

Annexure A

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No: DA13/2019/7

Development Consent modified: DA13/2019

Description of development to be carried out under the consent (as previously modified): Construction of a new residential flat building, which in its currently approved form, contains 15 residential apartments, underground parking, new landscaping, strata subdivision, and remediation of land.

Address and particulars of title of land on which development to be carried out: Lot 100 in DP 1281139, otherwise known as 2A Wunulla Road, Point Piper and SP10763 and SP17501, otherwise known as 590-592 New South Head Road, Point Piper.

Description of modification to the development consent: Reinstatement of Unit 2 pool, addition of unit 8 plunge pool, adjustments to landscaping and the placement of canopy trees, changes to unit 7 balconies, removal of non-structural columns on level 2 rear balconies, rearrangement of proposed rooftop plant and equipment, and rationalisation of proposed retaining wall along the norther boundary.

Determination: The development consent is modified as follows:

Condition A.4c is added, and C.1 is amended by the amendment of C.1(j) and insertion of C.1(n) as follows:

A.4c Approved Amended (section 4.55) Plans and Supporting Documents (added under DA13/2019/7)

Those acting upon or under this amended consent must carry out all work and maintain the use and works in accordance with the approved plans and supporting documents listed in the original consent, as amended by the amended architectural approved plans and supporting documents as submitted by the Applicant listed below otherwise than modified by further condition(s).

Where the plans relate to amendments, alterations or additions only those works shown in colour or highlighted are approved.

<u>Reference</u>	<u>Description</u>	<u>Author/Drawn</u>	<u>Date(s)</u>
<u>DA 000B – Project Cover – s4.56 (Rev T10)</u>	<u>Architectural Plans</u>	<u>GCCV Pty Ltd (all drawings)</u>	<u>25-28 June 2023</u>
<u>DA 001B – Approved DA-1320194 & DA-1320196 Overview (Rev T10)</u>			
<u>DA 002B – Summary of Proposed Design Modification (Rev T10)</u>			
<u>DA 003B – Proposed s4.56 GFA Measurement (Rev T10)</u>			
<u>DA 004B – Proposed s4.56 Storage Management (Rev T10)</u>			
<u>DA 005B – Proposed s4.56 Deep Soil Landscape, Carpark & Excavation Measurement (Rev T10)</u>			
<u>DA 100B – General Arrangement Plan – Basement (Rev T10)</u>			
<u>DA 101B - General Arrangement Plan – Ground Floor (Rev T11)</u>			
<u>DA 102B - General Arrangement Plan – Level 1 (Rev T11)</u>			
<u>DA 103B - General Arrangement Plan – Level 2 (Rev T11)</u>			
<u>DA 104B - General Arrangement Plan – Level 3 (Rev T11)</u>			
<u>DA 105B - General Arrangement Plan – Roof Plan (Rev T10)</u>			
<u>DA 106B – Overall Building Elevation – West (Rev T10)</u>			
<u>DA 107B – Overall Building Elevation – East (Rev T7)</u>			
<u>DA 108B – Overall Building Elevation – North (Rev T10)</u>			
<u>DA 109B – Overall Building Elevation – South (Rev T7)</u>			
<u>DA 110B – Overall Building Section – AA & BB (Rev T10)</u>			
<u>DA 111B - Overall Building Section – CC & DD (Rev T10)</u>			
<u>DA 112B - Overall Building Section – EE (Rev T10)</u>			
<u>DA 113B – Unit 11 Rear Garden Detail (Rev T10)</u>			
<u>DA 114B – East Front Fence Wall Elevation (Rev T7)</u>			
<u>DA 115B – North Retaining Wall Elevation (Rev T6)</u>			

