. The marina is zoned Environmental Housing (Environmentally Sensitive Land) by Sutherland Shire Council.

Visual Impact

The proposal to increase the fixed berth marina by 53 berths, is a 280% waterway area occupation increase compared to the current existing marina. The bulk and scale of this developments footprint within the Bay will be a visual domination and completely change the ambience within the Bay for some 145 residences which view directly into this waterway.

Boats concentrated in marinas dominate a waterways view characteristics, as opposed to many boats spaced out in a swing mooring situation. The visual impact within this small Bay will obliterate residents views forever.



Department of Primary Industries

Our ref: OUT11/16273
Your ref: MP10_0017

Michael Woodland
Director, Metropolitan and Regional Projects South
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Woodland

Subject: Comment on environmental assessment exhibition – Expansion of an existing marina at Dolans Bay, Port Hacking (MP10_0017)

Thank you for your letter dated requesting NSW Department of Primary Industries (Fisheries) (DPI-Fisheries) comment on the public exhibition version of the Environmental Assessment for the proposed expansion of Dolans Bay Marina, Port Hacking (MP10_0017) and recommended conditions of approval for this proposal.

DPI-Fisheries is responsible for ensuring that fish stocks are conserved and that there is "no net loss" of key fish habitats, such as seagrass and kelp, upon which they depend. To achieve this, DPI-Fisheries ensures that developments comply with the requirements of the Department's *Policy and Guidelines for Aquatic Habitat Management and Fish Conservation* (1999). This comment from DPI-Fisheries considers potential impacts to aquatic habitat in accordance with this policy and the *Fisheries Management Act*.

DPI-Fisheries has reviewed this EA and is of the opinion that insufficient information has been provided to assess all potential impacts on aquatic habitats. In particular:

- The EA does not include a clear description of the aquatic habitat currently under and surrounding the proposed marina extension, including the distance between the marina extension and nearby important habitats known to occur in this area, such as seagrass beds. The Department's preference is for this information to be obtained by independent qualified marine ecologists. Appendix 13 contains a written description of observations of the area under the proposed marina extension, conducted by a marine contractor (i.e. Aquanaut Marine Services). No pictures have been provided to substantiate these claims and the method used is unclear. The Flora and Fauna Assessment (Appendix 5: Abel Ecology Pty Ltd) does not include any further visual assessment of aquatic habitat currently under or around the proposed marina extension area. The report states "The exact location of seagrass meadows within a 50m radius *(of the marina expansion)* is not known". Seagrass distribution around Dolans Bay is described through the use of maps produced by DPI-Fisheries based on aerial imagery taken in 2005. Considering the large scale of aerial imagery, it is likely that this mapping does not accurately depict seagrass distribution at a fine local scale and seagrass distribution at this site may have changed

Aquaculture, Conservation & Marine Parks
Port Stephens Fisheries Institute
Locked Bag 1, NELSON BAY NSW 2315
Tel: 02 4984-3836 Fax: 02 4981 9074
ABN 72 169 919 072 www.dpi.nsw.gov.au

since these maps were conducted. No attempt has been made to measure the distance between the marina and adjacent seagrass beds.

- o All potential impacts to aquatic habitat from the construction and use of this marina have not been considered in this EA. In particular, potential impacts to adjacent fringing shoreline seagrass beds from the use of the structure, especially to the west of the marina, have not and cannot be considered from the information provided. The information on water depth, seagrass distribution and distance of the marina from seagrass is lacking or incomplete, therefore an assessment of the impact of frequent movement of 12 m vessels using the marina on seagrasses via propeller wash or wave action cannot be made. The Flora and Fauna Report (Appendix 5) verifies this by stating that: 'As the exact extent of the seagrass has not been accurately mapped, the effect of the proposed upgrade to the marina on the extent of the meadows of *P. australis* cannot be quantified'. DPL-Fisheries requires this level of detail at public exhibition stage so that all potential impacts on aquatic habitats can be considered prior issuing any recommended conditions of approval for this proposal.

