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To: DA Submission Mailbox
Subject: Online Submission

16/11/2024

MR David McEwen
7 Gourlay AVE
Balgowlah NSW 2093

RE: DA2024/1216 - Gourlay Avenue BALGOWLAH NSW 2093

Subject: Opposition to DA2024/1216

Date: 16 November 2024

To whom it may concern

We strongly oppose application DA2024/1216 from North Harbour Marina.

We have lived on Gourlay Ave since 2011 after moving from Fairlight. We have walked alongside, kayaked and sailed on Jilling Cove since 1999. We sailed for decades on yachts moored at the Marina and are very familiar with the current marina facilities.

TRAFFIC & PARKING. Gourlay Ave leading to the marina is a narrow street with parking limited to one side, leaving a single lane of traffic. Even so, on moderately busy days the parking area above the marina is chokers, all legitimate parks on Gourlay Ave are taken, our driveway is sometimes hemmed in - making it extremely difficult and risky to reverse and turn onto the single lane - and we often get inconsiderate motorists parking illegally on the Wellings Reserve side (which is marked with a solid yellow line). Wheels in a dish drain that is home to native frogs. The traffic reports attached to the application make no mention of any of this.

Larger vessels as are contemplated by this scheme have larger crews, leading to more traffic. Larger vessels can have professional crews, who are attending vessels more regularly, leading to more traffic and extended parking. The introduction of a café open to the public is likely to see more people driving to the marina - the ambience in Jilling Cove is (currently) lovely, so it could be popular if permitted.

It is difficult to see how the proposed modifications would not exacerbate an already challenging parking situation for us and other residents of Gourlay Ave. I am strongly opposed to the proposal on this basis.

JILLING COVE - CHARACTER. One of the things we love about the Cove today is that the boats are a sensible scale and are mainly sailing yachts rather than diesel guzzling, smelly, noisy launches. That is not the sort of vessel we want to see crowded in the bay. It feels like the new marina operator's plan is to attract larger launches currently moored on the inland side of the Spit Bridge, given the easier access to the ocean from Jilling Cove. This is evidenced by the intention to widen the channel - claiming safety concerns - which has never

been an issue for boaties using the facilities in the quarter century we have been sailing from North Harbour. We are strongly opposed to any modifications that facilitate access by larger vessels.

BERTH ADJUSTMENTS - STRUCTURAL INTEGRITY. The swell and storm surge in Jilling Cove can get quite high, particularly when driven by an East Coast Low. It has on occasion swamped the floor of the marina building. The existing pontoon berthing system was designed for yachts of a particular size, number and configuration. There is nothing we have found in the proposal clarifying whether the pontoon's foundations and design meets the structural requirements for the proposed number and type of vessels given potential wind and storm surge. It is recommended that this information be sought from the Applicant prior to determination, since structural modifications could significantly alter the extent and environmental impact of required works.

BERTH ADJUSTMENTS. The proposal shows berthing for approximately 5 vessels marked with lengths of 8-12m in an area where the depth is shown as between 1 and 2 metres. Navigation when entering/exiting these berths might take the boats into even shallower waters. We have sailed on a 9.2m yacht with a draught of 2.8 metres. It seems improbable that boats of this size could safely navigate to these berths during low tide without dredging, particularly on the Eastern side. It is recommended that dredging be expressly prohibited should the proposal proceed.

BIN STORAGE REMOVED - WASTE ARRANGEMENTS. Currently there is a gated area alongside the marina building housing about half a dozen larger wheelie bins. Boaties using the marina dump their rubbish and recyclables in these bins. The Applicant's plans show the bin area removed to make way for the proposed dinghy storage. Where will waste facilities for boaties be provided? We object to any modifications that do not include equivalent bin storage.

Meanwhile, the proposed café would generate significant additional waste including packaging and food waste. How is this proposed to be managed? The waste management plan only covers construction - not operational impacts.

CAFE OPERATIONS - HOURS AND ALCOHOL. The Statement of Environmental Effects says the café would operate 6am-9pm (or sunset) 7 days and would be open to public trade as well as marina boaties and their crews. Yet the Applicant has provided a letter to local residents claiming that the proposed hours have been reduced and alcohol would not be served even though the SEE has not been amended.

We strongly object to the service of alcohol due to the potential for intoxicated patrons "yahooping" up Gourlay Ave as they leave, or attempting to drive up the narrow road after consuming "one too many."

CAFE OPERATIONS - STORM SURGE RISKS. As mentioned we have seen the marina building flooded in the past due to storm surges. However, we have not seen any acknowledgement in the Application of the risk that would present to commercial kitchen operations, including salt water damage to equipment, electrical safety, or the potential for grease and other contaminants mixing with seawater and polluting the bay.

There is no information about the extent of cooking proposed but we note on the plans that they are proposing to convert the SE room to a kitchen to support the kiosk at the NE. Will

they be frying or grilling food? Will they need a grease trap (and how would they install and service it given the site constraints)? Will they need a commercial hood and how will odours and fan noise be managed? There is scant detail provided and it is strongly recommended that Council make its own investigations of the Applicant. To us, it seems infeasible to have more than a very simple reheat operation with pre-prepared food brought in from elsewhere, and we object to anything more elaborate.

CAFE OPERATIONS - DISPOSABLE COFFEE CUPS. As conscientious citizens, we make a habit of collecting floating rubbish when out in our kayaks. Since the "Effie's" café kiosk opened on the north side of Jilling Cove, we have collected dozens of disposable coffee cups from the water. All of them have a plastic film that may be ingested by marine life or birds.

As a general request, and specifically with regard to the current application if any form of café is approved, we would ask Council to institute a requirement for café operators located close to waterways to offer a default "cup return" service (such as Huskie Cup) for all patrons likely to remain in the vicinity of the café while consuming. This would reduce the issue at Effie's of cups being blown into the harbour.

Patrons intending to "walk and sip" should be incentivised to bring a "keep cup" by there being a significant premium for a disposable cup (e.g. \$1 or more). Either Council or the operator should be obliged to provide and service rubbish bins 200-300 metres from the café in both directions along the walkway, to discourage walkers from littering. Costs of emptying these bins could be recovered from the disposable cup premium.

In conclusion, we ask you to please reject this proposal. No large launches in Jilling Cove. Absolutely no alcohol service. No evening operations. Please don't destroy the character of our beautiful bay or make our Gourlay Ave traffic chaos worse.

Thank you,
David McEwen
7 Gourlay Ave, Balgowlah