

Our Ref: M190009

18 September 2020

Northern Beaches Council
PO Box 82
MANLY NSW 1655

Attention: Anne-Marie Young

RESPONSE TO ISSUES - DA2020/0514
ALTERATIONS AND ADDITIONS TO MANLY BOATSHED, 1B BOLINGBROKE PARADE, FAIRLIGHT

We act on behalf of Manly Boatshed Pty Ltd, who submitted a development application for alterations and additions to Manly Boatshed, located at 1B Bolingbroke Parade, Fairlight.

This submission is in response to the letter from Northern Beaches Council dated 3 September 2020 which states that particular issues have been identified that need to be addressed to allow Council to support the proposal. A response to the matters raised is provided below.

1. INTRODUCTION

Manly Boatshed management has recognised the concerns raised by both Northern Beaches Council and the community, in particular regarding the size and scale of the proposed kiosk. As a result of these concerns, management has decided to decrease both the size and scale of the proposed kiosk from its original form as submitted in DA2020/0514.

The indoor kiosk area (including indoor seating area) is reduced to 35.6m², which is less than the 55m² GFA for kiosks in Clause 5.4(6) of MLEP 2013. Outdoor seating for use by the kiosk is restricted to 19.4m², which in combination with the internal area equates to 55m².

The kiosk is an ancillary use to the primary activities and operations of Manly Boatshed which comprise the provision of boat storage / commercial moorings, dry passive craft storage, shipwright / boat repairs and amenities for boat and passive craft users and visitors. The size of the kiosk represents only 12% of the total indoor gross floor area (290.1m²).

In addition to the reduction in size of the kiosk, the following amendments have been made to the proposal in response to the matters raised by Council and public submissions received:

- Kiosk opening time changed from 5am to 6am;
- 12 new bicycle parking spaces added to deck area;
- Priority access to kayak storage facilities to residents that live within 3km radius of Manly Boatshed and can walk or ride to access their kayaks; and
- A green travel plan is to be prepared and implemented to include appropriate measures to encourage active transport modes.

Further detail on these amendments is provided in this submission.

In terms of the environmental impact of the proposal, further information is provided in this submission on existing versus proposed facilities and operation. This clearly demonstrates that the proposal will result in improved environmental outcomes on the site, particularly with the removal of slipway operations which provides a significant reduction in environmental impact.



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Need for the Development & Net Community Benefit

The proposed alterations and additions to Manly Boatshed will provide social, economic and environmental benefits for the local community, LGA and State.

There is a desperate need for kayak storage in the Manly LGA, and Northern Beaches Council has not been able to meet the significant demand for kayak storage, noting the following:

- Little Manly is the only storage available south of Narrabeen Lakes, and has a 10-year waitlist of 100 people and Council are not accepting new applications for the waitlist. Anecdotal evidence is that many locals would prefer facilities on Sydney Harbour over the Narrabeen facility.
- A storage area for approximately 30 kayaks at the old Manly Aquarium site was closed to local kayakers approximately one year ago and most of these kayaks are now stored at Manly Boatshed.
- There are no other kayak storage facilities in the Fairlight or wider area.
- Manly Boatshed has had to refuse more than 40 requests for kayak storage just this year due to capacity.
- The move towards high density living in the LGA means there is limited ability to store kayaks at home.

Council's *Pittwater Waterways Strategy* notes that “boat storage space requirements in the region is predicted to increase by 2068 spaces” - a significant increase which will place further strain on the existing undersupply of storage. The *Pittwater Waterways Strategy* includes particular strategies for the provision of storage options suitable for small recreational water vessels to address demand (Theme 4), and to improve public access to the waterway and foreshore (Theme 5). Whilst this Strategy does not cover the Fairlight area, it demonstrates the issues that are occurring across the LGA. A comparable strategy has not yet been undertaken for the Manly / Sydney Harbour area.

A letter of support from Paddle Australia (provided at **Attachment 1**), identifies that the development of new storage facilities for paddling is a key priority for Paddle Australia and paddling more broadly, articulated in the *Strategic Plan for Paddling in Australia* at Strategy 1.5, which recognises that one of the major barriers to participation in paddling is access: people are simply unable to find safe water entry combined with boat storage opportunities. Paddle Australia reference the undisputed health benefits, both physical and mental, provided by paddling and notes the increase in interest during COVID for people getting out on to the water. This is also reflected in the submission from the Boating Industry Association (received during public exhibition) which notes that “*Since Covid-19, kayaking and mountain biking industries have exploded due to the higher importance on mental health and well-being, lack of opportunity to travel and exercising locally.*”

Paddle Australia considers “*it is incumbent on Councils to assist in meeting the health and wellbeing needs of their communities. It is not necessarily feasible for Councils to provide all the facilities themselves, so the provision of these by the private sector should be welcomed where such developments can be carried out responsibly.*”

Council's “Our Council, Our Future” strategy from 2017 framed a discussion with the community about the services Council should prioritise over the subsequent three years in order to make progress towards the community's long term vision. The proposal aligns with the identified strategies which include leveraging off the locational advantage and promoting Northern Beaches as a ‘green and clean’ destination that offers lifestyle and excellent business opportunities; designing green developments that are good for people, stimulate social interaction and align with local character; and actively engaging the community in creative ways to reduce the risk of social isolation, loneliness and mental illness.

The proposal will assist in addressing some of the significant need for passive craft storage facilities. Additionally, the proposal will improve access to the foreshores and waterway for recreational users in accordance with policies including the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (Deemed SEPP).



2. TRANSPORT - PARKING

Issue Raised:

Council's letter states:

"The applicant has identified the following usage rate of the boat shed;

- 3.5 per day / 63 kayaks

Based on the above, the increase to 108 kayaks would suggest:

- $3.5/63 \times 108 = 6.1 \sim 7$ parking spaces.

The existing approval has permitted the equivalent of 4 spaces to be accommodated on-street. The new proposal requires an additional 3 spaces. No additional car parking has been provided and applicant has not demonstrated adequate parking provisions are available on-street to accommodate the increased over spill.

Council's Transport Unit do not supported in its current form based on parking concerns raised above."

