

18 February 2019

Ms Michelle Niles
Senior Planner
Modifications Assessment
Department of Planning and Environment
Email: michelle.niles@planning.nsw.gov.au
cc. Anthony.Witherdin@planning.nsw.gov.au

**Comment on Modification Request – Shell Cove Boat Harbour and Marina
(DA95/133 MOD 8)**

Dear Michelle

Thank you for the opportunity to make a submission on the above modification application.

Shellharbour City Council (Council) is a partner with Frasers in the development of Shell Cove.

The following submission has been prepared by Council officers responsible for land use planning and has not been adopted by Council.

The modification application does not adequately address in detail the SEARS requirements set out for the Public Domain and Open Space section of the Outer Harbour 75W – Modification Report which include:

Public Domain / Open Space		
<ul style="list-style-type: none">• Address any changes to public domain, pedestrian linkages, street activation and landscaping;• Demonstrate that public access to the harbour foreshore will be maintained; and• Minimise the potential for vehicle, bicycle and pedestrian conflicts.	Section 5.2.3	Attachment C

The only response to this SEARS requirement is a paragraph in italic below and one map (attachment C) showing the public access path.

5.2.3 Public Domain and Open Space

The proposed relocation of the approved outer harbour structures will not impact the public domain and open space surrounding the boat harbour.

*As illustrated in **Figure 3**, the outer harbour structures will connect with the open space edge surrounding the boat harbour.*

Safe access to and along the foreshore surrounding the boat harbour will be maintained.

This is considered inadequate for assessment purposes. The proponent should be requested to submit appropriate detail to address the SEARS. Additionally an overall plan comparing the existing approved layout to that proposed should be submitted.

The need for these three points to be adequately addressed is reinforced by the fact that both sets of endorsed urban design guidelines (UDGs) for precinct A contain the following provision in italic:

Design of conflict points between the harbour perimeter pedestrian path and boat related activities

There are areas where the harbour perimeter pedestrian path intersects with the boat launching facility and activities related to the boat storage/maintenance facility, such as the travel lift. These have the potential for conflict between users of the path and users of these facilities. In the design of these areas consideration must be given to the forecast frequency and times that:

- *boat related activities will intersect the pedestrian path; and*
- *the pedestrian path will be used.*

Design of this area must account for this forecast and ensure all user groups have safe and reasonable access to the respective facilities.

The precinct A UDGs attached to the modification application are not the signed endorsed version. Further, as an environmental assessment requirement of the concept approval it is inappropriate for UDGs to form part of any approval.

Should you have any enquiries, please contact myself on telephone (02) 4221 6246.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoff Hoynes', with a long, sweeping horizontal stroke extending to the right.

Geoff Hoynes
Group Manager City Planning