<p><u>DA 120B – Unit 8 Pool (Rev T3)</u></p> <p><u>DA 200B – Overlay Approved DA Comparison Set Basement (Rev T10)</u></p> <p><u>DA 201B – Overlay Approved DA Comparison Set Ground Floor (Rev T10)</u></p> <p><u>DA 202B – Overlay Approved DA Comparison Set Level 1 (Rev T10)</u></p> <p><u>DA 203B – Overlay Approved DA Comparison Set Level 2 (Rev T10)</u></p> <p><u>DA 204B – Overlay Approved DA Comparison Set Level 3 (Rev T10)</u></p> <p><u>DA 205B – Overlay Approved DA Comparison Set Roof Plan (Rev T10)</u></p> <p><u>DA 206B – Overlay Approved DA Comparison Set West Elevation (Rev T10)</u></p> <p><u>DA 207B – Overlay Approved DA Comparison Set East Elevation (Rev T7)</u></p> <p><u>DA 208B – Overlay Approved DA Comparison Set North Elevation (Rev T10)</u></p> <p><u>DA 209B – Overlay Approved DA Comparison Set South Elevation (Rev T7)</u></p> <p><u>DA 210B – Overlay Approved DA Comparison Set Section AA & BB (Rev T10)</u></p> <p><u>DA 211B – Overlay Approved DA Comparison Set Section CC & DD (Rev T10)</u></p> <p><u>DA 212B – Overlay Approved DA Comparison Set Section EE (Rev T10)</u></p> <p><u>DA 300B – Comparison Set Basement (Rev T6)</u></p> <p><u>DA 301B – Comparison Set Ground Floor (Rev T6)</u></p> <p><u>DA 302B – Comparison Set Level 1 (Rev T6)</u></p> <p><u>DA 303B – Comparison Set Level 2 (Rev T6)</u></p> <p><u>DA 304B – Comparison Set Level 3 (Rev T6)</u></p> <p><u>DA 305B – Comparison Set Roof Plan (Rev T6)</u></p>			
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<u>M-001 – Mechanical Legend and Notes (Rev P2)</u>	<u>Mechanical Services Legend and Notes</u>	<u>GCCV Pty Ltd</u>	<u>1 July 2023</u>
<u>LP01-D7521</u> <u>LP02-D7521</u> <u>LP03-D7521</u> <u>LP04-D7521</u> <u>LP05-D87521</u> <u>(all drawings: Revision Q)</u>	<u>Landscape Plan</u>	<u>Dangar Barin Smith</u> <u>(all drawings)</u>	<u>27/07/2023</u> <u>(all drawings)</u>
<u>BASIX 1346411M 04</u>	<u>BASIX Certificate</u>		<u>18 August 2023</u>

Note: These plans and supporting documentation may be subject to conditions modifying the development imposed under section 4.17(1)(g) of the Act (refer to conditions which must be satisfied prior to the issue of any Construction Certificate or a Construction Certificate stage that is specified in the condition.)

Standard Condition: A6 (Autotext AA6)

C.1 Modification of Details of the Development (section 4.17(1)(g) of the Act)
(amended under DA13/2019/4, DA13/2019/5 and DA13/2019/6 and DA13/2019/7)

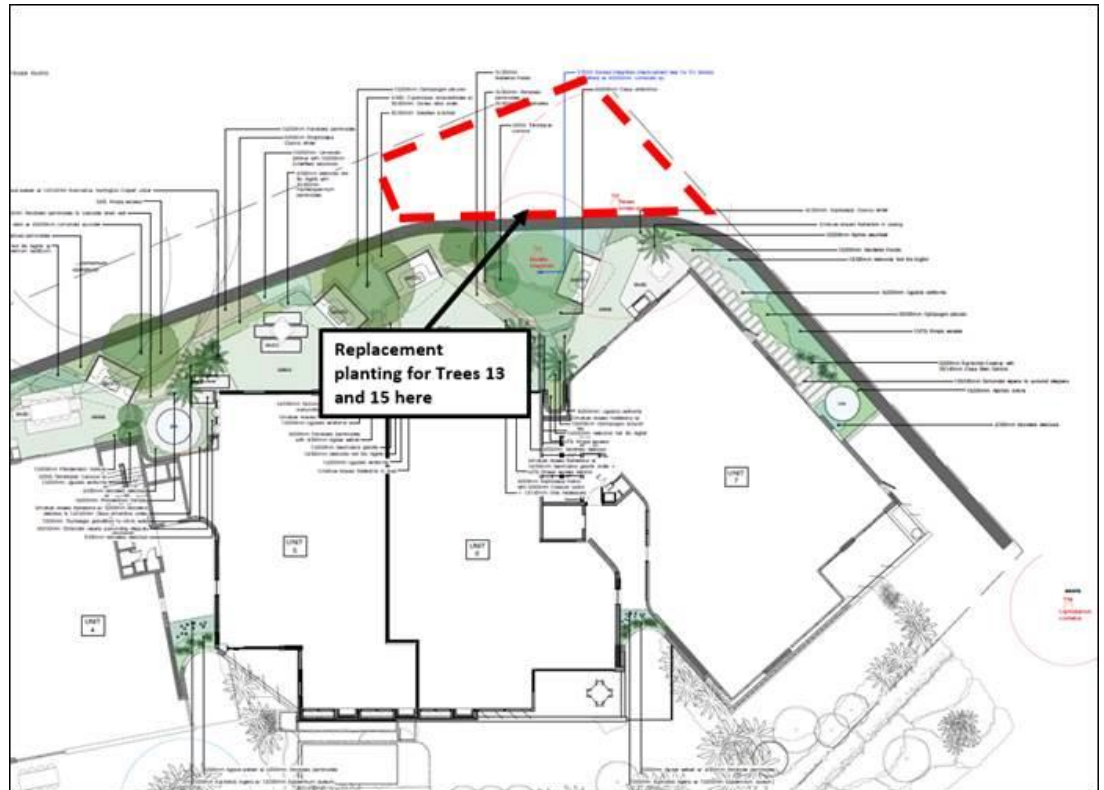
- j) To compensate for the loss of Tree 13 & 15 the landscape plan must include the following trees in a deep soil zone in the area indicated in the figure below:
(added under DA13/2019/6 and amended under DA13/2019/7)

