

# 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 4th October 2016

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### SCHEDULE 1

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

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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\_0121~~ **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**