



05 June 2025

Notification of Modification of Consent Application No. 2022/109.002

Site Description: Lot: 2 DP: 309313, 396 Conadilly Street GUNNEDAH.

Notice is given that a Section 4.55 (1A) Modification to Consent Application has been submitted for Council's consideration that involves the modification to dwellings 1 & 8 and change of external wall materials.

The address of the proposed development is 396 Conadilly Street GUNNEDAH.

The applicant is Michel Doumith and Gunnedah Shire Council is the consent authority.

The Application to Modify Consent has been placed on public exhibition for a period of **15** days. The documents may be inspected at Council's office during office hours 9am-4pm or on Council's website <http://www.gunnedah.nsw.gov.au/>.

Any person may make a written submission about this application to the General Manager, Gunnedah Shire Council, PO Box 63, Gunnedah NSW 2380 or via email council@gunnedah.nsw.gov.au. The issues you raise will be included in the evaluation of the development application, along with the other matters Council must consider.

Submissions should be received no later than 5.00pm on **20 June 2025**. All submissions **must** include disclosure of any reportable political contribution or gift made in the previous two years.

If the submission includes an objection to the proposal, the grounds of objection must be given. You are advised that you may request that your name and address not be disclosed by stating prominently "OBJECTION IN CONFIDENCE" on your submission for reason that disclosure would result in detriment to you. However, Council may be obliged to release these details under the Freedom of Information Act 1989 even if these words are used in the submission. Further, submissions that do not contain the author's name and address may not be considered as Council will be unable to validate the submissions authenticity.

If you have any enquiries in relation to this Development Application, please contact Council's Duty Planner on (02) 6740 2100.

Yours faithfully

Wade Hudson
MANAGER DEVELOPMENT ASSESSMENT

Contact: (02) 6740 2100
Reference: 2022/109.002
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Development Consent Cover Sheet – Council's Use

Made under the Environmental Planning & Assessment Act.1979

LAST UPDATED 23 JULY 2021

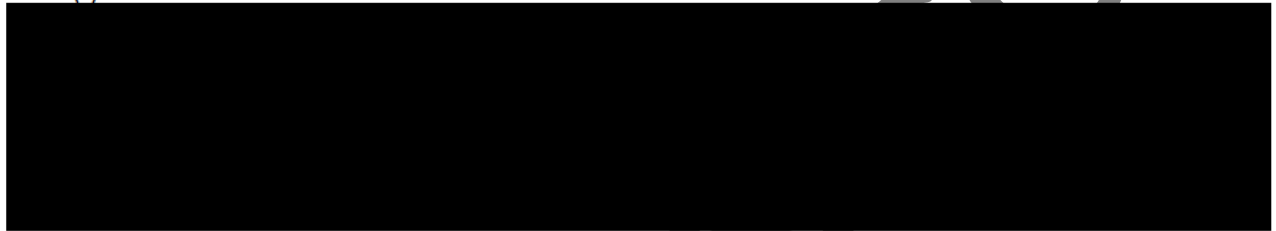
Date: 14/05/2025

DEVELOPMENT APPLICATION NUMBER

Development Application Number: 10.2022.00000109.002

APPLICANT DETAILS

Name(s): M Doumith



LAND TO BE DEVELOPED

Address: 396 Conadilly Street, Gunnedah

Lot Number: 2 DP Number: 309313 Site Area: 2024m2

BRIEF DESCRIPTION AND USE OF PROPOSED DEVELOPMENT

S4.55(1A) – Change in floor layout of dwelling 1 & 8 and
change of external walls of all dwellings from brick veneer to timber cladding.

PROPOSED DEVELOPMENT DETAILS

- ☒ Local Development
- ☐ Integrated Development (requires approval under another Act)
- ☐ Designated Development (requires an EIS to be submitted)

Total Project Value: \$2,450,570.00

Applicant contact details

Title	Mr
First given name	Michel
Other given name/s	
Family name	doumith
Contact number	[REDACTED]
Email	[REDACTED]
Address	[REDACTED]
Application on behalf of a company, business or body corporate	No

Owner/s of the development site

Owner/s of the development site	A company, business, government entity or other similar body owns the development site
Owner #	1
Company, business or body corporate name	396 Conadilly Pty Ltd
ABN / ACN	
Owner #	2
Company, business or body corporate name	Destiny Wealth 396 Pty Ltd
ABN / ACN	

I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application. - Yes

Note: It is an offence under Section 10.6 of the Environmental Planning and Assessment Act 1979 to provide false or misleading information in relation to this application.

