

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2025/0490
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Responsible Officer:	Olivia Ramage
Land to be developed (Address):	Lot 100 DP 1315768, 54 - 58 Beaconsfield Street NEWPORT NSW 2106
Proposed Development:	Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot
Zoning:	R3 Medium Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Applicant:	Jak Newport Pty Ltd

Application Lodged:	18/09/2025
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	15/10/2025 to 29/10/2025
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

The modification proposes the following amendments to the approved development:

- Provision of a ground floor platform lift to enhance accessibility.
- Revisions to the level 01 courtyards to enhance waterproofing.
- Modifications to the Unit 204 ensuite.
- Amendments to the ground floor storage rooms and deletion of Condition 98.

APPLICATION HISTORY

Further information was requested in relation to the ground floor storage rooms and waste. Amended plans have been provided reducing the size of the storage rooms and amended the waste rooms. As the

amendments resulted in a lesser environmental impact than the plans originally notified, the application was not required to be re-notified in accordance with Council's Community Participation Plan.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

There are no assessment issues.

SITE DESCRIPTION

Property Description:	Lot 100 DP 1315768 , 54 - 58 Beaconsfield Street NEWPORT NSW 2106
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<p>Detailed Site Description:</p>	<p>The subject site consists of three (3) allotments located on the northern side of Beaconsfield Street.</p> <p>The site is regular in shape with a combined frontage of approximately 62m and a variable depth of between 31.155m and 38.975m. The site has a total area of 2,113.5m².</p> <p>The site is located within the R3 Medium Density Residential zone and is currently under construction.</p> <p>The site slopes down from the north-east (rear) to the south-west (street) with a crossfall of approximately 8.0m.</p> <p>The site contains a number of significant trees primarily at the front of the site.</p> <p>Detailed Description of Adjoining/Surrounding Development</p> <p>Adjoining and surrounding development is characterised by medium density residential development to the north and west:</p> <ul style="list-style-type: none"> • North: 15-17 Queens Parade consists of multi-unit housing development comprising 7 townhouses. • West: 60 Beaconsfield Street a dual frontage site amalgamated from six (6) individual lots. This site contains a recently approved and constructed Multi-Unit Housing development (DA2019/1280). The development comprises a townhouse-style building with 18 x 3-bedroom dwellings and basement car parking for 43 vehicles. Approval was granted by the Northern Beaches Local Planning Panel on 23 April 2020. Key elements of this development include a 12.9% (9.6m) building height variation for the canopies above rooftop terraces. <p>Low density residential development surrounds the site to the south and east. Other adjoining development within the locality consists of:</p> <ul style="list-style-type: none"> • Newport Hotel (on Kalinya Street to the west) • Kalinya Street E1 Local Centre zone to the west • Newport Public School (60m to the east) • Newport Anchorage Marina (on Beaconsfield Street to the south-west)
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Map:



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

- **PLM2023/0084** - Pre-lodgement for demolition works and construction of a Residential Flat Building.
- **DA2023/1869** - Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot approved by the NBLPP on 2 October 2024.
- **Mod2024/0647** - Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot. Approved 4 February 2025.
- **Mod2025/0018** - Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot. Approved by the NBLPP on 2 July 2025.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:
The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;

- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2023/1869, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes</p> <p>The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • The proposed modifications are sited wholly within the approved building footprint and envelope and do not alter the external appearance of the building. • The proposed modification does not alter the height or setbacks of the approved development. • The proposed modification does not cause further impacts to amenity, privacy or solar access.
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2023/1869 for the following reasons:</p> <ul style="list-style-type: none"> • The proposal remains for demolition works and construction of a residential flat building including lot consolidation. • The built form of the development in terms of height, setbacks, footprint and envelope remains substantially the same as approved.

Section 4.55(1A) - Other Modifications	Comments
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, and the Northern Beaches Community Participation Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Notification & Submissions Received" in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining a modification application made under Section 4.55, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Section 4.15(1) is addressed in the table below.

The reasons given by the consent authority for the grant of the consent that is sought to be modified is discussed as follows:

Comment on reasons for determination of DA2023/1869

"The development proposal meets the Objects of the Environmental Planning and Assessment Act 1979, contained in Section 1.3, having considered the relevant provisions under s.4.15 of the aforementioned Act. Consequently, the development is considered to be in the public interest, subject to conditions."

