

5 Seaforth Crescent  
Seaforth NSW 2092  
9 March 2011



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The Director, Metropolitan & Regional Projects South  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



Dear Sir / Madam

**Re: Major Project MP 08 0046 – d'Albora Marina, Western Side of Spit Road,  
The Spit, Mosman**

I am generally in agreement with the above project. However, I contend that the noise aspects of the proposed development have not been adequately dealt with and will, if not adequately controlled, pose a substantial degradation to the amenity of Seaforth residents living opposite the site. **The environmental assessment report neglected to fully consider the effect of operational noise from the site.** Noise is a particular concern here as there is no barrier between the marina and the residential area across the water. Noise travels very easily across open water, particularly at night and the bedrooms of the houses opposite mostly face the water.

My comments are as follows:

**1. Restaurant noise**

The previous restaurant manager at the site (Spittlers) often held weddings and other functions. These involved loud amplified music (often located on the outside deck area) and the noise from large crowds clapping and cheering at the end of the function. This noise carries across the water and seriously affects the amenity of Seaforth residents. With the proposed development, the addition of restaurant terraces on the north and west faces of the building and the restaurant being located on the first floor, will compound the problem. To date, the current restaurant manager (Ormeccio) has not held functions or played loud music in contrast to the previous manager.

**2. Boat repair area – noise**

The development application proposes a **major increase** to the number of boats that can be slipped and worked on simultaneously. The current slipway has space for one medium size boat and no hardstand. Under the proposal, the hardstand will have space for 5/6 boats. This will have a major impact on the operational noise from the facility (i.e. potentially a 5 – 6 fold increase in the number of items of powered equipment being used to clean, sand and paint boat hulls and other repairs and the number of people working on the boats).

**Proposal for the Development to be Approved Subject to Conditions to Control Noise.**

I propose that any Development Application approval should be subject to the following mandatory conditions:

- A. The restaurant area not to be used for receptions, weddings and functions as opposed to individual diners. Amplified music and live music is not to be permitted.
- B. The use of the boat hardstand area should only be available during normal business hours (i.e. 7.30am to 5.00pm Mon to Fri) with weekend work not allowed. **NB** This is how the current slipway operates.

Yours faithfully



R. J. Miller

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5 Marsala St  
Mosman  
21 March 2011

The Director, Metropolitan and Regional Projects South  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

**MAJOR PROJECT MP 08\_0046**

Dear Sirs

We are writing to **object** to the proposed redevelopment of the d'Albora Marina located on the western side of Spit Road, The Spit Mosman.

Our main concern is related to traffic, safety and parking. Already on the western side of the Spit is a huge rowing facility that has recently doubled in size. There are playing fields and the Marina. The parking provision on the western side also caters for the restaurants, yacht clubs, kayak centre etc on the eastern side as there are few parking spots due to the geographic nature of this area ie it is a spit.

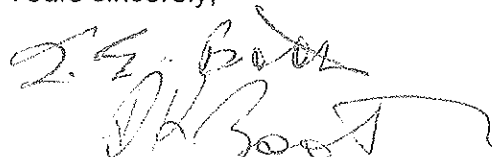
The marina also houses a restaurant and other businesses.

On a recent walk to the The Spit on a Saturday afternoon I counted zero parking spaces available.

Where are the additional users of the Marina going to park? Already in neighbouring streets such as Pearl Bay Ave we see increasing numbers of cars parking and then occupants walking to their destinations whether it be restaurant/rowing club etc.

The Marina has continued to increase in size to now housing 165 berths. It has put up signage that is a total eyesore to this beautiful area and the access into and out is incredibly dangerous right at the approach of the Spit Bridge. It does not need to be any bigger. It should never have been allowed to be built in the first place as this area is already totally overdeveloped for its location and natural landform.

Yours sincerely,



Prunella and Ian Booth

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The Director

12 Pearl Bay Avenue,

Metropolitan & Regional Projects South

Mosman, 2088

Department of Planning, GPO Box 39

21 March, 2011

Sydney, NSW, 2001

Reference: MP08\_0046 – d'Albora Marina

Dear Sir,

I wish to submit my objection to part of this proposed development.

As a long-term resident of Pearl Bay I have enjoyed the water views and amenity from my home over Middle Harbour. Many other residents of Pearl Bay would also enjoy the water views.

