

Local Planning Panel

22 February 2023

Application details

26-32 Pirrama Road, Pyrmont

D/2022/473

Applicant: Toga Development No 27 Pty Ltd

Owner: Maritime Authority of NSW

The Owners - Strata Plan No 69951

The Owners - Strata Plan No 69950

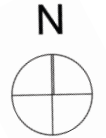
Proposal

Alterations and additions to the existing Jones Bay Wharf Marina, resulting in an additional 9 berths (from 31 to 40 vessels)

Recommendation

Approval subject to conditions

Site





east side of wharf viewed from Pirrama Road





west side of the wharf

Background

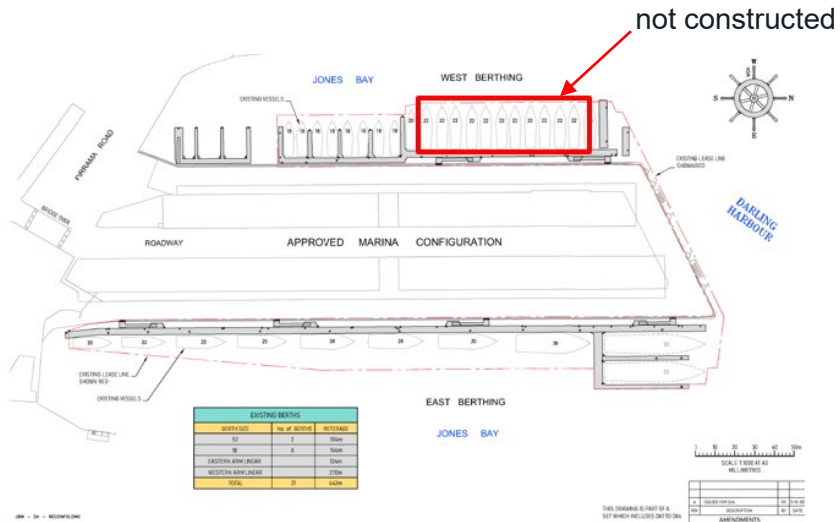
The proposal is:

- Designated Development (Schedule 3, Clause 32 of the EP&A Regs 2021)
- Integrated Development (Fisheries Management Act 1994 & Water Management Act 2000)
 - Department of Planning and Environment (Water) advised the works are exempt
 - Department of Primary Industries – Fisheries provided GTA's

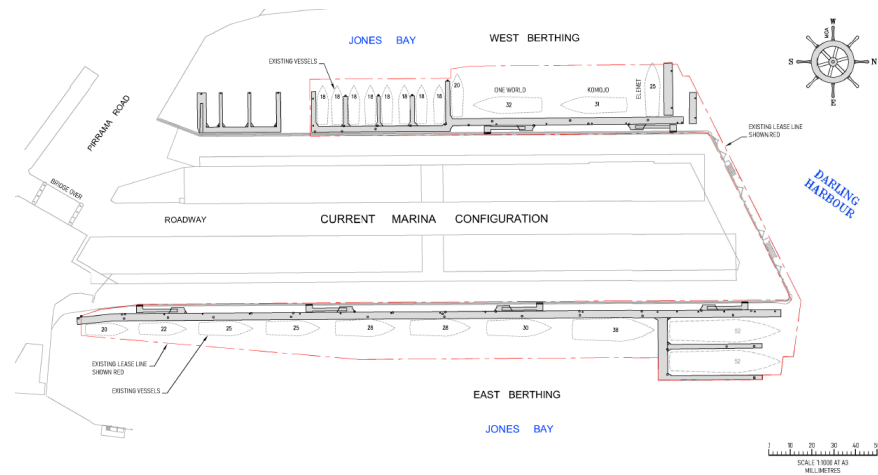
Previous approvals

- 16 September 2003 – consent granted for construction of the marina containing commercial and private moorings
- 30 September 2011 – Planning Assessment Commission approved the expansion of the marina for 31 vessels (not all have been constructed)

