

Annexure A

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No: DA162/2021

Development Consent modified: DA162/2021

Description of development to be carried out under the consent (as previously modified): Demolition of existing structures and construction of a mixed-used development (12 storeys) comprising 81 apartments, childcare centre for 60 children, community facility, restaurant/café and basement parking for 116 vehicles, east-west public pedestrian link and stratum/strata subdivision

Address and particulars of title of land on which development to be carried out: 13-19 Canberra Avenue, St Leonards / Lots 11-14, Section 3, DP 7259

Description of modification to the development consent: Alterations and additions to an approved residential flat building including the construction of 1 additional storey

Determination: The development consent is modified as follows:

1. Amend Condition A.1 to read as follows:

“A.1 - Approved plans and supporting documentation

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

- ~~Development Application DA162/2021~~
- ~~For alterations and addition to residential flat building~~
- ~~On 13-19 Canberra Avenue St Leonards~~

Plan No	Revision	Plan Title	Drawn By	Dated
Architectural and Draft Subdivision Plans				
DA-0103	45	Demolition Plan	SJB	29/04/2022
DA-0201	45 51	Floor Plan B4	Hyecorp	29/04/2022 27/07/2023
DA-0202	51 60	Floor Plan B3	Hyecorp SJB	27/07/2023 05/10/2023
DA-0203	51	Floor Plan B2	Hyecorp	27/07/2023

DA-0204	51	Floor Plan B1	Hyecorp	27/07/2023
DA-0205	51	Floor Plan Ground	Hyecorp	27/07/2023
DA-0206	51	Floor Plan Upper Ground	Hyecorp	27/07/2023
DA-0207	51	Floor Plan L1	Hyecorp	27/07/2023
DA-0208	51	Floor Plan L2	Hyecorp	27/07/2023
DA-0209	51 50	Floor Plan L3	Hyecorp	29/04/2022 18/11/2022
DA-0210	51 50	Floor Plan L4	Hyecorp	29/04/2022 18/11/2022
DA-0211	51 50	Floor Plan L5	Hyecorp	29/04/2022 18/11/2022
DA-0212	51 50	Floor Plan L6-L7	Hyecorp	29/04/2022 18/11/2022
DA-0214	51	Floor Plan L8	Hyecorp	19/01/2024
DA-0215	51	Floor Plan L9	Hyecorp	19/01/2024
DA-0216	51	Floor Plan L10	Hyecorp	19/01/2024
DA-0217	51	Floor Plan L11	Hyecorp	27/07/2023
DA-0218	51 60	Floor Plan L12	Hyecorp SJB	27/07/2023 05/10/2023
DA-0219	60	Floor Plan L13	SJB	05/10/2023
DA-0220	45 58	Roof	Hyecorp SJB	29/04/2022 08/09/2023
DA-0501	45 60	North Elevation	Hyecorp SJB	29/04/2022 05/10/2023
DA-0502	51 60	East Elevation	Hyecorp SJB	27/07/2023 05/10/2023
DA-0503	45 60	South Elevation	Hyecorp SJB	29/04/2022 05/10/2023
DA-0504	45 60	West Elevation	Hyecorp SJB	29/04/2022 05/10/2023
DA-0601	45 58	Building Section 1	Hyecorp SJB	29/04/2022 08/09/2023
DA-0610	45	Detail Section – Carpark Entry	SJB	29/04/2022
DA-0611	45	Detail Section – Basement Carpark Ramp	SJB	29/04/2022
DA-0614	45	Detail Section – Canberra Ave	SJB	29/04/2022
A900	50	Adaptable Apartment Type – Sheet 01	Hyecorp	18/11/2022
A901	51	Adaptable Apartment Type – Sheet 02	Hyecorp	27/07/2023
A902	50	Adaptable Apartment Type – Sheet 03	Hyecorp	18/11/2022
A903	50	Adaptable Apartment Type – Sheet 04	Hyecorp	18/11/2022
DA-1101	45	Adaptable Apartment Type – Sheet 01	Hyecorp SJB	29/04/2022
DA-1103	45	Adaptable Apartment Type – Sheet 03	Hyecorp SJB	29/04/2022
DA-1104	45	Adaptable Apartment Type – Sheet 04	Hyecorp SJB	29/04/2022
DA-1105	45	Adaptable Apartment Type – Sheet 05	Hyecorp SJB	29/04/2022
A904	50	Adaptable Apartment Type –	Hyecorp	18/11/2022

