

09284

10 March 2010

Mr Sam Haddad  
Director-General  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2000

Attention: Cameron Sergeant

Dear Mr Haddad

**MODIFICATION TO MAJOR PROJECT 06-0210  
ROZELLE BAY MARINE CENTRE**

We refer to the abovementioned Project Application for the construction and use of the Rozelle Bay Marine Centre.

On behalf of our client, Rozelle Bay Pty Ltd, we write to request the Minister (or his delegate) modify the Project Approval 06\_0210 under Section 75W of the *Environmental Planning and Assessment Act 1979* as described below. The modification relates to the extension of the date the approval will lapse.

In accordance with Section 245k of the *Environmental Planning and Assessment Regulation 2000*, please find enclosed the fee of \$750 for the assessment of the request.

The changes sought to the Project Approval are as follows:

***Proposal***

Condition A5 of the consent imposes a three year time limit to physically commence works. It is proposed to amend condition A5 to provide a four year time limit to physically commence works.

***Justification***

The Project Approval for the Rozelle Bay Marine Centre was granted on 21 May 2007 and lapses within three years unless works are physically commenced on or before the 21 May 2010. Since the Project Approval was granted the Applicant has experienced a change in market conditions due to the Global Financial Crisis.

In addition, a number of other modifications are being considered including minor changes to building structures, staging of construction and temporary uses. These changes are being discussed with NSW Maritime as landowner, and a separate s.75W modification will be prepared for those changes, however it is unlikely that the application would be completed prior to 21 May 2010.

Therefore an amendment to Condition A5 of the Project Approval is being sought to provide a 12 month extension to the period of validity of the consent, which is now proposed to lapse on 21 May 2011.

***Amendment to Consent***

The amended wording of the Condition is set out below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

"This approval will lapse within ~~three~~ ***four*** years of the date of this Approval, unless the works the subject of this Approval are physically commenced on or before this date."

***Conclusion***

The project as proposed to be amended by this modification will be the same as the approved project. The proposed amendment is administrative and has no additional environmental impact beyond those issues considered and assessed in the approval of the original project.

Should you have any queries about this matter, please do not hesitate to contact me on 02 9956 6962 or [kosborne@jbaplanning.com.au](mailto:kosborne@jbaplanning.com.au).

Yours faithfully



Kirk Osborne  
*Principal Planner*