Response:

A traffic statement has been provided by Traffix to address the identified issues (**Attachment 2**), which is summarised below with additional comment provided.

The kayak storage spaces (63 existing) attract an average of 3.5 customers per day, not parking spaces, as assumed by Council. Application of this rate to the proposed 108 kayak storage spaces equates to six (6) customers per day, not seven (7) as calculated by Council. This equates to an additional two (2) kayak customers per day over current conditions. Approximately 25% of customers walk or ride to the site to use the facilities, therefore the potential demand for parking is five (5) car parking spaces (75% of 6) - a potential increase of demand for only two (2) spaces over current conditions. The traffic statement identifies that a review of aerial photography over multiple days indicates there is spare capacity for two (2) parking spaces in the immediate area.

It is noted that Northern Beaches Council has officially designated the foot of Bolingbroke Parade as a preferred area for parking for the Spit to Manly Walk (on the "Hello Manly" website, map extract below), with signs located around the Manly LGA clearly showing this parking. On that basis, it can be assumed that there are no significant parking availability issues in the area given it is advertised for use by tourists/visitors.



Figure 1. “Hello Manly” website map showing parking availability at the foot of Bolingbroke Parade

The following points are noted in regards to car parking demand:

- For those kayakers that drive, they visit Manly Boatshed predominantly from dawn, when residents' carparks are already occupied, and therefore kayak customers find the remaining car parks. Therefore, they are generally not competing with residents for car parking.
- Retired customers use the facilities at off-peak times.
- Typical kayak usage times are at 6am and at 10am.
- The predominant demand for parking is during work hours. Peak kayaking time does not coincide with weekday evening peak or Saturday lunchtime peak times when demand for on-street parking is highest.
- There has been a significant increase in the number of kayakers walking or biking or using other non-car modes of travel such as motorised scooters, as further discussed below.

The above demonstrates that there is unlikely to be a significant increase in parking demand and/or adverse impacts in terms of parking associated with the proposed kayak storage facilities.

Active Transport

The assumption of 25% of customers walking or riding to the site is conservative. Operational experience of Manly Boatshed indicates that an increasing number of kayakers walk or ride bikes to their stored craft as part of their warm up, and fewer are travelling by car. Particularly since COVID, it is estimated that approximately 50% of kayak customers arrive on foot, bicycle or other non-car modes of travel such as motorised scooters.

Regular and professional kayakers and passive craft groups / facilities have confirmed Manly Boatshed's experience with the increasing use of bicycles, as outlined in the letters of support provided at **Attachment 1**.

If kayak storage is not provided, kayakers will be forced to store kayaks on the roof of their cars and will need to park cars along the waterfront in order to use their craft. If kayak storage is provided, kayakers are able to walk or ride to the facility and is likely to decrease demand for car parking.

Based on the feedback received from Council and from public submissions, the applicant is committed to further promoting the use of active transport modes (biking and walking), which will ensure that car parking demand is reduced. The following measures are to be implemented:



- 12 new bicycle storage spaces to be provided on the decking area (amended plan at **Attachment 3**);
- Priority access to kayak storage facilities to residents that live within 3km radius of Manly Boatshed and can walk or ride to access their kayaks; and
- A green travel plan is to be prepared and implemented to include the above and a full range of other appropriate measures to encourage active transport modes. Communication of the green travel policy will be made to all customers through existing formal communication channels, via signage and verbally.

It is noted that the expanded amenities included in the proposal will allow for convenient facilities for those biking or walking to the site.

3. HEALTH

Issue Raised:

Council's letter states:

"Council's Environmental Health Unit have requested the additional information to address the following:

-Type of food (including drink/alcohol) and service to be provided from the " kiosk" (which appears to be potentially more of a cafe/restaurant type operation) any cooking and/or table service. Confirm total customer seating to be provided as it appears for approximately 70 at a minimum.

-Management of windblown; litter, serviettes, cigarettes, packaging and the like on any part of the structure located directly over the water (seating 50).

- Method of cleaning the deck area without use of detergent or other chemicals that may fall into the waterway.

- Is any grease trap, macerator or other equipment to be installed to pump to sewer or is a gravity access point available.

- Is disposal of solid and or liquid waste from boats moored or docked proposed

- How is noise from customers parking in neighbouring residential streets as a result of this development and increased patronage and 5am opening hours is to be addressed.

- Please clarify exactly what services are to be provided from 5 am on site.

- Please clarify the frequency of waste services collection and hours proposed for collection from the whole site.

- Please provide details of the use of the "paint store" that is proposed and any operations in regard to protection of the environment from these activities e.g. scraping and removal of old paint from boats.

- Please provide comment on any impact of new or replacement piers/piles on designated Class 5 Acid Sulfate Soil area."

Response:

A response to each of these points is provided in the following table.

Council comment	Response
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Type of food (including drink/alcohol) and service to be provided from the "kiosk" (which appears to be potentially more of a cafe/restaurant type operation) any cooking and/or table service. Confirm total customer seating to be provided as it appears for approximately 70 at a minimum.

- The application seeks consent for a kiosk only. A "kiosk" is defined in the *Manly Local Environmental Plan 2013* as "premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like". This is quite distinct from a café or restaurant, which would require seeking consent for a "food and drink premises".
- The kiosk is a small-scale facility which will sell coffee, cold drinks and light refreshments (pre-packaged food, pastries and baked goods). It does not include a commercial kitchen i.e. there is no stove, oven, deep fryer, grease trap or extraction fan(s) - only warming facilities for small food items.
- No table service will be provided.
- No alcohol is to be served. There is no application for a liquor licence nor any intention to seek a licence. The proposal is for a kiosk, not a licensed café or restaurant.
- The seating areas shown on the submitted plans is primarily for the use of general Boatshed customers using the facilities, and is not intended for the sole use of the kiosk. However, in response to the concerns raised, amendments to the plans have been made (**Attachment 3**) to clarify the kiosk use, as further outlined in Section 4 of this response. The kiosk will be restricted to 35.6m² internal area (including seating) which is less than the 55m² GFA for kiosks in Clause 5.4(6) of *Manly Local Environmental Plan 2013*. An additional 19.4m² outdoor seating will be allocated to the kiosk, which in combination with the internal area equates to 55m².

