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REC.
HW
6/2/12.
TO Stuart
Willington
DELIVERED BY HAND

6th February 2012

Cameron Sargent
A/Director
Metropolitan and Regional Projects North
NSW Planning & Infrastructure
Bridge Street Office
23-33 Bridge Street
SYDNEY 2000

Attn Marek Holin

Dolans Bay Marina Project (MP10_0017) Response to Submissions

We refer to your letter 9th January 2012 and are now pleased to provide our response to submissions.

Submissions from Community

In order to effectively reply to resident's responses we have categorised each letter based on the key issues raised. This is set out in the attached Summary table where each submission has been cross referenced to common issues.

The bulk of submissions are from waterfront residents. The Department will be aware that waterfront properties in Dolans Bay are on steep blocks with houses set well back on from the waters edge due to the foreshore building lines imposed by Council. As such most properties sit high above the waterway with views across the bay and are therefore more removed from the marina than would be otherwise.

Many of the boat owners on the Marina are from outside of the Sutherland Shire and come from less privileged backgrounds, the marina provides an essential function of allowing these people and the public in general access to the Port Hacking waterway by facilitating services to the waterway users for everyone to enjoy.

Port Hacking, relative to other waterways, has very limited both public and private waterway access and facilities to support use of the Port Hacking waterways. As mentioned by one of the submissions car parking at Wallys wharf is sometimes up to 2 miles from the wharf. This application to extend the marina is a once in a generation opportunity to ensure that the broader community has facilities to support use and enjoyment of the Port Hacking Waterway. Port Hacking should not be a waterway whose use is restricted to the few, who can afford multi-million dollar waterfront homes but allowed to be experienced and utilised by all.

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To further enhance the public enjoyment of the waterway which is currently very limited, we see marinas playing an essential role in reinforcing the accessibility of the foreshore by providing public services such as toilets and cafes and waterway access.

We ask that the Department when reviewing the submissions below consider that the majority of submissions are from residents who have privileged access to the waterways whereas in our view the Department should give more weight to the vast majority of the community who cannot enjoy the waterways without the facilitation by marinas.

The following deals specifically with each of the issues raised by residents:-

1. Traffic and Parking

A common complaint made was there is insufficient parking and extension will cause further traffic congestion. All of these submissions are not based on any expert evidence and are totally broad brush and anecdotal.

We believe the Department however should not rely upon anecdotal ad hoc evidence but should instead have greater regard to the expert traffic report included in our application. This report was undertaken by an expert and based on facts.

By way of anecdotal input we could equally provide submission like the enclosed two photographs taken at 12.27 on Saturday 4th February 2012, showing no car parking outside the marina. This was a sunny Saturday with 24 degrees.

2. General Objection to Expansion of the Marina

A large number of submissions made general comments not supporting the extension of the marina and referred to the "greed" of the applicant and the extension being beneficial only to the marina operator. Without responding to this specific allegation we would like to comment broadly as follows. The current marina size is not economical as set out in the application. Both today and in the future marinas need to be large enough both to allow a reasonable return but also to allow ongoing investment to offer the public the services required. These include safety and emergency services; this means we need qualified staff, fire fighting equipment, tow boats, water pumps, first aid facilities, slips and environmental systems. All of these facilities cost money and need to be constantly invested in as the salt water environment is highly corrosive. Equally more and more effort has gone into investment to protect the ecology. A good example is that when boats are sinking it's the marina that gets called out, puts in place procedures to protect spillage and attempts to save the boats. We cannot recall being provided with any assistance from residents. Nearly all of these emergency calls get made from people out on the water or on moorings. We cannot recall such calls from boats on the marina as boats are constantly inspected and immediate steps can be taken to prevent an incident rather than react to an incident.

We note that Sutherland Shire Leader newspaper recently ran a poll on the extension with the majority of the community supporting the extension.

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3. Limit the Use of the Waterways

A large number of submissions suggested that the extension to the marina will limit the use of the waterway for boating, fishing and kayaking. We have provided (attached) a Google map of Dolans Bay setting out firstly the current marina and mooring locations. The current coverage of waterways amounts to 14,660sq meters (current marina approx 3000sqm and current moorings 11,600sqm, based on average 13m swing).

In addition we have provided (attached) a Google map of Dolans Bay and removed the moorings to be surrendered and overlayed the proposed extension to the marina. The proposed coverage of the waterway is 8600sq meters (current marina 3000sqm and proposed extension 5600sqm).

Accordingly the proposed extension to the marina will result in approx reduction in area covered from 14,660sqm to 8600sqm or a increase in open waterway of **6060sqm**. This is consistent with all marina research which corroborates that marina are much more efficient use of the waterways vs. swing moorings.

In addition we have undertaken video surveillance of the marina and proposed extension over the early December 2011 holiday period below. We have viewed the video footage for the period and dates set out as below and have indicated the boating activity that would be impacted by the extension to the marina.

