

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 13/1/12

Modification No. 08-0142 MOD 1

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	
Mackas Sand Pty Ltd		86122903806	
X Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="checkbox"/>			
First name		Family name	
Robert		Mackenzie	
Position			
Director			
STREET ADDRESS			
Unit/street no.		Street name	
2846		Nelson Bay Rd	
Suburb or town		State	Postcode
Salt Ash		NSW	2318
POSTAL ADDRESS (or mark 'as above')			
As above			
Suburb or town		State	Postcode
Daytime telephone		Fax	Mobile
			0408 490 911
Email			
oakfield8@bigpond.com			

proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)

10

Operational jobs (FTE)

10

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

See Attached

Signature

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

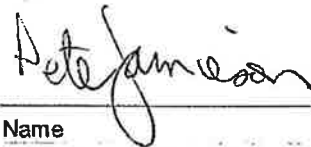
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8. Proponent's signature

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

Peter Jamieson

Date

13 January 2012

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

Consultant

Name, if you are not the proponent

Peter Jamieson



New South Wales
Aboriginal Land Council

Dealing approval certificate - land vested in Local Aboriginal Land Council

(Sections 41(1)(b) and 42K(1) of the *Aboriginal Land Rights Act 1983*)

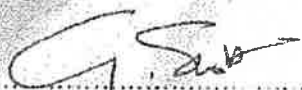
I **Geoffrey William Scott**, Chief Executive Officer of the New South Wales Aboriginal Land Council certify on **10 October 2011** that the land dealing by the **Worimi Local Aboriginal Land Council** specified in Schedule 1, being providing consent, has been approved by the New South Wales Aboriginal Land Council under Division 4 of Part 2 of the *Aboriginal Land Rights Act 1983* subject to the conditions, if any, set out in Schedule 2.

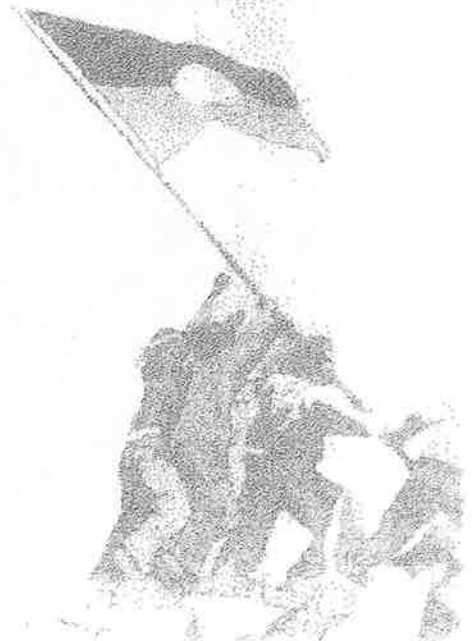
Schedule 1 - Description of land dealing

Worimi Local Aboriginal Land Council (WLALC) providing their consent to the proposed amendment to the access road for Major Project Approval 08_0142 as detailed in the diagram at Attachment 1 for the purpose of sand extraction at Lot 218 in DP 1044608.

Schedule 2 - Conditions on land dealing

Nil


Signed by the Chief Executive Officer
of the New South Wales Aboriginal Land
Council pursuant to section 42K(1) of the
Aboriginal Land Rights Act 1983





Subject: Worimi Local Aboriginal Land Council – DA for Sand Extraction

268th Council Meeting
Date: 27-29 September 2011
Item: 9.7
Day 2, 27 September 2011

Motion No: 17

Subject: Worimi Local Aboriginal Land Council - DA for Sand Extraction

Resolution: That the New South Wales Aboriginal Land Council pursuant to section 42G(1) of the *Aboriginal Land Rights Act 1983 (ALRA)*:

APPROVES Worimi Local Aboriginal Land Council providing their consent to the proposed amendment to access road for Major Project Approval 08_0142 as detailed in the diagram at Attachment 3 of this submission for the purpose of sand extraction at Lot 218 in DP 1044608.