		Sheet 05		
A905	51	Adaptable Apartment Type – Sheet 06	Hyecorp	27/07/2023
A906	51	Adaptable Apartment Type – Sheet 06	Hyecorp	27/07/2023
A907	51	Adaptable Apartment Type – Sheet 07	Hyecorp	27/07/2023
DA-1106	61	Adaptable Apartment Type – Sheet 06	SJB	28/11/2023
DA-1107	61	Adaptable Apartment Type – Sheet 07	SJB	28/11/2023
DA-1108	61	Adaptable Apartment Type – Sheet 08	SJB	28/11/2023
DA-1109	61	Adaptable Apartment Type – Sheet 09	SJB	28/11/2023
DA-1110	61	Adaptable Apartment Type – Sheet 10	SJB	28/11/2023
DA-2401	45	External Finishes	Hyecorp SJB	29/04/2022
DA-2402	45	East Elevation – Materials and Finishes	Hyecorp SJB	29/04/2022
DA-2403	45	North Elevation – Materials and Finishes	Hyecorp SJB	29/04/2022
DA-2404	45	South Elevation – Materials and Finishes	Hyecorp SJB	29/04/2022
DA-2405	45	West Elevation – Materials and Finishes	Hyecorp SJB	29/04/2022
DA-5010	46	Childcare – Level 1 Detail Plan	Hyecorp SJB	06/06/2022
51435 001DP3-1	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259	LTS	13/10/2021
51435 001DP3-2	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Basement 2-4	LTS	13/10/2021
51435 001DP3-3	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Basement 1	LTS	13/10/2021
51435 001DP3-4	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Ground Level	LTS	13/10/2021
51435 001DP3-5	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Upper Ground Level	LTS	13/10/2021
51435 001DP3-6	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Level 1	LTS	13/10/2021
51435 001DP3-7	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – Level 2 & Above	LTS	13/10/2021
51435 001DP3-8	-	Plan of Subdivision of Lots 11, 12, 13, 14 in SEC DP7259 – New Easements to be Created	LTS	13/10/2021
Landscape Plans				
C100	GF	Landscape Ground, Upper	Site Image	29/04/2022

		Ground and Level 1 Render		23/05/2022
C101	F	Landscape Composite Render	Site Image	29/04/2022 23/05/2022
001	GF	Landscape Ground & Upper gGround & level 1 Fencing & Lighting Plan	Site Image	29/04/2022
002	GF	Landscape Ground & Upper Ground Tree Canopy Calculation	Site Image	29/04/2022 23/05/2022
003	GF	Landscape Ground Tree Management Plan	Site Image	29/04/2022 23/05/2022
100	GF	Landscape Ground & Upper Ground General Arrangement Plan	Site Image	29/04/2022 23/05/2022
101	F	Landscape Level 1 General Arrangement	Site Image	29/04/2022
102	F	Landscape Level 2 General Arrangement	Site Image	29/04/2022
103	F	Landscape Level 4 General Arrangement	Site Image	29/04/2022
104	F	Landscape Level 12 General Arrangement	Site Image	29/04/2022
105	CB	North-South Link - Landscape Indicative General Arrangement	Site Image	29/04/2022 23/05/2022
200	GF	Landscape Ground & Upper Ground Planting Plan	Site Image	29/04/2022 23/05/2022
201	F	Landscape Level 1 Planting Plan	Site Image	29/04/2022
202	F	Landscape Level 2 Planting Plan	Site Image	29/04/2022
203	F	Landscape Level 4 Planting Plan	Site Image	29/04/2022
204	F	Landscape Level 12 Planting Plan	Site Image	29/04/2022
500	E	Landscape Specification Notes and Plant Schedule	Site Image	29/04/2022 2/05/2022
501	F	Landscape Details	Site Image	29/04/2022
502	F	Landscape Details	Site Image	29/04/2022
503	F	Landscape Details	Site Image	29/04/2022
504	F	Landscape Details	Site Image	29/04/2022
601	D	Landscape Elevation West	Site Image	29/04/2022 12/10/2021
602	D	Landscape Elevation South	Site Image	29/04/2022 12/10/2021
603	D	Landscape Elevation East	Site Image	29/04/2022 12/10/2021
604	D	Landscape Elevation North	Site Image	29/04/2022 12/10/2021
605	D	Landscape Elevation Retail/Terrace/Childcare	Site Image	29/04/2022 12/10/2021

