



NSW GOVERNMENT
Department of Planning

SCANNED

Major Development Assessment
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Our ref: W92/01016

Mr. B A Weir
General Manager
Shellharbour City Council
PO Box 155
SHELLHARBOUR SQUARE NSW 2529

Dear Mr Weir

**Proposed Modification to Shell Cove Boatharbour Marina Project (MOD-17-2-2006-i),
South Shellharbour Beach, Shell Cove – Shellharbour Local Government Area**

I wish to advise that on 31st October 2006, the Minister for Planning, the Hon Frank Sartor MP, approved components of Shellharbour City Council's application to modify the development consent for the Shell Cove Boatharbour Marina Project (DA 95/133).

I have attached a signed copy of the notice of modification for your information. The recommended conditions of consent for the modification have been developed to manage environmental impacts associated with the modification.

If you have any enquiries about the proposal, please contact Karl Brown on 9228 6559 or via email at Karl.Brown@planning.nsw.gov.au.

Yours sincerely

9/11/06

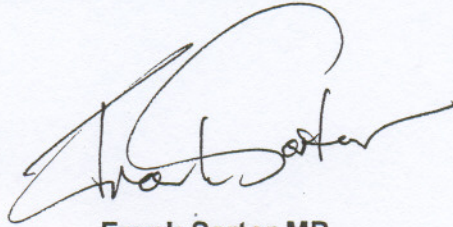
Chris Ritchie
Manager – Manufacturing & Rural Industries
Major Development Assessment

Doc No	8723653
Date	14 NOV 2006
Date No	06/11/14 me4
Doc No	11386
	Kevin James

Notice of Modification

Section 96(2) of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Frank Sartor MP
Minister for Planning

Sydney

31ST Oct. 2006

SCHEDULE 1

Development consent (DA 95/133) granted by the Minister for Urban Affairs and Planning on 26 November 1996 for the Shell Cove Boatharbour/Marina and associated development.

SCHEDULE 2

1. In condition 1, insert the following before the words "...except where conflicted by the following conditions...":
 - (e) the modification application made by Shellharbour City Council on 22 December 2005 with the accompanying Statement of Environmental Effects (SEE) prepared by LFA (Pacific) Pty Limited dated December 2005,
2. Delete conditions 14(b) and 14(c).
3. Replace condition 15(d) (ii) with the following:
 - (ii) A Water Quality Management Plan to be prepared by the applicant in consultation with the EPA and DLWC. The plan shall provide details relative to:
 - compliance standards;
 - remedial action;
 - mitigation measures;
 - monitoring and testing programs for water quality, groundwater, and indicators such as the colonisation of sediments and structures associated with the development;
 - contingency measures to improve water quality should monitoring and testing programs show water quality does not satisfy relevant water quality guidelines or standards;

- procedures for the notification of the Department of Primary Industries of any fish kills on the project site;
- downstream impacts associated with this development;
- biological monitoring;
- the proposed drainage system and stormwater treatment measures;
- criteria for the use of the flushing pump (if it is required as a contingency measure); and
- measures to prevent drawdown from adversely impacting on actual/ potential acid sulphate soil.