From:	Delene Evans
Sent:	15/11/2024 2:59:30 PM
To:	Council Northernbeaches Mailbox
Subject:	TRIMMED: To the Planning Assessor for DA2024/1216
Attachments:	North Harbour Marina DA submission D Evans.docx;

To whom it may concern

I wanted to include a photograph in my submission but when I went to copy it into the online submission form, it would not take it. It would make submissions much easier and impactful if one could also add photographs.

I attach my submission with a photograph.

Your sincerely

Delene Evans
2/149 Condamine St
Balgowlah NSW 2093

Development Application DA2024/1216 by North Harbour Marina

Key Concerns

I live in Condamine Street opposite North Harbour Reserve and next to the dirt, casual carpark opposite North Harbour Reserve. I am a daily user of the Reserve and North Harbour in general.

Firstly, I am dismayed at the lack of community consultation by the applicant to undertake significant changes to the marina and its environs. The application disguises their true intent which is only apparent after delving into the detail, in particular the capacity for the marina to moor super yachts and the addition of a liquor license to the new kiosk with extended hours. The applicant has underestimated the “attachment” community has to this wonderful area of Sydney harbour and in doing so has upset many residents.

Secondly, I wish to state my objection to the lack widespread circulation of the DA particularly to residents west of the marina. Whilst a second distribution of the DA has been undertaken, it failed to be delivered to many residents of Condamine St around North Harbour Reserve.

It is understandable that the new owners wish to conduct the management of the marina in a different manner to the previous owner, Bruce Davis, however, it should not infringe on, or be at the cost of, the amenity of the residents/ users of North Harbour and Forty Baskets.

The personal impacts of this development are:

- Loss of visual amenity – bulk and scale of the proposed super-sized yachts from North Harbour reserve will block views towards North Head. The bulk and scale of the yachts is

not sympathetic but out of character with the natural environment of the bay and the smaller size fleet of moored boats. “Amenity” is a desirable feature of the Manly DCP. Page 38 does not adequately address the impacts of the proposal regarding “Amenity”. It is given lip service.

- Increase in parking demand, in an area where the geography severely limits parking and forces skippers, crew and visitors to seek parking south towards New St and west of the marina towards Condamine St. There is very limited parking, which the Council is aware of, and has taken action to address.

1 Western arm

- I have no objection to the addition of two additional 12m mooring spaces so long as it is within the leased zone
- However, the T structure head allows for the addition of a 25m mooring space for super yachts, which was hidden/not easily identified in the applicant’s submission.
- This 25m mooring space will allow for opportunistic/casual mooring, which will become the norm. This sort of thing is never policed.
- According to the SEE guidelines “any visual analysis should consider the impact of the largest motor vessel(s) capable of being berthed at the marina”. No drawing has been supplied by the applicant. The development of such a drawing /visual analysis showing the potential mooring of a 25 m and 32 yacht at the T heads of the western and eastern arm from various aspects, including North Harbour Reserve, should be requested so residents and the Council see the real impact of these larger yacht.
- Is the size of the pile to be constructed designed for 12 m boats or 25 m boats, the plan does not show this amendment.
- From Bruce Davis submission (previous owner), the soft stand has been discontinued. If the marina wishes to accommodate 3 extra moorings of 9 m in length in place of the soft stand without disturbing the bottom, then this seems reasonable.
- It seems the pump out shown is out of date. As the former owner states, it was replaced by a fixed system. It seems the DA contains some errors that need to be amended before being considered by the consenting authority.

2 Eastern Arm

This arm is the most contentious due to:

1. The addition of a T head that allows for the potential mooring of a 32 m super yacht, roughly 105 feet. The beam of these boats is between 7 -10 m thus further extending the length of the eastern arm. It is uncertain whether the beam of a yacht of this length will protrude from leased area
2. No drawing/visual analysis has been provided by the applicant showing the impact of this bulk on the marina and its surrounds. The panel should insist on this requirement before considering the application
3. The reorientation of the berths from a general north -south direction to east-west raises questions of safety. I sailed Manly Juniors, windsurfers and yachts up to 10 meters and I know how difficult it is to moor in cramped circumstances when the

wind and tides are working against you. It appears from Andrew Morrisons investigations the standard is a 25 m gap between arms for safety, but this is not the case with the new configuration. Indeed, Bruce Davis's submission holds this view as well – the width of the fairway channel does not meet the standard of 1.5 times wider than the length of the largest boat.

3 Decking and the provision of a licensed café and dinghy storage

(1) Café with a license operating between 7am and 9 pm, the license being hidden in the detail and lacking transparency to residents in the DA. It invites unsupervised late-night parties and noise. Has there been a noise impact study done? – it appears not. No more than 20 patron limit suggested by the applicant is a nonsense. No one will police this.

(2) It is proposed to add new dinghy storage but how are these dinghies to be launched or retrieved? It was stated in the proposal that the provision of dinghy storage will enable craft to be removed from their current illegal position along the foreshore. However, the new owners cancelled the tender service, therefore there is a need for them to provide storage for tender boats. It is disingenuous to state there is a public benefit in clearing up the foreshore. It assumes all the boats on the foreshore belong to the boat owners which is not necessarily the case.

4 Provision of a channel

Bruce Davis submission states that the lack of a channel has not been a safety issue in all his years of living and working in North Harbour.

The provision of a channel is really the outcome of wishing to provide access to the super yachts

I understand from a presentation Dr Andrew Morrison KC made to the Manly Ward Forum that even if the channel is created, boats already moored on either side of the channel will swing into the channel in the prevailing wind, narrowing access.

I note there are 4 private moorings to be removed; has the marina owner sought their consent to removal? I am unsure who manages these private moorings, but could the boat owners be so easily tossed aside?

In the DA it is stated owners of these moorings will have their boats moved to the marina. Generally, people who lease offshore moorings wish to keep costs down. Moving them to the marina significantly increases costs. Those owners who do not wish to move to the marina, are then forced off their moorings and then must wait a very long period for a new mooring offshore.

Summary

I object to the DA proposed by North Harbour Marina in its current form. There is insufficient data on visual impact on the amenity of North Harbour from all aspects of the addition of super-sized yacht berths.

There is insufficient parking to address the extra demand required by skippers, crew and visitors of these yachts. Gourlay Ave is a nightmare for residents particularly in summer,

with visitor cars blocking driveways, parking on the verge, trailer boats taking up car spots. Council has addressed many of the parking issues in response to residents' concerns and there is not much more they can do.

North Harbour is heavily used by kayakers and paddleboarders as they launch from the stairs to the sandflats on the southern side of the reserve. The numbers of paddleboarders and kayakers have increased significantly since Covid, and the council looked at expanding access to the sand flats. The addition of super-sized yachts manoeuvring around these smaller craft in the bay.

The reconfiguration of the berths on the eastern arm are not within the stated fairway guidelines and manoeuvring in this reduced space by larger craft increases safety risks in the marina area especially in windy conditions.

Café hours are inconsistent with the provision of a "café" to 9 pm at night with alcohol, and the potential to "kick-on" as staff will have left the premises.

The clearing of a channel by the removal of 10 moorings to provide passage for the superyachts without consultation with owners affected by this decision shows arrogance on behalf of the applicant.

Delene Evans

Resident, regular walker around North Harbour and Forty baskets, sailor in a past life, daily visitor to North Harbour reserve.

2/149 Condamine St

Balgowlah 2093