- o A test of significance (7-part test) for potential impacts to the Endangered Population of *Posidonia australis* seagrass in Port Hacking, as recently listed under the *Fisheries Management Act*, has not been conducted as part of this EA. Such an assessment is required as DPL-Fisheries mapping indicates that *P. australis* may occur in close vicinity to the proposed works.
- o It is unclear whether any current distribution of the aquatic pest species, *Caulerpa taxifolia*, has been included in the EA. Abel Ecology (Appendix 5) stated that they did not search for this species. It is not known if Aquanaut Marine Services (Appendix 13) assessed and reported on the distribution of this species.
- o Detailed engineered plans of the proposed marina extension do not accompany this EA. Information on the distance of the marina to the adjacent shoreline is lacking. DPL-Fisheries questions the origin of the claim made in section 7.7 of the Environmental Assessment that the closest seagrass to the nearest proposed pile is 30 m.

In the absence of a detailed assessment of all potential impacts to aquatic habitat from this proposal, DPL-Fisheries does not support any approval of these works.

Further points DPL-Fisheries wishes to raise in relation to this proposal concern:

- o Water quality: The Department questions whether other marinas within Port Hacking have the capacity to accommodate increased use of their sewage and bilge water disposal facilities likely to result from this marina upgrade. Also, it is important that plans for potential water quality issues from the slipway consider the increased use of this facility likely to result from the marina expansion.
- o Scale: The proposed marina occupies a large proportion of the upper reaches of Dolans Bay. This will reduce the portion of Dolans Bay that can be currently fished for recreational purposes. The Flora and Fauna report (Appendix 5) observed recreational fishing activities in the waters around Dolans Bay.

For any further information concerning the above, please contact Carla Ganassin on (02) 9527 8552 or via email on carla.ganassin@industry.nsw.gov.au.

Yours sincerely



Bill Talbot
Director
Aquaculture, Conservation & Marine Parks

22 September, 2011

Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

20th September 2011



Applicant: Dolans Bay Marina Expansion (MP10-0017)
From: [REDACTED]

I object to this project proposal for the following reasons:

1/ The Dolans Bay Marina is already at an acceptable size for Dolans Bay particularly with regard to its environmental impact where legal action was required by Sutherland Council to have this Marina upgrade its slipway.

2/ There has been no attempt to monitor and document impact of this Marina on the surrounding Environment. Baseline data must be required on seagrass, Aquatic Species and Sediments. This should then be compared and contrasted against annual samples to properly assess Environmental performance.

3/ Already an unreasonable demand by Marina customers is increasing traffic and parking in Parthenia Street. Demand will increase exponentially if this expansion is approved. The consultant has incorrectly assessed new parking demand through conducting their study in midwinter when there is unlikely to be use made of the Marina. No assessment has been made of the impact on traffic flow where traffic will be forced to slow to a walking pace. The Marina is not offering any additional parking on site. Parthenia Street is already at capacity with parking and speeding traffic. It is increasingly difficult and dangerous for many residents to use their driveways, particularly on Summer weekends.

4/ The visual impact on Dolans Bay will be significant and unacceptable. Expansion will make the Marina a focal point of Dolans Bay and overwhelm the scenic value of the Bay as enjoyed by residents and many visitors.

5/ Dolans Bay is a quiet Bay with a special ambience. There will be a significant increase in noise within the Bay. This Bay is a natural amphitheatre so any extra noise is significantly amplified.

6/ The present owner has already increased the size of the Marina by 100% and the berthing capacity by 150%. The expansion is for the commercial benefit of one family only but will adversely affect all the families surrounding Dolans Bay. This expansion will restrict access to private waterfront facilities whilst it will monopolise a large amount of public waterway.

7/ If the proposal is fully implemented there will be an extra 31 boats in the Bay with some saving exchanging swing moorings to fixed. This is not equitable. An expansion will make navigation difficult and dangerous as the Bay is already past capacity. In addition there will be antifoul, pump out from bilges and sewerage from the boats adversely affecting the water quality. Already it is unsafe to swim in Dolans Bay due to the discharge from Dolans Bay slipway and Marina.

8/ Often second and third generation residents live in Dolans Bay. This creates a special bond and family atmosphere and builds a strong community, unique in Sydney. The Marina expansion will adversely affect the community kinship and spirit as built and shared through the amenity of Dolans Bay.



I do not want my name to be available to the proponent, these authorities or on the departments website.
I have no reportable political donations to declare.

DAVID & JUDY BIRDSALL

730 PORT HACKING RD. DOLANS BAY 2229

Major Project Assessment

21st September 2011

Department of Planning & Infrastructure

GPO Box 39

Sydney NSW 2001

Dear Sirs.

