

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 19 / 05 / 11

Modification No. 05_0193_Mod 2

1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

Disclosure Statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

ABN

Hunter - Central Rivers CMA

50602455909

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Fiona

Family name

Marshall

Position

General Manager

STREET ADDRESS

Unit/street no.

816

Street name

Total Road

Suburb or town

PATERSON

State

NSW

Postcode

2421

POSTAL ADDRESS (or mark 'as above')

PO Box 2010

Suburb or town

PATERSON

State

NSW

Postcode

2421

Daytime telephone

02 49301030

Fax

02 49301013

Mobile

Email

Fiona.Marshall@cma.nsw.gov.au

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Hexham

2322

Local government area(s)

State Electorate(s)

Newcastle

Wallsend

REAL PROPERTY DESCRIPTION

over 100 lots

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposed modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR: detailed description of land attached: ☒

MAP: A map of the site and locality should also be submitted with this request.

4. Details of the original major project or concept plan

Briefly describe what the original approval allows

Reintroduction of tidal waters to Hexham Swamp to facilitate rehabilitation to estuarine wetlands system.

What was the original project application no.?

05-0193

What was the date of the approval?

30 November
2006

What was the original application fee?

\$750

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

5. Describe the modification you propose to make to the approval

Describe the proposed modification

- * Amend Condition 1(a) by inserting immediately after subparas (i) and (ii):
"but only to the extent that the EA in relation to Requirements refer or relate to matters other than the Wallsair Land or Wallsair Pty Ltd;"
- * Amend Condition 1(b) by inserting immediately after "August 2006":
"but only to the extent that the Submissions Report in relation to Requirements refer or relate to matters other than the Wallsair Land or Wallsair Pty Ltd;"
- * Amend Condition 1(c) by inserting immediately after "mitigative works":
"but only to the extent that the e-mail and letter (including the attachments thereto) in relation to Requirements refer or relate to matters other than the Wallsair Land or

Wallsair Pty Ltd;”

* Amend Condition 1(d) by inserting immediately after “this approval”:
“but only to the extent that the conditions in relation to Requirements refer or relate to matters other than the Wallsair Land or Wallsair Pty Ltd.”

* Insert immediately before Condition 2, a new condition, Condition 1A:

1A In Condition 1:

(a) “Requirements” means any matter to be performed or undertaken by the Proponent or for which the Proponent is responsible;

(b) “Wallsair Land” means the land at 59 Creek Road, Maryland being Lot 102 DP 606506 including the Wallsair airstrip and any other part or parts of that land.

* Delete Condition 17.

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).

\$0

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed modification. This should be expressed as a proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)

0

Operational jobs (FTE)

0

6. Landowner's consent (where required)

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land

59 Creek Road, MARYLAND
2287

Signature

Not Required- letter attached 4
November 2010

Name

John Murphy

Date

4 November 2010

Land

Signature

Name

Date

Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

7. Political donation disclosure statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Have you attached a disclosure statement to this request?

- ☐ Yes
☒ No

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and
- declare that all information contained within this form is accurate at the time of signing.

Signature

Fiona Marshall

In what capacity are you signing if you are not the proponent

Name

FIONA MARSHALL - General Manager

Name, if you are not the proponent

Date

30/4/11

Hexham Swamp:

Hexham Swamp is located west of Newcastle it is bounded by the Hunter River and suburbs of Shortland, Wallsend, Maryland and Minmi. The Ironbark Creek flows through the swamp.

