

Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation dated 16 February 2015, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Natasha Harras
A/Director
Regional Assessments

Sydney 9th December 2015

SCHEDULE 1

Application Number:	MP09_0187
Proponent:	Holdmark Property Group Pty Ltd
The Authority:	Minister for Planning
The Land:	6-16 Atchison Street, St Leonards
Project Approval:	Mixed use development granted on 1 May 2012 by the Planning Assessment Commission
Project:	Mixed use development providing for hotel (serviced apartments), residential and café uses, car and motor cycle parking, and ground floor plaza.
Modification:	<p>MP09_0187 MOD 4: the modification allows for stratum subdivision of the approved development to create three stratum lots, as follows:</p> <ul style="list-style-type: none">• Lot 1 – residential units;• Lot 2 – commercial units (this includes all other areas on the ground and lower ground floors which are not specifically allocated for another use); and• Lot 3 – serviced apartments.

SCHEDULE 2
PART A – ADMINISTRATIVE CONDITIONS

The Project Application for MP09_0187 is modified as follows:

- (a) Schedule 2 Part A – Administrative Condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold struck out~~** words / numbers as follows:

Development in Accordance with Plans and Documentation

- A1. The Proponent shall carry out the project generally in accordance with the:
a) Architectural drawings in the table below:

Drawing number	Drawing title	Drawn by	Date
-	Indicative External Privacy Screen – Sample of Perforation Pattern	Robertson + Marks	-
PA-100-1/6	Proposed Site Plan	Robertson + Marks	22/01/14
PA-100-2/6	Ground Level Residential Entry Lower	Robertson + Marks	22/01/14
PA-100-3/8	Ground Level Upper	Robertson + Marks	22/01/14
PA-100-4/4	Level 1 Serviced Apartments	Robertson + Marks	08/08/13
PA-100-5/4	Level 2 Serviced Apartments	Robertson + Marks	08/08/13
PA-100-6/6	Level 3	Robertson + Marks	22/01/14
PA-100-7/6	Level 4	Robertson + Marks	22/01/14
PA-100-8/5	Level 5	Robertson + Marks	22/01/14
PA-100-9/5	Level 6	Robertson + Marks	08/05/14
PA-100-10/4	Levels 7 to 19 & 22 to 27	Robertson + Marks	08/05/14
PA-100-23/4	Level 20	Robertson + Marks	08/05/14
PA-100-24/4	Level 21	Robertson + Marks	08/05/14
PA-100-31/1	Level 28	Robertson + Marks	14/04/14
PA-100-32/1	Roof Plan	Robertson + Marks	14/04/14
PA-100-29/2	Adaptable unit	Robertson + Marks	05/06/13
PA-100-30/2	Adaptable unit	Robertson + Marks	05/06/13
PA-200-01/5	North South Section	Robertson + Marks	14/04/14
PA-200-02/4	East West Section	Robertson + Marks	14/04/14
PA-200-15/5	Basement Level 1	Robertson + Marks	14/04/14
PA-200-16/6	Basement Level 2	Robertson + Marks	09/05/14
PA-200-17/6	Basement Level 3	Robertson + Marks	09/05/14
PA-200-18/6	Basement Level 4	Robertson + Marks	09/05/14
PA-200-18A/6	Basement Level 5	Robertson + Marks	09/05/14
PA-200-19/6	Basement Levels 6	Robertson + Marks	12/08/13
PA-210-01/3	Podium Atchison Street	Robertson + Marks	28/01/14
PA-210-02/3	Podium Atchison Lane EW	Robertson + Marks	28/01/14
PA-210-3/3	Public Domain Café NS	Robertson + Marks	28/01/14
PA-210-4/3	Public Domain Car Park NS	Robertson + Marks	28/01/14
PA-210-5/5	Public Domain Atchison Street Elevation	Robertson + Marks	28/01/14
PA-210-6/6	Public Domain Atchison Lane Elevation	Robertson + Marks	28/01/14
PA-300-01/8	North Elevation	Robertson + Marks	14/04/14
PA-300-24	East Elevation	Robertson + Marks	14/04/14
PA-300-3/5	South Elevation	Robertson + Marks	14/04/14
PA-300-4/5	West Elevation	Robertson + Marks	14/04/14
-	Schedule of External Finishes	Robertson + Marks	-

- b) Landscape Plan, SS13-2590 drawing numbers 002, 003, 004, Issue I, dated 28/01/14, drawn by Site Image Landscape Architects;
- c) Stormwater drainage concept plans numbered 3532 H-100 to H-117 (inclusive) all issue 01, all dated March 2010, and all drawn by Warren Smith & Partners Pty Ltd;
- d) the Revised Draft Statement of Commitments submitted with the Section 75W Modification Application prepared by City Plan Services Pty Ltd, dated May 2014; **and**
- e) the independent traffic review by ARUP in its letter to the Department of Planning and Infrastructure, dated 5 February 2014; **and**
- (f) draft plan of stratum subdivision entitled "Preliminary Plan 16/11/2015" prepared by Ramsay Surveyors Pty Ltd submitted with the Section 75W Modification Application prepared by City Plan Services Pty Ltd, dated October 2015.**

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) Schedule 2 Part E is amended by the insertion of the following new Conditions:

Access

- E21. Documentary easements for access must be created over the appropriate lots in the subdivision to provide for public access and access to lifts, lobbies, fire stairs, service areas, loading areas and car parking areas, and created pursuant to Section 88B of the Conveyancing Act 1919.**

Services

- E22. Documentary easements for services, drainage, support and shelter, use of plant, equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the Conveyancing Act 1919.**

End of Modification