

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under the instrument of delegation executed on 14 September 2011, I approve the modification of the concept plan referred to in schedule 1, subject to the modified conditions in Schedule 2.


Dan Keary
Director
Industry, Key Sites and Social Projects

Sydney 1 APRIL 2014

SCHEDULE 1

Concept Approval: 06_0309 granted by the then Minister for Planning on 05 September 2009

For the following: 188 berth marina and associated maintenance and club facilities;
150 accommodation units (75 tourist and 75 residential);
restaurant, café, function centre, shops and office;
parking, landscaping and boardwalk.

Modification: Extension to the lapse date.

SCHEDULE 2

The Concept approval described in Schedule 1 is modified as followed:

- In schedule 1, delete the final row from Part A – Table, which states:
"Date approval is liable to lapse: 5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act."
- Insert the following note in Part B – Notes Relating to Determination of Concept Plan Application 06_0309:
Lapsing of Approval
Schedule 6A of the *Environmental Planning and Assessment Act* makes provision for the lapsing of approvals and approvals of concept plans for transitional Part 3A projects."
- Insert the following words in Condition A1, immediately after the words 'dated 5 June 2009':
"and as modified by the s75W modification dated 30 September 2013 (Mod 1) prepared by Johnson Property Group,"
- Insert the following words in Condition A2, immediately after the words 'Johnson Property Group':
"and as modified by the s75W modification dated 30 September 2013 (Mod 1) prepared by Johnson Property Group,"
- Insert a new dot point at the end of Condition A3 as follows:
 - The s75W modification dated 30 September 2013 (Mod 1) prepared by Johnson Property Group,
- Delete term A5.