MOVED: Cr R Ah-See, Sydney/Newcastle Region

SECONDED: Cr T Briggs, Northern Region

CARRIED: Unanimously

SIGNED:

Date: 04/10/2011

Cr Stephen Ryan, Chairperson

ACTION BY: Director, Commercial Unit



NEW SOUTH WALES ABORIGINAL LAND COUNCIL

ABN 82 726 507 500

11 October 2011

Our Ref: 11/2505

By email: andrew@worimi.org.au

Andrew Smith
Chief Executive Officer
Worimi Local Aboriginal Land Council
P.O. Box 56
TANILBA BAY NSW 2318

Dear Andrew,

**Worimi Local Aboriginal Land Council - Land Dealing Approval Application
Land Dealing: Providing Consent
Property: Access to Lot 218 DP 1044608**

I refer to my email of 29 September 2011 and confirm that on 28 September 2011 the Council of NSWALC approved Worimi Local Aboriginal Land Council's (WLALC) application for the above Land Dealing.

Accordingly I enclose a Dealing Approval Certificate (DAC) for the Land Dealing, duly signed by the NSWALC CEO, to enable Worimi LALC to carry out the above Land Dealing.

Please note that the NSWALC approval is subject to the conditions as stated in the DAC.

Compliance with those conditions is critical to whether or not the Land Dealing is authorised under the *Aboriginal Land Rights Act 1983* (ALRA) and whether or not it can proceed.

If you have any queries please contact me.

Yours faithfully


Jarrod Chapman
Commercial Analyst

Cc (by email): Cr Roy Ah-See (Sydney/Newcastle Region)
Mr Steve Merritt (Eastern Zone)

Head Office

Ground Floor, 33 Argyle Street
Parramatta NSW 2150
PO Box 1125
Parramatta NSW 2124
Tel: 02 9689 4444
Fax: 02 9687 1234
DX 28308 Parramatta 2150

Western Zone

2/36 Daring Street
Riverview Business Park
Dubbo NSW 2830
PO Box 1196
Dubbo NSW 2830
Tel: 02 6885 7000
Fax: 02 6881 6268
DX 4009 Dubbo 2830

Northern Zone

Suite 2-26, Park Avenue
Coffs Harbour NSW 2450
PO Box 1912
Coffs Harbour NSW 2450
Tel: 02 6659 1200
Fax: 02 6650 0420
DX 7557 Coffs Harbour 2450

Eastern Zone

50/24-26 Walt Street
Gosford NSW 2250
PO Box 670
Gosford NSW 2250
Ph 02 4337 4700

Southern Zone

Suite 110, Corporate Level
Riverside Plaza
Monaro Street
Queanbeyan NSW 2620
PO Box 619
Queanbeyan NSW 2620
Tel: 02 6124 3555
Fax: 02 6297 3541
DX 24202 Queanbeyan 2620



New South Wales
Aboriginal Land Council

Dealing approval certificate
- land vested in Local Aboriginal Land Council
(Sections 41(1) (b) and 42K(1) of the *Aboriginal Land Rights Act 1983*)

