

Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I, Acting Director Key Site Assessments approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.


Ben Lusher
Acting Director
Key Site Assessments

Sydney 13 APRIL 2015

SCHEDULE 1

Application Number: MP 09_0219 granted by the Planning Assessment Commission on 6 March 2013

Proponent: Holdmark Property Group

Approval Authority: Minister for Planning

Land: 41 Belmore Street, Ryde
Lot 1 DP 1072555

Project: Project application, Stage 1 for 3 to 10 storey residential flat building development incorporating basement car parking, communal open space and publicly accessible foreshore link

Modification 2: MP 09_0219 MOD 2: modification to subdivide Lot 1 DP 1072555 into three lots.

The Project Application for MP 09_0219 is modified as follows:

**SCHEDULE 2
PART A – ADMINISTRATIVE CONDITIONS**

- (a) In Part A, Condition A2 is amended by the insertion of the **bold** and underlined words / numbers as follows:

Development in Accordance with Plans and Documentation

A2. The development shall be undertaken generally in accordance with:

- the Environmental Assessment dated 7 January 2011 prepared by Robertson + Marks Architects and PLACE Design Group, except where amended by the Preferred Project Report dated July 2012
- the S75W Modification Application dated November 2013 prepared by Robertson + Marks Architects and City Plan Services including all documents and reports, except where amended by the:
 - Response to Submissions report dated 28 March 2014 prepared by City Plan Services; and
 - Proponents Comments in Response to Council’s Submission dated 29 April 2014 prepared by City Plan Services.
- the Draft Statement of Commitments prepared by Robertson + Marks Architects, except where amended by the Revised Draft Statement of Commitments prepared by Holdmark dated March 2014;
- **the Section 75W Modification Application Modification No. 2 to MP09 0219 Shepherds Bay Stage 1 – Torrens Title Subdivision dated January 2015** and
- the following drawings:

Architectural Drawings prepared for the Preferred Project Report by Robertson + Marks (Job No. 10068-2)			
<i>Drawing No.</i>	<i>Revision</i>	<i>Name of Plan</i>	<i>Date</i>
A-000/D	D	Lower Basement Floor Plan	07.11.2013
A-001/K	K	Basement Plan	07.11.2013
A-002/K	K	Upper Basement Plan	27.02.2014
A-003/K	K	Lower Ground Floor Plan	27.02.2014
A-004/H	H	Ground Floor Plan	07.11.2013
A-005/H	H	Level 1 Floor Plan	07.11.2013
A-006/H	H	Level 2 Floor Plan	07.11.2013
A-007/H	H	Level 3 Floor Plan	07.11.2013
A-008/H	H	Level 4 Floor Plan	07.11.2013
A-009/H	H	Level 5 Floor Plan	07.11.2013

A-010/H	H	Level 6 Floor Plan	07.11.2013
A-011/H	H	Level 7 Floor Plan	07.11.2013
A-012/H	H	Level 8 Plan	07.11.2013
A-013/H	H	Level 9 Plan	07.11.2013
A-014/F	F	Level 10 Plan	07.11.2013
A-017/E	E	Roof Plan	07.11.2013
A-151/13	13	Rothesay Avenue Elevation	07.11.2013
A-152/13	13	Belmore Street Elevation	07.11.2013
A-153/13	13	Hamilton Crescent Elevation	07.11.2013
A-154/14	14	New Foreshore Link Elevation	07.11.2013
A-172/8	8	Sections	07.11.13
A 140 - 4	4	Adaptable Apartments	07.11.2013
A 141 - 4	4	Adaptable Apartments	07.11.2013
SK 14/07/27	REV A	STAGE 1 LANDSCAPING PLAN	27/07/2014
SK 14/07/28	REV A	FORESHORE LINK STAIR DRAWING	28/07/2014
<u>Subdivision Plan prepared by H Ramsey and Co Surveyors</u>			
<u>Drawing No.</u>	<u>Reference</u>	<u>Name of Plan</u>	<u>Date</u>
<u>Plan form 2 (A2)</u>	<u>7723/11/S UB</u>	<u>Plan of Proposed subdivision of Lot 1 in DP 1072555</u>	<u>30/01/2015</u>

except for any modifications:

- which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

(b) Part G is included in the Project Approval and conditions G1, G2, G3, G4 and G5 are included by the insertion of the **bold** and **underlined** words / numbers as follow:

PART G – PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Part 4A Certificate

G1 A Part 4A Subdivision Certificate shall be obtained under section 109D(1)(d) of the EP&A Act in respect of the subdivision.

Utilities Compliance Certificate

G2 **Prior to the issue of a subdivision certificate, a Section 73 Compliance Certificate under the *Sydney Water Act 1994* shall be provided to the Certifying Authority showing that the development has met the detailed requirements of the relevant water supply authority.**

G3 **Prior to issue of a Subdivision Certificate written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.**

Section 88B Restrictions

G4 **Prior to the issue of a subdivision certificate, any existing and or proposed easements shall be created under Section 88B of the *Conveyancing Act 1919*.**

G5 **All Section 88B restrictions and covenants that benefit Council are created as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Council.**

End of Modifications to MP 09_0219 MOD 2