

Stephanie Van Disse

To: Hugh Williams
Subject: RE: Proposed Marina - Lot 519 DP729020

From: Hugh Williams
Sent: Wednesday, 24 August 2011 12:25 PM
To: Stephanie Van Disse
Subject: FW: Proposed Marina - Lot 519 DP729020

Steph

The effect of the advice from Rick is that currently Crown Land does not have any legal water and sewer service and that upon creation of a new lot, application would be required under S305 of the Water Management Act for the Water Authority's Formal requirements for the servicing of the site. If the site creating the dock were to be consolidated with the existing lot, the process would be the same.

Accordingly, the requirements for servicing the site will not be known until application under S305 is made which will not be assessed by the Water Authority until a Development Consent is issued (see attached from Gosford City Council). The usual mechanism used in this regard is a Condition of Development Consent requiring a S307 Certificate of Compliance from the Water Authority prior to the issue of SC or OC whichever appropriate. Post Development Approval, the water and wastewater servicing will be investigated as required by the Water Management Act.

The fact that the advice below suggests that there is no water or sewer available is not a statement that such services cannot be made available, more that there has been no investigation from the Authority into their requirements for such service nor will any investigation be undertaken until Development Consent is issued and application made pursuant to S305.

In summary, we have consulted with the Water Authority in relation to the servicing of the subject development and their advice is that the process for determining the requirements for servicing the development would be investigated post any development consent, under the Water Management Act.

Regards,

Hugh Williams
Senior Civil Engineer
ADW Johnson - Central Coast Office

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From: Rick Brocklehurst [mailto:Rick.Brocklehurst@gosford.nsw.gov.au]
Sent: Wednesday, 6 July 2011 2:24 PM
To: Hugh Williams
Cc: Graham Masters; Pam McCann; Robert Eyre; Alan Ford
Subject: Proposed Marina - Lot 519 DP729020

Hugh, The difficulty you are going to experience relates to the description of the land to which the application for a floating dock (marina) applies. Based on previous advice it would appear you are proposing to utilise water and sewer services from lot 519 DP 729020 however the application will not refer to this lot but crown waterways. Should you propose to identify the land as a separate lease to lot 519 (keeping in mind a lease in excess of five years requires a lot and DP), the answer is there is no water or sewer available to the site. Conditions for connection may include undertaking a systems capacity analysis, construction of water and sewer infrastructure to service the site, augmentation of downstream works (if feasible or required), and payment of water and sewer contributions, fees and charges. The actual requirements will depend on what is submitted for consideration. Similarly, should you consolidate the floating dock (marina) site with lot 519, conditions would not vary that much from those indicated above. The provision of fire supply may be an issue as neither site fronts a water main. The Central Coast Water Corporation will issue conditions / levy charges under Section 306 / 307 of the Water Management Act.

Rick Brocklehurst

W&S Asset Development Officer | Asset Management & Planning

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From: Hugh Williams [mailto:hughw@adwjohnson.com.au]

Sent: Wednesday, 6 July 2011 12:40 PM

To: Rick Brocklehurst

Cc: Stephanie Van Disse

Subject: FW: Proposed Marina - Lot 519 DP729020

Hi Rick

Stephanie has asked me to have a look at this from a W&S perspective. I think I have all of the previous correspondence however if I go over old ground a bit I apologise.

The proposal as it stands under Part 3A is for a floating dock structure to be attached to the existing jetty adjacent to the existing restaurant and office facilities approved under separate application. The dock is not proposed to have any wastewater pump out facilities for watercraft proposed as part of this application. Consent is being sought for some minor rearrangement of the carparking facilities to accommodate the watercraft car traffic however there is no proposal to increase the number of wastewater fixtures within the building or as part of the development more generally. Essentially the design fixture demands remain unchanged from a wastewater perspective. Accordingly we are of the opinion that the pump rate for the existing private pump would not require increasing if it were previously designed and approved in accordance with the fixture loading requirements of AS3500 and as such would not increase loads to councils system. In relation to the water demands and increase draw from the existing system, the proposal is currently for fire fighting elevated hydrants and we would see your advice on how to progress resolution of this matter.

In terms of titling, there has been an exchange of correspondence between ourselves and LPMA regarding the revisiting of the leasing arrangements. The gist of these discussions is that the lease will be modified once and if development consent for the floating dock is granted. Operationally, this would mean the dock and existing development would operate under one Crown Lease with that lease to be entered into post development consent of the dock.

In terms of the status of the original conditional approval for the private pump out, we are not privy to this and would seek your advice in this regard noting our comments above regarding water and wastewater demands for the site and the mechanism for approval ie Local Government Act or WMA.

In essence to progress the application through the 3A process, DoP has advised that we need to show correspondence with the water authority that they have been consulted as part of the other community consultation required. In view of the above, can you please advise the best way to progress this matter noting that any consent would require the gaining of a Compliance Certificate from the water authority prior to OC.

As an aside, in the new Central Coast Water Corporation paradigm, will the Water Management Act be the mechanism development is approved pursuant to or will there be a standalone act such as SWC and HWC?

Thanks Rick

Cheers
Hugh

Regards,

Hugh Williams
Senior Civil Engineer
ADW Johnson - Central Coast Office

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Stephanie Van Disse

To: Kristy Poole
Subject: RE: Marina on Lot 519 DP 729020

From: Kristy Poole [<mailto:Kristy.Poole@lpma.nsw.gov.au>]
Sent: Thursday, 7 July 2011 12:03 PM
To: Stephanie Van Disse
Cc: Adam Crampton
Subject: RE: Marina on Lot 519 DP 729020

Hi Stephanie,

Subject to final approval being provided by the Department of Planning for the proposed marina, your client will be required to arrange survey of the proposed new Lease footprint.

Whether the survey consolidates the entire area of occupation into 1 new Lot or just creates a separate lot for the additional area of occupation (that is the area outside of existing Lot 519) is up to your client to determine. It makes no difference to Crown Lands whether the Lease is issued over 1 lot or 2.

I am unsure what difference this makes to Council staff at this time? You are asking them to provide comment on a "proposal". The reason it is not yet included in the Lease and has not yet been surveyed is because it has not yet been approved and does not yet exist.

Please give me a call if you wish to discuss this further.

Regards

Kristy Poole Senior Property Management Officer
Crown Lands Division
NSW Department of Primary Industries
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From: Stephanie Van Disse [<mailto:stephaniev@adwjohanson.com.au>]
Sent: Thursday, 7 July 2011 11:20 AM
To: Kristy Poole
Cc: Hugh Williams
Subject: Marina on Lot 519 DP 729020

Hi Kristy –

I was hoping for another favour.

We have been dealing with Gosford Council with regards to water and sewer services to the proposed marina. We essentially need to know if they will have any issues with the proposed additional loading on the existing water and sewer infrastructure. They have a concern because we are asking for advice with regards to the marina which is not yet included within the existing lease (and therefore has no Lot or DP reference).

As I understand it (and as I have relayed to Council) a 25 year consolidated term Lease will be issued subject to development consent. What I need to know however is whether:

- a) The crown land for the marina will be subject to a new Lot no and therefore the lease will contain 2 lots; or
- b) The crown land for the marina will be subject to a new Lot no which will then be consolidated with the existing lot and creating a new Lot and DP reference; or
- c) The crown land for the marina will be simply be included into the existing Lot and DP.

Any advice you could offer on this matter would be appreciated.

Cheers

Stephanie Van Dissel
Planner.



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