Document Title	Ref./Version No.	Prepared By	Dated
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Traffic and Parking Impact Assessment and Response to Council's Request for Additional Information	21144 - Revision B	TTPA	October 2021 & 03/05/2022
Arboriculture Impact Assessment Report	V4	Margot Blues	13/10/2021
Noise Impact Assessment	210263- _201707_Noise Impact Assessment_BW_R 2	PWNA	29/09/2021
Preliminary Site Investigation Report	E25217.E01-Rev1	eiaustralia	12/10/2021
Hazardous Materials Survey	E25217.E10-Rev1	eiaustralia	04/08/2021
Operational Waste Management Plan	SO1070 – Revision D	Elephants Foot	08/10/2021
Construction & Demolition Waste Management Plan	Revision C	Elephants Foot	08/10/2021
NatHERS and BASIX Assessment	24-5444R Issue J	Efficient Living	06/02/2024
Preliminary Geotechnical Investigation Report and Geotechnical Groundwater Letter	G2021-22A & 21B	PTC	02/06/2021 & 12/11/2021
Groundwater Take Assessment	E25217.G12-Rev1	eiaustralia	02/02/2022
ESD Report	21-2423 Issue C	Efficient Living	14/10/2021
Ecologically Sustainable Development Statement	23-4508R Issue B	Efficient Living	29/11/2023
Hydraulic Plans	C1-13 Rev F	ACOR	15/10/2021
Public Art Strategy	-	UAP	October 2021
Statement of Compliance Access for People with a Disability	221127	Accessible Building Solutions	11/10/2021 29/11/2023
Landscape Concept Report and Council RFI Responses/Agreed Landscape Changes	-	Site Image	16/10/2021 & 03/05/2022
SEPP 65 Design Statement	-	SBJ	13/10/2021
Pedestrian Wind Environment Statement	WG232-01F02(REV3) – WS Report	Windtech	18/10/2021
Construction Traffic Management Plan	SBMG02276-00R1	SBMG Planning	06/10/2021
NCC Assessment Report (DA Stage)	C21251.1	Credwell	14/10/2021

~~And as amended by Drawing Nos. DA-0214 and DA-0217 Revision 49 dated 08/09/2022 prepared by Hycorp.~~

~~And as amended by the following documents and plans as follows:~~

- *El Australia, 2022a. Groundwater Take Assessment, Proposed Residential Development, 13-19 Canberra Avenue, St Leonards, NSW*
- *Letter report E25217.G12_Rev2 prepared by El Australia for HPG General Pty Ltd, dated 1 August 2022.*
- *El Australia, 2022b. Dewatering Management Plan, 13-19 Canberra Avenue, St Leonards NSW.*
- *Report E25217.E16_Rev2 prepared by El Australia for HPG General Pty Ltd. August*
- *Stormwater Management C1-13 Revision H dated 22.11.22 prepared by ACOR Consultants*

~~And as amended by Drawings Nos. DA-0103 Revision 45 dated 29/04/20022, DA-0201-0212, DA-0214, DA-0217-0219 & DA-0601 and A900-904 Revision DA50 dated 18/11/2022.~~

~~And as amended by Drawings Nos. DA-0201-0208, DA-0217-0218, DA-0502, DA901 and DA905-907 Revision DA51 dated 27/07/2023.~~

~~And as amended by Drawings Nos. DA-0214-0216 Revision DA51 dated 27/07/2023 and 19/01/2024 and NatHERS and BASIX Assessment 24-5444R Issue J dated 06/02/2024.~~

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: *an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.*

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

2. Insert new Condition A.5 A. as follows:

"A.5 A. Payment of Additional section 7.11 contributions generated as a result of additional 2 dwellings as a result of section 4.55 Modification application.

- 1) *Before the issue of any further construction certificate (including a modified construction certificate) in respect of any building to which this modified consent relates, a section 7.11 contribution calculated in accordance with subclause (2) must be paid.*
- 2) *The applicant must pay the following contributions to Council for:*

	Dwellings	Occupancy	People	Contribution (People x \$16,225.23 per person)
Studio or 1 bed	Nil	1.4	Nil	Nil
2 bed	Nil	2	Nil	Nil
3 or more bed	2	3.1	2 x 3.1 = 6.2	\$100,596.43
Total				\$100,596.43

*As at the date of this modified consent, the **additional** contribution payable to Council under this condition is **\$100,596.43** in accordance with St Leonards South Precinct Section 7.11 Development Contributions Plan.*

The final total amount payable will be calculated at the time the payment is made, in accordance with the provisions of the St Leonards South Precinct Section 7.11 Development Contributions Plan.

A copy of the development contributions plan is available for inspection on the Lane Cove Council's website.

Payment method: *Payment must be in the form of a bank cheque. Personal cheques or bank transfers will not be accepted.*

Reason: *To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development."*