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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 19/03/2025 9:03:24 AM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

19/03/2025

DR STEPHEN MOATE  
36 - 36 ST  
Balgowlah Heights NSW 2093  
[REDACTED]

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

Subject: Supplementary Objection to Amended North Harbour Marina DA Proposal (DA 2024/1216)

Dear Sir/Madam,

I refer to the amended North Harbour Marina DA Proposal (DA 2024/1216).

I submit the following supplementary objections:

**1. Non-Compliance with Australian Standards**

The amendments do not meet AS3962 standards for safety and navigation space. The proposal fails to ensure sufficient fairway and channel widths, making safe passage difficult.

**2. Inadequate Fairway Width**

The fairway should be at least 1.5x the longest vessel (preferred 1.75x), yet much of it is below 20m, restricting safe maneuverability and increasing congestion risks.

**3. Channel Width and Safety Concerns**

The channel width is frequently under 60m, with pinch points at 42m and 48m. Swing moorings on both sides further reduce navigable space, creating potential hazards.

**4. Insufficient Justification for Channel Design**

The proposed 22.5m channel width does not align with AS3962, which requires  $L + 2m$  (where  $L$  is the longest vessel) and a preferred width of 30m or more for wide-beamed vessels.

**5. Risk of Increased Large Vessel Traffic**

Creating a designated channel may encourage larger vessels to enter, adding to congestion and safety risks. The Treharnes Manly Boat Shed, with higher commercial traffic, may struggle to function without a formal channel.

**6. Evidence from Original Proposal**

The initial DA proposed accommodating vessels up to 35m, demonstrating the potential for larger boats to enter despite amendments to the plan.

**7. Inappropriate Berth Location Near Recreation Area**

The proposed berth near the 1m depth mark is too close to areas used by families, swimmers, and non-motorized craft. A motorized vessel here would pose unnecessary safety risks.

**8. Exposure to Severe Weather Conditions**

North Harbour is exposed to southeasterly gales, with a history of severe storm damage (e.g., the 1974 storm). Increased vessel density heightens risks to infrastructure and safety.

**9. Council's Potential Legal Liability**

Approving the proposal despite evident risks may expose the Council to liability under Section 5B of the Civil Liability Act 2002 (NSW) should accidents or damage occur.

**10. Overall negative environmental impact can not be understated.**

## Conclusion

This submission, alongside my prior objection, reinforces the need to reject the amended proposal due to safety, compliance, and legal concerns.

Yours sincerely,  
Stephen Moate