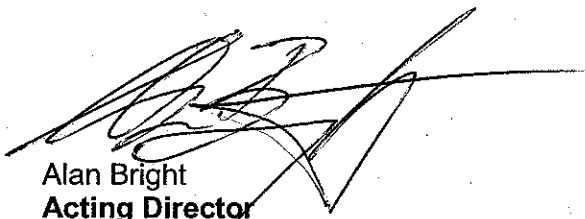


Modification of Minister's Consent

Section 96 (1A) of the *Environmental Planning & Assessment Act 1979*

I, Alan Bright Acting Director Regional Projects, as delegate of the Minister for Planning, under Instrument of Delegation dated 25 January 2010, pursuant to section 96 (1A) of the *Environmental Planning and Assessment Act 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.



Alan Bright
Acting Director
Regional Projects

Sydney, 8 February 2010

SCHEDULE 1**PART A—TABLE**

Application Number:	DA 243-10-2004 MOD 6 modifying DA 243-10-2004
Application made by:	Black Rocks Estate Pty Ltd P.O. Box N27 Grosvenor Place, NSW 1220.
On land comprising:	Lot 232 DP 1072665 & Lot 183 DP 1034824, Overall Drive, Pottsville
Local Government Area	Tweed
For the carrying out of:	Residential Subdivision
Section 96 (1A) Application	DA 243-10-2004 MOD 6 to modify DA 243-10-2004 in the following manner: Amend Condition A2 with regard to including a staging plan.
Development consent granted by:	Delegate of the Minister for Planning
On:	
Type of development:	State Significant Development Integrated Development
S.119 public inquiry held:	No
As modified:	MOD 76-6-2006 DA 243-10-2004 MOD 2 DA 243-10-2004 MOD 3 DA 243-10-2004 MOD 4

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. DA 243-10-2003 MOD 6***Responsibility for other approvals / agreements***

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act 1979*. The right to appeal is only valid, for a development application, within 12 months after the date on which the Applicant received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under section 123, subject to section 101, of the *Environmental Planning and Assessment Act 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

The specific public amenity or service or both are identified in the monetary contributions conditions in Part B of Schedule 2.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 243-10-2004

SCHEDULE 2**MODIFICATIONS (DA 243-10-2004 MOD 6) OF DEVELOPMENT CONSENT TO
DEVELOPMENT APPLICATION NO. DA 243-10-2004**

The development consent is modified by:

- (a) Amend the table in Condition A2 by inserting the following row immediately below the row:

As Plans prepared by Ardill Payne & Partners			
Drawing No.	Revision	Name of Plan	Date
5017-13 P.01B		Proposed Section 96 Amendment – Concept Layout Plan (DoP DA 243-10-2004)	June 2008

As follows:

5017 - P.01	H	Subdivision layout plan (Staging plan)	March 2009
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