There are now many boats moored in this area; most of which are not used on a regular basis, so it is mainly used for boat storage on the water, which is unsightly, taking away the passive water views.

The above proposed development entails taking public waterways away from the general public for the use and profit of a few.

My particular concern is the change of directional use on Arm C which will have boats protruding another 20 metres into public waterways to the west for the length of the marina.

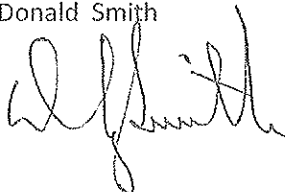
There will be more boat congestion in this area, a particular problem as boats circle waiting for the Spit Bridge to open, while those on the extended marina are protected. At weekends many boats gather in this area awaiting the bridge opening. Collisions can occur.

Please exclude the proposed changes to Arm C from this development.

Thank you for your consideration.

Yours Sincerely

Donald Smith

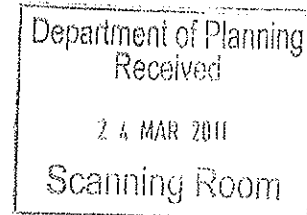




D & J Wesley  
PO Box 576  
Mosman NSW 2088

21 March, 2011

The Director  
Metropolitan & Regional Projects South  
Department of Planning  
GPO Box 39  
Sydney NSW 2001



Dear Sir,

Major Project MP08\_0046 – d'Albora Marina  
Western Side of Spit Road, The Spit, Mosman

We are the owners and residents of 30 Ida Avenue, Beauty Point and strongly object to any further expansion of the d'Albora Marina at The Spit on the following grounds.

1. The existing Marina is already overdeveloped.
2. The access to and from the Marina is poor and dangerous with exit vehicles crossing over lanes through witches hats into oncoming traffic.
3. The Marina is visual pollution of a scenic area.
4. If a fire developed in these closely moored power boats it would rapidly develop into a major hazard with access by the Fire Brigade at times impossible due to banked up traffic.
5. The beautiful scenic area at The Spit is gradually being spoilt by overdevelopment and this must not be allowed to continue.
6. Insufficient Parking.

Yours faithfully,

David Wesley

Janette Wesley

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## Andy Nixey - Online Submission from Chris Walster (support)

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**From:** Chris Walster <chris\_w9@bigpond.net.au>  
**To:** Andy Nixey <Andy.Nixey@planning.nsw.gov.au>  
**Date:** 25/03/2011 20:41  
**Subject:** Online Submission from Chris Walster (support)  
**CC:** <assessments@planning.nsw.gov.au>

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I support the project

Name: Chris Walster

Address:  
7 High Street willoughby

IP Address: cpe-58-172-11-60.nzbi1.clt.bigpond.net.au - 58.172.11.60

Submission for Job: #2446 MP08\_0046 - d'Albora Marina, The Spit  
[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=2446](https://majorprojects.onhiive.com/index.pl?action=view_job&id=2446)

Site: #1571 d'Albora Marinas  
[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=1571](https://majorprojects.onhiive.com/index.pl?action=view_site&id=1571)

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**Andy Nixey**

E: Andy.Nixey@planning.nsw.gov.au  
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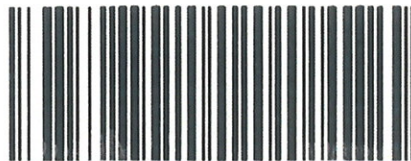
Powered by Internetix Affinity



Hippocampus whitei

## SYDNEY HARBOUR ASSOCIATION

PO Box 265 ROSE BAY NSW 2029



PCU021223

Director: Metropolitan and Regional Projects South  
Major Projects Assessment  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

### ***D'Albora Marina, Western side of Spit Road, The Spit, Mosman – MP08\_0046***

Sydney Harbour Association is an unincorporated body of individuals interested in Sydney Harbour, having as its primary Objects:  
"[T]he promotion of the following principles in relation to development and change affecting Sydney Harbour:  
(a) protection and preservation of the natural heritage, assets and ecology of Sydney Harbour and its foreshores;  
(b) primacy of the public good over private benefit in development;  
(c) facilitation of public access to the waters and foreshores of Sydney Harbour;  
(d) protection and enhancement of the visual and recreational amenity of the waterways and foreshores of Sydney Harbour".