Site access details

Are there any security or site conditions which may impact the person undertaking the inspection? For example, locked gates, animals etc.	No
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Developer details

ABN	
ACN	
Name	
Trading name	
Address	
Email Address	

Development details

Application type	Modification Application
On what date was the development application to be notified determined	14/08/2024
Type of modification requested	S4.55(1A) - Modification involving minimal environmental impact, where the development will remain substantially the same as the development that was originally approved
Development Application number of the consent to be modified	

Description of the proposed modification	Change in floor layouts of dwelling 1 and dwelling 8 and change external walls of all dwellings from brick veneer to timber cladding
Was the DA applied for via the NSW Planning Portal?	Yes
Please provide portal application number (PAN)	PAN-530951
Site address #	1
Street address	396 CONADILLY STREET GUNNEDAH 2380
Local government area	GUNNEDAH
Lot / Section Number / Plan	2/-/DP309313 <input checked="" type="checkbox"/>
Primary address?	Yes
Planning controls affecting property	Land Application LEP Gunnedah Local Environmental Plan 2012 Land Zoning R3: Medium Density Residential Height of Building NA Floor Space Ratio (n:1) NA Minimum Lot Size 450 m ² Heritage NA Land Reservation Acquisition NA Foreshore Building Line NA

Proposed development

Selected common application types	Demolition Erection of a new structure
Selected development types	Residential Accommodation
Description of development	Change in floor layouts of dwelling 1 and dwelling 8 and change external walls of all dwelling from brick veneer to timber cladding
Dwelling count details	
Number of dwellings / units proposed	
Number of storeys proposed	
Number of pre-existing dwellings on site	
Number of dwellings to be demolished	
Number of proposed occupants	0
Existing gross floor area (m2)	
Proposed gross floor area (m2)	0
Total site area (m2)	
Total net lettable area (m2)	0
Cost of development	
Estimated cost of work / development (including GST)	\$2,450,570.00
Capital Investment Value (CIV)	\$2,450,570.00
Do you have one or more BASIX certificates?	
Subdivision	
Number of existing lots	
Proposed operating details	
Number of staff/employees on the site	

Number of parking spaces

Number of loading bays	
Is a new road proposed?	No
Concept development	
Is the development to be staged?	No, this application is not for concept or staged development.
Crown development	
Is this a proposed Crown development?	No

Related planning information

Is the application for integrated development?	No
Is your proposal categorised as designated development?	No
Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats, or is it located on land identified as critical habitat?	No
Is this application for biodiversity compliant development?	No
Does the application propose a variation to a development standard in an environmental planning instrument (eg LEP or SEPP)?	No
Is the application accompanied by a Planning Agreement ?	No
Section 68 of the Local Government Act	
Is approval under s68 of the Local Government Act 1993 required?	Yes
Have you already applied for approval under s68 of the Local Government Act?	No
Would you like to apply for approval under s68 of the Local Government Act?	No
10.7 Certificate	
Have you already obtained a 10.7 certificate?	
Tree works	
Is tree removal and/or pruning work proposed?	No
Local heritage	
Does the development site include an item of environmental heritage or sit within a heritage conservation area	No
Are works proposed to any heritage listed buildings?	No
Is heritage tree removal proposed?	No
Affiliations and Pecuniary interests	
Is the applicant or owner a staff member or councillor of the council assessing the application?	No
Does the applicant or owner have a relationship with any staff or councillor of the council assessing the application?	No
Political Donations	

Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
Please provide details of each donation/gift which has been made within the last 2 years	

Sustainable Buildings

Is the development exempt from the State Environmental Policy (Sustainable Buildings) 2022 Chapter 3, relating to non-residential buildings?	Yes
Provide reason for exemption. Is the development any of the following:	Development that is wholly residential

Payer details

Provide the details of the person / entity that will make the fee payment for the assessment.