The reasons for the granting of the original consent have been considered in the assessment of this modification application. The proposed changes will result in a modified development that will not conflict with

the original reasons for the granting of consent.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This documentation has been submitted with the original development application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. Additional information was requested in relation to the storage areas and waste rooms.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 2001: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 62</u> and/or 64 of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 15/10/2025 to 29/10/2025 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>

Internal Referral Body	Comments
Environmental Health (Contaminated Lands)	<p>The proposal seeks consent for the following:</p> <ol style="list-style-type: none"> 1. Provision of a ground floor platform lift to enhance accessibility. 2. Revisions to the Level 01 courtyards to enhance waterproofing. 3. Modifications to the Unit 204 ensuite. 4. The deletion of condition 98 as it serves no proper planning purpose. <p>Environmental Health raises no objection to the proposal.</p> <p>Recommendation</p> <p>APPROVAL - no conditions</p>
Environmental Health (Industrial)	<p>General Comments</p> <p>The proposal seeks consent for the following:</p> <ol style="list-style-type: none"> 1. Provision of a ground floor platform lift to enhance accessibility. 2. Revisions to the Level 01 courtyards to enhance waterproofing. 3. Modifications to the Unit 204 ensuite. 4. The deletion of condition 98 as it serves no proper planning purpose. <p>Environmental Health raises no objection to the proposal.</p> <p>Recommendation</p> <p>APPROVAL - no conditions</p>
Landscape Officer	<p>The modification proposal, as described in reports and as illustrated on plans, do not alter the landscape setting outcomes.</p>
NECC (Bushland and Biodiversity)	<p>The comments in this referral relate to the following applicable controls and provisions:</p> <ul style="list-style-type: none"> • Pittwater 21 DCP - Clause B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land <p>The proposed modifications relate to internal changes and would not alter the outcomes of the original Biodiversity referral. Impacts to native flora and fauna are unlikely.</p> <p>The development is designed, sited and will be managed to avoid any significant adverse environmental impact.</p>
NECC (Water Management)	<p>No objection is raised; the application is supported on water management grounds.</p>

Internal Referral Body	Comments
Traffic Engineer	<p>Proposed development: Modification to DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot</p> <p>The traffic team has reviewed the following documents:</p> <ul style="list-style-type: none"> Plans - Master Set (amended), revision 3, dated 11/08/2025 Report - Statement of modification, prepared by Boston Blyth Fleming Town Planners, dated 26th August 2025 <p>Comments</p> <ul style="list-style-type: none"> It is acknowledged that the proposal seeks to modify the approved consent to reflect changes to the ground floor platform lift, revisions to the Level 01 courtyards, modifications to the ensuite of Unit 204, and the deletion of Condition No. 98. The proposed modifications, as outlined in the statement of modification report and as shown on the architectural plans, do not affect traffic-related matters. <p>Conclusion</p> <p>The proposal is supported. All previously imposed development consent conditions relating to traffic matters are to remain unchanged.</p>

Internal Referral Body	Comments
Waste Officer	<p>17/11/2025</p> <p>Amended plans have addressed all outstanding issues in relation to waste management.</p> <p>The application is supported with standard waste conditions.</p> <p>The size of the waste room and the bulky waste room are sufficient for the development. The temporary bin holding area at the front of the property is acceptable.</p> <p>However, the placement of a fire hose reel within the waste room and bulky waste room is not supported. In addition, doors to waste rooms must be able to be latched in an open position, opening outwards to facilitate use and service. The placement of a fire hose reel outside the bulky waste room in the position indicated will make it impossible to open the door fully to get items in and out. This is not acceptable.</p> <p>Waste storage areas are to be built as per the Waste Management Guidelines - 4.2 whereby "all waste storage areas will b) have a practical layout, be free of obstructions" with the exception of a tap for washing the bins which must not obstruct aisles, access ways or placement of bins. The bin carting route must be a minimum width of 1.2m and not via a vehicular pathway.</p> <p>All internal walls of the waste rooms must be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity (but not interfering with bin placement) to facilitate cleaning. Waste room floors must be graded and drained to an approved Sydney Water drainage system.</p> <p>Waste rooms must be clear of any other services or utilities infrastructure such as gas, electricity, air conditioning, plumbing, piping, ducting, hoses, or other equipment.</p> <p>The NSW Government mandate that all domestic ratepayers will be offered a food organics recycling service by 2030 may require additional bins at that time and the bin room should be large enough to accommodate such additional bins.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application

hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Housing) 2021

Application of Chapter

Clause 144 of State Environmental Planning Policy Housing 2021 (SEPP Housing) stipulates that:

(1) This chapter applies to development only if:

- (a) the development consists of:
 - (i) the erection of a new building,
 - (ii) the substantial redevelopment or the substantial refurbishment of an existing building, or
 - (iii) the conversion of an existing building, and
- (b) the building concerned is at least 3 or more storeys, not including underground car parking storeys, and
- (c) the building contains at least 4 dwellings.