Re Dolans Bay Marina Expansion (MP10-0017)

In 1958 we built our house overlooking Dolans Bay, and 53 years later we are still living in paradise. Over this time many changes have occurred especially the popularity of boating activities, which has placed a premium on access to water space for water activities boat launching and moorings.

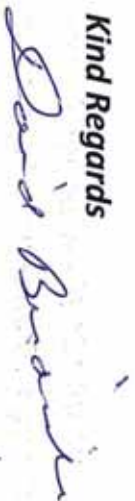
It is mandatory that waterways be kept open for all to use for business and pleasure. Parking for cars and trailers is now at a premium on many days available parking up to 2 kms from launching ramps, and now the plan is to have an additional 50 odd berths in Dolans Bay.

This is completely unacceptable and inconsiderate to the whole area .

This development must not be approved under any circumstance.

We strongly object to this expansion proposal for the expansion of the Dolans Bay Marina (MP10-0017)

Kind Regards



David & Judy Birdsall



Singed cc in mail.



15

GRANITE MOUNTAIN ①
39 YERAMBA AVE
CARINGBA SOUTH

NSW 2229

19. 9. 11

WATER PROJECTS ASSESSMENT
DEPT. OF PLANNING & INFRASTRUCTURE
GPO BOX 39
Sydney NSW 2001



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

DELANS BAY MARINA EXPANSION (PP10-001)

I am writing to object to the above application for the increase in the size of the marina.

○ I have lived in the area for 32 years and have already seen this marina increased in size.

Delans Bay is a very small area and the boats already in the bay is overcrowded. This application if accepted will make the bay almost impossible for small crafts to enter the bay.

As well as the increase in the marina size it will mean that the already overcrowded cars in PATTENIA ST will be almost impossible to

○ pass while driving past the marina. The street is a very narrow one and the entrance to the marina is on a nasty bend. This will almost certainly cause accidents. The existing car park is not enough for the present marina and with no increase in its size how can this possibly go ahead.

The over development of the marina will also affect the water quality and the natural beauty & tranquillity of the bay.

② the marine life & ecology will be affected by the increase of boat and human activity as well as the restriction on the public to freely & safely use the bay.
I hope some of my objections will be looked at so this application can be stopped

"I have no reportable political donation to declare."

Thank you and hoping for a reply

ALE Monahan
CREAM COUPERS MONTANA

Email : graham.monahan@hotmail.com.

16
20 September 2011

The Director
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Applicant: Dolans Bay Marina Expansion (MP10-0017)

From: Harley B Cordin
76 Parthenia Street
Caringbah NSW 2229

Dear Sir/Madam

I am a long time resident of Dolans Bay and strongly oppose any increase in the size of the marina. I am at a loss to understand how any application for the expansion of this marina, of any size, can possibly be considered when not one extra car space has been provided. The view over and around the bay will be greatly affected and the ecology and environment has definitely not been considered. The only consideration given to this application is financial gain for the applicant.

I have no reportable political donations to declare.

Yours faithfully

B. Cordin

Harley B Cordin



Attention: **Scott Schimanski**

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Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



STATEMENT:

I OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

1) Proposed Size and Scale of Marina Expansion

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The increase in size (by 53 berths) or 280% of our public waterway is extreme. There is nothing in the proposal to benefit local residents or the community; it is purely for the commercial and financial gain of the proponent.

It is unacceptable that a private individual can monopolise such a large amount of public waterway.

Current use of Dolans Bay will be restricted. It will be difficult for kayakers, canoers and small boat users to safely manoeuvre around the bay. The bay will become a thoroughfare for large boat owners using the marina and the marina itself will create large 'boat car park', detracting from the current natural beauty and quality of the Bay.

2) Ecology of the Bay

Already water quality in Dolans Bay is fragile and impacted by rubbish, petrol and oil from boats and run off from streets following storms. Every effort should be made to keep our water ways clean. Water quality for marine life will deteriorate even further with the increased concentration of boats, their movement in and out of the proposed expanded marina as well as associated exhaust pollutants and bilge water.

It is also of concern, that there is no sewerage pump out facility at the marina for boat sewerage waste; it would be assumed that this would be a critical requirement for a marina of this size to avoid polluting the bay

Any structure, the size and proportions of the proposed marina will impact on the natural tidal flow and flushing of Dolans Bay, impacting on the health of the bay and marine life.