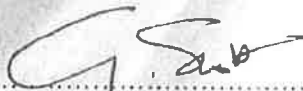
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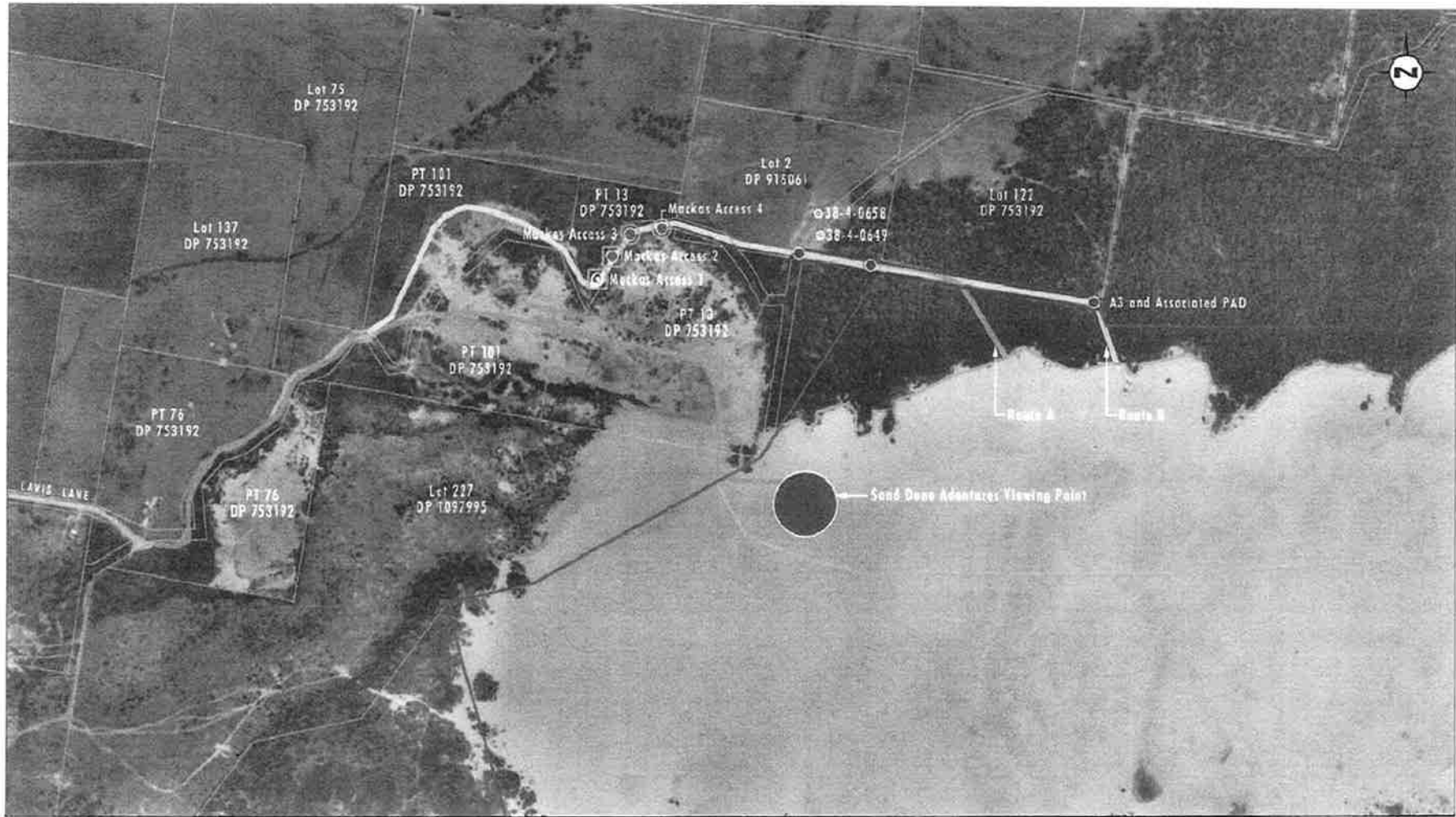
Schedule 2 - Conditions on land dealing

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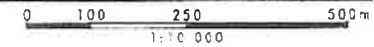

.....
Signed by the Chief Executive Officer
of the New South Wales Aboriginal Land
Council pursuant to section 42K(1) of the
Aboriginal Land Rights Act 1983



ATTACHMENT 1: DEWUNG APPROVAL CERTIFICATE - DATED 10/10/2011
SIGNED BY NSWALC CEO - GEOFFREY WILLIAM SCOTT



Source: Aerial Google Earth 2008



Legend

- Lot 218 Boundary
- Lot 218 Approval Extraction Area
- Previously Approved Access Road
- Proposed Modification to Access Road - Route A
- Proposed Modification to Access Road - Route B

- Midden
- Visible Midden Material within A3
- Site to which impact must be avoided (including vehicle movements)
- Sites for which impact must be avoided and barrier (including silt fencing) must be erected along northern boundary prior to road construction. Fencing should be done in construction with AHMG
- Site Boundary A3-within this area road boundary must be demarcated prior to road construction and any surface artefacts within demarcated area should be collected in consultation with AHMG. AHMG to inspect after initial vegetation clearance (undisrubbing and following removal of large trees and will collect any surface artefacts exposed at this time)

File Name (A4): V1/1646_263.dgn

FIGURE 2

Proposed Modification
to Haul Route



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ACTION BY: Director, Commercial Unit