Previous approvals



2011 approval



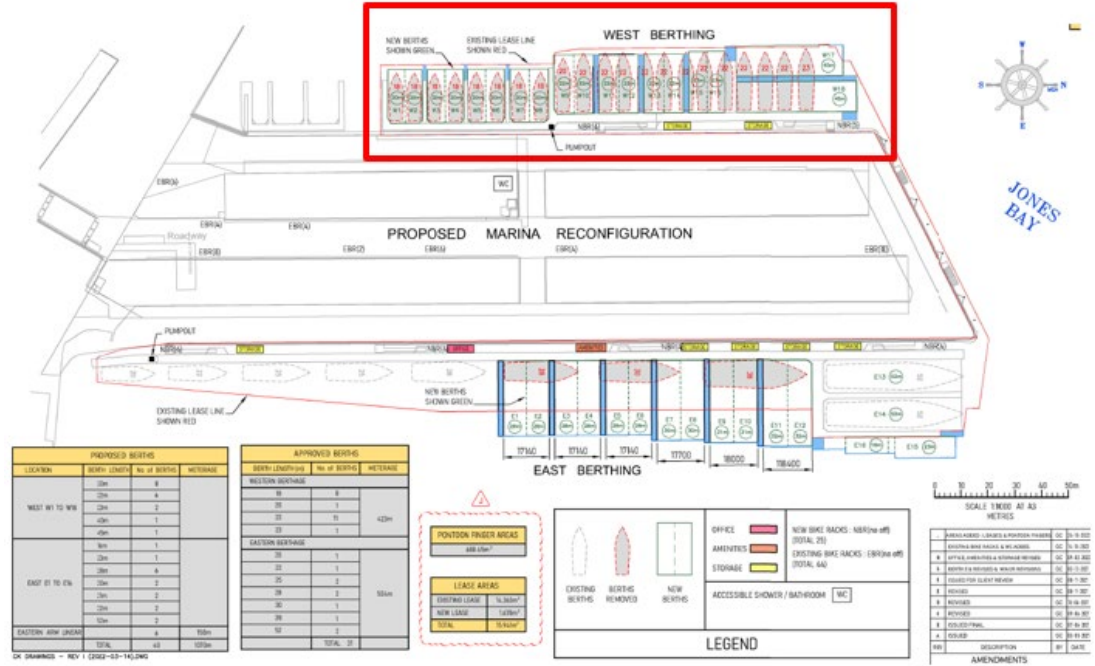
current layout



Proposal

Western side of wharf

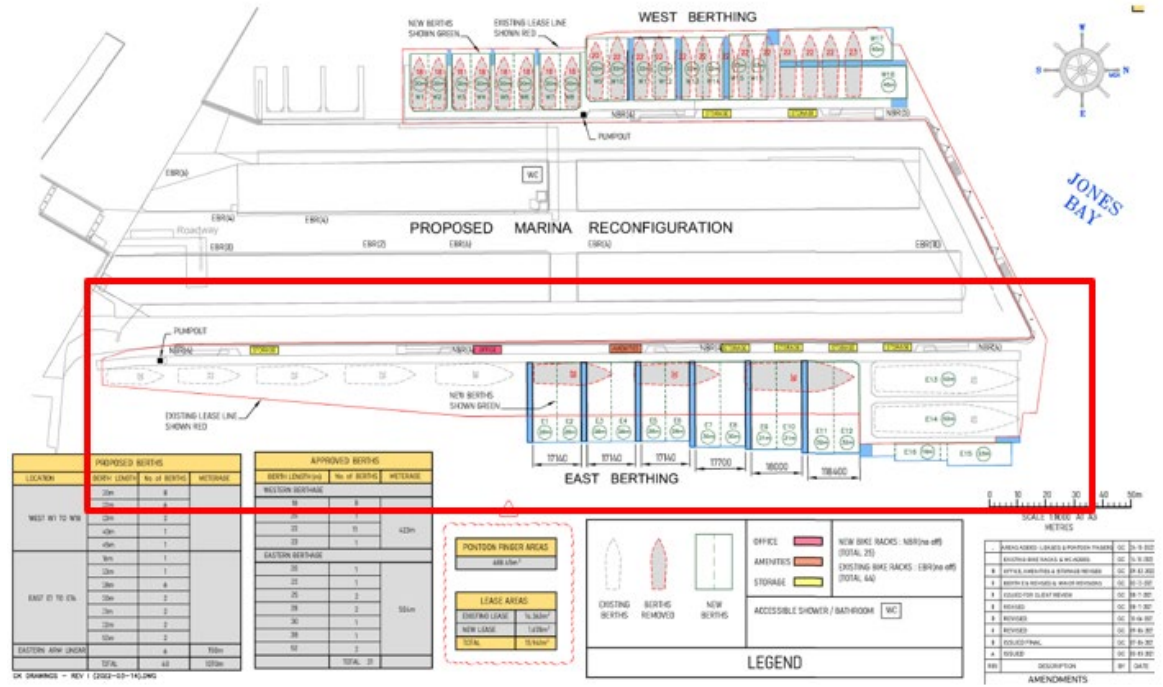
- Reconfiguration of the approved 21 berths to provide 18 berths
- Construction of two new ancillary floating structures