Management of windblown; litter, serviettes, cigarettes, packaging and the like on any part of the structure located directly over the water (seating 50).

- Manly Boatshed will continue to strictly implement their 'Waste Management Plan'.
 - A Kiosk Plan of Management (POM) which includes measures to minimise waste to the marine environment was submitted with the application. The POM includes a commitment to prepare and implement a policy of minimising plastic usage and maximising plastic waste containment.
 - Manly Boatshed will be closely supporting the NSW Government Plastic Strategy that is currently being developed by the EPA with the operation of the kiosk and intend to seek endorsement from Bye Bye Plastic (<https://byebyeplastic.org.au>) once operational.
 - No smoking will be permitted on-site due to existing fire precautions as per the management plan.
 - The area is subject to windblown and waterborne litter from other areas. Manly Boatshed clean up and will continue to clean up the surrounding area (foreshore and garden) at their expense as they are committed to ensuring the health and beauty of the surrounding environment is preserved.
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<i>Method of cleaning the deck area without use of detergent or other chemicals that may fall into the waterway.</i>	<ul style="list-style-type: none">• As part of the existing Boatshed management plan, no customers or staff are permitted to use chemicals/detergents to clean decking.• The deck area will be cleaned by high pressure water hose only. This is the same used to clean growth of the existing fixed jetty.• No chemicals will be used above water over unsealed flooring.
<i>Is any grease trap, macerator or other equipment to be installed to pump to sewer or is a gravity access point available.</i>	<ul style="list-style-type: none">• No grease trap will be installed.• The existing facility uses a sewerage pump to street level. No change to the existing equipment is proposed or necessary.
<i>Is disposal of solid and or liquid waste from boats moored or docked proposed</i>	<ul style="list-style-type: none">• The proposal has no change to the number of commercial mooring customers.• There is no pump-out facility proposed. Davis Marina in North Harbour provides a pump-out facility for the area.• Liquid waste such as oils, diesel are not permitted to be disposed of from Manly Boatshed. Liquid waste is disposed of by commercial mooring customers offsite.
<i>How is noise from customers parking in neighbouring residential streets as a result of this development and increased patronage and 5am opening hours is to be addressed.</i>	<ul style="list-style-type: none">• The additional parking demand is two (2) car parking space, and active transport modes are to be encouraged via the provision of 12 new bicycle parking spaces on the site, priority access to kayak storage facilities to residents that live within 3km radius of the site, and a green travel plan (as outlined in Section 2 of this response). Therefore, there will be minimal increase in demand for parking in neighbouring residential streets.• The acoustic assessment submitted with the application has identified the relevant noise criteria that applies, and that the proposed development can meet the applicable criteria.• Regardless, consideration of noise impacts associated with off-site / street parking is not required given there is no relevant legislation or policy that requires this and given there is no restriction to on-street parking it cannot be tied to a particular development for assessment purposes.
<i>Please clarify exactly what services are to be provided from 5 am on site.</i>	<ul style="list-style-type: none">• The application included hours of operation for the proposed kiosk starting from 5am. However, these hours have been reviewed and it is proposed to amend the kiosk opening time to 6am. Notwithstanding, the acoustic report submitted with the application identifies that the kiosk can operate prior to 7am provided doors and windows remain closed.• Members have existing access to passive craft storage 24 hours, however the earliest typical arrival time is 5am. The 24-hour access is the existing operations, and no amendment is included in the subject application.



<i>Please clarify the frequency of waste services collection and hours proposed for collection from the whole site.</i>	<ul style="list-style-type: none">Existing garbage collection of general waste, bottles, paper and cardboard is carried out under a commercial arrangement.As per the existing arrangement, waste services collection is once per week on a Tuesday (daylight hours).Waste is taken by Boatshed staff to the bottom of Bolingbroke Parade on a Monday afternoon (daylight hours).
<i>Please provide details of the use of the "paint store" that is proposed and any operations in regard to protection of the environment from these activities e.g. scraping and removal of old paint from boats.</i>	<ul style="list-style-type: none">There is no paint store proposed. The 'Paint Room' shown on the plans is on the <u>existing</u> ground floor plan, not the proposed ground floor plan.All slipway operations will be removed as part of the proposal - including scraping and removing of old paints from boats.
<i>Please provide comment on any impact of new or replacement piers/piles on designated Class 5 Acid Sulfate Soil area.</i>	<ul style="list-style-type: none">The proposed pylon repair work is located below the MHWM and will not involve excavation, dredging, filling, land contouring or extractions of soil or other material. Therefore, there is minimal impact.Clause 6.1 of Manly LEP 2013 includes requirements for acid sulfate soils, with reference to the relevant Acid Sulfate Soils Map. The portion of the site above MHWS is mapped as Class 5 acid sulfate soil (ASS). Clause 6.1 requires development consent for works in Class 5 ASS within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m AHD and by which the watertable is likely to be lowered below 1m AHD on adjacent Class 1, 2, 3 or 4 land. The proposed works will have no impact on the watertable and is not adjacent to any mapped Class 1, 2, 3 or 4 land.A detailed response is provided in the report prepared by Marine Pollution Research at Attachment 5.

4. KIOSK

Issue Raised:

Council's letter states:

"The application notes that the proposed kiosk is ancillary to the marina. Clause 5.4 of the Manly LEP specifies that "If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 55 square metres".

The total internal area of the kiosk, including the seating area measures 74sqm. An additional 63sqm of outdoor seating is proposed. Concern is raised regarding the scale of the kiosk which has a floor area and associated outdoor seating area consistent with a café restaurant use. Additional information is required to address this concern and consideration should be given to reducing the size of the facility which currently represents 30% of the internal ground floor."

Response:



It is noted that the kiosk is located in the 'W2 Environment Protection' zone under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*, and not within the RE1 zoned area of the site subject to *Manly Local Environmental Plan 2013* (MLEP 2013).

Noting the concerns raised by Council and via public submissions, amendments to the plans have been made to reduce the size of the kiosk. The kiosk will be restricted to 35.6m² internal area (including seating) which is less than the 55m² GFA for kiosks in Clause 5.4(6) of MLEP 2013. An additional 19.4m² outdoor seating will be allocated to the kiosk, which in combination with the internal area equates to 55m². This is illustrated in amended plans provided at **Attachment 3**, with an extract in Figure 2.