The *Environmental Planning and Assessment Regulation 2021* and Council's adopted fees and charges establish how to calculate the fee payable for your development application. For development that involves building or other works, the fee for your application is based on the estimated cost of the development.

If your application is for integrated development or requires concurrence from a state agency, additional fees will be required. Other charges may be payable based on the Council's adopted fees and charges. If your development needs to be advertised, the Council may charge additional advertising fees. Once this application form is completed, it and the supporting documents will be submitted to the Council for lodgement, at which time the fees will be calculated. The Council will contact you to obtain payment. Note: When submitting documents via the NSW Planning Portal, credit card information should not be displayed on documents attached to your development application. The relevant consent authority will contact you to seek payment.

The application may be cancelled if the fees are not paid:

First name	Michel
Other given name(s)	
Family name	doumith
Contact number	
Email address	
Billing address	

Application documents

The following documents support the application.

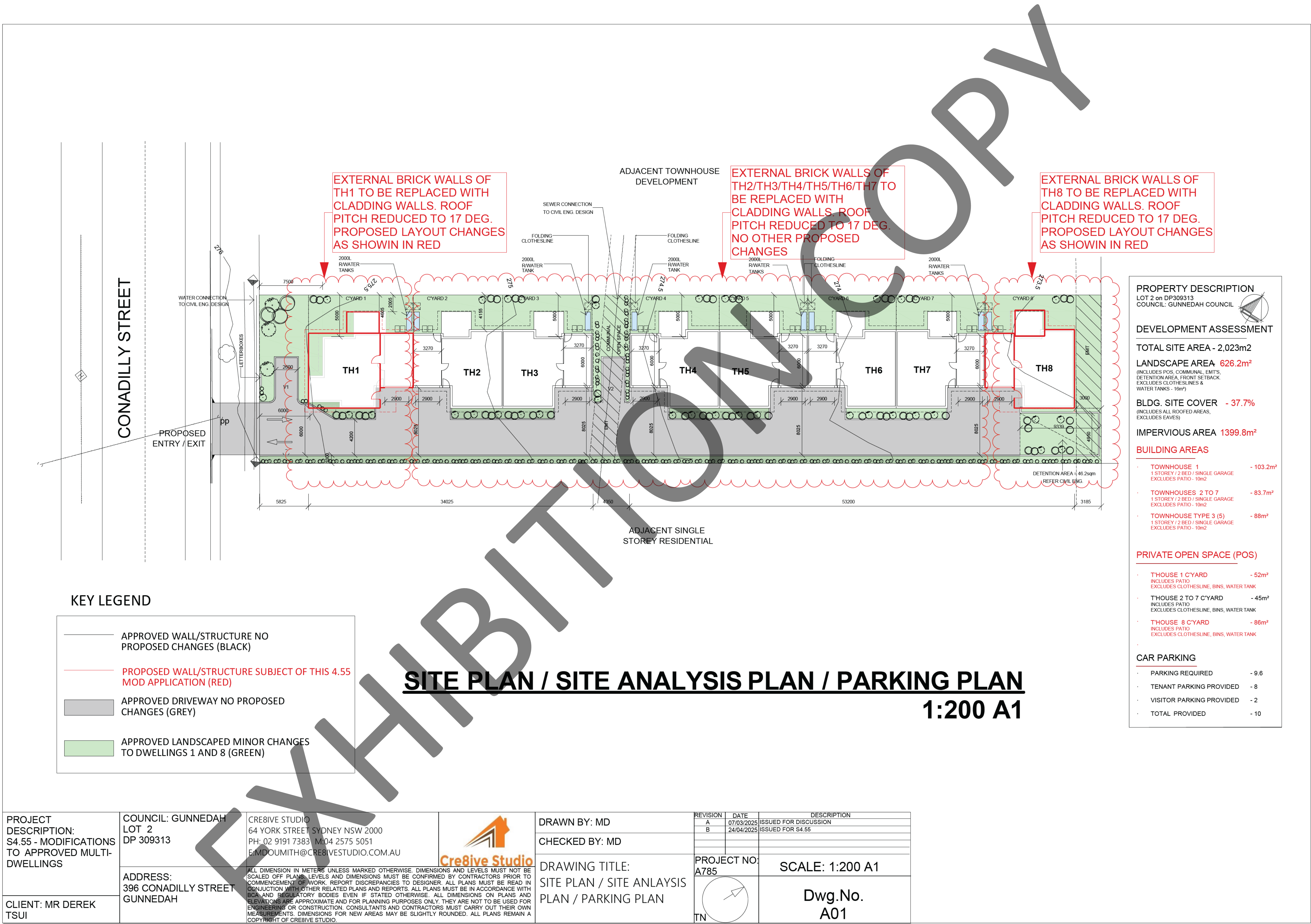
Document type	Document file name
Architectural Plans	COMPILED ARCHITECTURAL PLANS_396 CONADILLY STREET GUNNEDAH
Site Plans	SITE PLAN, SITE ANALYSIS PLAN , AND PARKING PLAN
Statement of environmental effects	STATEMENT OF MODIFICATION