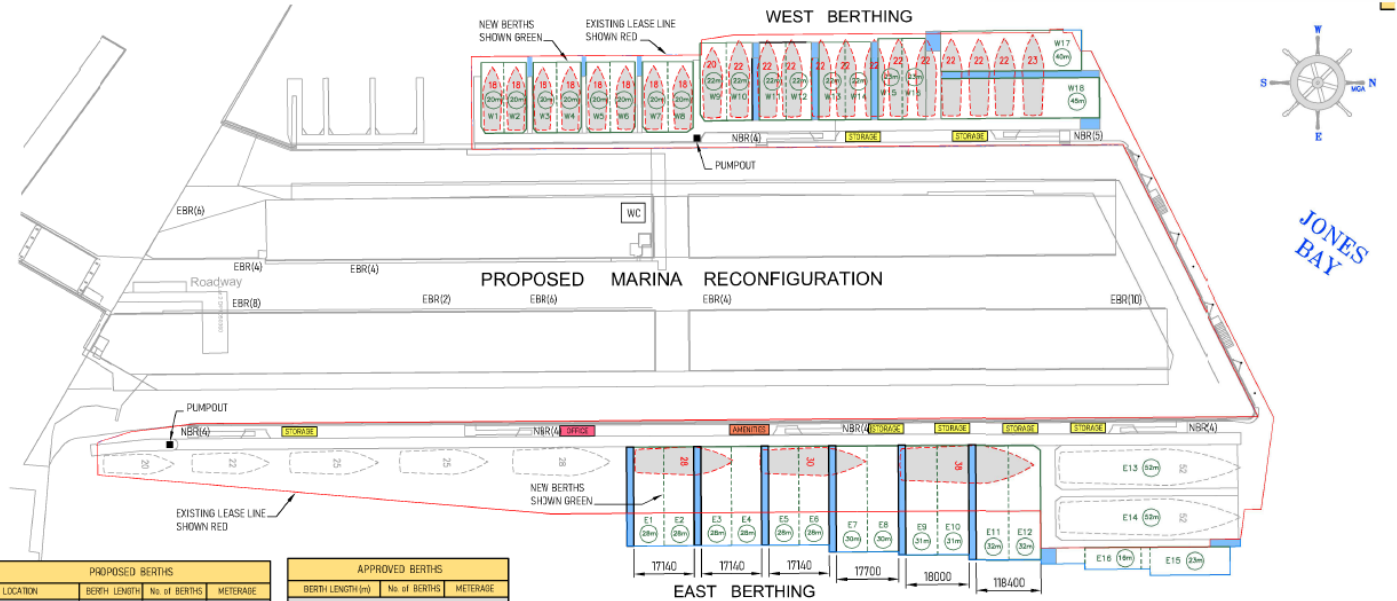


Proposal

Eastern side of wharf

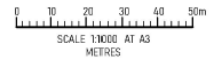
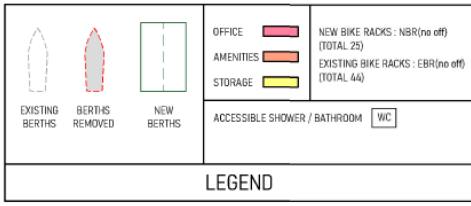
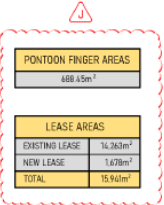
- 12 new perpendicular berths
- Retention of two parallel berths and two new smaller berths at the northern end
- 7 floating ancillary structures





