



MOD-24-00555
JRPP-16-03309

7 July 2025

Universal Property Group Pty Ltd
137 Gilba Road
GIRRAWEE NSW 2145

Dear Sir/Madam,

Property: Lot 100 DP 1257875, South Street, MARSDEN PARK

Proposal: Modification to Notice of Determination No. JRPP-16-03309 under Section 4.56 of the Environmental Planning and Assessment Act 1979

Reference is made to the Section 4.56 application (MOD-24-00555) lodged with us for the modification of development consent Notice of Determination No. JRPP-16-03309, dated 31 May 2017.

Please be advised that we have considered your request and, under Section 4.56 of the Environmental Planning and Assessment Act 1979 (as amended), you are advised that the above determination is modified in the following manner:

Conditions 2.2.1, 2.4.1, 5.4, 6.1.3, 6.14.2.3 and 6.14.3 are deleted and replaced with the following conditions:

- 2.1.1 The consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Title	Drawing No.	Prepared by	Date
Staging Plan	S4.56 – 03 – Rev B	The Bathla Group	26.10.2023
Lot 1			
Master Plan	DA003 Rev D	The Bathla Group	21.10.16
Information Sheet	DA Lot 1-00 Rev 8	The Bathla Group	30.07.21
Cover Sheet	DA Lot 1-01 Rev 4	The Bathla Group	25.11.16
Common Areas	DA Lot 1-01	The Bathla Group	
Site Context	DA Lot 1-02 Rev 4	The Bathla Group	20.10.16
Site Plan	DA Lot 1-03 Rev 4	The Bathla Group	20.10.16
Basement Level	DA Lot 1-04 Rev 15	The Bathla Group	30.07.21
Ground Floor	DA Lot 1-05 Rev 15	The Bathla Group	30.07.21
1 st Floor Plan Building B	DA Lot 1-06 Rev 14	The Bathla Group	30.07.21
2 nd Floor Plan BLD A/3 rd Floor Plan BLD B	DA Lot 1-07 Rev 13	The Bathla Group	30.07.21

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3 rd Floor Plan BLD A/4 th Floor Plan BLD B	DA Lot 1-08 Rev 13	The Bathla Group	30.07.21
4 th Floor Plan BLD A/5 th Floor Plan BLD B	DA Lot 1-09 Rev 13	The Bathla Group	30.07.21
5 th Floor Plan BLD A	DA Lot 1-10 Rev 13	The Bathla Group	30.07.21
Solar Access	DA Lot 1-11 Rev 4	The Bathla Group	20.10.16
Elevations	DA Lot 1-12 Rev 11	The Bathla Group	30.07.21
Elevations B	DA Lot 1-13 Rev 11	The Bathla Group	30.07.21
Sections	DA Lot 1-14 Rev 13	The Bathla Group	30.07.21
3D Sun Views	DA Lot 1-15 Rev 4	The Bathla Group	20.10.16
Unit Solar Access & Ventilation	DA Lot 1-16 Rev 4	The Bathla Group	20.10.16
COS Solar Access	DA Lot 1-17 Rev 4	The Bathla Group	20.10.16
Deep Soil	DA Lot 1-18 Rev 5	The Bathla Group	25.11.16
Lot 2A			
Information Sheet	DA Lot 2A-19 Rev 9	The Bathla Group	30.07.21
Site Plan	DA Lot 2A-20 Rev 10	The Bathla Group	30.07.21
Basement 1	DA Lot 2A-21 Rev 15	The Bathla Group	15.07.21
Basement 2	DA Lot 2A-22 Rev 15	The Bathla Group	15.07.21
Ground Plan and Plan Lvl 1	DA Lot 2A-23 Rev 17	The Bathla Group	30.07.21
Plan Lvl 2 & 3	DA Lot 2A-24 Rev 14	The Bathla Group	30.07.21
Plan Lvl 4 & Roof	DA Lot 2A-25 Rev 14	The Bathla Group	30.07.21
Elevations	DA Lot 2A-26 Rev 13	The Bathla Group	30.07.21
Elevations	DA Lot 2A-27 Rev 12	The Bathla Group	30.07.21
Sections	DA Lot 2A-28 Rev 12	The Bathla Group	23.07.21
3D Sun Views	DA Lot 2A-29 Rev 4	The Bathla Group	20.10.16
C.O.S Solar Access	DA Lot 2A-30 Rev 4	The Bathla Group	20.10.16
Solar Access & Ventilation	DA Lot 2A-31 Rev 4	The Bathla Group	20.10.16
Deep Soil	DA Lot 2A-3Rev 4	The Bathla Group	20.10.16
Lot 2B		The Bathla Group	
Information Sheet	DA Lot 2B-33 Rev 3	The Bathla Group	30.07.21
Site Plan	DA Lot 2B-34 Rev 11	The Bathla Group	30.07.21
Basement 1	DA Lot 2B-35 Rev 17	The Bathla Group	16.07.21
Basement 2	DA Lot 2B-36 Rev 615	The Bathla Group	16.07.21
Mezzanine Lvl	DA Lot 2B-37 Rev 15	The Bathla Group	16.07.21
Ground Plan	DA Lot 2B-38 Rev 20	The Bathla Group	30.07.21
Plan Lvl 1	DA Lot 2B-39 Rev 16	The Bathla Group	30.07.21
Plan Lvl 2	DA Lot 2B-40 Rev 15	The Bathla Group	30.07.21
Plan Lvl 3	DA Lot 2B-41 Rev 15	The Bathla Group	30.07.21
Plan Lvl 4	DA Lot 2B-42 Rev 15	The Bathla Group	30.07.21
Elevation A	DA Lot 2B-43 Rev 14	The Bathla Group	30.07.21
Elevation B	DA Lot 2B-44 Rev 13	The Bathla Group	30.07.21
Sections	DA Lot 2B-45 Rev 13	The Bathla Group	23.07.21
3D Sun Views	DA Lot 2B-46 Rev 4	The Bathla Group	20.10.16
C.O.S Sun Access	DA Lot 2B-47 Rev 4	The Bathla Group	20.10.16

