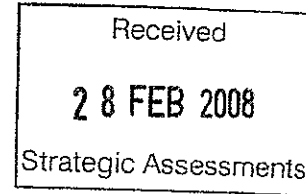
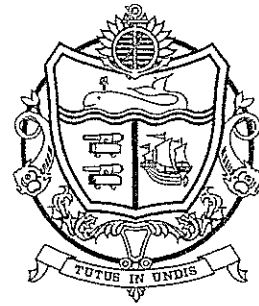


MOSMAN MUNICIPAL COUNCIL

Sarah Winnacott

22 February 2008

NSW Department of Planning
Att. Ann-Maree Carruthers
Email: ann-maree.carruthers@planning.nsw.gov.au
GPO Box 39
Sydney NSW 2000



Dear Madam

Re: Proposed upgrade and Expansion of the d'Albora Marina, The Spit, Mosman

The following is a response to your correspondence dated 7 February 2008 wherein you requested that Council provide input to the Director General's requirements for the proposed upgrade and expansion of the d'Albora Marina proposed by Macquarie Leisure Operations Limited.

Council questions why the application is being considered under Part 3A of the Environmental Planning and Assessment Act given that the use is long established and permitted.

Council considers that key to the environmental assessment of the proposal will be:

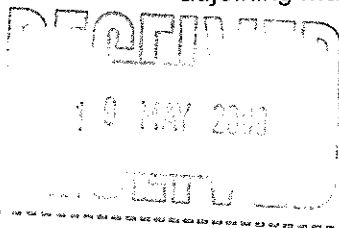
- **Traffic, access and parking**

Careful consideration should be given to traffic, access and parking associated with the proposed development. No on-site parking is proposed and the proposal does not appear to allow for the forward movement of service/delivery vehicles. No evidence is provided of how traffic, access and parking will be managed.

The addition of a further entry to Spit Road is contrary to strategies of Council and the RTA to have access to the Spit Reserves limited to the traffic signals at the intersection of Spit and Parriwi Roads. The proposal would add an additional entry/egress to an already highly congested section of road.

The site is currently constrained in relation to traffic, access and parking. The arterial road location, the narrow driveway between Spit Road and the site, poor sight lines and inability for large vehicles to turn and exit in a forward direction and the conflict of vehicles with pedestrians and cyclists make the existing situation problematic.

Given the scale and nature of the proposal current standards relating to vehicular access and manoeuvring should be mandated so the safety and efficient use of the adjoining main road is not prejudiced.



Mosman IS community

It is Council's position that the redevelopment of the existing marina should resolve issues of access, preferably within the site boundaries.

- **Traffic management during construction**

Consideration should be given to traffic management during construction should any proposal proceed.

- **Loss of public open space**

The driveway and turning circle proposed to the south of the marina is on Crown land currently reserved for public recreation and currently used extensively for that purpose. The land is zoned 6(a) public recreation under Mosman LEP. The plans incorrectly identify this land as a reserve for parking. Parking is permitted in the zone but only where it is ancillary to another permissible use. Being on another parcel of land this would not apply.

The location of these works on this land will diminish the quality of public open space near the foreshore. This is not consistent with SREP (Sydney Harbour Catchment) 2005.

The driveway and turning circle proposed to the south of the marina does not appear sufficient in size to accommodate large rigid body trucks. Such trucks have typically been used in the past to deliver fuel to the site.

The applicant in its submission indicates it would be willing to enter into a planning agreement to facilitate improvements in Spit Reserve. Council does not consider that the parking/access area would constitute improvements for the purpose of the Reserve.

- **Foreshore pedestrian access**

Whether the proposal maintains and improves public access to and along the foreshore is an issue. Drawing No. DA02 Issue C does not identify unobstructed public access along the foreshore.

SREP (Sydney Harbour Catchment) 2005 requires that development should maintain and improve public access to and along the foreshore and identifies the undesirability of boardwalks as a means of access across or along land below the mean high water mark.

Council considers this an opportunity to link The Spit Reserve with Ellery Park specifically given the unsafe and less appealing route via The Spit Road frontage. Such access could also tie in with Council's foreshore pathway project which involves a combined cycleway pathway adjacent to the foreshore in The Spit Reserve.

- **Biodiversity, ecology and environmental protection**

Consideration should be given to the impact of the proposed development on biodiversity, ecology and environmental protection.

- **Maintenance of a working harbour**

SREP (Sydney Harbour Catchment) 2005 requires that foreshore sites should be retained so as to preserve the character and functions of a working harbour.

Consideration should be given to whether an increase in land based facilities unrelated to marine activities is appropriate. A major component of the additions appears to be related to commercial office space/restaurant. Consideration should be given to whether this is appropriate and commensurate with the remainder of the proposed development.

- **Character**

Consideration should be given to the compliance of the proposed development with the desired character of the area and the appropriateness of the height proposed.

SREP (Sydney Harbour Catchment) 2005 requires that commercial water-dependent development be allowed but only where it is demonstrated that it results in a visual outcome that harmonises with the planned character of the locality.

SREP (Sydney Harbour Catchment) 2005 also requires that the scale and size of development are appropriate to the locality.

- **Intensification of use**

The appropriateness of an intensification of a marina facility. The facility is located on the western side of the Spit Bridge. The provision of additional berthing areas must be assessed having regard to its likely impact on the use of the Reserve and the potential for increased traffic and access conflicts with the adjoining Spit Road.

SREP (Sydney Harbour Catchment) 2005 requires that development on foreshore land should minimise excessive congestion of traffic in the waterways.

- **Noise and amenity impacts**

Noise and amenity impacts resulting from the intensification of use, including the outdoor dining associated with the restaurant.

- **Alterations and additions**

The plans provided are unclear in terms of the extent to which the existing building is being altered or built anew. Generally, any plans submitted for exhibition should be of a more appropriate scale and with greater detail (e.g. survey levels) to enable clear understanding of the proposal.

- **Impact on trees within Spit Reserve**

The proposal will impact on the trees located within The Spit Reserve.

- **Acid sulfate soils and contamination**

Appropriate investigation should be undertaken in relation to acid sulfate soils, site contamination and the use of hazardous materials (fuel).

- **Accessibility**

Disabled access should be provided in accordance with the relevant Australian Standard.

- **Signage**
Consideration should be given to the appropriateness of any signage proposed.
- **Heritage**
The statement in the Preliminary Environmental Assessment at page 14 that the proposed works will not be visible from the Spit Bridge is incorrect. Spit Bridge is a State Heritage Item and the relationship should be properly investigated.

Please do not hesitate to contact Sarah Winnacott should you have any questions in relation to the above.

Yours faithfully,

V H R MAY
GENERAL MANAGER

Per:



(Sarah Winnacott, Executive Town Planner)