As previously outlined, the approved development as to be modified is for the erection of a three storey residential apartment development, plus basement car parking for the provisions of 13 self-contained dwellings. The proposed modifications consists of minor amendments to the approved development that do not alter the previous assessment against this chapter.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Pittwater Local Environmental Plan 2014

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Development Standard	Requirement	Approved	Proposed	% Variation	Complies

Height of Buildings:	8.5m	11.1m	Unaltered	N/A	No (As approved)
Density controls for certain residential accommodation	1 dwelling per 200m ²	1 dwelling per 162.6m ² (13 dwellings)	Unaltered	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.10 Essential services	Yes

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Approved	Proposed	Complies
Front building line	6.5m	6.5m (Building) 3.4m – 9.8m (Basement) Nil (Hydrant booster and bin holding area)	Unaltered Unaltered Unaltered	Yes No (As approved) No (As approved)
Rear building line	3m (below 3m in height)	3.0m - 6.0m (Basement)	Unaltered	Yes
	4.1m (above 3m in height - based on wall height at rear)	4.5m	Unaltered	Yes
Side building line (East)	3m (below 3m in height)	6.2m (Basement) 4.0m - 6.0m (Building)	Unaltered	Yes Yes
	3.5m - 4.3m (above 3m in height - based on wall height)	4.0m - 6.0m (Building)	Unaltered	Yes
Building envelope	East - 45 degrees from a height of 4.2m	Within envelope	Unaltered	Yes
	West - 45 degrees from a height of 4.2m	Within envelope	Unaltered	Yes
Landscaped area	50% (1056.8m ²)	51.3% (1084.6m ²)	50% (1057.33m ²)	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
B5.15 Stormwater	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C1.1 Landscaping	Yes	Yes
C1.2 Safety and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.9 Adaptable Housing and Accessibility	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C1.15 Storage Facilities	Yes	Yes
C1.25 Plant, Equipment Boxes and Lift Over-Run	Yes	Yes
D10.1 Character as viewed from a public place	Yes	Yes
D10.7 Front building line (excluding Newport Commercial Centre)	Yes	Yes
D10.8 Side and rear building line (excluding Newport Commercial Centre)	Yes	Yes
D10.11 Building envelope (excluding Newport Commercial Centre)	Yes	Yes
D10.12 Landscaped Area - General	Yes	Yes
D10.16 Construction, Retaining walls, terracing and undercroft areas	Yes	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2024

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2025/0490 for Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot on land at Lot 100 DP 1315768,54 - 58 Beaconsfield Street, NEWPORT, subject to the conditions printed below:

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
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PAN-566781 Mod2025/0490	The date of this notice of determination	<p>Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot</p> <p>Add Condition No.3A - Modification of Consent - Approved Plans and supporting documentation</p> <p>Modify Condition No. 28 - National Construction Code (BCA) upgrade requirements and Fire Safety upgrade</p> <p>Add Condition No. 29A - National Construction Code (BCA) Access Upgrades</p> <p>Modify Condition No. 58 - Waste/Recycling Requirements (Waste Plan Submitted)</p> <p>Modify Condition No. 79 - Garbage and Recycling Facilities</p>
PAN-504331 Mod2025/0018	2 July 2025	<p>Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot</p> <p>Add Condition No. 1A - Modification of Consent - Approved Plans and supporting documentation</p> <p>Modify Condition No. 4 - Compliance with Other Department, Authority or Service Requirements</p> <p>Modify Condition No. 10 - Amended Landscape Plans</p> <p>Modify Condition No. 15 - On-Site Stormwater Detention Details</p> <p>Modify Condition No. 19 - Vehicle Access & Parking</p> <p>Modify Condition No. 23 - Amendments to the approved plans</p> <p>Modify Condition No. 28 - National Construction Code (BCA) upgrade requirements and Fire Safety upgrade</p> <p>Modify Condition No. 29 - Access and Facilities for Persons with Disabilities</p> <p>Add Condition No. 87A - Fire Safety Matters</p> <p>Add Condition No. 98 - No internal access to storage rooms from Units G01, G02 & G03</p>
PAN-490238 MOD2024/0647	4 February 2025	<p>Modification of Development Consent DA2023/1869 granted for Demolition works and construction of a Residential Flat Building including the consolidation of 3 lots into 1 lot</p> <p>Modify Condition 3 - Approved Plans and supporting documentation</p> <p>Modify Condition 4 - Compliance with Other Department, Authority or Service Requirements</p> <p>Add Condition 9A - Housing and productivity contribution - Development consents</p>