More marina berths mean more boats and more slipway servicing activity affecting water quality in the bay. The existing marina's past environmental compliance has been extremely poor with legal action taken by Council for slipway environmental issues. This shows a total lack of concern for our Bay and the environment by the marina owners.

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Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will also impact on noise, parking and road safety.

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4) Noise

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Signed: .

[Redacted Signature]

Date ...2019/11.....

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Department of Planning & Infrastructure
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APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)



NSW GOVERNMENT
Planning & Infrastructure

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Planning & Infrastructure

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Major Projects Assessment
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GPO BOX 39
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APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)



NSW GOVERNMENT
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FROM:



NSW GOVERNMENT
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23
Attention: Scott Schimanski

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



STATEMENT:

OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

1) Proposed Size and Scale of Marina Expansion

The existing marina at Dolans Bay is already in proportion to the size of the Bay and currently meets the demands of boat berthing and mooring.

The increase in size (by 53 berths) or 280% of our public waterway is extreme. There is nothing in the proposal to benefit local residents or the community; it is purely for the commercial and financial gain of the proponent.

It is unacceptable that a private individual can monopolise such a large amount of public waterway.

Current use of Dolans Bay will be restricted. It will be difficult for kayakers, canoers and small boat users to safely manoeuvre around the bay. The bay will become a thoroughfare for large boat owners using the marina and the marina itself will create large 'boat car park', detracting from the current natural beauty and quality of the Bay.

2) Ecology of the Bay

Already water quality in Dolans Bay is fragile and impacted by rubbish, petrol and oil from boats and run off from streets following storms. Every effort should be made to keep our water ways clean. Water quality for marine life will deteriorate even further with the increased concentration of boats, their movement in and out of the proposed expanded marina as well as associated exhaust pollutants and bilge water.

It is also of concern, that there is no sewerage pump out facility at the marina for boat sewerage waste; it would be assumed that this would be a critical requirement for a marina of this size to avoid polluting the bay

Any structure, the size and proportions of the proposed marina will impact on the natural tidal flow and flushing of Dolans Bay, impacting on the health of the bay and marine life.

More marina berths mean more boats and more slipway servicing activity affecting water quality in the bay. The existing marina's past environmental compliance has been extremely poor with legal action taken by Council for slipway environmental issues. This shows a total lack of concern for our Bay and the environment by the marina owners.

3) Traffic and Parking

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Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will also impact on noise, parking and road safety.

There are currently 10 available parking spaces at the marina but it is noted that not one additional parking space is included in the proposal to meet the needs of the additional 53 new berths. The marina proposal is totally dependant on street parking which is already at a premium in the area. This cannot be acceptable when compared to off-street parking requirements for all other developments within the shire.

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There is nothing in the development to improve access for the proposed additional number of marine berth users. It would be assumed that this would be included in any development of this size.

4) Noise

With the 280% increase to the number of berths and the proposed additional number of marina users, both street and bay noise generated by people and boats using the marina will be significantly increased.

The marina is located in a quiet residential area and small enclosed bay and increased noise and activity resulting from the increase in usage will greatly impact on the bay and the surrounding community especially as the marina can operate 24 hours, 7 days a week.

There is nothing in the proposed development to address this issue.

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Many paddle skis, kayaks, canoes and small boat users currently use the bay for their recreation. Mobility and safety for these users will be severely impacted and restricted around the shore line of the bay.

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Access to private jetties/pontoons and boatsheds on the eastern and western side of Dolan's Bay will be significantly restricted.

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Signed: Date 20-9-11

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Attention: **Scott Schimanski**

24

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
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NSW 2001

APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



22 SEP 2011

FOR THE
DEVELOPMENT ASSESSMENT AND
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FOLLOWING REASONS:**

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Date 20/9/11

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Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure

GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-001)

FROM:



STATEMENT:

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26

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Signed:  Date: 20-9-11

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Attention: **Scott Schimanski**

27

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



NSW GOVERNMENT
Department of Planning & Infrastructure

STATEMENT:

I OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

22 SEP 2011

1) Proposed Size and Scale of Marina Expansion

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DEVELOPMENT ASSESSMENT AND
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28

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-00)

FROM:

22 SEP 2011

NSW GOVERNMENT
Department of Planning & Infrastructure
DEVELOPMENT ASSESSMENT AND
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29

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



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There is nothing in the development to improve access for the proposed additional number of marine berth users. It would be assumed that this would be included in any development of this size.