You will note that our Objects are very similar to those of the major planning instruments that relate to Sydney Harbour.

We object to the application as presented in MP08\_0046.

The marina does not conform with our understanding of the Guidelines for marina design set out in the *Sydney Harbour Foreshores and Waterways Area DCP* Appendix D, made under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

The major departures that concern us are:

- The largest vessels are directly exposed to view from the adjacent shoreline;
- The largest vessels are scattered throughout the marina;
- The design pre-dates the adoption of the current Government Policy relating to sea level rise, and (not surprisingly) does not comply with it.

We attach Sketch 1 showing a grouping of the largest vessels, flanked by smaller vessels, as recommended in Appendix D of the DCP. It shows that compliance is possible, practical, and – therefore – desirable.

Sketch 2 sets out our understanding of the likely rise in sea level comprehended by the Government policy on the basis of which we think the application should be determined.



Michael Rolfe, President  
31 March 2011









d'ALBORA MARINA @ THE SPUR, MOSMANN.

APP NO M.P. 08.0046.

THE APPLICATION APPEARS TO REFLECT CONTROLS IN THAT APPLIED IN 2008. NOT THOSE THAT RESULT TO GOVERNMENT POLICY ~~CODE~~ ON SEA LEVEL RISE.

SEA RISE BY  
2010 900m  
2.4m.

100 YEAR MAX STILL WATER RETURN \*

THE CONSENT AUTHORITY  
HAS DETERMINED IMPACT OF  
SEA RISE AND LIKELY STORMS.

SEA RISE BY  
2050 900m.  
1.900

100 YEAR MAX STILL WATER RETURN \*

LOWEST POINT IN ROAD 1.81

1.70 PROPOSED HARD STAND

PRESENT  
CONDITION  
1.560

100 YEAR MAX STILL WATER RETURN \*

50 YEAR MAX STILL WATER RETURN

EXISTING SEAWALL  
1.470 m +

HIGH TIDE  
1.175m

MEAN HIGHTIDE  
0.535

ATTACHMENT TWO.

\* @ FORT DENISON.

A.H.D.  
3/4

SYDNEY HARBOUR ASSOCIATION .P.O. BOX 265 ROSBLY 2029.

(1)

1/4/2011

(7)

THE DIRECTOR  
Metropolitan & Regional Projects South  
Dept of Planning  
G.P.O. Box 39  
Sydney NSW 2001.

SEAFOORTH.

SUBMISSION MP080046

Dear Sir/Madam,

I am writing in response to a letter (undated) received by me from Michael Woodland inviting me to make a written submission ref: MP080046 by the close of business Friday 8th April.

The Environmental Assessment is two large volumes that would take a considerable amount of time to digest & I spent my time considering some of the boating & Spit Bridge vehicle ramifications. I have not addressed the building, parking & a host of other matters - I have left that to better qualified persons, however, I note that a considerable renovation has recently been completed on the building.

The loss of mustering space (report term) for vessels waiting for the bridge to open is of real concern. Large vessels need a lot of room to move. The tidal flow is considerable at the Spit & with such a large number of large vessels using the waterway, there must be a considerable increase in the risk that the bridge would be hit, resulting in damage that could stop the operation of the bridge, requiring vehicles to travel via Roseville Bridge to get to Manly/Seaforth/Northern Beaches. Strong side winds (from the South) often make this passageway difficult to navigate.

RECEIVED

1 APR 2011

J

- 1 What does the Roads + Traffic Authority think of Major
- 2 Project MP 080046? Has R.T.A. lodged a submission?
- 3 Have Pittwater + Warringah Councils been notified with
- 4 regard to traffic matters? Have these Councils together with Manly Council lodged submissions?
- 5 Has the Ardent Leisure Group (the Proponent) offered the R.T.A. a contribution for either constructing a higher Spit Bridge or a Road Tunnel?
- 6 Has the N.S.W. Government considered the possibility of having to pay Ardent Leisure Group compensation (in the event of traffic banking back to Manly Vale + the large marina berths needing to be bought back by government)?
- 7 Has the large fuel deliveries (needed for vessels this size) been taken account of? Will these
- 8 vessels be allowed to refuel at night by
- 9 unsupervised staff? How much extra fuel will need to be stored on-site?
- 10 Currently, how many vacant moorings does the marina owner have at Quaker Hat Bay (3 minutes away by tender as advised by marina)?