Solar Access & Ventilation	DA Lot 2B-48 Rev 4	The Bathla Group	21.10.16
Deep Soil	DA Lot 2B-49 Rev 6	The Bathla Group	21.10.16
Common Areas	DA Lot 2B	The Bathla Group	Dec 15
Lot 3 and Lot 4			
Site Analysis	DA Lot 03-04 001 Rev D	The Bathla Group	21.10.16
Subdivision Plan	S4.56-01	The Bathla Group	Mar 2021
Building envelope plan	S4.56 – 02	The Bathla Group	11 April 2025
Landscape Plans			
Cover Sheet	L01 R04	The Bathla Group	20.10.16
Lot 1 Concept Landscape Plan	L02 R04	The Bathla Group	20.10.16
Lot 2A Concept Landscape Plan	L03 R04	The Bathla Group	20.10.16
Lot 2B Concept Landscape Plan	L04 R04	The Bathla Group	20.10.16
Landscape Details	L05 R04	The Bathla Group	20.10.16
Fence /Bio Retention	LP01/01A,B,C R04	The Bathla Group	20.10.16

As amended by the following plans, only to the stated extent and bubbled in red:

Title	Drawing No.	Prepared by	Date
Information Sheet	DA Lot 1-00 Rev 9	The Bathla Group	11.10.24
Site Plan	DA Lot 1-03 Rev 11	The Bathla Group	11.10.24
Basement Level	DA Lot 1-04 Rev 17	The Bathla Group	11.10.24
Ground Floor	DA Lot 1-05 Rev 18	The Bathla Group	11.10.24
Elevations	DA Lot 1-12 Rev 12	The Bathla Group	18.12.24
Elevations B	DA Lot 1-13 Rev 12	The Bathla Group	11.10.24
Lot 2A			
Information Sheet	DA Lot 2A-19 Rev 10	The Bathla Group	11.10.24
Site Plan	DA Lot 2A-20 Rev 11	The Bathla Group	11.10.24
Basement 1	DA Lot 2A-21 Rev 16	The Bathla Group	11.10.24
Basement 2	DA Lot 2A-22 Rev 16	The Bathla Group	11.10.24
Ground Plan and Plan Lvl 1	DA Lot 2A-23 Rev 18	The Bathla Group	11.10.24
Plan Lvl 2 & 3	DA Lot 2A-24 Rev 16	The Bathla Group	11.10.24

Plan Lvl 4 & Roof	DA Lot 2A-25 Rev 15	The Bathla Group	11.10.24
Elevations	DA Lot 2A-26 Rev 14	The Bathla Group	11.10.24
Elevations	DA Lot 2A-27 Rev 13	The Bathla Group	11.10.24
Sections	DA Lot 2A-28 Rev 15	The Bathla Group	11.10.24
Lot 2B			
Information Sheet	DA Lot 2B-33 Rev 4	The Bathla Group	18.12.24
Site Plan	DA Lot 2B-34 Rev 12	The Bathla Group	11.10.24
Basement 1	DA Lot 2B-35 Rev 18	The Bathla Group	11.10.24
Mezzanine Lvl	DA Lot 2B-37 Rev 16	The Bathla Group	11.10.24
Ground Plan	DA Lot 2B-38 Rev 21	The Bathla Group	11.10.24
Plan Lvl 1	DA Lot 2B-39 Rev 17	The Bathla Group	11.10.24
Plan Lvl 2	DA Lot 2B-40 Rev 16	The Bathla Group	11.10.24
Plan Lvl 3	DA Lot 2B-41 Rev 16	The Bathla Group	11.10.24
Plan Lvl 4	DA Lot 2B-42 Rev 16	The Bathla Group	11.10.24
Elevation A	DA Lot 2B-43 Rev 15	The Bathla Group	11.10.24
Elevation B	DA Lot 2B-44 Rev 14	The Bathla Group	11.10.24
Sections	DA Lot 2B-45 Rev 15	The Bathla Group	18.12.24
Landscape Plans			
Lot 1	LPCC 22 – 215 (MOD) Pages 1 – 10 Rev H inclusive	Conzept Landscape	01.07.24
Lot 2A	LPCC 22 – 216 (MOD) Pages 1 – 7 Rev J inclusive	Conzept Landscape	16.10.24
Lot 2B	LPCC 22 – 217 (MOD) Pages 1 – 11 Rev K inclusive	Conzept Landscape	16.10.24

