

Notice of Modification

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

As delegate of the Minister for Planning, I approve the modification of the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Anthea Sargent
Executive Director
Key Sites and Industry Assessments

Sydney

2016

SCHEDULE 1

| | |
|---------------------------|---|
| Project Approval: | MP 09_0121 granted by the Minister for Planning on 24 November 2010. |
| For the following: | Mixed Use Residential Development over two stages, including: <ul style="list-style-type: none">• Stage 1 – Construction of a 7 storey mixed use residential building; and• Stage 2 – Construction of a 2 storey commercial / retail building. |
| The Land: | Memorial Avenue and The Esplanade, Ettalong Beach Lots 111, 112, 113, 114, 115, and 116 DP10650 |
| Modification: | MP 09_0121 MOD 2: Correction to application number reference in Condition A2. |

The above approval (MP 09_0121) is modified as follows:

SCHEDULE 2

- (a) Condition A2 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words as follows:

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. ~~08_0124~~ **09_0121** and the Environmental Assessment dated April 2010, prepared by Kann Finch Group Pty Ltd, except where amended by the Preferred Project Report dated 3 September 2010, prepared by Kann Finch Group Pty Ltd., and as amended by the documents submitted with Modification 1 including the Statement of Environmental Effects by Planning Lab and Response to Submissions dated 05.06.2016 and the following drawings:

| Architectural Drawings prepared by CDArchitects | | | | |
|---|----------|--|--------------------|----------|
| Drawing No. | Revision | Name of Plan | Drawn By | Date |
| DA100 | A | Basement Plan | CDArchitects | 23.11.15 |
| DA101 | C | Ground Floor Plan | CDArchitects | 05.02.16 |
| DA102 | C | Upper Ground Floor Plan | CDArchitects | 05.02.16 |
| DA103 | C | Level 01 Floor Plan | CDArchitects | 05.02.16 |
| DA104 | C | Level 02 Floor Plan | CDArchitects | 05.02.16 |
| DA105 | C | Level 03 Floor Plan | CDArchitects | 05.02.16 |
| DA106 | C | Level 04 Floor Plan | CDArchitects | 05.02.16 |
| DA107 | C | Level 05 Floor Plan | CDArchitects | 05.02.16 |
| DA108 | A | Level 06 Floor Plan | CDArchitects | 23.11.15 |
| DA109 | A | Roof Plan | CDArchitects | 23.11.15 |
| DA200 | C | North & South Elevations | CDArchitects | 05.02.16 |
| DA201 | C | East & West Elevations | CDArchitects | 05.02.16 |
| DA300 | C | Section A | CDArchitects | 05.02.16 |
| DA500 | A | Pre & Post Adaptable Unit Layout | CDArchitects | 23.11.15 |
| DA501 | A | Basix Info Sheet 1 | CDArchitects | 23.11.15 |
| DA502 | A | Basix Info Sheet 2 | CDArchitects | 23.11.15 |
| DA710 | C | Photomontage | CDArchitects | 05.02.16 |
| DA730 | C | Finishes Schedule | CDArchitects | 05.02.16 |
| DA731 | C | Details Sheet | CDArchitects | 05.02.16 |
| DA800 | C | Stage 2 Basement 1 & Ground Floor Plan | CDArchitects | 05.02.16 |
| DA801 | C | Stage 2 Level 1 & 2 Floor Plan | CDArchitects | 05.02.16 |
| DA802 | C | Stage 2 West Elevation | CDArchitects | 05.02.16 |
| DA803 | C | Stage 2 East Elevation | CDArchitects | 05.02.16 |
| Landscape Plan | | | | |
| Drawing No. | Revision | Name of Plan | Drawn By | Date |
| DA01 | B | Ground Floor Planting Plan | Site design studio | 05.02.16 |
| DA02 | A | Level 1 Planting Plan | Site design studio | 05.02.16 |
| DA03 | A | Level 3 Planting Plan | Site design studio | 05.02.16 |
| DA04 | A | Typical Details | Site design studio | 05.02.16 |

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) Condition B17 is amended by the deletion of the ~~struck-out~~ words as follows:

B17 Landscaping Plan

A detailed ~~roof top~~ landscape plan is to be submitted to and approved by the PCA prior to the issuing of any construction Certificate for Stage 1.

End of Modification