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07/11/2024

MR David de Montfort
5 Gourlay AVE
Balgowlah NSW 2093

RE: DA2024/1216 - Gourlay Avenue BALGOWLAH NSW 2093

Submission to Warringah Council in response to
DA2024/1216

Attention Mr Maxwell Duncan

Objections to the proposed changes of use to the North Harbour Marina.

The objection is set out in two parts:

- 1 Objections to the removal of swing moorings to create a 'channel' and the alteration of the marina to accommodate very large vessels and extinguish the slipway.
This will include safety and environmental objections and heritage objections.
- 2 Objections to the creation of 'kiosk' that includes a commercial liquor licence.

Part 1

Objections to the channel and changes to the marina

Part 1 a)

Personal Safety and Environmental Safety Problems

Part 1a) i)

Personal safety

The proposal to accommodate very large vessels known as 'superyachts' carries inherent dangers in a very confined waterway at the head of North Harbour.

These vessels will conflict with existing users of the bay:

Sailing vessels, both dinghies and keelboats will be put at serious risk due to attempts to navigate the 'superyachts' in this area.

Kayakers and small dinghies and rowing boats will be put at serious risk.

Swimmers will be put at serious risk. Many people, including myself enjoy recreational swimming in this area.

The creation of a channel for these superyachts does not create a safe navigation space in this bay. It will remain confined and any vessel adjacent to the 'channel' remains at risk of damage and interference.

The 'channel' is no solution to the conflict of use of the bay.

A very important factor is the loss of mooring spaces for boat owners of vessels of an appropriate size for the bay. This limits access to recreation on our waterways for many people. I will allude to this further in the section Heritage objections.

Part 1a) ii)

Environmental safety

There is a risk of damage to the environment of the bay due to attempts to navigate these superyachts so close to the sandbank at the head of the bay.

Seagrass beds will be at risk damage through churning of the propellers for these vessels in shallow water.

The environment for the human users of the area will be very severely impacted by the noise, lighting and operation of these intrusive vessels of massive scale in the area.

They are totally incompatible with environmental features and values of the shoreline and seaway.

Tourism in Manly will be adversely impacted by destroying the environmental values of this section of the Spit to Manly walk and reduce its value to visitors.

The risk to the environment and its unique features here should be reason enough to reject the development proposal. This will be further developed in the heritage section.

Part 1 b)

Heritage values

The proposed Development Application should be rejected in its entirety.

The heritage values are:

Part 1 b) i)

Harbour and foreshore Recreational and Community Service heritage

Part 1 b) ii)

Harbour and foreshore 'working harbour' heritage

Part 1 b) iii)

Harbour and foreshore interactions between colonial settlers and Aboriginal communities

Preamble

This section of Sydney Harbour from Forty Baskets Pool to Fairlight Pool sits within a larger environment of human use and interaction and the preservation of a natural landscape of outstanding cultural value and significance.

The mixed uses and activities that have evolved over the history of ancient use and modern interventions in the harbour and its maritime setting should be preserved.

This section of the harbour is a unique and profoundly important representation of the meaning and value of our interactions with our harbour as a community during the period of settlement and development of Manly.

It should be preserved as a precious example of how our community evolved and grew to serve our recreational and community needs over the last century and especially since 1945.

The existing two marinas, the scout hall, sailing club provide a unique experience of current uses of this section of the harbour in the context of their history. This foreshore pattern of use and remaining bushland and foreshore preserves a significant portion of the shoreline as it was in 1788 and subsequent use illustrates the occupation of this area of that has evolved over time, leaving so much intact.

Part 1 b) i)

Harbour and foreshore Recreational heritage

The sea scout boatshed represents the efforts of the community to teach and train its young to appreciate the value of the marine life and enables young people to acquire sailing and boating skills in a context of cooperative endeavour and learning. This serves the community in essential ways as adults provide invaluable lessons and inculcate shared values of care, generosity and cooperation.

The North Harbour Sailing Club represents a vital part of the story of skiff sailing on Sydney Harbour. It provided a club and racking facilities for the racing of Fourteen Foot Skiffs. It

played host to an International Championship that included International 14' Skiffs from the United Kingdom. It maintains a racing program for its members and is a vital community resource.

The opportunity for the community and its young to engage in activities that promote a healthy and responsible lifestyle will be adversely affected by the proposed development. The 'memory' and understanding of our past and the efforts to provide meaningful activities and service will be lost due to the this out od scale and destructive proposal.

The value of the Spit to Manly walk to engage our visitors with the harbour as it has existed and been used to serve community needs and values will be annihilated.

Part 1 b) ii)

Harbour and foreshore Recreational and Community Service heritage

The two marinas, Trehearne's on the Northern shore and the newly named North Harbour Marina preserve elements of our working harbour in the provision of marine and yachting services to the community. Their existence as currently constituted represent this aspect of our harbour as yachting community open to all people.

The loss of slipway services and the consequent loss of the skills to service yachts and small vessels should be allowed to become permanent through the construction of dinghy platform. The slipway should be preserved as a representation of the history of small, family run marinas closely connected to their local communities.

The slipway is a vital example of our marine heritage. If it is not to be used at present it should be kept in working order for a subsequent owner to reinstate slipping services and employing marine engineers and maintenance workers. We have lost employment in this part of the harbour.

Part 1 b) iii)

Harbour and foreshore interactions between colonial settlers and Aboriginal communities

The northern foreshore of North Harbour and Manly Cove is the site of interaction between the colonists and the local Aboriginal people.

Though there is dispute about the exact site of the landing of Governor and his encounter the local people, a plaque identifies and commemorates the head of the bay as the meeting place.

The proposed development destroys the delicate balance between colonial occupation and uses that shaped the human landscape of North Harbour.

The proposal destroys that balance and intrudes on a place carelessly on this heritage and disrupts the physical environment of the bay that currently preserves so much of the scene as it was in 1788.

Part 2

Part 1

Objections to the creation of 'kiosk' that includes a commercial liquor licence.

Objections to the creation of 'kiosk' that includes a commercial liquor licence.

The proposal for a 'kiosk' is an impractical and unjustified intrusion into the marina boatshed.

All the reasons outlined above apply in equal measure to the proposed kiosk.

In addition, the service of alcohol is incompatible with the values of the marina and an unjustified risk to public safety in this area.

The boatshed should be preserved without further alteration to represent a significant part of our maritime heritage.

It should remain as constituted to ensure that future owners can restore the marine services that now appear to be lost.

A parking station for superyachts is a destructive intrusion into the bay and the kiosk is no salve to assuage the objections of the community.

There are many practical objections to the kiosk in terms of regulations for food and beverage service. The construction alterations required for this would destroy the character, meaning and utility of the marina boatshed.

Conclusion

All users of our foreshore and marine environments share a role as custodians of our unique environment and heritage.

The proposals in DA 2024/1216 abrogate the duty of custodianship and deny current and future users of North Harbour the right to enjoy this significant part of our harbour freely and in cooperation with others to the benefit of our community.

The proposal is an unconscionable and unscrupulous attempt to alienate our maritime common.

The development application should be rejected in its entirety.