Applicant declarations

I declare that all the information in my application and accompanying documents is , to the best of my knowledge, true and correct.	Yes
I understand that the development application and the accompanying information will be provided to the appropriate consent authority for the purposes of the assessment and determination of this development application.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the application.	Yes
I understand that the consent authority may use the information and materials provided for notification and advertising purposes, and materials provided may be made available to the public for inspection at its Offices and on its website and/or the NSW Planning Portal	Yes

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes
I agree to appropriately delegated assessment officers attending the site for the purpose of inspection.	Yes
I agree to pay any required NSW Planning Portal Service Fee/s specified under Schedule 4 of the Environmental Planning and Assessment Regulation 2021 to the Department of Planning, Housing and Infrastructure.	Yes
I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice	Yes
I confirm that the change(s) entered is/are made with appropriate authority from the applicant(s).	

EXHIBITION COPY



KEY LEGEND

	APPROVED WALL/STRUCTURE NO PROPOSED CHANGES (BLACK)
	PROPOSED WALL/STRUCTURE SUBJECT OF THIS 4.55 MOD APPLICATION (RED)
	APPROVED DRIVEWAY NO PROPOSED CHANGES (GREY)
	APPROVED LANDSCAPED MINOR CHANGES TO DWELLINGS 1 AND 8 (GREEN)

PROPERTY DESCRIPTION
LOT 2 on DP309313
COUNCIL: GUNNEDAH COUNCIL

DEVELOPMENT ASSESSMENT

TOTAL SITE AREA - 2,023m2

LANDSCAPE AREA 626.2m²
(INCLUDES POS, COMMUNAL, EMT'S, DETENTION AREA, FRONT SETBACK, EXCLUDES CLOTHESLINES & WATER TANKS - 16m²)

BLDG. SITE COVER - 37.7%
(INCLUDES ALL ROOFED AREAS, EXCLUDES EAVES)

IMPERVIOUS AREA 1399.8m²

BUILDING AREAS

- TOWNHOUSE 1 - 103.2m²
1 STOREY / 2 BED / SINGLE GARAGE
EXCLUDES PATIO - 10m²
- TOWNHOUSES 2 TO 7 - 83.7m²
1 STOREY / 2 BED / SINGLE GARAGE
EXCLUDES PATIO - 10m²
- TOWNHOUSE TYPE 3 (5) - 88m²
1 STOREY / 2 BED / SINGLE GARAGE
EXCLUDES PATIO - 10m²

PRIVATE OPEN SPACE (POS)

- T'HOUSE 1 C'YARD - 52m²
INCLUDES PATIO
EXCLUDES CLOTHESLINE, BINS, WATER TANK
- T'HOUSE 2 TO 7 C'YARD - 45m²
INCLUDES PATIO
EXCLUDES CLOTHESLINE, BINS, WATER TANK
- T'HOUSE 8 C'YARD - 86m²
INCLUDES PATIO
EXCLUDES CLOTHESLINE, BINS, WATER TANK