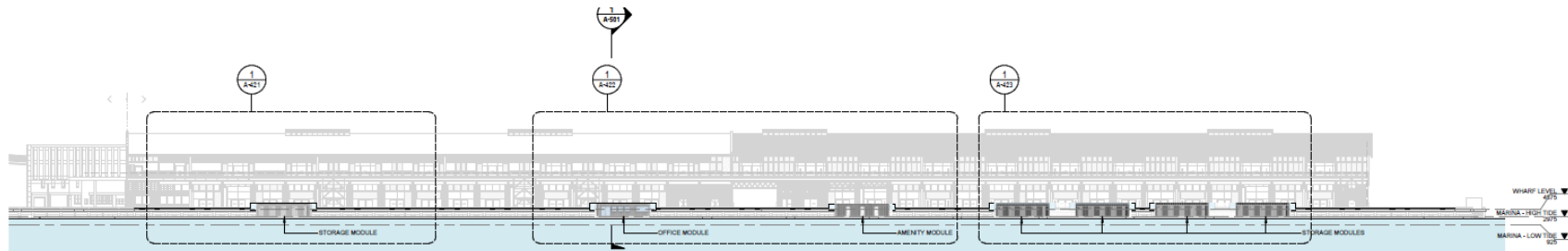
| PROPOSED BERTHS | | | |
|--------------------|--------------|--------------|----------|
| LOCATION | BERTH LENGTH | No of BERTHS | METERAGE |
| WEST W1 TO W18 | 20m | 8 | |
| | 22m | 6 | |
| | 23m | 2 | |
| | 40m | 1 | |
| | 45m | 1 | |
| EAST E1 TO E16 | 30m | 1 | |
| | 23m | 1 | |
| | 28m | 6 | |
| | 30m | 2 | |
| | 27m | 2 | |
| | 28m | 2 | |
| EASTERN ARM LINEAR | 50m | 6 | 150m |
| | TOTAL | 40 | 1070m |

| APPROVED BERTHS | | | | | |
|-------------------------|--------------|----------|--|--|--|
| BERTH LENGTH (m) | No of BERTHS | METERAGE | | | |
| WESTERN BERTHAGE | | | | | |
| 18 | 8 | 423m | | | |
| 20 | 1 | | | | |
| 22 | 11 | | | | |
| 23 | 1 | | | | |
| 23 | 1 | | | | |
| EASTERN BERTHAGE | | | | | |
| 20 | 1 | 504m | | | |
| 22 | 1 | | | | |
| 25 | 2 | | | | |
| 28 | 2 | | | | |
| 30 | 1 | | | | |
| 38 | 1 | | | | |
| 52 | 2 | | | | |
| TOTAL | 31 | | | | |



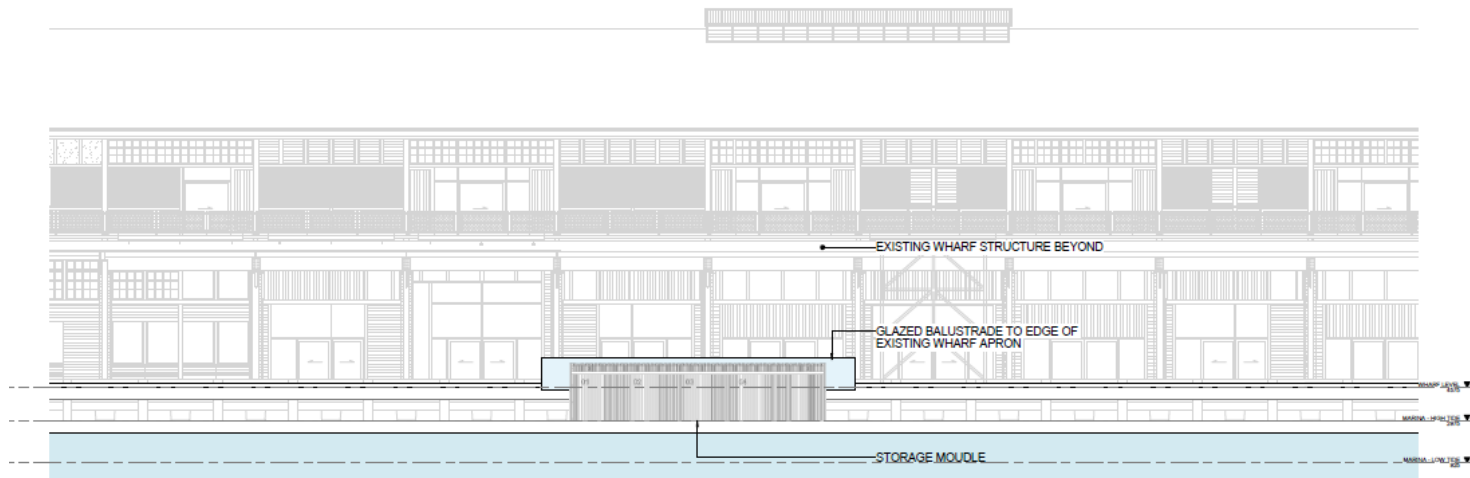
| REV | DESCRIPTION | BY | DATE |
|-----|-----------------------------------------|----|------------|
| 1 | AREAS ADDED - LEASES & PONTOON FINGERES | OC | 16-10-2022 |
| 2 | EXISTING BIKE RACKS & WC ADDED | OC | 14-10-2022 |
| 3 | OFFICE, AMENITIES & STORAGE REVISED | OC | 04-02-2022 |
| 4 | BERTH E16 REVISED & MINOR REVISIONS | OC | 02-12-2021 |
| 5 | ISSUED FOR CLIENT REVIEW | OC | 04-11-2021 |
| 6 | REVISED | OC | 04-11-2021 |
| 7 | REVISED | OC | 10-08-2021 |
| 8 | REVISED | OC | 09-06-2021 |
| 9 | ISSUED FINAL | OC | 07-06-2021 |
| A | ISSUED | OC | 03-01-2021 |