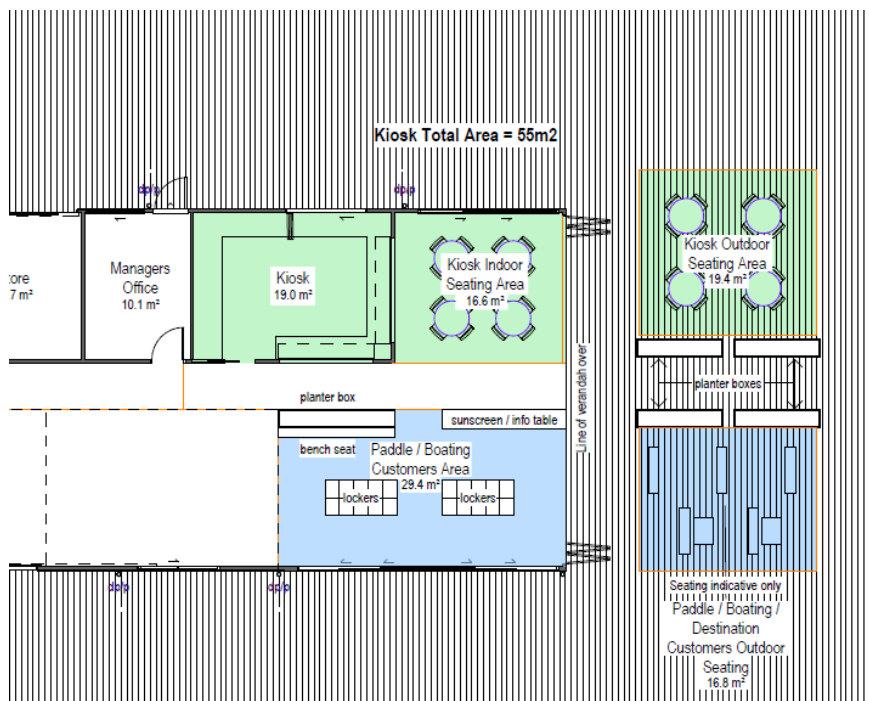


Figure 2. Amended kiosk area

The size of the kiosk represents only 12% of the total indoor gross floor area (35.6m² out of 290.1m²). The ancillary nature of the kiosk in terms of size is illustrated in Figure 3.

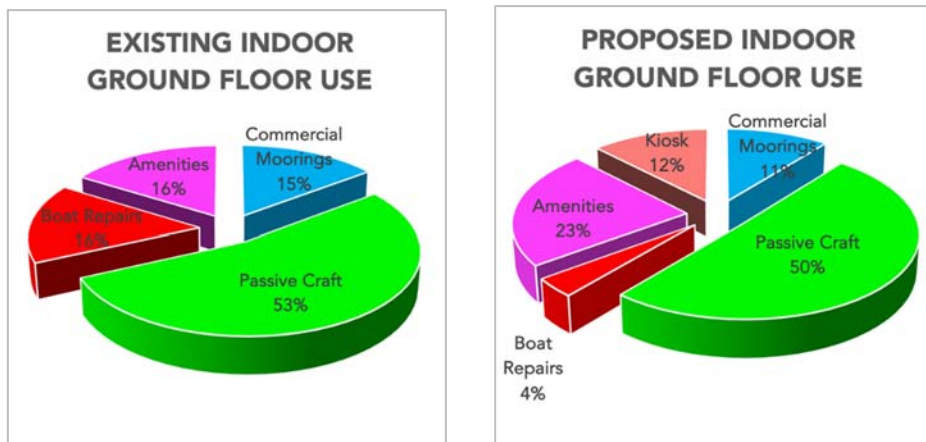


Figure 3. Kiosk as ancillary to primary activities and operation of the Manly Boatshed

The kiosk is an ancillary use to the Manly Boatshed. It is a small-scale facility which will sell coffee, cold drinks and light refreshments (pre-packaged food, pastries and baked goods). It does not include a commercial kitchen i.e. there is no stove, oven, deep fryer, grease trap or extraction fan(s) - only warming facilities for small food items.

By definition, “ancillary” means to provide necessary support to the primary activities or operation of an organisation, system etc. The primary activities and operations of the Manly Boatshed is to provide boat storage / commercial moorings, dry passive craft storage, shipwright / boat repairs and amenities for boat and passive craft users and visitors to allow for recreational use of the Harbour. The kiosk is subservient to this use, merely providing snacks and refreshments to users of the Boatshed facilities, i.e. mooring customers call in to and from their passage to North Harbour, customers of the boat repair facility enjoy a coffee before collecting their vessel, paddlers have coffee and a light snack after paddling. Each of these activities becomes more effective and user friendly if supported by a kiosk offering refreshments.

The area required in particular for kayak traffic flow to access the water, and including a 7m kayak turning circle required on the wash-down deck is shown in Figure 4. This demonstrates that the decking area is required to accommodate passive craft and could not be used by the kiosk as it would interfere and conflict with one of the prime activities of the Boatshed.

Accordingly, it is considered that an appropriate scale for the kiosk has been achieved in an ancillary and subservient role to the dominant permitted land use.

