

Annexure A

DETERMINATION OF MODIFICATION APPLICATION BY GRANT OF CONSENT

Modification Application No: Mod2024/0445
Development: Demolition of x4 existing dwelling houses and construction of seniors housing development containing x10 units, x1 level of basement carparking and associated landscaping and civil works
Site: 37, 39, 41 and 43 Hay Street, Collaroy (Lots 43-46 Section 12 DP 10648)

The above modification application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 26 February 2025

Date from which consent takes effect: Date of determination.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the "applicant" means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the "site", means the land known as 37, 39, 41 and 43 Hay Street, Collaroy (Lots 43-46 Section 12 DP 10648).

The conditions of consent are as follows:

Modification Summary

The development consent is modified as follows:

MODIFICATION SUMMARY TABLE

Application Number	Determination Date	Modification Description
PAN-461480 Mod2024/0445	The date of this notice of determination	Internal and external modifications and reconfiguration, including additional floor area. Modified Conditions: <ul style="list-style-type: none"> Condition 1 Approved Plans and Supporting Documentation Condition 4 Compliance with Other Department, Authority or Service Requirements Condition 6 Policy Controls

Modified Conditions

A. Modify Condition 1 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	Plan Title	Drawn By	Date of Plan
0638-MOD104	02	Site Plan	PopovBass	5 December 2024
0638-MOD105	02	Basement Plan	PopovBass	5 December 2024
0638-MOD106	02	Level 01 Plan	PopovBass	5 December 2024
0638-MOD107	02	Level 02 Plan	PopovBass	5 December 2024
0638-MOD108	02	Roof Plan	PopovBass	5 December 2024
0638-MOD109	02	Basement Post Adaption Plan	PopovBass	5 December 2024
0638-MOD110	02	Level 01 Post Adaption Plan	PopovBass	5 December 2024
0638-MOD111	02	Level 02 Post Adaption Plan	PopovBass	5 December 2024
0638-MOD112	02	Elevations 1	PopovBass	5 December 2024
0638-MOD113	02	Elevations 2	PopovBass	5 December 2024
0638-MOD114	02	Section AA & BB	PopovBass	5 December 2024
0638-MOD115	02	Section CC & DD	PopovBass	5 December 2024
0638-MOD116	02	Section EE & FF	PopovBass	5 December 2024
0638-MOD117	02	Section GG	PopovBass	5 December 2024
0638-MOD118	02	Entry Section & Renders	PopovBass	5 December 2024

Approved Plans				
Plan Number	Revision	Plan Title	Drawn By	Date of Plan
0638-MOD127	02	Schedule of Colours and Materials	PopovBass	5 December 2024
L-01	A	Level 1 Landscape Plan	Site Design Studios	11 December 2024
L-02	A	Level 2 Landscape Plan	Site Design Studios	11 December 2024
L-03	A	Landscape Area Calculation Plan – Level 1	Site Design Studios	11 December 2024
L-04	A	Landscape Area Calculation Plan – Level 2	Site Design Studios	11 December 2024
L-05	A	Planting Schedule and Details	Site Design Studios	11 December 2024
L-06	A	Specification	Site Design Studios	11 December 2024
D2	H	Basement Plan	NY Civil Engineering	16 July 2024
D3	H	Ground Floor Plan	NY Civil Engineering	16 July 2024
D4	H	Level 02 Plan	NY Civil Engineering	16 July 2024
D5	H	Roof Plan	NY Civil Engineering	16 July 2024
D6	H	WSUD/OSD Catchment Plan	NY Civil Engineering	16 July 2024
D7	H	OSD Details	NY Civil Engineering	16 July 2024
D8	H	Stormwater Details	NY Civil Engineering	16 July 2024
D9	H	ATLAN Hydrochannel Details	NY Civil Engineering	16 July 2024
D10	H	ATLAN Basin Detail	NY Civil Engineering	16 July 2024
D11	H	Driveway Section	NY Civil Engineering	16 July 2024
D12	H	Driveway Section	NY Civil Engineering	16 July 2024
D13	H	External Pipe Section	NY Civil Engineering	16 July 2024

Approved Reports and Documentation

Document Title	Version Number	Prepared By	Date of Document
Access Report LP_22521	Rev. 5	Linday Perry Access	12 July 2024
Addendum Letter Support	-	Complete Arborcare	26 July 2024
BASIX Certificate 1403626M_04	-	Frys Building Consultancy	16 December 2024
BCA Compliance Assessment Report	J1115-BCA-3	Building Code Clarity	16 July 2024
NatHERS Certificate 9623620	-	Frys Energywise	11 July 2024
NatHERS Certificate 9623661-01	-	Frys Energywise	16 December 2024
NatHERS Certificate 9623679-03	-	Frys Energywise	11 July 2024
NatHERS Certificate 9623711-01	-	Frys Energywise	11 July 2024
NatHERS Certificate 9623745-01	-	Frys Energywise	11 July 2024
NatHERS Certificate 9623752-02	-	Frys Energywise	16 December 2024
NatHERS Certificate 9623786-02	-	Frys Energywise	16 December 2024
NatHERS Certificate 9623729-02	-	Frys Energywise	16 December 2024
NatHERS Certificate 9623760-02	-	Frys Energywise	16 December 2024
NatHERS Certificate 9623778-03	-	Frys Energywise	16 December 2024
Preliminary Geotechnical Investigation and Slope Risk Assessment P2828_01	Rev. 1	Morrow Geotechnics	12 July 2024
Waste Management Plan	-	Daniel McNamara	26 July 2024

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 4 Compliance with Other Department, Authority or Service Requirements to read as follows:

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Referral Response – Ausgrid	27 September 2024

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

C. Modify Condition 6 Policy Controls to read as follows:

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$123,182.07 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$12,318,207.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council – Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.