ACTIVITY OF NON MARINA RELATED BOATS IN AREA OF PROPOSED MARINA EXTENSION

December 2011	T 8	F 9	S 10	S 11	M 12	T 13	W 14	T 15	F 16	TOTAL
Boats	x	x	3	4	x	x	x	x	1	8
Kayaks	x	x	x	1	x	x	x	1	x	2
Fishing	x	x	x	x	x	x	x	x	x	0
TOTAL	0	0	3	5	0	0	0	1	1	10

In summary during this peak period of 10 days only 8 boats would have been effected, no fishing whatsoever and 2 kayaks. This is in effect 1 boat/kayak per day during peak period. In addition should the extension be approved these boats and kayaks would now have access to an additional 6060 sq meters of waterway.

4. Noise

The number of comments in relation to noise where quite significant given that a number of the submissions were made by residents who do not live directly on the waterfront. Most comments were broad based and not based on any expert evidence or facts.

The applicant believes the Department should rely upon the experts report submitted by the applicant based on factual recorded evidence. We do not understand why a boat berthed at a marina would be any noisier than a boat on a mooring.

5. Visual Impact

Once again a large number of submissions were made about visual impact. As indicated above the very steep topology of Dolans Bay and foreshore building line means that properties look over and across the bay. In addition moorings will be surrendered opening up the waterway. Conscious of this issue the applicant, at the request of the Department, retained a leading expert on visual impact and included in its application a detailed visual impact report. The applicant submits the Department should rely up such report. The applicant notes that many of the submission are not from Waterfront owners who would have any view impacted by the proposed extension. As with the current marina all night lights are specifically designed so that they shine down and illuminate the marina in soft light.

6. Environmental Concerns

We note a number of broad based comments regarding being concerned about the environment. As marina operators we are equally concerned about the ecology. We have been constantly adopting leading best practice. Dolans Bay Marina has been the leader in Clean Australia Day providing the marina as a co-ordination facility for the day. Rubbish collected is then taken to our rubbish bins at the top of the property and disposed of. For boats on the marina and our moorings we provide for rubbish collection. We constantly witness boats not on our mooring dropping rubbish into the sea of simply throwing rubbish onto the marina wharf usually after dark. We have over the years constantly collected this rubbish. We have tabled with the Department a detailed EMP setting out our procedures. The marina has received many awards for community service as included in our application. The marina is equipped with a range of systems to proactively look after the environment. These facilities are not provided by waterfront owners on Port Hacking nor by private mooring holders. A good example is one of the private mooring holders whose boat started burning on his mooring. His boat burnt to the waterline causing pollution. We sought to help the owner who refused and left his dangerous and polluting boat in the water for several weeks. We would never have allowed this to happen with a boat on our marina. Firstly the fire would have been extinguished with the fire equipment on the marina and secondly the boat would have been immediately put on the slips. We also note that the current slips have a state of the art environmental system installed. The applicant will, as part of the extension, ensure there is a pump out facility for boats. The applicant is conscious that environmental systems will need to be constantly upgraded and once again an extension to the marina is needed so this ongoing investment can be supported at the highest level. It should be noted that a number of waterfront owners have slipways that have no environmental protection whatsoever.

7. Boat Sewerage

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A number of submissions were made concerning boat sewerage. Clearly the extended marina will include sewerage pump out facilities. In addition when on the marina boat have access to toilets and showers at the marina whereas on private mooring boats do not have such access.

8. Navigation Concerns

A number of submissions were made regarding navigation concerns. The applicant believes navigation advice should be left to Maritime who are the experts in this area. As Marina operators for 30 years and the author holding a Master 5 we would comment that in our view the extension of the marina shall be positive from a navigation perspective. This can be seen in the attached Google maps.

In addition our experience is that moorings are much more of a navigation risk than marinas. The fixed nature of a marina deters illegal speeding jet skis whereas moorings provide jet skiers with a course to weave between at high speeds. As speeding boats dart around mooring visibility maybe restricted. This does not apply to marinas that are fixed structures.

9. Wash from Boats and Boating Traffic

A number of submissions mentioned an increase in wave action and an increase in boat traffic. Dolans Bay is a 4 knots speed restricted area such that boats do not create any wave action unless they are illegally speeding. Our experience is that the current marina actually dampens wave action caused by winds or storms. The extension to the marina will in this sense have a further positive effective of dampening wave action. Increased boating traffic should be considered by the Department as positive in that this is ensuring the community is using and enjoying the waterways.

10. Waterfront Property Access

The marina extension has been specifically designed to project into the centre and deepest part of the bay allowing all waterfront residents with free access to their properties.

11. Emergency Services and Fire Fighting and Fuel Bowsers

A number of submissions suggest that the Marinas existing fire fighting equipment is not adequate. To the contrary, the marina fully complies with all current fire fighting requirements and will be upgraded as required by regulations arising from any extension to the marina.