*Unless modified by any condition(s) of this consent.

- 2.4.1 All commitments listed in BASIX Certificates 711573M_02, 799271M and 716712M_02, and as amended by 1209963M_09, 1210884M_10 and 1213535M_11 shall be complied with.
- 5.4 The plans and specifications must indicate compliance with the commitments listed in BASIX Certificates 711573M_02, 799271M and 716712M_02 and as amended by 1209963M_09, 1210884M_10 and 1213535M_11.

6.1.3 Construction certificate plans shall be generally in accordance with the following drawings and any amended stormwater drainage designs approved in accordance with Condition 6.14.:

Prepared By	Project No.	Drawing	Sheet No. Revision	Dated
Martens and Associates	P1705906	PS01	PS01-A000, revision B PS01-A050, revision A PS01-A100, revision A PS01-B300, revision A PS01-B310, revision A PS01-B320, revision A PS01-C500, revision A PS01-C600, revision A PS01-D100, revision A PS01-D200, revision A PS01-D205, revision A PS01-D300, revision A PS01-D305, revision A PS01-D500, revision A PS01-D505, revision A PS01-D510, revision A PS01-D515, revision A PS01-D520, revision A PS01-E100, revision B PS01-E206, revision B PS01-E300, revision B PS01-E305, revision B PS01-E310, revision A PS01-G200, revision A PS01-G210, revision A PS01-G400, revision A PS01-G410, revision A PS01-ZZ00, revision A PS01-ZZ01, revision A	18.5.17

			PS01-ZZ02, revision A PS01-ZZ03, revision A	
Barker Ryan Stewart	210331-02		210331-02-001, revision H 210331-02-002, revision H 210331-02-021, revision H 210331-02-101, revision H 210331-02-102, revision H 210331-02-111, revision H 210331-02-112, revision H 210331-02-113, revision H 210331-02-121, revision H 210331-02-122, revision H 210331-02-123, revision H 210331-02-141, revision H 210331-02-142, revision H 210331-02-501, revision H 210331-02-502, revision H 210331-02-521, revision H 210331-02-701, revision H 210331-02-702, revision H 210331-02-703, revision H 210331-02-704, revision H 210331-02-711, revision H 210331-02-721, revision H 210331-02-801, revision H 210331-02-811, revision H	25/10/2024

The following items are required to be addressed on the Construction Certificate plans:

- i. Provide a retaining wall for the half-width road construction of Road No. 2 at chainage 90-100. This is required as the adjoining property has a building structure in close proximity.

6.14.2.3 Amended Plans from Barker Ryan Stewart's Project plans 210331-02 Revision H are required to address the following:

- i. The access grates to storage tank 2B-1a are to be 1200mmx1200mm minimum.
 - ii. Galvanised step irons must be installed to storage tank 2B-1a.
- 6.14.3 Amend the *Stormwater Management Report*, project no 210331 dated 28/2/2022 25/10/2024 by Barker Ryan Stewart by updating the report with the requirements of this consent and incorporate the amended storage tank for OSD 2B-1.

Conditions 6.14.7 and 11.14.14 are deleted.

Please note that all other conditions in JRPP-16-03369 and its subsequent modification application approvals remain unaltered and therefore must be complied with.

Right of Appeal:

If you are dissatisfied with this decision, Section 8.9 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months of the date of determination.

Right of Review:

Section 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged within 28 days of the date of determination and determined within 6 months of the date of determination.

Note: To enable the Section 8.2 review to be considered within the six (6) months' timeframe prescribed by under the Environmental Planning and Assessment Act 1979, you must lodge the application for review under Section 8.2 within twenty-eight (28) days to facilitate the statutory timeframes.

Section 8.2 does not apply to a determination of an application to modify a complying development certificate, a determination in respect of designated development, a determination made by the Council under section 4.33 in respect of an application by the Crown, or a determination that is taken to have been made because the council has failed to determine an application.

Note: Sections 8.3, 8.4 and 8.5 apply to a review under this section.

Should you have any further enquiries concerning this matter, please contact our Senior Town Planner Bertha Gunawan on (02) 5300 6000.

Yours faithfully



Alan Middlemiss

Coordinator Planning Assessment