DK DRAWINGS - REV 1 (2022-03-14).DWG

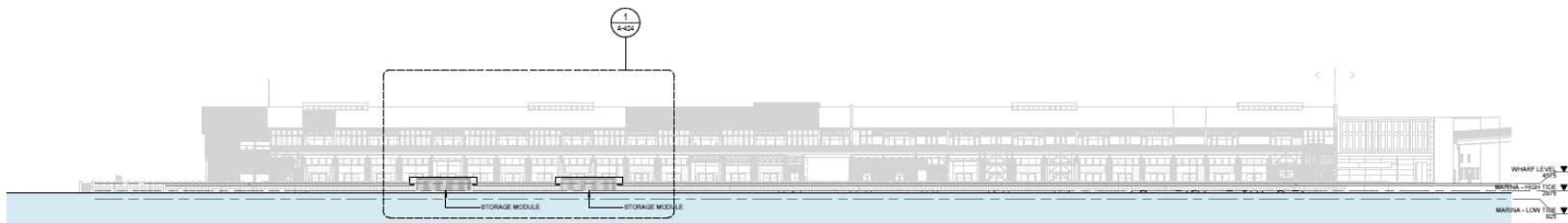


OVERALL ELEVATION - EAST
1: 500

east elevation



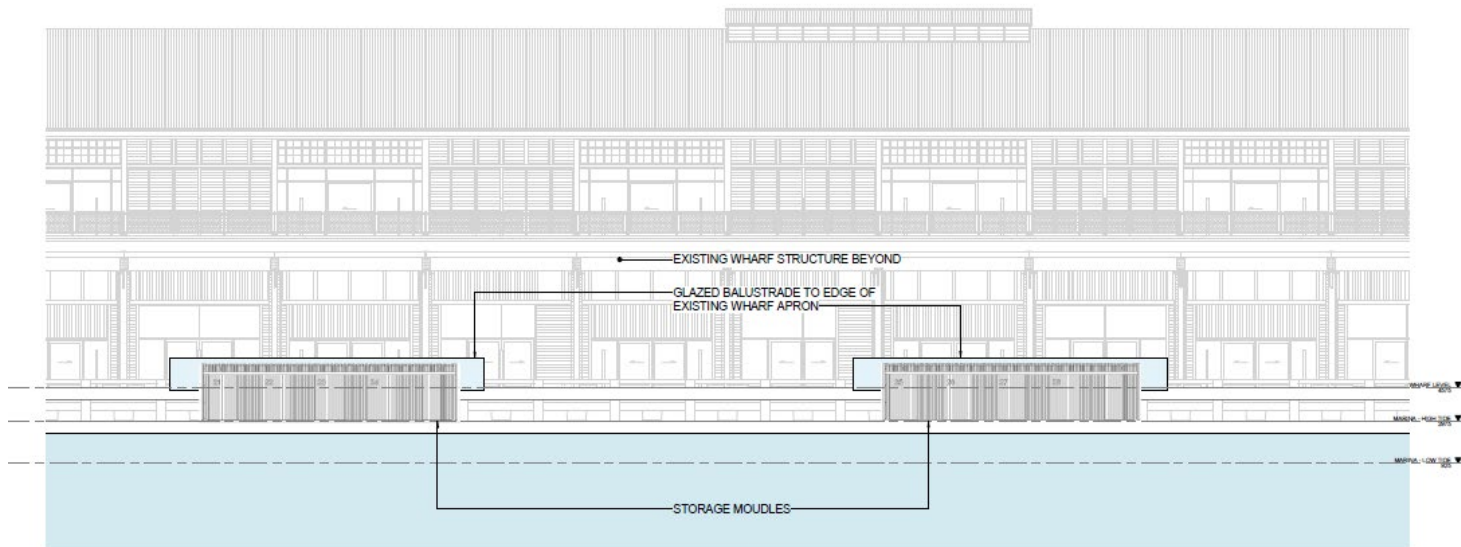
eastern elevation (example storage structure)