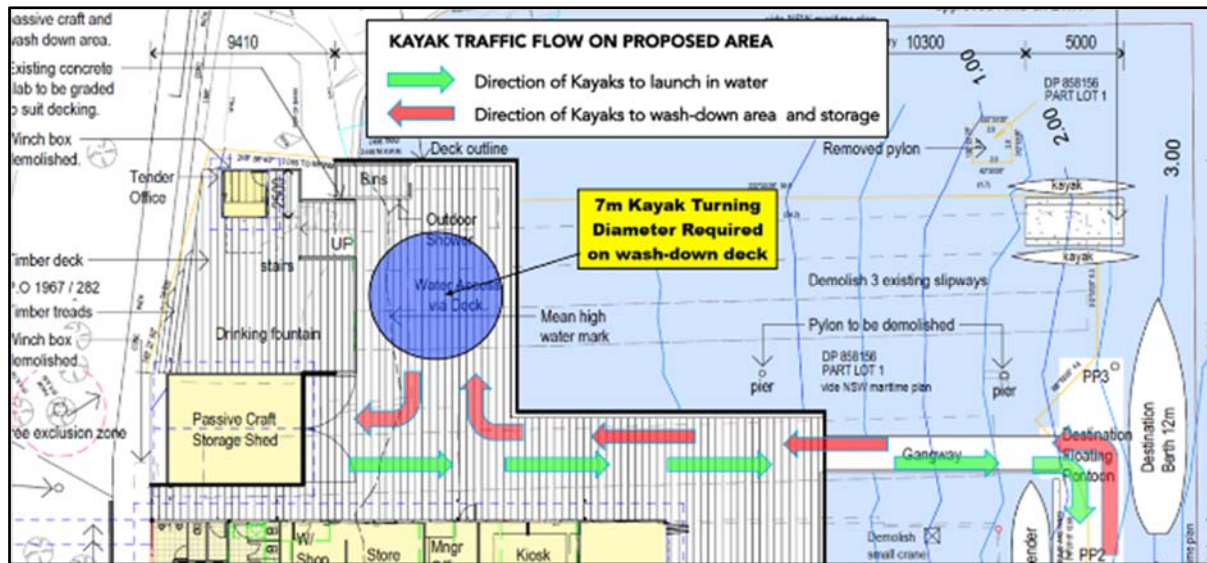


Figure 4. Kayak traffic flow and space requirements

The amended floor plan (illustrated in Figure 2) includes two new areas: Paddle/Boating Customers Area; and Paddle/Boating/Destination Customers Outdoor Seating Area. These areas are outlined below:

- Paddle/Boating Customers Area

The paddle customers area is a location where customers can prepare for the day's activities, store valuables, prepare briefings with fellow customers and provide a location where customers can escape during foul weather. This area will be clearly delineated from the kiosk and the main corridor by planter boxes. This area will provide:

- Sunscreen and Hand Sanitiser Station provided by Manly Boatshed
 - Bench for putting on booties, lifejackets & sun protection
 - Lockers for customers to store valuables while paddling/sailing
 - Whiteboard for preparing and hosting briefing plans
 - Map of North Harbour showing safe and hazardous areas to paddle/sail
 - TfNSW Maritime Boating Safety literature
 - Spare Lifejackets for kayak or commercial customers rowing to vessels
 - Hangers for wet weather gear

- Paddle/Boating/Destination Customers Outdoor Seating Area

This is a non-exclusive area separate to the outdoor kiosk seating. This area shall be delineated by planter boxes and evident to anyone visiting the site. The users of this area include:

- *Commercial Mooring Customers*

Manly Boatshed provides a tender service for its 39 commercial mooring customers on weekends and public holidays. The tender is licenced to take five (5) passengers including the driver. During social distancing requirements during COVID-19, the tender has been only able to take one (1) passenger at a time, meaning several crew and boaters have had to wait lengthy periods before transferring to their vessel. In the summer months of peak operations, customers and boaters can



often wait lengthy periods to get to their vessels. The designated outdoor seating area will provide these customers a place to sit and wait before boarding the tender.

- *Paddling Customers*

The outdoor seating area provides paddlers with the opportunity to debrief after a training or social session with other paddling participants without requiring them to purchase any items from the kiosk.

- *Sydney Harbour Boating Destination Program (SHBDP) Customers*

Manly Boatshed has been a member of the Sydney Harbour Boating Destination Program since 2015. The SHBDP is an initiative of the NSW Government designed to increase the number of services and amenities available to the general boating public on Sydney Harbour. The Sydney Harbour Destinations program is an egalitarian program whereby all members of the general boating public can access the facilities provided by authorised participants. As part of this program, Manly Boatshed provides a 'Destination Berth' for the boating public to use the site facilities including toilet, showers, refreshments, Wi-Fi and vessel services including water and power. Manly Boatshed will continue to provide this service under the proposal. Non-kiosk exclusive outdoor seating has been included in the proposal to cater for these boat users as required under the program.

- *Boat Repair Customers*

Customers waiting or assisting with shipwright services performed by Manly Boatshed shipwright will be able to wait in this area.

5. DESIGNATED DEVELOPMENT

Issue Raised:

Council's letter states:

"The application relies on Schedule 3, Part 2 Clause 35 of the Environmental Planning and Assessment Regulations 2000 when considering whether the proposal is Designated Development. Part 2, Clause 35 of the EPA Regulations asked whether there is a significant increase in the environmental impacts of the total development.

Clause 36 sets of the Regulations set out factors to be taken into consideration in forming the opinion as to whether or not development is designated development. In order to allow Council to make this assessment further information is required in relation to the existing operation of the site as compared to the proposed operation."

Response:

It is noted that Clause 35 (Schedule 3, Part 2) of the EP&A Regulation requires the consent authority to consider whether the proposal will significantly increase environmental impacts of the total development (i.e. including the alterations and additions) compared with the existing development, with reference to the factors outlined in Clause 36.

A comparison of existing and proposed facilities and operation is provided in the following table, with comments on the environmental impact of the total development compared to existing development. The key aspects to note are:

- There will be a significant reduction in environmental impacts with the removal of all industrial slipway facilities and operations:



