

18 November 2025

Jak Newport Pty Ltd
Level 2 10 James Street
WATERLOO NSW 2017

Dear Sir/Madam

Application Number: Mod2025/0490
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

Please find attached the Notice of Determination for the above mentioned Application.

You should thoroughly read the Notice of Determination and be aware of any conditions imposed that affect the development and guide the next steps in the process before you can commence works and/or the use.

A copy of the Assessment Report associated with this application is available to view in the Planning and Development > Application Search section of Council's website at www.northernbeaches.nsw.gov.au

If you have any questions regarding the decision or the conditions, please contact Council to speak to the assessment officer or the undersigned on 1300 434 434 or via email quoting the Application number, property address and the description of works to council@northernbeaches.nsw.gov.au

Regards,



Olivia Ramage
Planner

NOTICE OF DETERMINATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Application Number:	Mod2025/0490 PAN-566781
Applicant:	Jak Newport Pty Ltd Level 2 10 James Street WATERLOO NSW 2017
Property:	Lot 100 DP 1315768 54 - 58 Beaconsfield Street NEWPORT NSW 2106
Description of 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
Determination:	Approved Consent Authority: Northern Beaches Council
Date of Determination:	18/11/2025
Date from which the consent operates:	18/11/2025

Under Section 4.55 (1a) Minor Environmental Impact of the EP&A Act, notice is given that the above application to modify the original application has been approved, subject to the conditions specified in this notice and as described in the Modification Summary.

Reasons for approval

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.

Community views

The application was notified in accordance with Council's Community Participation Plan and the Environmental Planning and Assessment Regulation 2021. Any submissions received representing community views were considered as part of the assessment of the application. Conditions of consent included within this Notice of Determination have been applied to ensure that the development satisfies the Objects of the Environmental Planning and Assessment Act and will not result in unacceptable environmental impacts.

Request a review of the determination

If you are dissatisfied with this determination, you may request a review of the determination:

- You do not have the right to request a review of the determination under section 8.3 of the EP&A Act if you are excluded from those developments listed under Section 8.2(2) of the EP&A Act.
- You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 28 days from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

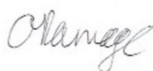
Objector's right of appeal against the determination

An objector who is dissatisfied with the consent authority's determination to grant consent, in relation to Designated Development only has the right to appeal to the Court against the determination under section 8.8 of the EP&A Act within 28 days after the date that the objector was notified of the determination appealed against.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Signed On behalf of the Consent Authority



Name Olivia Ramage, Planner

Date 18/11/2025

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification description
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>
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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
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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.

Important Information

This letter should therefore be read in conjunction with DA2023/1869 dated 2 October 2024, Mod2024/0647 dated 4 February 2025 and Mod2025/0018 dated 2 July 2025.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance

with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Northern Beaches Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Northern Beaches Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to: the collection of stormwater, the reuse of stormwater, the detention of stormwater, the controlled release of stormwater, and connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney North Planning Panel.