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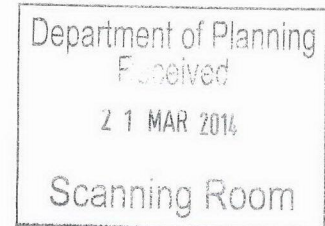
Our Ref: 054995.2014-001  
Contact: 9821 9221

18 March 2014



PCU52154

Mary-Lynne Taylor  
Sydney West Joint Regional Planning Panel  
Regional Panels Secretariat  
GPO Box 39  
SYDNEY NSW 2001



Dear Ms Taylor

Re: **MOOREBANK MARINA – DA 846/2012**

I am writing to confirm your telephone discussion of Friday 14 March with Toni Averay, Acting Executive Director, regarding your letter dated 12 March 2014 about the above development application. I note your direction to provide the following documentation and reports within 14 days of the date of your letter:

- the additional report referred to above;
- the Marina DA and all documents lodged in support of the DA including any additional documents provided to the Council following the Panel's meeting on 10 October 2013;
- any other material relied on by the Council for its assessment of the Marina DA.

As discussed with Ms Averay, Council is unable to finalise the requested report until development applications lodged by the applicant on 4 February 2014 in respect of the bridge access have been determined. The applicant has lodged two applications; a Section 96 modification application to modify the design of the road bridge to ensure consistency with the Court endorsed plan (DA-1552/2006/A); and an application for approval for use of the road as a public road (DA-61/2014). These applications and associated documents are available for viewing on Council's eplanning portal at <http://www.liverpool.nsw.gov.au/eplanning>

Both applications are currently on public exhibition until 28 March 2014.

I note the JRPP direction regarding the Marina application as per the minutes of the meeting of 10 October 2013:

*Council is requested to provide an additional report which addresses the following concerns:*

1. *The impacts of flooding regarding the safety of persons and structures, assessed against the relevant Acts and Regulations;*
2. *The issues raised by the objector's representative namely that the access essential to the function of the use is not part of the application and consequently has received no planning assessment.*
3. *The cumulative impacts of the proposed traffic arrangements in terms of ability to provide legal, functional access that will be compatible with the needs and capacity of future uses of the precinct and provide a satisfactory level of environmental amenity to future occupants of the precinct.*

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4. *Report detailing the Director-General's requirements and how these have been met;*
5. *Report from the council on the concerns as expressed by the objector to the VPA;*
6. *Further analysis of the appropriateness of conditions in council's current report relating to access and flooding*

Council will be unable to finalise its report on the Marina application until the assessment of the bridge DAs has been completed.

However, as agreed in your telephone discussion with Ms Averay, an interim response will be provided by 28 March in accordance with your direction addressing those issues which are not dependent on determination of DAs 1552/2006/A and 61/2014. Copies of all documentation as requested will also be provided.

Your guidance and cooperation in this matter is appreciated. Council acknowledges the importance of finalising the determination of the Marina application, while also ensuring that the impacts of this major development are properly addressed and conditioned.

Your sincerely



**Farooq Portelli**  
Chief Executive Officer