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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 24/11/2024 4:04:48 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

24/11/2024

MR Peter Laybutt  
87 Curban ST  
Balgowlah Height NSW

**RE: DA2024/1216 - Gourlay Avenue BALGOWLAH NSW 2093**

Dear NB Council,

Thank you for the opportunity to comment on DA2024/1216 for alterations and additions to existing marina facilities at Davis Marina, North Harbour.

I have only recently become aware of this proposal, and would be most appreciative if the following points could be taking into account in your assessment .

In particular, I object to the proposal on the following grounds:

1. I understand that the re-leasing of adjacent public space (roadway) to the marina was recently approved by council. At that stage (in the notification information) there was no suggestion that there would be ANY PHYSICAL CHANGES to be buildings or other facilities on site. It is therefore rather incongruous that this proposal was not submitted in conjunction with the proposed lease extension - rather than AFTER the re-leasing of the public land was approved.
2. Along with many other residents of Balgowlah Heights, I am strongly opposed to any further commercialisation or privatisation of public open space around Sydney Harbour, and North Harbour in particular.
3. An additional cafe at this location It is not necessary. There are already multiple cafes in close proximity to the Marina (in particular at North Harbour reserve, and immediately opposite on the Fairlight side of North harbour. Not only will a further cafe will negatively impact on the viability of these two existing businesses, it will generate a significant increase in traffic in Gourleay Avenue, particularly during weekends.
4. As Council would be aware, this section of Gourlay Avenue forms part of the Manly Scenic Walkway, and his heavily trafficed by pedestrians . Notwithstanting the prevailing 10kph speed limit, the traffic conditions can quickly become unsafe for pedestrians, as there is no adequate vehicle delivery or turning space adjacent to the marina building, and sight distances are very restricted due to the narrowness of the carriageway and the steep grade. Any further exacerbation of traffic congestion on Gourlay Avenue risks the safety of all users of the Manly Sceneic Walkway - particularly young children, and international visitors who may be unfamiliar with local conditions.

5. It would appear that expansion of marina berthing may also be proposed below Mean High Water Mark. I understand that this aspect of the proposal will be subject to separate (concurrent ?) approvals from RMS. However, in this regard, I strongly object to any further structures being placed below MHW, particularly if a further extension of the RMS lease area is proposed to accommodate this. Retention of the swing moorings is far better - from multiple perspectives - than placing additional marina berthing on North Harbour. Contrary to the applicant's assertion, an "access channel" is NOT NEEDED through the swing-mooring area. There is more than adequate room for boats to manoeuvre safely in this area. Providing a cleared channel often exacerbates the incidents of vessels exceeding the speed limit in this area - and would create a potential further hazard for kayakers, SUPs and swimmers.

6. Whilst I have not had the opportunity to review the full set of reports submitted by the applicant, It would appear that the proposal should NOT BE SUPPORTED as it:

- \* fails to adequately justify why the proposal is needed, given that the marina has successfully been in operation in its present form for many decades;
- \* fails to adequately demonstrate any public benefit;
- \* fails to consider the cumulative negative effects of the further commercialisation of our world-renown Manly Scenic Walkway and (what remains) of its beautiful surrounding natural environment.

Thank you for your consideration of the above points.

Kind Regards,

Peter Laybutt