Modified conditions

A. Add Condition No.3A - Modification of Consent - Approved Plans and supporting documentation, to

read as follows:

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
AR-S4-002	3	Site Plan	ARCHICORE	11 August 2025
AR-S4-100	3	Basement Floor Plan	ARCHICORE	11 August 2025
AR-S4-101	5	Ground Floor Plan	ARCHICORE	11 August 2025
AR-S4-102	3	First Floor Plan	ARCHICORE	11 August 2025
AR-S4-103	3	Second Floor Plan	ARCHICORE	11 August 2025
AR-S4-104	3	Roof Plan	ARCHICORE	11 August 2025
AR-S4-200	3	Elevation Sheet 01	ARCHICORE	11 August 2025
AR-S4-201	3	Elevation Sheet 02	ARCHICORE	11 August 2025
AR-S4-300	3	Section Sheet 01	ARCHICORE	11 August 2025
AR-S4-301	3	Section Sheet 02	ARCHICORE	11 August 2025
AR-S4-302	2	Section Sheet 03	ARCHICORE	11 August 2025

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
BASIX Certificate	1376303M_06	E-LAB Consulting	23 June 2025
Statement of Compliance Access for People with a Disability	223188	Accessible Building Solutions	19 August 2025
Proposed Section 4.55 Design Changes – BCA Statement	2023/2093	Steve Watson & Partners	5 September 2025

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

B. Modify Condition No. 28 - National Construction Code (BCA) upgrade requirements and Fire Safety upgrade to read as follows:

The recommendations within the BCA Statement regarding the proposed Section 4.55 design changes, prepared by Steve Watson & Partners, dated 5/9/2025, Report Ref No. 2023/2093 should be considered as part of the assessment of the Construction Certificate. The Building Code of Australia fire safety requirements for the building as detailed and recommended in the DA Stage BCA Report prepared by Steve Watson and Partners, dated 26/10/2023, Ref No. 2023/2093 including any required Performance Reviews, are to be considered as part of the assessment for any Construction Certificate.

Reason: To ensure adequate provision is made for Health, Amenity, Access & Fire Safety for building occupant health & safety.

C. Add Condition No. 29A - National Construction Code (BCA) Access Upgrades to read as follows:

The access upgrading measures to upgrade the building as detailed and recommended in the Statement of Compliance, Access for People with a Disability, prepared by Accessible Building Solutions, dated 19/08/2025, Report Ref No. 223188 should be considered as part of the assessment of the Construction Certificate.

Reason: To ensure adequate provision is made for Access for building occupant safety.

D. Modify Condition No. 58 - Waste/Recycling Requirements (Waste Plan Submitted) to read as follows:

During demolition and/or construction the proposal/works shall be generally consistent with the Waste Management Plan submitted on 16/12/2023 and the submitted Waste Management Plan prepared by Elephants Foot Consulting and dated 26/4/2024.

Reason: To ensure waste is minimised and adequate and appropriate waste and recycling facilities are provided.

E. Modify Condition No. 79 - Garbage and Recycling Facilities to read as follows:

Waste storage rooms shall be as per plans dated 11/8/2025 prepared by Archicore.

All internal walls of the waste rooms shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.

Waste room floors shall be graded and drained to an approved Sydney Water drainage system.

Waste rooms shall be clear of any columns, other services or utilities infrastructure such as gas, electricity air-conditioning, plumbing, piping ducting, fire hoses or equipment.

Reason: To prevent pollution of the environment, provide a safe workplace for contractors and residents and to protect the amenity of the area.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Olivia Ramage, Planner

The application is determined on 18/11/2025, under the delegated authority of:



Adam Richardson, Manager Development Assessments