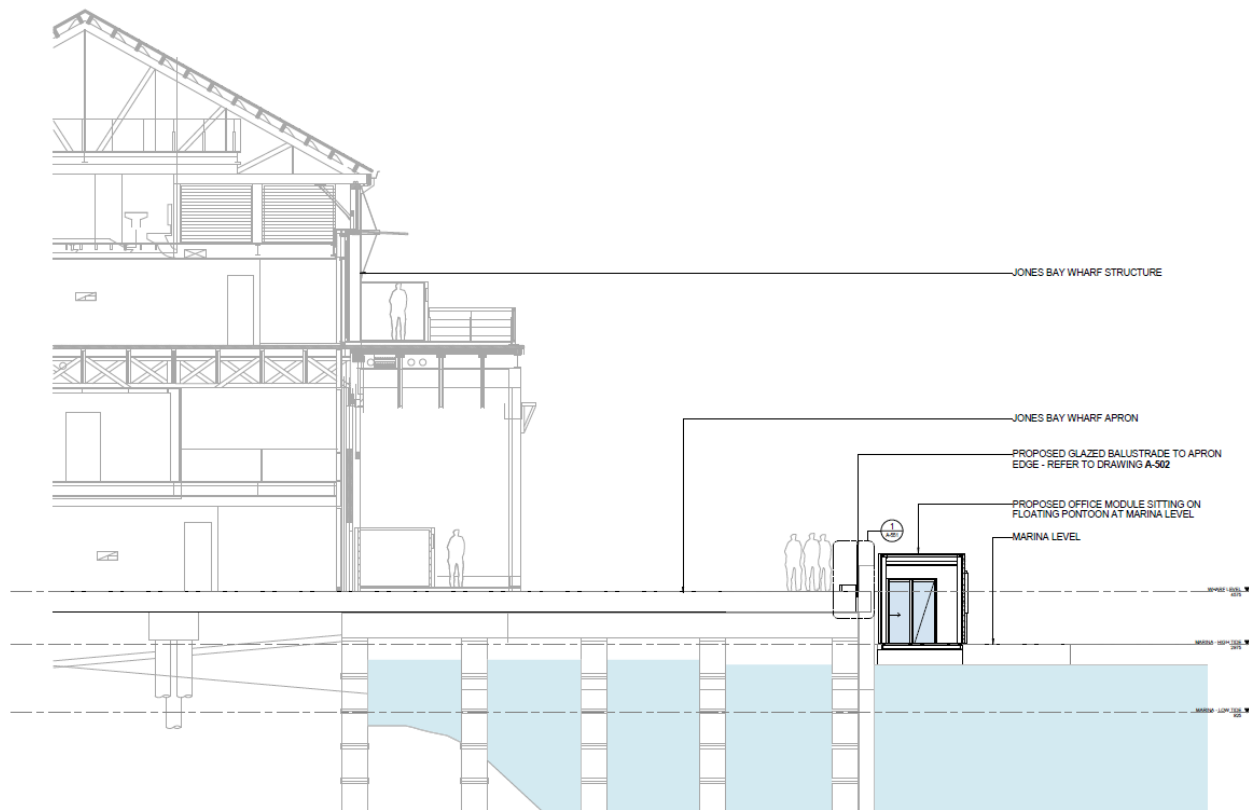
OVERALL ELEVATION - WEST

1 : 500

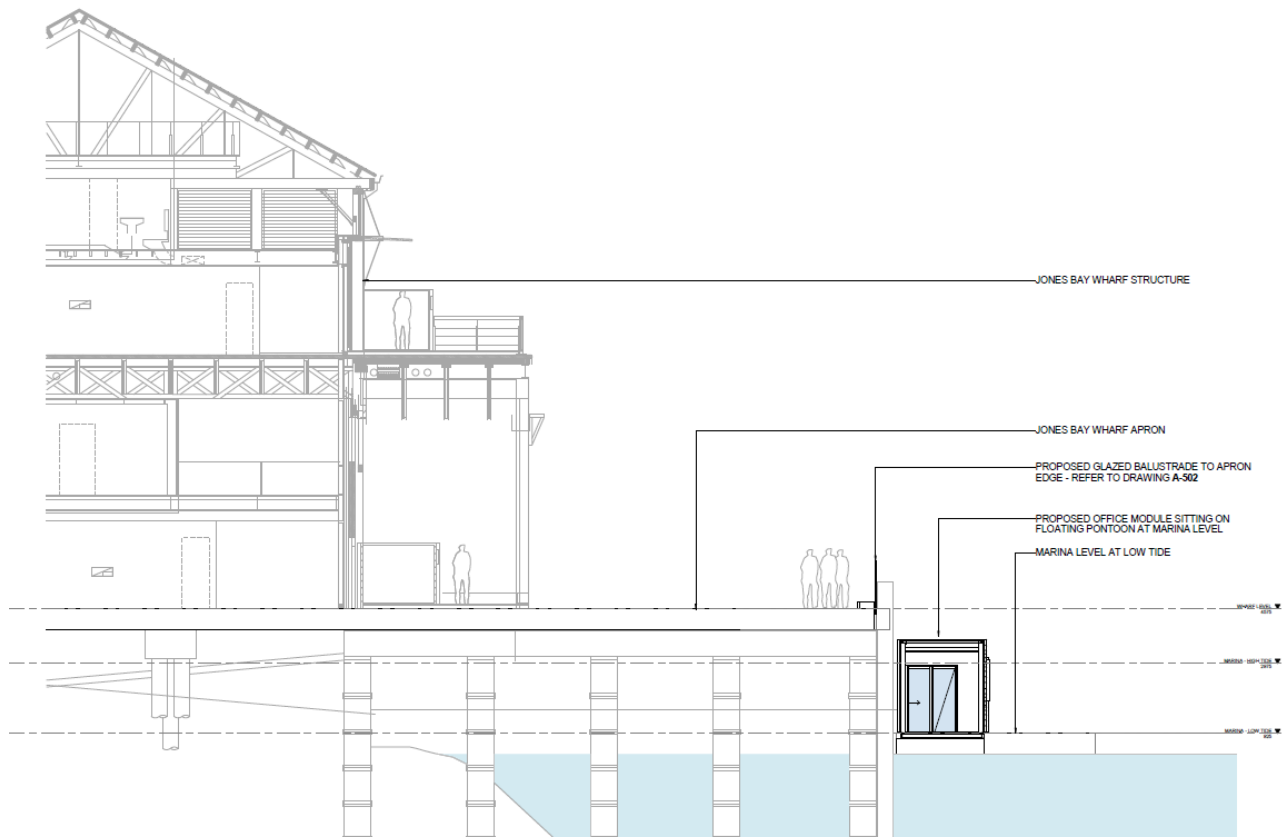
west elevation



west elevation (example storage structure)



section (high tide)

