

From: [George Youhanna](#)
To: [Ben Craig](#); [Stephen Beattie](#)
Cc: [Russell McCart \(RMC@PacificaDevelopments.com.au\)](#); [James Harrison](#); [Angela Kenna](#); [Harshane Kahagalle \(harshane.kahagalle@addisonslawyers.com.au\)](#)
Subject: RE: Berrys Bay Development Application
Date: Monday, 18 April 2016 12:14:38 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Ben,

Thank you for the additional information and amended plans. Unfortunately, Council cannot accept the amendments under clause 55, essentially as the amendments and additional information would require renotification and further assessment, which is not possible in the given timeframe. I would add that in any event, the amendments do not address the key issues.

Regards,
George

From: Ben Craig [mailto:BenCraig@jbarbar.com.au]
Sent: Friday, 15 April 2016 4:22 PM
To: George Youhanna <George.Youhanna@northernbeach.nsw.gov.au>; Stephen Beattie <Stephen.Beattie@northernbeach.nsw.gov.au>
Cc: Russell McCart (RMC@PacificaDevelopments.com.au) <RMC@PacificaDevelopments.com.au>; James Harrison <JHarrison@jbarbar.com.au>; angela.kenna@planning.nsw.gov.au; Harshane Kahagalle (harshane.kahagalle@addisonslawyers.com.au) <harshane.kahagalle@addisonslawyers.com.au>
Subject: Berrys Bay Development Application

Dear Stephen / George,

Note: If previous email received then please ignore and use this email instead as it has appropriate attachments.

At the JRPP meeting held on 7 April 2016 a couple of key matters were raised about the application, these being:

- the issue of landowners consent for Lot 22 in DP1048933 (commonly referred to as Carradah Park); and
- on a related matter, the conflicts that could potentially arise from buggies and goods being transported to the Dolphin Wharf via the public walkway through Carradah Park. These concerns were also echoed by some members of the public who addressed the JRPP at the meeting.

Following consideration of these the applicant proposes that the most appropriate way to address these matters is to make a minor amendment to the design of the marina so that access to the Dolphin Wharf is no longer provided through Carradah Park, but is instead achieved via a new floating walkway link from Marina Arm C.

Pursuant to clause 55(1) of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg), we therefore wish to amend the development application as outlined above and accordingly provide Council with the following documentation:

- Updated Architectural Drawings prepared by Altis Architecture, specifically:
 - DA0002 – Proposed Site Plan
 - DA1111 – Proposed Marina Plan Zone 1A
 - DA1112 – Proposed Marina Plan Zone 1B
 - DA4000 – Site Plan – Presentation DA
- Supplementary Statement prepared by Clouston Associates; and
- Letter prepared by Addison's Lawyers.

It is noted that updated Technical Marina Drawings are also being prepared by Stenaid Services to reflect the proposed amendments, and will be provided to Council early week beginning 18 April 2016.

We would like to request that the application be amended to include these plans, and that this package be forwarded to the JRPP for their information and consideration. We will provide hard copies of these documents along with a cheque for the Council fee on Monday.

I trust this is what you require at this stage, however should you have any queries please feel free to give me a call.

Kind Regards

Ben Craig Associate

Office +61 2 9956 6962 Direct +61 2 9956 6962 Mobile +61 2 9956 6962
jbaurban.com.au - Level 7, 77 Berry Street, North Sydney (PO Box 375, North Sydney NSW 2059)



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From: George Youhanna [mailto:george.youhanna@jbaurban.com.au]
Sent: Thursday, 14 April 2016 4:04 PM
To: Ben Craig
Cc: Stephen Beattie
Subject: Legal advice regarding Dolphin Wharf access

Hi Ben,

The Panel at the meeting last week raised the question of owner's consent and the legality of accessing the Dolphin Wharf via the RE1 zone (Carradah Park). James Harrison stated that you were in the process of obtaining legal advice on the matter.

It would be helpful to the assessment process if you could furnish legal advice on this matter (to both Council and the JRPP) prior to the 5th May meeting.

Regards,
George

George Youhanna
Executive Assessment Officer



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