4) Noise

With the 280% increase to the number of berths and the proposed additional number of marina users, both street and bay noise generated by people and boats using the marina will be significantly increased.

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Signed:



.....Date

19/9/11

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

30

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



Planning & Infrastructure

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

22 SEP 2011

FROM:

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

**OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

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Signed:

Date 19.9.11

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

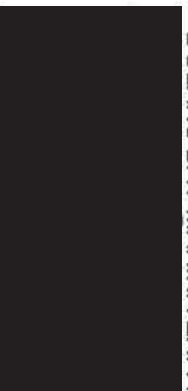
31

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



U.S.W. 2508



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

**I OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

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Signed:

[Redacted Signature]

Date 17.9.11

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

32

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)



NSW GOVERNMENT
Planning & Infrastructure

FROM:

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

**SUBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

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Signed:



..... Date *19-8-2011*

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I have no reportable political donations to declare.

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

Attention: **Scott Schimanski**

33

APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

STATEMENT: **1** **OBJECT TO THIS PROJECT PROPOSAL**
FOLLOWING REASONS: **FOR THE DEVELOPMENT ASSESSMENT AND**
SYSTEMS PERFORMANCE
RECEIVED

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..... Date 2009.11

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I have no reportable political donations to declare.

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

Attention: **Scott Schimanski**

34

APPLICANT:
FROM:

DOLANS BAY MARINA EXPANSION (MP10-0017)



22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:
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Signed:



Date: 20.9.11

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I have no reportable political donations to declare.

35
Attention: **Scott Schimanski**

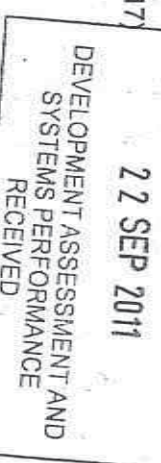
Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



Planning & Infrastructure

APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



Dolans Bay

STATEMENT:

OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

1) Proposed Size and Scale of Marina Expansion

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It is also of concern, that there is no sewerage pump out facility at the marina for boat sewerage waste; it would be assumed that this would be a critical requirement for a marina of this size to avoid polluting the bay

Any structure, the size and proportions of the proposed marina will impact on the natural tidal flow and flushing of Dolans Bay, impacting on the health of the bay and marine life.

More marina berths mean more boats and more slipway servicing activity affecting water quality in the bay. The existing marina's past environmental compliance has been extremely poor with legal action taken by Council for slipway environmental issues. This shows a total lack of concern for our Bay and the environment by the marina owners.

3) Traffic and Parking

Parthenia Street, from where the marina is accessed, is a narrow single lane traffic flow street requiring drivers to juggle to pass when cars are parked on both sides of the street. The marina's driveway is on a blind, narrow corner of Parthenia Street with cars tending to park either side of the entrance resulting in limited visibility. Visibility for residents exiting their driveways will be severely impacted creating a traffic safety issue with increased traffic movements. Additional traffic movements resulting from proposed marina development would create road safety issues both for users and local residents.

Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will also impact on noise, parking and road safety.

There are currently 10 available parking spaces at the marina but it is noted that not one additional parking space is included in the proposal to meet the needs of the additional 53 new berths. The marina proposal is totally dependant on street parking which is already at a premium in the area. This cannot be acceptable when compared to off-street parking requirements for all other developments within the shire.

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3) Marina Accessibility

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The existing marina buildings are situated on a steep sided sloop of Dolans Bay. Access to the marina itself is via either steep, narrow stairs or by using a 24year old, 2 person inclinator.

There is nothing in the development to improve access for the proposed additional number of marine berth users. It would be assumed that this would be included in any development of this size.

4) Noise

With the 280% increase to the number of berths and the proposed additional number of marina users, both street and bay noise generated by people and boats using the marina will be significantly increased.

The marina is located in a quiet residential area and small enclosed bay and increased noise and activity resulting from the increase in usage will greatly impact on the bay and the surrounding community especially as the marina can operate 24 hours, 7 days a week.

There is nothing in the proposed development to address this issue.

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"Wally's Wharf" which is a public wharf located at the entrance to Dolans Bay, has a very high usage by boat users especially during the summer months. The proposed development would mean many more boats coming in and out of the bay and would severely impact on access to this wharf, restricting its use as well as creating navigational safety issues.

