



The Trust Company (Australia) Limited  
T/a Lendlease Development Pty Ltd  
Level 14, Tower Three, International Towers  
Sydney Exchange Place, 300 Barangaroo Avenue  
BARANGAROO NSW 2000

D47/20  
MR3 (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED  
SECTION 4.55 MODIFICATION 47/20/8 - APPROVAL**

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**Development Consent Number:** 47/20

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**Land to which this applies:** No. 2 Blue Street, North Sydney as Lot 5 in DP18103;  
No. 4 Blue Street, North Sydney as Lot 6 in DP18103;  
No. 1 William Street, North Sydney as Lot 4 in DP18103;  
No. 3 William Street, North Sydney as SP 12328; and  
No. 5 William Street, North Sydney as SP 16506

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**Applicant:** The Trust Company (Australia) Limited

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**Proposal:** Modification of DA 47/20 involving minor design amendments

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Pursuant to Section 4.55 of the Act notice is hereby given of the determination by the consent authority of your request for a modification to Development Consent No. **47/20** and registered in Council's records as Application No. **47/20/8** relating to the land described as **2-4 Blue Street and 1-5 William Street, North Sydney**.

Your request for the modification of the Development Consent as set out in Notice of Determination dated **22 July 2020**, has been determined in the following manner:

**1. To modify Condition A1 of the consent so as to read as follows:**

**Development in Accordance with Plans/Documentation**

A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Drawing No.	Revision	Title	Drawn by	Dated
DA2200	S	Basement	Woods Bagot	14/10/2022
DA2201	R	Lower Ground	Woods Bagot	07/04/2022
DA2202	S	Ground	Woods Bagot	14/10/2022

Drawing No.	Revision	Title	Drawn by	Dated
DA2203	T	Level 01	Woods Bagot	14/10/2022
DA2204	T	Level 02	Woods Bagot	14/10/2022
DA2205	R	Level 03	Woods Bagot	07/04/2022
DA2206	R	Level 04	Woods Bagot	07/04/2022
DA2207	R	Level 05	Woods Bagot	07/04/2022
DA2208	R	Level 06	Woods Bagot	07/04/2022
DA2209	R	Level 07	Woods Bagot	07/04/2022
DA2210	S	Level 08	Woods Bagot	14/10/2022
DA2211	Q	Roof	Woods Bagot	07/04/2022
DA3001	R	Section 1	Woods Bagot	07/04/2022
DA3002	R	Section 2	Woods Bagot	07/04/2022
DA3003	S	Section 3	Woods Bagot	14/10/2022
DA3004	S	Section 4	Woods Bagot	14/10/2022
DA3005	T	Section 5	Woods Bagot	14/10/2022
DA3006	S	Section 6	Woods Bagot	14/10/2022
DA3200	T	North/South Elevation	Woods Bagot	14/10/2022
DA3201	S	East Elevation	Woods Bagot	14/10/2022
DA3202	T	West Elevation	Woods Bagot	14/10/2022
L-DA-08	P	Ground Floor Plan - Landscape Plan	360	18/11/2022

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

**Reasons for Approval:**

The proposed modification involves some minor internal and ancillary external changes to an approved commercial building within No. 2-4 Blue Street and No.1-5 William Street, North Sydney. The merits of the proposed modification and an assessment of this modification against relevant provisions and controls under environmental planning instruments (including the NSLEP 2013) have been described and detailed throughout this report. In summary, the proposed modification is considered acceptable and supportable, satisfying the above requirements and the provisions under Section 4.55 of the *Environmental Planning and Assessment Act 1979*. Accordingly, it is recommended that the following conditions are amended in the consent:

**How community views were taken into account:**

In accordance with the provisions of Council's Community Participation Plan, the subject application was not required to be notified. Therefore, no submissions have been received.

The conditions attached to the original consent for Development Application No. **47/20** by endorsed date of **22 July 2020** still apply.

**ADVISINGS**

- (a) Council is always prepared to discuss its decisions and, in this regard, please do not hesitate to contact **Miguel Rivera**. However, if you wish to pursue your rights of appeal in the Land and Environmental Court pursuant to Section 8.7 of *the Environmental Planning and Assessment Act 1979* (as amended), you are advised that Council generally seeks resolution of such appeals through a Section 34 Conference, instead of a full Court hearing, subject to any further advice to the contrary from Council's Solicitors and senior staff. Such an approach is less adversarial, it achieves a quicker decision than would be the case through a Court hearing and it can give rise to considerable cost and time savings for all parties involved.
- (b) Pursuant to Section 8.2, an applicant is able to request Council to review its determination. An application for a review under Section 8.2 of the Act must be made no later than 28 days after the date on which the application for the modification of the development consent was determined.
- (c) Prior to commencing any building, subdivision or associated constructions works, the following provisions of *the Environmental Planning and Assessment Act 1979* (the 'Act') are to be complied with:
- (i) A Construction Certificate is to be obtained in accordance with Section 6.3 of the Act.
- (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
- (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- (d) You are advised that changes to the external configuration of the building, changes to the site layout, density and unit configuration internal changes to the proposed building or any changes to the proposed operation of a use **MAY** require the submission of a further modification under Section 4.55 of *the Environmental Planning and Assessment Act, 1979* (as amended).

Council staff would be pleased to assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of *the Environmental Planning and Assessment Act*.

**Endorsed for and on behalf of North Sydney Council**

**31 January 2023**

DATE



Signature on behalf of consent authority  
MIGUEL RIVERA  
**SENIOR ASSESSMENT OFFICER**