

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Public Spaces, I modify the Concept Plan referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Key Sites Assessments

Sydney

7 December 2020

SCHEDULE 1

- Concept Approval:** **MP 10_0101** granted by the Planning Assessment Commission, as delegate for the Minister of Planning and Infrastructure, on 1 July 2011.
- For the following:** Mixed use development, for retail and residential purposes and associated car parking.
- Modification:** **MP 10_0101 MOD 3:** the modification includes:
- an increase in maximum total gross floor area (GFA) from 28,474 m² to 29,274 m², including:
 - an increase of 915 m² residential GFA from 26,775 m² to 27,690 m²
 - a decrease of 115 m² retail GFA from 1,499 m² to 1,384 m²
 - modification to Concept Plans including deletion of parking in Basement Levels 3A/3B for the west stage and provision of a zero lot line setback to the western boundary
 - amendment to car parking provision for the west stage in accordance with the Apartment Design Guide.

The Development Approval (MP 10_0101) is modified as follows:

SCHEDULE 2

PART A - TERMS OF APPROVAL

The Development Approval (MP 10_0101) is modified as follows:

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

A1. Development Description

Concept approval is granted to the development as described below:

- (a) Use of the site for retail and residential purposes and associated car parking;
- (b) Indicative building envelope to a maximum of 55 metres (to a maximum of 114.6 metres AHD);
- (c) Maximum GFA of ~~28,474m²~~ **29,274m²** (~~26,775m²~~ **27,690m²** residential, ~~1,499m²~~ **1,384m²** retail & 200m² community);
- (d) Public domain improvements to Treacy Street;
- (e) Landscaping areas throughout the site;
- (f) Staging of the development.

- (b) Schedule 2 Part A – Terms of Approval A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

A2. Development in Accordance with Plans and Documentation

The approval shall be generally in accordance with MP 10_0101 and with the Environmental Assessment, except where amended by the Preferred Project Report and additional information to the Preferred Project Report, and the following drawings prepared by Stanisic Associates Architects and Habitation except where amended by the Section 75W Modifications prepared by Crosby Textor Pty Ltd, **the Section 75W Modification prepared by Daintry Associates 5 August 2020 as amended by the Response to Submissions modified 1 October 2020** and the following drawings prepared by Stanisic Associates Architects

Concept Plan Drawings prepared Stanisic Associates Architects			
Drawing No.	Revision	Name of Plan	Date
CD03	H <u>J</u>	Site Plan	14.12.14 <u>5.8.2020</u>
CD04	H <u>J</u>	Basement 4A/4B	14.12.14 <u>5.8.2020</u>
CD05	H <u>K</u>	Basement 3A/3B	14.12.14 <u>2.11.2020</u>
CD06	H <u>J</u>	Basement 2A/2B	14.12.14 <u>5.8.2020</u>
CD07	H <u>J</u>	Basement 1A/1B	14.12.14 <u>5.8.2020</u>
<u>CD07/1</u>	<u>J</u>	<u>Basement 1C/1D/1E</u>	<u>5.8.2020</u>
CD08	H <u>J</u>	Ground Floor	14.12.14 <u>5.8.2020</u>
CD09	H <u>J</u>	Level 1	14.12.14 <u>5.8.2020</u>
CD10	H <u>J</u>	Level 2	14.12.14 <u>5.8.2020</u>

CD11	H J	Level 3	14.12.11 5.8.2020
CD12	H J	Level 4	14.12.11 5.8.2020
CD13	H J	Level 5	14.12.11 5.8.2020
CD14	H J	Level 6	14.12.11 5.8.2020
CD15	H J	Level 7	14.12.11 5.8.2020
CD16	H J	Level 8	14.12.11 5.8.2020
CD17	H J	Level 9	14.12.11 5.8.2020
CD18	H J	Level 10	14.12.11 5.8.2020
CD19	H J	Level 11	14.12.11 5.8.2020
CD20	H J	Level 12	14.12.11 5.8.2020
CD21	H J	Level 13	14.12.11 5.8.2020
CD22	H	Level 14	14.12.11
CD23	H	Level 15	14.12.11
CD24	H	Roof	14.12.11
CD25	H J	North Elevation	14.12.11 5.8.2020
CD26	H J	South Elevation	14.12.11 5.8.2020
CD27	H J	East + West Elevations	14.12.11 5.8.2020
CD28	H	Section AA	14.12.11
CD29	H	Section BB	14.12.11
CD30	H	Section CC	14.12.11
CD31	H	Section DD (West int) + EE (East int)	14.12.11
CD32	H	Unit Types ST + A+ D	14.12.11
CD33	H	Unit Types E	14.12.11
CD34	H	Unit Types E	14.12.11
CD35	H	Unit Types E	14.12.11
CD36	H	Unit Types G	14.12.11
CD37	H	Unit Types J	14.12.11
CD08/1	H	Staging Ground Floor	14.12.11
CD15/1	H	Staging Level 7	14.12.11

CD18/1	H	Staging Level 10	14.12.11
CD24/1	H	Staging Roof	14.12.11
CD25/1	H	Staging North Elevation	14.12.11
CD26/1	H	Staging South Elevation	14.12.11
CD27/1	H	Staging East-West Elevations	14.12.11
<u>CD31/1</u>	<u>K</u>	<u>Section FF + GG</u>	<u>2.11.2020</u>

Landscape Concept Plans prepared by Habitation			
Drawing No.	Revision	Name of Plan	Date
10_081 L01	A	Streetscape Landscape Plan	26.11.10
10_081 L02	A	Communal Courtyard Landscape Plan	26.11.10
10_081 L03	A	Level 4 Sky Gardens	26.11.10
10_081 L04	A	Level 7 Sky Gardens	26.11.10
10_081 L05	A	Level 10 Sky Gardens	26.11.10
10_081 L06	A	Level 13 Rooftop Garden	26.11.10
10_081 L07	A	Roof Landscape Plan	26.11.10
10_081 L08	A	Proposed Plant Palette	26.11.10

- (c) Schedule 2 Part A – Terms of Approval A5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

A5. Maximum Gross Floor Area (GFA)

The maximum GFA for the development shall not exceed ~~**28,474m²**~~ **29,274m²**.

- (d) Schedule 2 Part A – Terms of Approval A8 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

A8. Parking Provision

Excluding the west stage, Residential parking provision shall comply with Hurstville City Council Development Control Plan No. 2 requirements and a minimum of 30 parking spaces are to be provided for retail uses and 5 spaces for community uses.

Parking for the west stage shall be consistent with minimum requirements as required by the Apartment Design Guide (ADG) Objective 3J-1.

**End of Modification
(MP 10_0101 MOD 3)**