Many paddle skis, kayaks, canoes and small boat users currently use the bay for their recreation. Mobility and safety for these users will be severely impacted and restricted around the shore line of the bay.

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Access to private jetties/pontoons and boatsheds on the eastern and western side of Dolan's Bay will be significantly restricted.

With the movement of 53 more boat berths in and out of the proposed marina, there will also be more wash and noise which will impact on all bay users.

Signed

Date 20.9.2011

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

36

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

**OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

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The increase in size (by 53 berths) or 280% of our public waterway is extreme. There is nothing in the proposal to benefit local residents or the community; it is purely for the commercial and financial gain of the proponent.

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Signed:



Date 20 Sept. 2011

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I have no reportable political donations to declare.

20 September 2011

The Director
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Applicant: Dolans Bay Marina Expansion (MP10-0017)

From: Dianne Cordin
5 Whites Ave
Caringbah NSW 2229

Dear Sir/Madam

I lived in Parthenia Street, Dolans Bay from a small child and enjoyed canoeing, fishing, swimming etc. I now live close to the marina and visit my parents regularly who reside next door to the marina, it is difficult to park and drive down the road with cars parked either side of the street.

My child and I continued to use the water access to swim, fish and boat however we have had times that we could not remain on the foreshore due to fumes from the existing marina from both the slipway and from the boat exhausts. I am no longer comfortable to let the children swim too far into the bay due to the existing boating traffic (mostly generated from the marina).

Any marina expansion will make parking at my parents impossible and increase the damage that has already occurred to their foreshore. What was once beautiful white sand on the foreshore is now mud and sludge on the rocks (this has only occurred since the existing marina was established). How much more damage must occur before the environment and the consideration of users (other than rich boat owners) is considered.

To increase the marina to 82 boats with no extra parking facilities and other impacts (boat emissions, bilge waste etc) contradicts previous codes pertaining to the bay and its surrounds. The view and recreational usage of this small bay will be permanently damaged.

I am strongly opposed to any further expansion of the marina.

I have no reportable political donations to declare.

Yours faithfully



Dianne Cordin



20 September 2011

The Director
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Applicant: Dolans Bay Marina Expansion (MP10-0017)

From: Louise Lennon
522 Port Hacking Road
Caringbah NSW 2229

Dear Sir/Madam

I lived in Parthenia Street, Dolans Bay from a small child and enjoyed canoeing, fishing, swimming etc. I now live close to the marina and visit my parents regularly who reside next door to the marina, it is difficult to park and drive down the road with cars parked either side of the street.

My child and I continued to use the water access to swim, fish and boat however we have had times that we could not remain on the foreshore due to fumes from the existing marina from both the slipway and from the boat exhausts. I am no longer comfortable to let the children swim too far into the bay due to the existing boating traffic (mostly generated from the marina).

Any marina expansion will make parking at my parents impossible and increase the damage that has already occurred to their foreshore. What was once beautiful white sand on the foreshore is now mud and sludge on the rocks (this has only occurred since the existing marina was established). How much more damage must occur before the environment and the consideration of users (other than rich boat owners) is considered.

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I am strongly opposed to any further expansion of the marina.

I have no reportable political donations to declare.

Yours faithfully



Louise Lennon



36

20 September 2011

The Director
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Applicant: Dolans Bay Marina Expansion (MP10-0017)

From: Jeanette Cordin
76 Parthenia Street
Caringbah NSW 2229

Dear Sir

I am vehemently opposed to any increase (large or small) in the size of the abovementioned marina.

The following are my reasons:

- I live next door to the marina on the dangerous bend of the road and the increased volume of traffic and the addition of the boat/jetski trailers will add to visibility problems and difficulty in using my driveway.
- I am astonished that this proposal does not provide one extra car space to accommodate the increase in traffic volume. Vans delivering equipment etc to the marina are regularly parked on the street obstructing my view when driving out.
- A physical fitness business also operates from the Dolans Bay Marina adding extra traffic to a dangerous section of Parthenia Street.
- The proposed increase to the existing marina to a total of 82 boats will greatly affect the recreational usage for small fishing boats, canoes etc. It will also add to the amount of emissions from boats and bilge waste. Ecologically, a larger marina will not be good for Dolans Bay. The ENVIRONMENT has DEFINITELY NOT been considered in this proposal in any shape or form. I once had clean sand in the front of my property, this is now sludgy mud since the existing marina was put in, this will only get worse.
- An increase in the size of this marina will occupy far too much of this small bay and completely spoil the view from all around the shore line and beyond. The bay will look like a small waterway with a large mass of structure in the middle. The slipway will be a lot busier and although there is a drain to collect the antifoul debris except at high tide, I am sceptical about the removal of this waste.
- This expansion will also increase the erosion to the foreshore as the boats that it is to accommodate are large and their wake will create further damage.