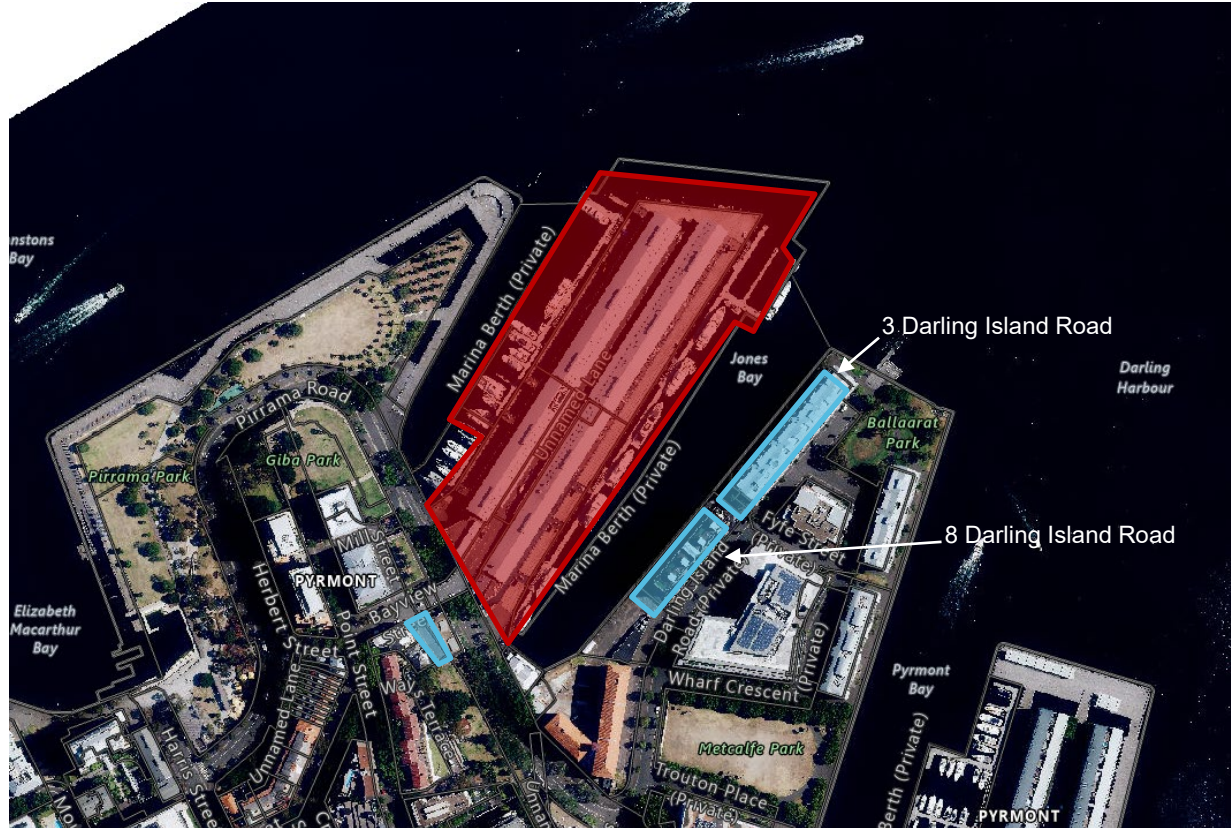




section (low tide)

Notification

- exhibition period 2 June 2022 to 1 July 2022
- 729 owners and occupiers notified
- 42 submissions received - 24 in objection and 18 in support

Submissions



-  subject site
-  submitters

Submissions

- acoustic impacts
- visual impacts
- traffic and parking
- heritage
- privacy
- odour and air pollution
- light spill
- boat traffic
- hours of operation
- need for the proposal
- Plan of Management

Compliance with key controls

Water based component

SEPP (Biodiversity and Conservation) 2021 – Chapter 6 Water Catchments

- Zone 1 – Maritime Waters
- proposal permissible and satisfies objectives & provisions of the SEPP

Land based component

SLEP 2012

- B3 – Commercial Core zone
- proposal permissible

Issues

- Heritage
- Ecology
- Traffic and transport
- Hours of operation
- Acoustic impacts
- Visual impacts
- Plan of Management

Heritage

- Local heritage item - 'Jones Bay Wharf (Wharf 60, Berths 19-20) including wharf, sea wall, sheds and interiors, lower and elevated road and industrial artefacts' (I1249)
- proposal will have acceptable heritage impact
- site is an existing berthing facility and is consistent with traditional role of ships docking adjacent wharf

Ecology

- Estuarine Ecology Assessment submitted
- Report concludes that the proposal will not result in unacceptable ecological impacts over time
- Council's Ecology Specialist supports the findings of the report

Traffic and transport

- Parking – no additional parking proposed
- Existing nearby public car park can accommodate any additional demand
- Bike parking – 25 new spaces proposed

Hours of operation

- Existing hours – 7.00am to 12.00 midnight
- Plan of Management proposes:

| Activity | Hours of operation |
|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1. General hours of operation, including the delivery of materials and supplies to and from the site | 7.00am to 12.00 midnight, Mondays to Sundays |
| 2. Marina office hours | 8.00am to 5.00pm, Mondays to Sundays |
| 3. Use of power tools such as grinders and sanders (only for minor repairs) | 8.00am to 5.00pm Mondays to Fridays 8.00am to 12.00 midday on Saturdays No work on Sundays |
| 4. Vessels accessing marina berths | 24 hours, Mondays to Sundays |

Hours of operation

- 24/7 access for boats is not reflected in previous approvals
- Proposed condition recommends limiting hours to 7.00am to 12.00 midnight

Acoustic impacts

Construction noise

- Acoustic report shows exceedances
- Construction noise is to be addressed by standard construction/noise conditions

Operational noise

- Acoustic report finds day/ evening times will comply
- Any exceedances at night time will be negligible given ambient noise levels

Acoustic impacts

Recommended conditions of consent:

- Comply with NSW EPA noise criteria
- Limit hours of operation to 7.00am to 12.00 midnight
- Prohibit music/ speakers outdoors
- Comply with Construction Environmental Management Plan
- Prohibit embarking and disembarking of passengers

Visual impacts



visual impact assessment considers view impacts from various locations in public domain

Visual impacts



existing



proposed

assessment concludes marginal change to views to the site as existing boats already partly obscure the side elevations

Plan of Management

Plan of Management recommended to be updated to address:

- hours of operation
- prohibit embarking/ disembarking of passengers

Recommendation

approval subject to conditions