

# Request to modify a major project



NSW GOVERNMENT  
Department of Planning

Date duly made: 26 / 10 / 09

Modification No. 07\_0059Mod 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](http://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

Roads and Traffic Authority

ABN

64480155255

☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Family name

Position

### STREET ADDRESS

Unit/street no.

21

Street name

Prince Street

Suburb or town

Grafton

State

NSW

Postcode

2460

POSTAL ADDRESS (or mark 'as above')

PO Box 576

Suburb or town

Grafton

State

NSW

Postcode

2460

Daytime telephone

02 6640 1022

Fax

02 6604 9380

Mobile

0407 254 363

Email

peter\_borrelli@rta.nsw.gov.au



### 3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Pacific Highway

Suburb, town or locality

Postcode

Banora Point

Local government area(s)

State Electorate(s)

Tweed

Tweed

REAL PROPERTY DESCRIPTION

As per Banora Point EA - Feb 2008.

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

The construction and operation of approximately 2.5 kilometers of six-lane divided carriageway, comprising a land bridge, viaduct and two interchanges and associated infrastructure (referred to as the Pacific Highway Upgrade - 'Banora Point' Project) at Banora Point to provide a motorway standard link between the northern end of the Chinderah bypass and the southern end of the Tweed Heads bypass, as outlined in the Environmental Assessment.

What was the original project application no.?

07\_0059

What was the date of the approval?

26 February 2009

What was the original application fee?

Nil

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

Refer to the attached RTA letter.

In summary: -

It has been identified that to meet the required timeframes of MCoA 1.6 ('where stages are proposed, the Proponent shall submit a Staging Report to the Director-General at least eight (8) weeks prior to construction....'). Sufficient time would not be available to firstly prepare the required documentation and to secondly request and obtain approval. There is a very real risk that the project political commitments will not be met.



It is therefore requested that the MCoA 1.6 be modified to allow sufficient time to prepare, assess and approve the necessary staging works to enable practical commencement of the proposed ancillary sites by November 2009. The proposed modification seeks a reduction of the stated 8 weeks to '4 weeks, or at the discretion of the Director-General'.

The RTA considers the changes would be consistent with current timeframes requested on a number of other conditions by the DoP. RTA also acknowledges the importance of the establishment of the ancillary site to allow better management of the early works, preparation for the commencement of substantial construction and more efficient use of project and public funding.

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

N/A

Signature

R. P. H. —

Name

Date

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](http://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



Name

Mr Robert (Bob) Higgins

Date

23/10/09

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

General Manager (Pacific Highway)

Name, if you are not the proponent