

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: ____/____/____

Modification No. _____

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

BLUE DOLPHIN DEVELOPMENT JOINT VENTURE

☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Family name

Position

STREET ADDRESS

Unit/street no.

Street name

YAMBA ROAD

Suburb or town

YAMBA

State

NSW

Postcode

2464

POSTAL ADDRESS (or mark 'as above')

C/- JW PLANNING PTY LTD

LEVEL 1 SUITE 13/478
THE ESPERVADE

Suburb or town

WARNERS BAY

State

NSW

Postcode

2282

Daytime telephone

Fax

02-49484366

02-49484322

Mobile

Email

trevor@jwplanning.com.au

3 Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Yamba Rd

Suburb, town or locality

Yamba

Postcode

2464

Local government area(s)

Clarence Valley

State Electorate(s)

Clarence

REAL PROPERTY DESCRIPTION

Lot 1& 2/DP 706628

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

Staged mixed use tourist and residential development comprising a maximum total gross floor area of 59700m² being and overall FSR of 1.03:1 comprised of:

- a) a maximum of 48160m² residential GFA
- b) a maximum of 11540m² tourist facility GFA

What was the original project application no.?

MP 06_0133

What was the date of the approval?

06/07/2007

What was the original application fee?

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

extension to the current lapse date of the approval. FOR CONCEPT PLAN

AND CONSTRUCTION OF STAGE 1 FROM 6 JULY 2012 TO 6 JULY 2014.

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.

Name

M. Mitchell

Date

6/5/2011

Name, if you are not the proponent

*AS AUTHORIZED AGENT OF THE
MITCHELL PARTNERS, A JOINT
VENTURE PARTNER OF THE*

*BLUE DOLPHIN DEVELOPMENT
JOINT VENTURE AS TO 45%*

ESTIMATED CAPITAL INVESTMENT VALUE

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

\$170,000,000

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) 228

Operational jobs (FTE) 40

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

KNIGHTS COASTAL LAND FUND
ASTO 55%

Signature

[Signature]

Name

SELWYN BATANDA

Date

9/5/2011

Land

THE MITCHELL FAMILY
ASTO 45%

Signature

[Signature]

Name

Mark Mitchell

Date

6/5/2011

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

[Signature]

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

AS DIRECTOR OF THE FUND
MANAGER OF KNIGHTS COASTAL
LAND FUND A JOINT VENTURE
PARTNER OF THE BLUE ROCK
DEVELOPMENT JOINT VENTURE
ASTO 55%