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

This expansion is not good for Dolans Bay from a residential or environmental view point and I fully oppose the application.

I have no reportable political donations to declare.

Yours faithfully

J. Cordin

Jeanette Cordin

Attention: **Scott Schimanski**

40

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

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FOLLOWING REASONS:**

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There is nothing in the proposed development to address this issue.

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"Valley's Wharf" which is a public wharf located at the entrance to Dolans Bay, has a very high usage by boat users especially during the summer months. The proposed development would mean many more boats coming in and out of the bay and would severely impact on access to this wharf, restricting its use as well as creating navigational safety issues.

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Signed: ...

Date

19/9/11

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM: MRS JUDY DULCETT

92 PARTHENIA ST

DOLANS BAY NSW 2229

STATEMENT:

**I OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

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Signed: *Judy Duckitt* Date: *20/9/2011*

I have no reportable political donations to declare.

Attention: Scott Schimanski

92

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:

John Buckley

14 Bv. Bay Road

..... FLEADIVE 2233



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

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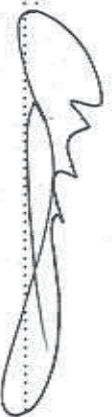
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Signed:



Date

20/9/2011

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure

GPO BOX 39
SYDNEY NSW 2001



NSW GOVERNMENT
Planning & Infrastructure

APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-001)

FROM:

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:
**OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

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Signed .



Date

20/9/11

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

Attention: **Scott Schimanski**

44

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
THE SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

I OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:

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Signed:

[Redacted Signature]

Date

20-9-11

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Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

45

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



NSW GOVERNMENT
Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

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Signed:

[Redacted Signature]

Date

16-9-2011

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

46

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:

.....
.....
.....
.....



Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

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Signed:



Date: 2009/2011

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure

GPO BOX 39
SYDNEY NSW 2001

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-001)

FROM:

010



Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE

RECEIVED

STATEMENT:

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FOLLOWING REASONS:**

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..... Date 20 Sep 2011

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I have no reportable political donations to declare.

Attention: Scott Schimanski

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

98

STATEMENT:

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Signed:

Date

20/9/11

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I have no reportable political donations to declare.

Attention: **Scott Schimanski**

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001



APPLICANT: DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



STATEMENT: **I OBJECT TO THIS PROJECT PROPOSAL FOR THE FOLLOWING REASONS:**

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It is also of concern, that there is no sewerage pump out facility at the marina for boat sewerage waste; it would be assumed that this would be a critical requirement for a marina of this size to avoid polluting the bay

Any structure, the size and proportions of the proposed marina will impact on the natural tidal flow and flushing of Dolans Bay, impacting on the health of the bay and marine life.

More marina berths mean more boats and more slipway servicing activity affecting water quality in the bay. The existing marina's past environmental compliance has been extremely poor with legal action taken by Council for slipway environmental issues. This shows a total lack of concern for our Bay and the environment by the marina owners.

3) Traffic and Parking

Parthenia Street, from where the marina is accessed, is a narrow single lane traffic flow street requiring drivers to juggle to pass when cars are parked on both sides of the street. The marina's driveway is on a blind, narrow corner of Parthenia Street with cars tending to park either side of the entrance resulting in limited visibility. Visibility for residents exiting their driveways will be severely impacted creating a traffic safety issue with increased traffic movements. Additional traffic movements resulting from proposed marina development would create road safety issues both for users and local residents.

Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will also impact on noise, parking and road safety.

There are currently 10 available parking spaces at the marina but it is noted that not one additional parking space is included in the proposal to meet the needs of the additional 53 new berths. The marina proposal is totally dependant on street parking which is already at a premium in the area. This cannot be acceptable when compared to off-street parking requirements for all other developments within the shire.

Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will impact on noise, parking and road safety.

3) Marina Accessibility

Apart from inadequate parking, there is nothing in the current proposal to improve current physical access to the marina.

