



6 August 2025



Glenn Wightwick
9 Muston Street
MOSMAN NSW 2088

Dear Sir/Madam,

Development Application No: DA2025/0783 for Demolition works and the construction of a new seawall including a timber jetty, a pontoon and associated works. at 206 McCarrs Creek Road, Church Point.

An assessment has been undertaken of your application. The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

1. Owner's Consent – Crown Lands

The Landowner's Consent from the Department of Planning, Housing and Infrastructure – Crown Lands & Public Spaces (the Department) is to be updated to reflect the architectural plans submitted to Council.

The set of plans submitted to Council differ slightly in that it includes a return in the sea wall, in which part is located on Crown Lands.

2. Transport for NSW – Navigation Assessment

The plans referenced in this document are outdated (September 2024) and differ slightly (lack of detail) when compared to the set of plans submitted to Council (dated December 2024). The Navigation Assessment shall be updated to reference the correct plans.

3. Waterway Elevation

An elevation of the works particularly of the sea wall shall be submitted.

4. Objector's concerns

You are encouraged to review the submissions that have been lodged in relation to the application and consider any design solutions that may resolve relevant concerns.

Submissions that are available online in accordance with the Northern Beaches Community Participation Plan can be viewed on Council's website at the following link, using the application number as a reference:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Public/XC.Track/SearchApplication.aspx>



Note: The referrals from Council's internal Coastal and Riparian Lands Team are outstanding, if any further information is required, this will be requested at a later date.

Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application.

Please advise of your selected option by responding **within 7 days of the date of this letter** by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive your response by this date, Council will determine the application in its current form.

Submitting further information/amendments

Council will offer one opportunity to provide feedback on conceptual amendments addressing the issues raised in this letter. We strongly request that you contact the assessment officer directly for a 'without prejudice' discussion on your proposed resolution of the issues and the submission requirements before lodging any documentation on the NSW Planning Portal.

Conceptual amendments must be provided to Council for feedback **within 14 days of the date of this letter**. If conceptual amendments are deemed sufficient, we will then provide you with a timeframe upon which an amended application is to be lodged on the NSW Planning Portal (generally 14 days).

Please ensure that the amended/additional information submitted on the NSW Planning Portal is a genuine attempt to resolve the issues as Council will generally not seek any further information/amendments after that point. Council will proceed to assess and determine the application based on the submitted information without further consultation. Whilst we will provide feedback on your conceptual amendments in good faith, this cannot guarantee the approval of the amended application.

As part of any amended application, it may be necessary to update your supporting documentation (e.g., BASIX certificate, bushfire report, geotechnical report, etc.). Failure to do so may affect Council's ability to determine the application favourably.

Please ensure that any amendments are accompanied by a summary/schedule of amendments cover sheet.

Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.



This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's *23A Guidelines on withdrawal of Development Applications 2023*, Ministerial Orders *Statement of Expectations 2021* and the *Development Assessment Best Practice Guide 2017*.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on **27 June 2025** and 40 days in the assessment period have now elapsed.

This letter will be released on Council's webpage as part of the application's documentation.

Should you wish to discuss any issues raised in this letter, please contact **Brittany Harrison** on 1300 434 434 during business hours Monday to Friday.

Yours faithfully,

Brittany Harrison
Planner