In addition the older style fuel bowsers shall be upgraded by the applicant with new state of the art bowsers as part of the extension.

The applicant would like to note that for the past 20 years we have provided, free of charge, berthing facilities and support to the Coast Guards as part of our contribution to emergency services. We are committed to providing facilities to support the use and enjoyment of our waterways but also to ensure emergency services are available when needed.

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Letter from The Department of Primary Industries dated 22nd September 2011

The applicant is in the process of providing a response to issues raised by the Department.

Letter from Como Marina

This submission clearly supports the applicants position that marinas provide a more efficient method of berthing boats than moorings; leaving more of the waterway available for everyone to enjoy. In addition we strongly support the submission that most boat owners are hard working members of the community who may not be able to afford multi-million dollar properties but have worked hard to afford a boat that allows them, their families and friends the ability to use the waterway.

Finally, we refer to our telephone discussion with you on 27th January, 2012 and would appreciate an opportunity to discuss our application once you have considered our response to submission as set out above.

Yours Sincerely



Harry/David Standen



SUMMARY OF RESIDENT SUBMISSION RE: DOLANS BAY MARINA

	Birdsall 730 Port Hacking Rd	Black Cronulla	Cassidy Dolans Bay	Hardwick	x Dolan s Bay	x Dolans Bay	Talbot Wooloo ware	Levett Dolans Bay
General Objection to Expansion of Marina	√				√			
Traffic & Parking		√	√		√	√	√	√
Visual Impact		√	√	√	√	√		
Noise		√	√		√			
Limit Use of Waterways		√	√	√	√	√	√	
Navigation Concerns		√	√	√	√			
Boat Sewerage/slip use		√					√	
Wave Wash/Traffic				√				
Environmental Concerns		√			√	√		√
Fuel Delivery System					√			
Emergency Services								
Waterfront Property Access							√	

	McGrath Caringba h	Petrides	x 12/09/2011	x 12/09/2011	Black	Dolans Bay Residents Action Group	Cordin Caringb ah	Lennow and Condin Caringbah
General Objection to Expansion of Marina	√	√	√	√	√		√	
Traffic & Parking	√	√	√	√	√		√	√
Visual Impact	√	√	√	√	√		√	
Noise		√	√	√	√	√		
Limit Use of Waterways	√	√			√	√	√	√
Navigation Concerns					√	√		
Boat Sewerage/slip use		√			√			√
Wave Wash/Traffic			√	√			√	
Environmental Concerns		√			√		√	
Fuel Delivery System								
Emergency Services					√			
Waterfront Property Access						√		

	H. Cordin Caringba h	Monahan Caringba h	x	Hatcher Dolans Bay	Oliver Caring bah	Cotis	x	x
General Objection to Expansion of Marina	√	√	√	√	√	√	√	√
Traffic & Parking	√	√	√	√		√	√	
Visual Impact	√		√			√	√	
Noise			√				√	
Limit Use of Waterways			√	√	√	√	√	√
Navigation Concerns			√				√	
Boat Sewerage/slip use								√
Wave Wash/Traffic								
Environmental Concerns	√	√	√			√		
Fuel Delivery System								
Emergency Services								
Waterfront Property Access				√				

SUMMARY OF RESIDENT SUBMISSION RE: DOLANS BAY MARINA

	x	Norman Dolans Bay	Metman Centennial Park	x	x	Bielby Dolans Bay	x	x Dolans Bay
General Objection to Expansion of Marina		√		√		√	√	√
Traffic & Parking			√	√	√	√	√	√
Visual Impact		√		√				√
Noise	√		√	√	√			
Limit Use of Waterways						√		
Navigation Concerns				√				
Boat Sewerage/slip use	√				√			
Wave Wash/Traffic			√					
Environmental Concerns			√	√		√	√	
Fuel Delivery System								
Emergency Services								
Waterfront Property Access						√		

	x	x	Penn Cooyee	x	x	x	x	x
General Objection to Expansion of Marina	√	√	√	√		√	√	√
Traffic & Parking		√	√	√	√		√	√
Visual Impact	√					√	√	√
Noise		√		√				
Limit Use of Waterways		√	√	√	√	√		
Navigation Concerns		√		√				
Boat Sewerage/slip use	√	√	√			√		
Wave Wash/Traffic				√				
Environmental Concerns	√	√			√		√	
Fuel Delivery System					√			
Emergency Services								
Waterfront Property Access			√					

	x							TOTAL
General Objection to Expansion of Marina								28
Traffic & Parking	√							32
Visual Impact								22
Noise								16
Limit Use of Waterways								24
Navigation Concerns								11
Boat Sewerage/slip use								12
Wave Wash/Traffic								6
Environmental Concerns								19
Fuel Delivery System								2
Emergency Services								2
Waterfront Property Access								4







