

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

**MODIFICATION (MOD 61-4-2006)
OF DEVELOPMENT CONSENT (DA 524-12-2003)**

**REDEVELOPMENT OF AN EXISTING TOURIST FACILITY ON LOT 27 DP 224117
191 MITCHELL PARADE, MOLLYMOOK**

**PURSUANT TO SECTION 80 OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979**

(FILE NO. 9042599)

I, Chris Wilson, Executive Director, Department of Planning, as delegate of the Minister for Planning, pursuant to Section 96 (1A) of the *Environmental Planning & Assessment Act, 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reason for the imposition of conditions is to ensure that safe and adequate car parking is provided.

Chris Wilson
**Executive Director,
Department of Planning**

Sydney,

2006

SCHEDULE 1

PART A —TABLE

Application Number:	MOD 61-4-2006 modifying DA 524-12-2003
Application made by:	Molnar Freeman Architects 14 Moncur Street WOOLLAHRA 2025
On land comprising:	Lot 27 DP 224117 191 Mitchell Parade, Mollymook
Local Government Area	Shoalhaven City Council
For the carrying out of:	Redevelopment of an existing tourist facility
Section 96 (1) Application	MOD 61-4-2006 to modify DA 524-12-2003 in the following manner: ▪ Minor internal building and car parking design.
Development consent granted by:	Minister for Planning
On:	19 July 2004
Type of development:	State Significant Development Integrated Development
S.119 public inquiry held:	No
As modified:	MOD 24-2-2005 under Section 96(1A) of the Act on 16 September 2005.

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. MOD 61-4-2006

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* regarding the determination of the modification application. The right to appeal is only available 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.

SCHEDULE 2

MODIFICATION (MOD 61-4-2006) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO. DA 524-12-2003

The development consent is modified as follows:

PART A – ADMINISTRATIVE CONDITIONS

(a) Delete Condition A2.A and insert instead the following Condition A2.B:

A2.B Development in Accordance with Plans

The development shall be generally in accordance with development application number 524-12-2003 submitted by the applicant on 23rd December 2003, and in accordance with the supporting documentation submitted with that application and in accordance with the modified plan submitted on 26 April 2006, including, but not limited to the following:

Statement of Environmental Effects entitled Bannister Point Lodge 191 Mitchell Parade, Mollymook prepared by Molnar Freeman Architects, undated.			
Architectural Drawings prepared by <i>Molnar Freeman Architects</i>			
Drawing No.	Revision	Name of Plan	Latest Revision Date
S9601	A	Existing Site Plan	February 2005
S9602	A	Existing Level 1 Plan	February 2005
S9603	A	Existing Level 1 Floor Plan	February 2005
S9604	A	Proposed Level 2/ Roof Plan	February 2005
S9605	B	Proposed Level 1 Floor Plan	June 2005
S96-06	F	Proposed Ground Floor Plan	JAN 2005
S9607	B	Proposed East Elevation	June 2005
S9608	A	Proposed Elevations: Building 1	February 2005
S9609	A	Proposed Elevations: Building 2	February 2005
S9610	A	Proposed Sections	February 2005
DA11	D	Shadows 9am – June 21	27/05/04
DA12	D	Shadows 12pm – June 21	27/05/04
DA13	D	Shadows 3pm – June 21	27/05/04
DA14	D	Shadows – Elevation	27/05/04
Survey Drawings prepared by Molnar Freeman Architects			
Drawing No.	Revision	Name of Plan	Latest Revision Date
S9600	A	Survey Plan	February 2005"

Final design of the car park shall be to Council's satisfaction.