- Air and water quality - positive impact with permanent removal of paints and chemicals used in existing operations.
- Noise impacts - net reduction in noise emissions from the premises (refer to acoustic report submitted with application).
- Aquatic environment - overall beneficial impact as cessation of slipway activities will also ensure better water quality at the site directly benefiting all the ecological habitats and species; net gain of aquatic habitat; deck cover and piles provides habitat and inhibits human disturbance (refer to aquatic ecology impact assessment submitted with application, and aquatic ecology response to submissions (**Attachment 4**)).
- Visual impacts - replacement of the slipway area with passive craft area with safe water access will enhance the natural environmental assets of the site by using natural hardwood for decking, recycling old slipway timbers and using non-reflective materials complementing the surrounding vegetation and foreshore.
- Overall environmental impacts are reduced by a reduced level (or removal) of operations of the following:
 - Shipwright / boat repair services – reduced level of operations
 - Workshop – reduced level of operations
 - Paint room – removed from operation
- Decking provides positive benefits:
 - Aquatic ecology - A statement by Marine Pollution Research (**Attachment 4**) responds to submissions received on the application regarding aquatic ecology, and identifies that the deck cover will provide sun-shelter for benthic (sand dwelling) organisms and the lower intertidal support piles will provide habitat for an oyster-based assemblage, both of which are considered valuable fish feeding habitat at high tides. Interestingly, the decking will inhibit human disturbance of the intertidal sandy beach fauna underneath and will also prevent human trampling of shallow seagrass offshore of the beach that could occur if there was use of the beach for launching and retrieving recreational craft.
 - Visual impacts - The proposal will enhance the natural environmental assets of the site by using natural hardwood for decking, recycling old slipway timbers and using non-reflective materials complementing the surrounding vegetation and foreshore.
- Provision of 12 new bicycle racks and a green travel plan will promote active transport modes with associated reduction in environmental impacts.
- Other facilities and operations are either unchanged or changes have minimal impact.

On balance, the proposed alterations and additions will result in improved environmental outcomes of the site.

Importantly, the proposal will improve access to the foreshores and waterway for recreational users in accordance with policies including the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (Deemed SEPP).

Accordingly, the proposal meets the requirements of Clause 35 (Schedule 3, Part 2) of the EP&A Regulation.

COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION				
Area	Existing Facility/Operation	Proposed Facility/Operation	Comments	Environmental Impact of Total Development compared to Existing Development
Commercial Moorings	39 Commercial Moorings	39 Commercial Moorings	No operational changes proposed	No change
	Tender Service	Tender Service	No operational changes proposed	No change
	Marina Office	Marina Office	No operational changes proposed	No change
	Storage Room	Storage Room	No operational changes proposed	No change
	Retail – Boating Equipment	Retail – Boating Equipment	No operational changes proposed	No change
	-	Tender Office	Refurbishment of existing winch shed for tender operators to monitor the bay to enhance customer safety	Minimal impact
Boat Repairs	Industrial Slipways x 3 – Antifoul, Spray, Cleaning Vessels (816.7m ² area)	Industrial slipway area and operation removed The industrial slipway area will be replaced by passive craft area with safe water access (473.9m ² area)	The proposal includes the removal of the industrial slipway area (816.7m ²) and all industrial slipway operations consisting of three (3) slipway rails and four (4) cradles that have been in operation at Manly Boatshed for over 50 years.	Significant reduction in environmental impacts The removal of the slipway and associated operations results in a significant reduction in environmental impacts: <ul style="list-style-type: none"> • <u>Air and water quality</u> – positive impact with permanent removal of

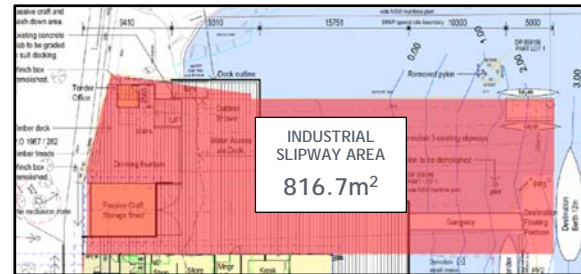
COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION



paints and chemicals used in existing operations.

- Noise – net reduction in noise emissions from the premises (refer to acoustic report submitted with application).
- Aquatic environment – overall beneficial impact as cessation of slipway activities will also ensure better water quality at the site directly benefiting all the ecological habitats and species; net gain of aquatic habitat; deck cover and piles provides habitat and inhibits human disturbance (refer to aquatic ecology impact assessment submitted with application, and aquatic ecology response to submissions).
- Visual impacts - replacement of the slipway area with passive craft area with safe water access will enhance the natural environmental assets of the site by using natural hardwood for decking, recycling old slipway timbers and using non-reflective materials complementing the surrounding vegetation and foreshore.

COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION



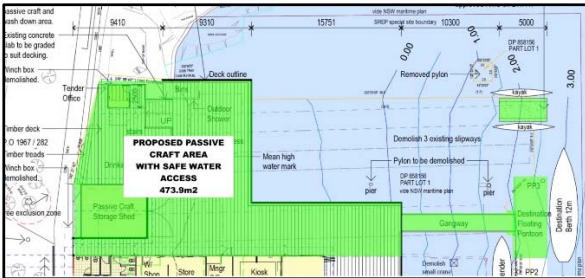
Existing use – industrial slipway area (816.7m²)

The industrial slipways area consists of slipways, winches, rails, concrete hardstand area and a winch shed. This area is used for cleaning and scraping hulls of boats, gurney water blasting, antifoul, hand and spray painting and use of machines for grinding, sanding, drilling etc.

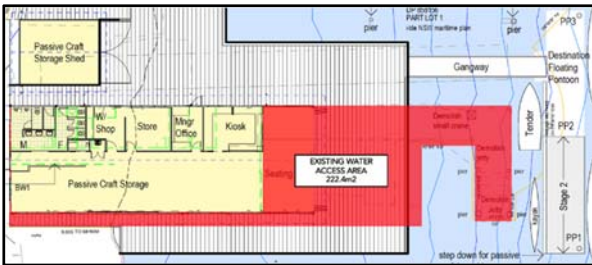
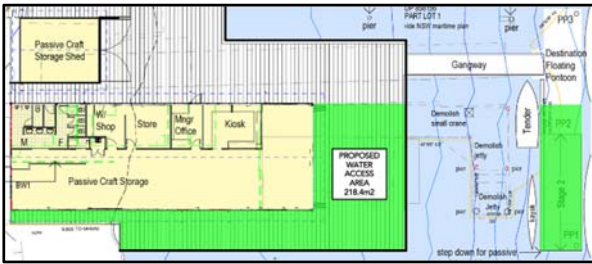
Marine tradespeople and subcontractors including marine mechanics, shipwrights, hydraulic mechanics frequent the area to perform necessary marine repairs. Shipwright services and boat repair operations will also be reduced under the proposal with a reduced indoor workshop and less access to work on vessels by the removal of the slipways.