CAR PARKING

- PARKING REQUIRED - 9.6
- TENANT PARKING PROVIDED - 8
- VISITOR PARKING PROVIDED - 2
- TOTAL PROVIDED - 10

SITE PLAN / SITE ANALYSIS PLAN / PARKING PLAN
1:200 A1

PROJECT DESCRIPTION: S4.55 - MODIFICATIONS TO APPROVED MULTI-DWELLINGS	COUNCIL: GUNNEDAH LOT 2 DP 309313	CRE8IVE STUDIO 64 YORK STREET SYDNEY NSW 2000 PH: 02 9191 7383 M:04 2575 5051 E:MDOUMITH@CRE8IVESTUDIO.COM.AU	 Cre8ive Studio	DRAWN BY: MD	REVISION A B	DATE 07/03/2025 24/04/2025	DESCRIPTION ISSUED FOR DISCUSSION ISSUED FOR S4.55
	ADDRESS: 396 CONADILLY STREET GUNNEDAH			CHECKED BY: MD			
CLIENT: MR DEREK TSUI		ALL DIMENSION IN METERS UNLESS MARKED OTHERWISE. DIMENSIONS AND LEVELS MUST NOT BE SCALED OFF PLANS. LEVELS AND DIMENSIONS MUST BE CONFIRMED BY CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. REPORT DISCREPANCIES TO DESIGNER. ALL PLANS MUST BE READ IN CONJUNCTION WITH OTHER RELATED PLANS AND REPORTS. ALL PLANS MUST BE IN ACCORDANCE WITH BCA AND REGULATORY BODIES EVEN IF STATED OTHERWISE. ALL DIMENSIONS ON PLANS AND ELEVATIONS ARE APPROXIMATE AND FOR PLANNING PURPOSES ONLY. THEY ARE NOT TO BE USED FOR ENGINEERING OR CONSTRUCTION. CONSULTANTS AND CONTRACTORS MUST CARRY OUT THEIR OWN MEASUREMENTS. DIMENSIONS FOR NEW AREAS MAY BE SLIGHTLY ROUNDED. ALL PLANS REMAIN A COPYRIGHT OF CRE8IVE STUDIO.	DRAWING TITLE: SITE PLAN / SITE ANALYSIS PLAN / PARKING PLAN	PROJECT NO: A785	SCALE: 1:200 A1		
					Dwg.No. A01		



STATEMENT OF MODIFICATION
Under Section 4.55 of the
Environmental Planning and Assessment Act
1979

Work Description: Construction of 8 Multi-Dwelling Housing and Strata
Title Subdivision - Modification under Section 4.55 (1a) (DA2022/109/2020)

Address: 396 Conadilly Street Gunnedah

Prepared by: Planning Experts

Client: Mr Derek Tsui

Date: 24/04/2025

1. Introduction

1.1 Scope

This statement of modification has been prepared on behalf of Mr Derek Tsui the owner of this property. The scope of this statement is to consider the environmental effects of the modification made under Section 4.55(1a) for the approved development DA2022/109. Details of the changes made along with the consequential environmental impacts are noted in Part 1.2 of this report.

1.2 Environmental Impacts Related to the Proposed Modifications

The changes proposed in this application include the following:

- **Change in floor layout of dwelling 1 and dwelling 8 including external and internal walls** indicated in red on modification plans lodged – **(setbacks maintained)**.
Reason: Design changes initiated by owner
- **Change in external building material from brick veneer to timber cladding of all dwellings 1 to 8** as annotated on modification plans lodged.
Reason: Design changes initiated by owner
- **Change in Roof Pitch of all dwellings 1 to 8 from 23 deg to 17 deg** as annotated on elevations on modification plans lodged.
Reason: Design changes initiated by owner

As a result of the above changes:

- Proposed landscaped area has been reduced by 13.8m². Consequently, total landscaped area is reduced to 626.2m² which is equivalent to 31% (approved 640m²) which is consistent with most multi-dwelling developments at Gunnedah Shire Council (>30%). This is particularly acceptable given the quality of species and the relatively even distribution of landscaped area among proposed dwellings.

