Annexure A

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No:	DA/416/2021/2
Development Consent modified:	DA-416/2021/1
Description of development to be carried out under the consent (as previously modified):	Seniors housing development comprising the adaptive reuse of the existing dwellings on the site and alterations / additions to the dwellings to accommodate 6 units and multi- level underground parking.
Address and particulars of title of land on which development to be carried out:	Lot 3 in DP316390 and Lot B in DP186880 and Lot 1 in DP135110 also known as Nos.53 and 55 Drumalbyn Road, Bellevue Hill
Description of modification to the development consent:	Internal and external modification to the approved seniors housing development, including the addition of one unit

Determination: The development consent is modified as follows:

1. The addition of the following condition:

A.6 Approved Amended (section 4.56) Plans and Supporting Documents

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 to which is affixed a Council stamp "Approved" 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.

Reference	Description	Author	Date	Rev
S4.56 031	Demolition Plan	Bureau SRH Architecture	28/03/2023	A

			1 -
S4.56 033	Demolition	28/03/2023	A
	Plan – Level 1		
S4.56 034	and Roof Plan Bulk	17/08/2023	В
54.50 034	Excavation 3D	17/08/2023	В
S4.56 035	Bulk	18/08/2023	В
54.00 030	Excavation –	10/00/2023	P
	Plans 1		
S4.56 036	Bulk	17/08/2023	В
34.30 030	Excavation –	17/00/2023	
	Plans 2		
S4.56 037	Bulk	17/08/2023	В
01.00 007	Excavation –	11/00/2020	
	Plans 3		
S4.56 038	Backfill	17/08/2023	Α
01.00 000	Volume	11/00/2020	<i>/</i>
	Diagram		
S4.56 100	Building A/	28/03/2023	Α
	Basement 2	20/00/2020	
S4.56 101	Building A/	28/03/2023	Α
04.00 101	Basement 1	20/00/2020	~
S4.56 102	Building A/	28/03/2023	A
34.30 102	Lower Ground	20/03/2023	
	Floor		
S4.56 103	Building A/	28/03/2023	A
34.30 103	Ground Floor	20/03/2023	
S4.56 104	BUILDING A /	16/08/2023	С
54.50 104	LEVEL 1	10/00/2023	
S1 56 105		16/00/2022	С
S4.56 105		16/08/2023	
04 50 400	LEVEL 2	4.0/00/0000	
S4.56 106	BUILDING A / ROOF -	16/08/2023	С
	BUILDING B /		
	GROUND FLOOR		
S4.56 110	BUILDING B /	16/08/2023	В
34.30 110	LEVEL 1	10/00/2023	В
S4.56 111	Building B/	28/03/2023	A
54.50 111	Level 2	20/03/2023	A
C4 EC 110		20/02/2022	^
S4.56 112	Building B/	28/03/2023	A
04 50 440	Level 3	00/00/0000	
S4.56 113	Building B/	28/03/2023	А
• • • • • • •	Roof Plan		
S4.56 150	Area	17/08/2023	В
	Calculations		-
S4.56 151	Landscaped	17/08/2023	В
	Area + Deep		
	Soil		-
S4.56 200	ELEVATION -	16/08/2023	В
	BUILDING A /		
	NORTH WEST		-
S4.56 201	ELEVATION -	16/08/2023	В
	BUILDING A +		

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Level 2		Level 2			
Landscape		Landscape			
Building B		Building B			
Ground Floor		Ground Floor			
Landscape		Landscape			
Building B		Building B			
Level 1		Level 1			
Landscape		Landscape			
Building B					
Level 2					
BASIX 04		BASIX			04
Certificate					
Structural Bureau 13 March		Certificate			
Construction SRH 2023			Bureau	13 March	
Methodology		Structural			

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.) Standard Condition: A6

2. Delete and replace Condition C.2 with:

The Applicant must submit to the Certifying Authority BASIX Certificate No.1237642M_03 with any application for a Construction Certificate.

Note: Where there is any proposed change in the BASIX commitments the Applicant must submit of a new BASIX Certificate to the Certifying Authority and Council. If any proposed change in the BASIX commitments are inconsistent with development consent (see: clauses 145 and 146 of the Regulation) the Applicant will be required to submit an amended development application to Council pursuant to section 4.55 of the Act.

All commitments in the BASIX Certificate must be shown on the Construction Certificate plans and specifications prior to the issue of any Construction Certificate.

Note: Clause 145(1)(a1) of the Environmental Planning and Assessment Regulation 2000 provides:

"A certifying authority must not issue a Construction Certificate for building work unless it is satisfied of the following matters: (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires". Standard Condition: C7

3. Delete and replace Condition H.1 with:

All BASIX commitments must be effected in accordance with the BASIX Certificate No.1237642M_03.

Note: Clause 154B(2) of the *Environmental Planning and Assessment Regulation* 2000 provides: "A *certifying authority* must not issue a final Occupation Certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled." Standard Condition: H7

4. Delete and replace Condition I.1 with:

I.1 Provision of Off-street Public and Visitor Parking

The owner and occupier, in compliance with AS/NZS 2890.1:2004 Parking facilities - Off-street car parking, AS2890.3:2015 Parking Facilities - Bicycle Parking Facilities, and AS/NZS 2890.6 Parking Facilities: Off-Street Parking for People with Disabilities respectively, must maintain unimpeded public access to off-street parking as follows:

Use	Number of spaces
Car Parking (Stacker)	<u>14</u>
Car Parking (Visitor)	<u>1</u>
Bicycle Parking	<u>6</u>
Motorcycle Parking	1

This condition has been imposed to ensure adequate on-site parking is maintained.

Standard Condition: I21

5. Delete and replace Condition I.3 with:

All BASIX commitments must be maintained in accordance with the BASIX No 1237642M_04.

Note: This condition affects successors in title with the intent that environmental sustainability measures must be maintained for the life of development under this consent.

Standard Condition: I24