The proposal will replace these operations by enhanced passive craft storage, safe water access, wash down area for paddlers, outdoor showers and bike racks. There will be a 1800mm wide safe-water access between the main building and the storage shed to allow boating customers to walk directly onto a floating pontoon to board vessels.

COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

			 <p>Proposed use – passive craft area with safe water access (473.9m²)</p>	
	Shipwright / Boat Repair Services (31.3m ² indoor area)	Shipwright / Boat Repair Services (10.7m ² indoor area)	Reduced level of operations	Reduced impact
	Workshop	Workshop	Reduced level of operations	Reduced impact
	Paint Room	-	Removed in proposed plans	Reduced impact
Water access area	Water access for passive craft, fixed jetty and landing steps, ramp to tender pontoon, western side water access and outdoor seating area (222.4m ² area)	Water access for passive craft, floating pontoon, western side water access and outdoor seating area (218.4m ² area)	<p>The existing fixed area includes a fixed jetty and landing steps, passive craft wash down area, ramp to tender pontoon, western side water access and outdoor seating area.</p> <p>Proposed Operations / Uses of this area are:</p> <ul style="list-style-type: none"> • Water access for passive craft via sliding doors on western side • Kayak / SUP wash-down area; • Kiosk outdoor seating area; • Destination customer outdoor seating area; • Floating Pontoon; and • Western side water access. 	<p>Minimal / positive impact</p> <p>The proposal will enhance the natural environmental assets of the site by using natural hardwood for decking, recycling old slipway timbers and using non-reflective materials complementing the surrounding vegetation and foreshore.</p> <p>A statement by Marine Pollution Research (Attachment 4) responds to submissions received on the application regarding aquatic ecology, and identifies that the deck cover will provide sun-shelter for benthic (sand</p>

COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

			 <p>Existing use – water access and outdoor seating area (222.4m²)</p>  <p>Proposed use – water access and outdoor seating area (218.4m²)</p>	<p>dwelling) organisms and the lower intertidal support piles will provide habitat for an oyster-based assemblage, both of which are considered valuable fish feeding habitat at high tides. Interestingly, the decking will inhibit human disturbance of the intertidal sandy beach fauna underneath and will also prevent human trampling of shallow seagrass offshore of the beach that could occur if there was use of the beach for launching and retrieving recreational craft.</p>
Passive Craft Facilities	85 Passive Craft Storage (107.2m ² indoor area)	108 Passive Craft Storage (146.3m ² indoor area)	Increase in 23 passive craft storage spaces to meet demand from local community for storage.	Minimal impact
	Decking for passive craft washdown and safe water access via beach	Decking for passive craft washdown and safe water access via floating pontoon or beach	<p>The existing passive craft storage and amenities are extremely restrictive. This is due to inadequate thoroughfare for both craft and customers, limited deck space in and surrounding the building, inadequate wash down area and lack of common area to prepare before exercise.</p> <p>Currently, paddlers must exit the main building onto the deck to the south and then turn 180 degrees and back down the western narrow walkway to the public beach on the western side of the boatshed. This traffic flow restricts other boating</p>	<p>Minimal / positive impact</p> <p>The proposal will enhance the natural environmental assets of the site by using natural hardwood for decking, recycling old slipway timbers and using non-reflective materials complementing the surrounding vegetation and foreshore.</p>



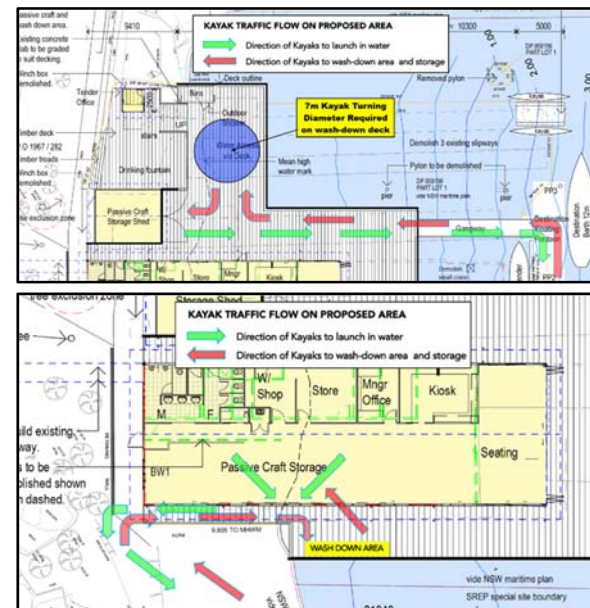
COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

			<p>customers in peak times as the main corridor is shared by paddle customers entering or exiting the building with their craft. The deck area to the south is also too narrow to turn kayaks around, meaning customers must swing their 7m kayaks over the water to enable a U-turn.</p> <p>The existing wash down area adjacent to the eastern slipway next to the main building is too small to ensure other passing customers don't get wet while approaching the tender or fixed jetty. There is currently also no area for customers to prepare for exercise, store valuables and take briefings.</p> <p>The proposal eliminates all of the abovementioned issues by:</p> <ol style="list-style-type: none">1. Providing clear routes to the water safely without impeding other boatshed customers. This is achieved in both storage areas: (1) The main building via double sliding doors that allow paddlers to exit directly to the public beach to the western of the boatshed; and (2) New storage shed where customers can go directly to the floating pontoon to launch their craft.2. The proposal creates a more efficient use of the space and ensures that all customers including commercial mooring customers won't face the risk of collision with kayaks/SUP in future due to exclusive egress for paddlers.3. Including a separate wash-down area on the eastern side of the building (over the existing slipways site) away from other customers on foot whereby paddlers who exit from the floating pontoon can safely wash their kayaks before storing them again. The extent of the decking on the eastern side of the building has been designed to adequately cater for wash-down of kayaks that require a swing room of 7 meters of kayak length before storing them.	<p>Deck cover and piles provides habitat and inhibits human disturbance (refer to aquatic ecology impact assessment submitted with application, and aquatic ecology response to submissions (Attachment 4)).</p>
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COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

4. Including a separate wash-down area on the western side of the building on wider deck before storing kayaks back inside main building.
5. Providing a specific indoor area in the SW corner of the building whereby customers can prepare for the days' activities by putting on sun protection & gear, store valuables, prepare briefings with fellow customers and provide a location where customers can shelter during foul weather.