SUMMARY: THIS PROJECT APPLICATION SEEKS TO CHANGE THE NATURE OF THIS MARINA TO A LARGE SCALE / LARGE BOAT OPERATION. SAFETY [Not] AND THE 70,000 <sup>CARS</sup> THAT USE THE SPIT BRIDGE EACH DAY [CONSIDERED] P.S. There are already over 200 boats in Pearl Bay.

Rob Grant  
1/4/2011

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## Submission d'Albora Marina The Spit

13 April 2011

Sent by email and mail

**Attention: Director , Metropolitan & Regional Projects South**

REF: MP08\_0046

Page 1 of 4

Submission by: Maureen M. Young

HB 8 Pearl Bay, Mosman

Mail: PO Box 590, Spit Junction NSW 2088

Email [mmyoung1@bigpond.com](mailto:mmyoung1@bigpond.com)

I object to the proposed development for the following reasons.

### **1. Encroachments**

The views from the north side of the Reserve being the picnic areas, have already been taken by the encroachment of the southern arms of the marina. There is only about 20% of that area left where there is not a wall of fiberglass structures blocking the westerly views. The shaded areas have no views for the public to sit and look west up to Sugarloaf Bay. Further encroachment would take the structures up to the viewing platform adjacent to the playing fields.

These northern grassed areas are shown on the Draft Spit Management Plan is a LOW priority . This need to be upgraded to a high priority to protect it from development application such as car parking . see below

There should be no extension south for the marina's arms A, B and C allowed. The arms B & C should be cut back to the current length of arm A, thereafter additional mooring should be allowed for the western side of arm C as proposed PROVIDING there is a strict height limitation for those vessels and for current moorings as vessels are replaced, say of 2 meters from the waterline. Vessels with fly decks should be of clear material so the view is not further restricted.

The T head of arms A, B, C should be restricted to smaller lower vessels. Larger and higher vessels should be moored in northern mooring area in the marina.

Additionally, there is no documentation of application made or consent given, being as part of this whole development approval, from the NSW Maritime Authority. The only reference is to the Maritime Authority's lease being amended. Plans and approvals to and from the NSW Maritime should be submitted too.

Of further concern is what appears to me to be a fact, which is the NSW Maritime has granted the Marina owners consent for something, (apparently only known to them) for the use? relating to Ellery Park on the Northern side of the Marina. What is that consent for and how does it fit into this Marina development as a whole, being over and above this actual proposed development is, Was Mosman Councilor's and the Mosman community informed. I live directly on the reserve and I was not informed nor was any there a development notice displayed in that area. Please confirm.

## 2. Parking and other Public Area Usage

It is unacceptable that a development for a commercial marina estimated to cost \$9 million + has not catered for a loading dock and vehicle delivery area for its commercial outlets and their suppliers. Clearly, going on the overview for this development, it is proposed to make further application to gain the public reserve land adjacent to its southern wall, as a commercial parking lot. This is shown on the *Preliminary* drawing .

Although supposedly not submitted as part of this development it is noted on the Development Application form it is submitted at Part 3, *Identify the land you propose to develop*, as Lot DP 1065245 which is the Spit Reserve DP. Additionally on that from under part 3, Lot 1<sup>01</sup> in DP 1011363 which the marina occupies is land to be developed however that lot is not shown on the proposed development drawing. What is the lot #1<sup>01</sup> designated for now?

The development application is structured to infer the marina wants exclusive parking. If that is so it has to cater for that within the foot print of land it now legally occupies under its current lease with the NSW Maritime, that being within Lots 1,2,3 & 4 of DP1011363.

It is clear the purpose for the timing for the additional application for parking, ( not being included in this proposal) is to wait for the Spit Management Plan to go through Council so the land usage is open to change as without the Plan of Management its use is protected. As stated above the grassland areas must be regarded to a high priority to protect what is a feature admired by the Reserve users.

Disabled Parking is catered for in the public parking areas which are very close to the Marina. I see this, as proposed by the marina owners as a usage for any land approved on the southern side of the complex, as a



ploy to use the land for as commercial loading dock and parking for the dozens of trucks that are in and out of the marina daily. This is totally unacceptable in a scenic foreshore parkland. The marina development needs to be amended and Lot 2 shown on the new projects drawings, be used for the commercial vehicle purpose.