The following replacement tree species must be planted indicated:

- 1 x *Banksia integrifolia* (Coast Banksia) or,
- 1 x *Tristaniaopsis laurina* 'Luscious';

AND

- 1 x *Angophora costata* (Sydney Pink Gum) or,
- 1 x *Corymbia eximia* (Yellow Bloodwood).



The replacement planting must comply with the following requirements:

- i. All trees must be supplied in a minimum container size of 200 litres at the time of planting.
- ii. To ensure replacement trees have the potential to grow to the minimum dimensions specified all trees must be planted in genuine deep soil areas and not over structures or basement car parking slabs.

n) Preservation of Tree 1 (Avocado) and other Landscaping (added under DA13/2019/7)

- (i) **To ensure the preservation of the root system of Tree 1 (Avocado), plans must specify the proposed access stairs and walls associated with the stairs, located within the Tree protection zone (TPZ) of the tree (as specified in Condition B.3 of DA consent 2019/13/1), being constructed above grade utilising an isolated pier and beam pier method of construction. Plans are to note the following: the excavation for the installation of piers shall be located so that no tree root with a diameter equal to or in excess of 50mm is severed or damaged. The smallest possible area shall be excavated which allows construction of the pier. The beam is to be placed a minimum of 100mm above ground level and is to be designed to bridge all tree roots with a diameter equal to or in excess of 50mm.**
- (ii) **To ensure the preservation of tree roots and the viable retention of Tree 1 (Avocado) plans must specify 'arborist supervision required'**

for all excavation works for footings located within the Tree protection zone (TPZ) radius of this tree (as specified in Condition B.3 of DA consent 2019/13/1);

- (iii) To ensure the preservation of tree roots and the viable retention of Tree 1 (Avocado), plans must specify and depict the retention of existing ground levels located within the Tree Protection zone (TPZ) of the tree (as specified in Condition B.3 of DA consent 2019/13/1), as remaining 'in situ'.
- (iv) To avoid damage to the trunk of Tree 1 (Avocado) and to allow for the future growth of the tree, plans must show a minimum setback of 100 mm between the stairs and the wall associated with the stairs, and the trunk of the tree.
- (v) In addition to the proposed tree species that are specified to be planted on the submitted Revision Q Dangar Barin Smith Landscape Plan, one of the following additional small tree species must also be indicated on the plans within the Level 1 Landscape area in deep soil or in a minimum planter bed depth of 1000 mm:
 - 1 x Lagerstroemia indica (Crepe Myrtle), or;
 - 1 x Magnolia grandiflora 'Little gem' (Magnolia variety)
 - 1 x Camellia sasanqua (Camellia);
 - 1 x Plumeria.sp (Frangipani).

This condition has been imposed to ensure adequate replacement tree canopy throughout the site.

*The tree indicated on the plans in accordance with this condition (n)(v) must be supplied in a minimum container size of 75 litres at the time of planting and have the potential to grow to 5 metres in height and 3 metres in width at maturity.

This condition must be satisfied prior to the issue of Construction Certificate 3. (amended under DA13/2019/5)

Note: The effect of this condition is that it requires design changes and/or further information to be provided with the Construction Certificate drawings and specifications to address specific issues identified during assessment under section 4.15 of the Act.

Note: Clause 146 of the *Regulation* prohibits the issue of Construction Certificate 3 subject to this condition unless the Certifying Authority is satisfied that the condition has been complied with.

Note: Clause 145 of the *Regulation* prohibits the issue of any Construction Certificate that is inconsistent with this consent.