Diagrams below indicate the kayak traffic flow to and from the water:



The extent of the decking on the eastern side of the building has been designed to adequately cater for wash-down of



COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION				
			kayaks that require a swing room of 7 meters of kayak length. Customers that bring kayaks or paddleboards to the site can enter the site from the timber deck adjacent to the driveway, down the stairs onto the main lower deck and onto the floating pontoon to launch.	
Boatshed building	Ground floor use - storage, paint room, toilet/shower facility, workshop, marina office, dinghy, SUP and kayak storage (200.4m ² area)	Ground floor use - passive craft storage, toilet & shower amenities, marina office, workshop, store room, kiosk, paddle / boating customers area, passive craft storage shed; and tender office (290.1m ² area)	Changes to the uses within the Boatshed building are outlined in other parts of this table. Footprint of building increases from 200.4m ² to 290.1m ² . Residential use to upstairs subject to existing use rights.	Minimal / positive impact Minor increase to the building footprint, with a minor extension of the building to the south (towards the water). The height of the boatshed is reduced, with the floor level being raised 300mm (accommodated by reducing the height of the ground floor level from 3m to 2.7m) and the new roof is 100mm lower than the existing. Overall, the height of the boatshed is 6.55m (compared to existing 6.95m). The proposal has been sensitively designed and the design includes good articulation and high quality materials, thus enhancing the visual impact of the existing building when viewed in its waterfront setting. This will have a clear benefit on visual amenity and character of the locality.
Amenities	Toilet & Shower Facility – publicly accessible (32.4m ² area)	Toilet & Shower Facility – publicly accessible (66.4m ² area)	Improved toilet and shower amenities for customers and public. The existing amenities include a single toilet and single shower which is insufficient to cater for existing customers – especially in peak times in summer.	Minimal / positive impact Improved amenities provides significant benefits for recreational users accessing the waterway,

COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

			The proposed amenities will increase the number of male & female toilets for customers which is desperately needed in summer months. The proposal also includes a new outdoor shower which has been requested by kayak customers for a number of years.	consistent with policies to improve access.
-	Baby Change Table		New amenity based on customer feedback	Minimal / positive impact - as above
-	Outdoor Shower		New amenity based on customer feedback	Minimal / positive impact - as above
-	Filtered Water Station		New amenity based on customer feedback	Minimal / positive impact - as above
RMS 'Sydney Harbour Destination'	RMS 'Sydney Harbour Destination'		No operational changes proposed	No change
'Sydney Harbour Destination' Berth – Power, Water utilities for customers and destination users	'Sydney Harbour Destination' Berth – Power, Water utilities for customers and destination users		No operational changes proposed	No change
Free public Wi-Fi	Free public Wi-Fi		No operational changes proposed	No change
-	Destination Pontoon – Passive Craft		New operation for visiting paddlers	Minimal / positive impact Improved access to the waterway, consistent with policies to improve access.
Fixed Height Jetty	Floating Pontoon – Safer Water Access		New amenity to replace existing fixed jetty improving boat access in all weather and tide conditions	Minimal / positive impact



COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

			<p>The proposal will improve the safety and accessibility for mooring customers of all ages to berth in all wind and tide conditions by replacing the existing fixed jetty with a gangway and floating pontoon. The water depth directly adjacent to the existing fixed jetty is too shallow for mooring customers with larger vessels to approach the jetty for risk of running aground. This issue has been addressed by the placement of the proposed floating pontoon in deeper water. The extent of the southern decking area has been specifically designed by a marine engineer to ensure the safe and precise distance from the floating pontoon and gangway.</p>	<p>Improved access to the waterway, consistent with policies to improve access.</p>
	-	12 Bike Racks – Green Travel	<p>New amenity to encourage all customers to ride to site</p>	<p>Positive impact</p> <p>Promotion of active transport modes with associated reduction in environmental impacts.</p>
Refreshments / Kiosk	Refreshments – Cold Drinks & Ice Cream	Kiosk – Coffee, Light refreshments	<p>Manly Boatshed currently sells drinks and ice-creams to customers and the general public from a fridge and freezer located outside the marina office. While supportive of the existing business operations of Manly Boatshed, they are insufficient for the demand from existing customers.</p> <p>The proposed kiosk will have a combined indoor and outdoor area of 55m² which is consistent with Clause 5.4 of Manly LEP 2013. The kiosk will occupy 12% of indoor ground floor space.</p>	<p>Minimal impact</p> <p>Ancillary use to Boatshed operations.</p> <p>Noise impacts demonstrated to be minimal and within accepted noise criteria (refer to acoustic report submitted with application).</p> <p>A Kiosk Plan of Management (POM) which includes measures to minimise waste to the marine environment was submitted with the application. The POM includes a commitment to prepare and implement a policy of minimising plastic usage and maximising plastic waste containment.</p>



COMPARISON OF EXISTING AND PROPOSED FACILITIES AND OPERATION

				<p>Manly Boatshed will be closely supporting the NSW Government Plastic Strategy that is currently being developed by the EPA with the operation of the kiosk and intend to seek endorsement from Bye Bye Plastic (https://byebyeplastic.org.au) once operational.</p>
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6. SUMMARY OF COMMITMENTS

In response to the submissions received, and matters raised by Council, the following amendments have been made to the proposal:

- Kiosk area restricted to 35.6m² internal area (including seating) with 19.4m² outdoor seating, which in combination equates to 55m² representing only 12% of the total indoor gross floor area;
- Kiosk opening time changed from 5am to 6am;
- 12 new bicycle parking spaces added to deck area;
- Priority access to kayak storage facilities to residents that live within 3km radius of Manly Boatshed and can walk or ride to access their kayaks; and
- A green travel plan is to be prepared and implemented to include appropriate measures to encourage active transport modes.

6. CONCLUSION

We trust that the information submitted is sufficient to finalise the assessment of the development application.

If you have any questions on this matter, please do not hesitate to contact Julie Horder, Associate Director, on 9531 2555 or julie@planningingenuity.com.au

Yours faithfully,
Planning Ingenuity Pty Ltd