### **3. Director General Requirements .**

It is noted on the Director General's requirement papers, ( delegated to Dept. Planning) it was *suggested* the Marina owners lodge one complete set of all development s it wished to apply for. I have to question why it was not an actual *requirement* not a mere suggestion. There are three other separate developments to be read into this one development;

- a) The proposed one for parking stated to be essential for the new proposed marina;
- b) The NSW Maritime approval for further usage of its waters
- c) The NSW Maritime consent for of the area Ellery Park in 2009.

This development application should be rejected and further application made with required amendments and submitting as part of its further application all documentation relating to items a) to c) above.

With the changes to Part 3 of the Environmental Planning and Assessment Act 1979, by the new government, it is hoped an environmental impact statement will now be required for this whole development..

Your sincerely,

Maureen M. Young



ORSO  
BAYSIDE RESTAURANT



April 6, 2011

The Director,  
Metropolitan & Regional Projects South  
GPO BOX 39  
SYDNEY NSW 2001

**RE: MAJOR PROJECT MP08 \_ D'ALBORA MARINA, THE SPIT, MOSMAN**

We note that part of the above application relates to **relocation of a sewer pump.**

We wish to draw to your attention the most unsatisfactory installation of PVC pipes carrying **sewer from D'Albora Marina** across The Spit on Council Land in an environmentally unsafe manner. **These PVC pipes are not documented with Sydney Water nor with "Dial before you Dig"** and are only installed in a shallow manner as per attached images.

We have been affected by leaking pipes on 2 occasions in the past, resulting in hundreds of liters of raw sewerage accumulating in front of our entrance.

We have tried to enlist Sydney Water to attend to this problem who state that it is a Mosman Council Matter.

We have forwarded our comments on 26<sup>th</sup> March, 2011 to Mr Andrew Finati at Mosman Council, (without response) advising him that the following 2 RTA personnel can verify the problem:

1. Mr Simon Buddhivijaya (Project Engineer) 0408 262 350
2. Site Supervisor "Doug" 0410 479 129

As The Spit is not serviced by Sydney Water, each holder of leases of this Crown Land area, must arrange for their own sewer disposal solution. Orso Restaurant in conjunction with The Middle Harbour Skiff Club and No 235 Spit Road Strata Plan have a properly constructed and documented sewer line, which eventually discharges into the sewer pump station behind the Middle Harbour Yacht Club.

Attached please find images which documents the problem situation very clearly.

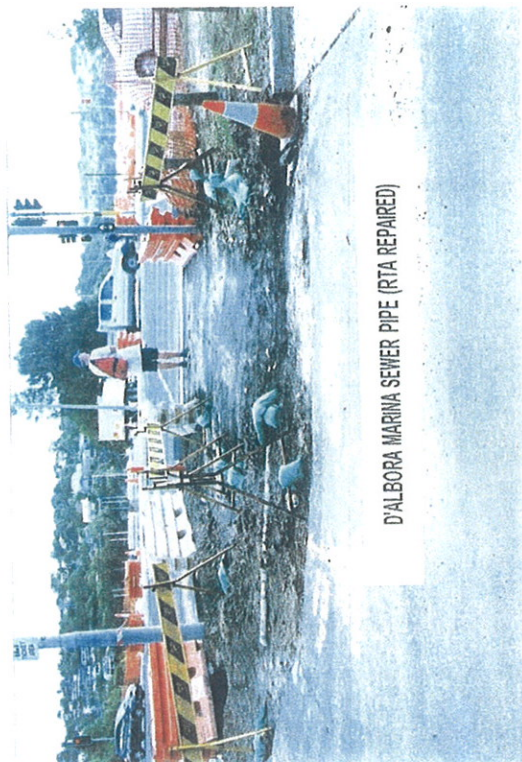
With best regards  
Silvio Gmur  
Managing Director  
Wingmode Pty Ltd.  
T/as Orso Bayside Restaurant

A handwritten signature in dark ink, appearing to read "Silvio Gmur", written over a horizontal line.

COPY: General Manager, Mosman Council, PO BOX 211, MOSMAN NSW 2088



# SEWER LEAKAGE 22ND TO 24TH MARCH 2011





UNMAPED SEWER LINES IN CARPARK

