

# Application to modify a development consent



Date received: 17 FEB 2009

DA modification no: MOD 06-02-2009

NSW Department  
of Planning

You can use this form to apply to modify a development consent given by the Minister of Planning. If the changes you propose mean the development will not be substantially the same as that originally approved, please do not use this form. You will need to submit a new development application.

To complete this form, please place a cross in the boxes ☐ and fill out the white sections as appropriate. To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to us. When your application has been assessed, you will receive a notice of determination.

## 1. Details of the applicant

NAME

Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other ☐

First name

David

Family name

Antcliff

Company/organisation

Hunter Development Corporation

ABN

94 688 782  
063

STREET ADDRESS

Unit/street no.

Level 5, 26

Street name

Honeysuckle Drive

Suburb or town

Newcastle

State

NSW

Postcode

2300

POSTAL ADDRESS (or mark 'as above')

PO Box 813

Suburb or town

Newcastle

State

NSW

Postcode

2300

CONTACT DETAILS

Daytime telephone

02 49042750

Fax

02 49042751

Mobile

0408 427 142

Email

david.antcliff@hdc.nsw.gov.au

## 2. Identify the land

Unit/street no. (or lot no. for Kosciuszko ski resorts)

Closure Area

Street or property name

Selwyn St

Suburb, town or locality

Mayfield

Postcode

Local government area

Newcastle

Lot/DP or Lot/Section/DP or Lot/Strata no. (1) (2)

Please ensure that you put a slash ( / ) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma eg 123/579, 162/2.

Lot 33 DP1116571

(1) Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact Department of Lands for updated details.

(2) Note: If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers do not apply.

### 3. Details of the original development consent

Describe what the original consent allows

Development of a Multi Purpose Terminal and Remediation of the Closure Area, BHP Newcastle Steelworks

What is the development application no.?

293-08-00

What is the date of consent?

6-4-2001

What was the original estimated cost of development (including GST)?

### 4. Describe the modification you propose to make

Please indicate the type of modification you propose to make by placing a cross in the appropriate box ☐ below.

You need to submit with your application form a full description of the expected impacts of the modifications proposed, including relevant plans, drawings and compliance with relevant controls.

- ☐ A modification to correct a minor error, misdescription or miscalculation

Describe the error, misdescription or miscalculation

(Refer to section 96(1) of the *Environmental Planning and Assessment 1979* (EP&A) Act)

- ☒ A modification that will have minimal environmental impact

Describe the modification and its expected impact  
(Refer to section 96(1A) of the EP&A Act)

Minor modification to the rail line location

- ☐ Any other modification

Describe the modification and its expected impact  
(Refer to section 96(2) of the EP&A Act)

Will the modified development be substantially the same as the development that was originally approved?

No ☐ Please submit a new development application.

Yes ☒ Please provide evidence that the development will remain substantially the same. (If you need to attach additional pages, please list below the material attached).

Minor modification of the rail line location only. All other provisions of the approved works including developmen of a Multi Purpose Terminal and remediation of the Closure Area remain unchanged.

Full details are included in the application document.

If your proposal is within Kosciuszko ski resorts area, please attach a copy of the Interim Lease Variation Approval received from the National Parks and Wildlife Service to your application.

#### 5. Number of jobs to be created

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. (e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job; six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.)

Construction jobs (full-time equivalent)

620

Operation jobs (full-time equivalent)

310

#### 6. Application fee

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development.

Clause 258 of the Environmental Planning and Assessment Regulation 2000 and the table attached to that clause set out how to calculate the fee for an application for modification of a consent.

If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 258 of the regulations includes details on these fees.

Note: Advertising fees attract GST, all other fees do not. Contact us if you need help to calculate the fee for your application.

Estimated cost of the development

Total fees lodged

\$500

## 7. Signatures

**The owner(s)\* of the land being developed must sign the application.**

If you are not the owner of the land, you must ask the owner(s) of the land to sign the application.  
If the land is Crown land, an officer of the Department of Lands must sign the application.

As the owner(s)\* of the above property, I/we consent to this application:

Signature

See attached letter of  
authority

Name

Date

Signature


Name

Date

\* Note: For applications within the Kosciuszko ski resorts area, the approval of the lessee rather than owner is required.

**The applicant, or the applicant's agent, must sign the application.**

Signature



Name, if you are not the applicant

Date

12-2-09

In what capacity are you signing if you are not the applicant?

## 8. Privacy policy

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted. If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.





12<sup>th</sup> February 2009

Mr Craig Norman  
Chief Executive Officer  
Hunter Development Corporation  
PO Box 813  
Newcastle NSW 2300

Dear Mr Norman,

**RE: MAYFIELD RAIL ALIGNMENT**

NPC have reviewed your draft of the proposed submission to the Department of Planning to vary the position of the through rail line by modifying the development consent of the Multi Purpose Terminal. In principle we concur with the alignment as proposed, however our final comments are subject to the receipt of cost estimates which identify NPC's contribution to the variation.

However, under our delegated authority to act on behalf of the State Property Authority for Mayfield lands and in the interests of not delaying the process, we consent to HDC submitting a Section 96 application.

Yours sincerely

Ali Baghaei  
**GENERAL MANAGER PORT DEVELOPMENT**