- Meanwhile site coverage has increased by 13.8m² bringing the total site coverage area to 38.4% (approved 37.7%). This is also consistent with most multi-dwelling developments at Gunnedah with site coverages not exceeding 40%.
- Finally hardstand area has increased by 16.8m² bringing the total impervious area to 1399.8 m² (69.1%) (approved 1383m²). The latter is consistent with most multi-dwelling developments (<70%).
- Maximum HOB reduced from 4860mm to 4380mm. The latter has no adverse environmental impacts.

The proposed changes do not violate any controls set in Gunnedah Shire Council's Development Control Plan 2012 as well as Gunnedah Shire Council's Local Environmental Plan 2012. The proposed modified development continues to conform to all the aforementioned controls and regulatory instruments particularly privacy concerns and amenities to subject and adjacent properties.

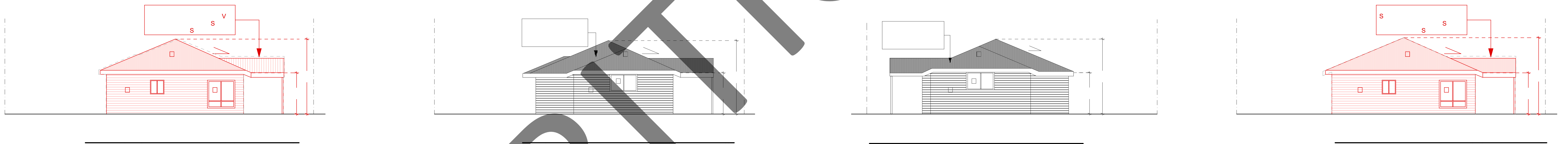
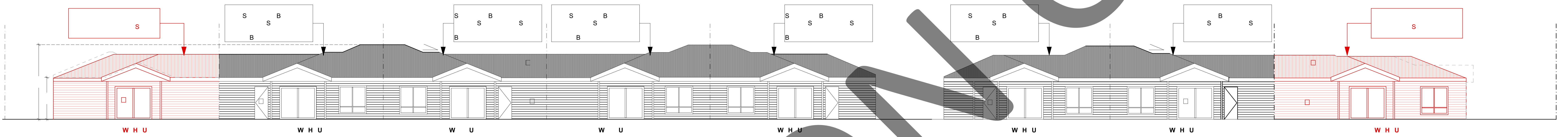
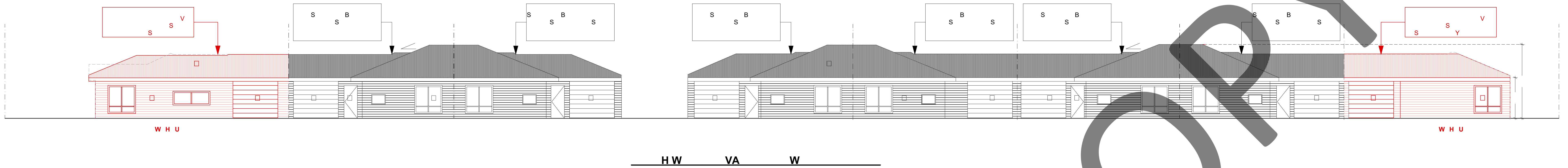
The modified development is of the same scale and type of the approved ones. Setbacks as well as maximum building heights have not been changed. The design, layout, bulk, and scale are largely consistent with approved designs including number of bedrooms, proposed car spaces for each dwelling, window sill heights, ceiling heights, etc.

Due to the reasons stated above, the modified development will result in **substantially the same development as the approved one.** The changes proposed therefore conform to the provisions of Section 4.55 of the Environmental Planning and Assessment Act 1979.

2. Conclusion

The approved development continues to comply with the relevant and applicable regulatory instruments addressed in the above table. Gunnedah Shire Council is hereby kindly requested to favourable determine this Development Application.

Yours Sincerely,
Michel Doumith




KEY EGEND

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