

22 August 2008

MALBEC
PROPERTIES

The Executive Director
Major Project Assessments
NSW Department of Planning
GPO Box 39
Sydney 2001
Attention: Mr Chris Wilson

ralph
25/8/08
To be read in
conjunction with
13/8/07 letter.

Level 5, 280 George Street
Sydney NSW 2000
GPO Box 2641
Sydney NSW 2001
T +61 2 9233 4144
F +61 2 9233 3282
www.malbec.com.au

Dear Mr Wilson

**Subject: Residential Subdivision at Belle O'Connor Street, South West Rocks
Lot 52 DP 831284 and Lot 84 DP 792945**

We refer to our previous letter seeking the Minister's opinion and request for issue of Director General's Requirements (DGRs) for a Part 3A Project Application dated 13 August 2007 (attached) at South West Rocks and your response letter dated 6 September 2007. The s65 Certificate was issued on the 18 August 2008 (see attached) and therefore we are writing to reiterate our request for the project to be declared a 'major project' to be determined under Part 3A of the EP&A Act and request the Director General's requirements for a Project Approval should the Minister form that opinion.

During the s65 certificate approval process additional investigations were carried out as input into the draft LEP to the satisfaction of the Department. This additional work did not alter the constraints around which our original application was based and therefore the original layout plan has not needed to be changed. We have therefore attached the original application letter which remains relevant and the Preliminary Environmental Assessment Report together with the Project Application Draft Layout Plan. We have attached an updated Appendix 1 which details the additional steps that have occurred subsequent to our letter of 13 August 2007. We have also attached a signed Major Project Application Form with a cheque for \$1000 made out to the Department in anticipation of the issuing of the DGEARS.

We look forward to the Minister's opinion on 'major project' status for the application being issued and subsequent issue of the DGRs should the Minister form that opinion.

Yours Sincerely,



Alex Soovoroff
Development Director
Malbec Properties

CC Heather Warton Manager Coastal Assessments

Attachments:
Malbec Part 3A Application letter dated 13 August 2008
Draft Layout Plan
Appendix 1 - Chronology
Major Project Application Form and accompanying cheque

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SECTION 65 CERTIFICATE OF DIRECTOR-GENERAL

The Director-General, Department of Planning, certifies that the draft local environmental plan referred to in the Schedule hereto may be publicly exhibited in accordance with section 66 of the Act.

Date:

18/8/08



Signed by Richard Pearson
as delegate of the Director-General,
Department of Planning I certify that I have
no notice of revocation of such delegation.

SCHEDULE

The draft local environmental plan (draft Amendment 55 to Kempsey LEP 1987) applying to land between Phillip Drive and Belle O'Connor Drive South West Rocks which proposes to zone land for residential and environmental protection purposes.