

15 August 2016

ABN 69 117 633 119

The Secretary
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Shop 4, 500 Elizabeth Street
SURRY HILLS NSW 2010

M 0425 277 039

Dear Madam,

**Salamander Shores Hotel – 147 Soldiers Point Road, Soldiers Point (MP06_0183)
Request to Extend Date of Part 3A Approval**

I write on behalf of the Salamander Shores Hotel Pty Ltd, the proponent for the above Concept Plan and Project approval, requesting that the Minister for Planning or his delegate extend the date to which both the Part 3A Concept and Project approvals lapse.

The Minister for Planning's delegate approved the Concept Plan and Project Application (that were lodged concurrently) on 4 September 2011. I have enclosed a copy of the approvals for your information. The approvals provided for:

1. Concept Plan

- A mixed used residential and tourist development including a hotel, serviced apartments and permanent residential accommodation with associated car parking, landscaping, conferencing and other facilities.

2. Project Approval

- Demolition of the existing buildings and structures and general site clearance.

Condition A4 of the Concept Plan approval and Condition A5 of the Project approval both note that the approvals shall lapse 5 years from after the date of the determination, unless the works are physically commenced. As the works have not commenced, the approvals will lapse on 4 September 2016.

In accordance with Clause 11A in Schedule 6A of the *Environmental Planning and Assessment Act*, the Proponent is seeking an extension of both approvals for a period of 2 years from the date of the determination. Clause 11A provides that:

11A Requests to extend date that Part 3A approval lapses

(1) This clause applies to an approval for carrying out, or an approval of a concept plan for, a transitional Part 3A project in respect of which a request has been duly made to the Minister to extend the date on which the approval would otherwise lapse (a relevant modification request). This clause extends to any such request that was duly made before the commencement of this clause.

(2) If a relevant modification request is made before the date on which the approval would otherwise lapse and the request has not been determined before that date, the approval does not lapse on that date but continues in force until:

- (a) the request is determined or withdrawn, or
- (b) the date that is 12 months after the request was made,

whichever first occurs.

(3) If a relevant modification request is determined and the date on which the approval would otherwise lapse is extended, the approval continues in force in accordance with the determination despite subclause (2).

The proponent and landowners are therefore seeking to extend the approvals period by two (2) years to enable time for relevant works to commence on site, with the approvals period extending to 4 September 2018. Without this modification request, we note that the determination will otherwise lapse on 4 September 2016.

We therefore seek your confirmation in writing that this relevant modification request has been determined, and understand that if this request is not determined before the 4 September 2016 the approval does not lapse for a further 12 months following the date of this letter.

Feel free to contact me on 0425 277 039 or Chris Herbert from the Salamander Shores Hotel on 9387 2422 if you would like to discuss further or require any additional information.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Kelly". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

Sarah Kelly
Director

Cc Chris Herbert, Salamanders Shores Hotel