The existing marina buildings are situated on a steep sided sloop of Dolans Bay. Access to the marina itself is via either steep, narrow stairs or by using a 24year old, 2 person inclinator.

There is nothing in the development to improve access for the proposed additional number of marine berth users. It would be assumed that this would be included in any development of this size.

4) Noise

With the 280% increase to the number of berths and the proposed additional number of marina users, both street and bay noise generated by people and boats using the marina will be significantly increased.

The marina is located in a quiet residential area and small enclosed bay and increased noise and activity resulting from the increase in usage will greatly impact on the bay and the surrounding community especially as the marina can operate 24 hours, 7 days a week.

There is nothing in the proposed development to address this issue.

5) Navigation of the Bay

"Wally's Wharf" which is a public wharf located at the entrance to Dolans Bay, has a very high usage by boat users especially during the summer months. The proposed development would mean many more boats coming in and out of the bay and would severely impact on access to this wharf, restricting its use as well as creating navigational safety issues.

Many paddle skis, kayaks, canoes and small boat users currently use the bay for their recreation. Mobility and safety for these users will be severely impacted and restricted around the shore line of the bay.

6) Restriction of access to private waterfront properties

Access to private jetties/pontoons and boatsheds on the eastern and western side of Dolan's Bay will be significantly restricted.

With the movement of 53 more boat berths in and out of the proposed marina, there will also be more wash and noise which will impact on all bay users.

Signed:



..... Date

20 SEP 2011

I do not want my name to be available to the proponent, these authorities or on the department's website.

I have no reportable political donations to declare.

Major Projects Assessment
Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

Attention: **Scott Schimanski**

APPLICANT:

DOLANS BAY MARINA EXPANSION (MP10-0017)

FROM:



Planning & Infrastructure

22 SEP 2011

DEVELOPMENT ASSESSMENT AND
SYSTEMS PERFORMANCE
RECEIVED

STATEMENT:

**I OBJECT TO THIS PROJECT PROPOSAL FOR THE
FOLLOWING REASONS:**

1) Proposed Size and Scale of Marina Expansion

The existing marina at Dolans Bay is already in proportion to the size of the Bay and currently meets the demands of boat berthing and mooring.

The increase in size (by 53 berths) or 280% of our public waterway is extreme. There is nothing in the proposal to benefit local residents or the community; it is purely for the commercial and financial gain of the proponent.

It is unacceptable that a private individual can monopolise such a large amount of public waterway.

Current use of Dolans Bay will be restricted. It will be difficult for kayakers, canoers and small boat users to safely manoeuvre around the bay. The bay will become a thoroughfare for large boat owners using the marina and the marina itself will create large 'boat car park', detracting from the current natural beauty and quality of the Bay.

2) Ecology of the Bay

Already water quality in Dolans Bay is fragile and impacted by rubbish, petrol and oil from boats and run off from streets following storms. Every effort should be made to keep our water ways clean. Water quality for marine life will deteriorate even further with the increased concentration of boats, their movement in and out of the proposed expanded marina as well as associated exhaust pollutants and bilge water.

It is also of concern, that there is no sewerage pump out facility at the marina for boat sewerage waste; it would be assumed that this would be a critical requirement for a marina of this size to avoid polluting the bay

Any structure, the size and proportions of the proposed marina will impact on the natural tidal flow and flushing of Dolans Bay, impacting on the health of the bay and marine life.

More marina berths mean more boats and more slipway servicing activity affecting water quality in the bay. The existing marina's past environmental compliance has been extremely poor with legal action taken by Council for slipway environmental issues. This shows a total lack of concern for our Bay and the environment by the marina owners.

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Service vehicles such as fuel deliveries, marine servicing vehicles garbage trucks will also impact on noise, parking and road safety.

There are currently 10 available parking spaces at the marina but it is noted that not one additional parking space is included in the proposal to meet the needs of the additional 53 new berths. The marina proposal is totally dependant on street parking which is already at a premium in the area. This cannot be acceptable when compared to off-street parking requirements for all other developments within the shire.

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4) Noise

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The marina is located in a quiet residential area and small enclosed bay and increased noise and activity resulting from the increase in usage will greatly impact on the bay and the surrounding community especially as the marina can operate 24 hours, 7 days a week.

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Signed:



Date 20 Sep 2011

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I have no reportable political donations to declare.