

Annexure A

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No: DA 2019-105-2

Development Consent modified: DA 105/2019

Description of development to be carried out under the consent (as previously modified): Demolition of an existing dwelling and construction of a new residential flat building

Address and particulars of title of land on which development to be carried out: Lot 14, Section G, Deposited Plan 8103 also known as 14 Boronia Road, Bellevue Hill

Description of modification to the development consent: Internal and external modifications to the approved residential flat building

Determination: The development consent is modified as follows:

1. Delete the first row (excluding the header row) in the table to Condition A.3(a) and replace with the following row:

S34 200 - N+W Elevations Rev 2	Architectural Plans	Bureau SRH	5/2/2020
S34 201 - S+E Elevations Rev 2			29/1/2020
S4.56 101 Basement Rev 1			3/09/2020
S4.56 102 Ground Floor Rev 1			3/09/2020
S4.56 103 First Floor Rev 1			3/09/2020
S4.56 104 Second Floor Rev 1			3/09/2020
S4.56 105 Roof Plan Rev 1			3/09/2020
S4.56 300 Sections Rev 1			3/09/2020

2. Amend the third row (excluding the header row) in the table to Condition A.3(a) as follows:

997648M_ 03-04	BASIX Certificate	NSW Department of Planning and Infrastructure	9/01/2020 <u>18/08/2020</u>
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3. Delete Condition C.1 and replace with the following condition:

C.1 Modification of Details of the Development (section 4.17(1)(g) of the Act)

Prior to the issue of any construction certificate the approved plans are to be amended as listed below. A full set of plans (including elevations and sections) reflecting the below amendments must be submitted to Council's Manager Development Control for their written approval.

a) Unit 1:

- a. the eastern portion of the living room which is shown in yellow, bubbled and marked with a red number "3" on Plan s4.56 102 Rev 1 is to be set back from the north-eastern boundary by 876mm, being equal to the current setback of the western portion of the front façade.

b) Unit 3:

- a. the eastern portion of the living room which is shown in yellow, bubbled and marked with a red number "3" on Plan s4.56 103 Rev 1 is to be set back from the north-eastern boundary by 876mm, being equal to the current setback of the western portion of the front façade;
- b. the external north-western wall between the area marked pantry and common stairwell on Plan s4.56 103 Rev 1 is to be set back a further 1500mm to the South-East;
- c. the area marked as pantry and laundry are to be deleted and replaced with a bathroom; and
- d. the area between the wall of the bathroom (referred to in Condition C.1(b)(c)) and the wall of the area marked "Foyer" in Unit 3, being the remainder of the area marked "WC" on Plan s4.56 103 Rev 1 following the amendment identified in Condition C.1(b)(b)) is to be enclosed and marked 'laundry/store'.

c) Unit 4:

- a. the area of the kitchen which is highlighted yellow, bubble and marked with the red number "8" on Plan s4.56 103 Rev 1 is to be modified as follows:
 - i. the external south west wall must be set back so that it is not more than 700mm beyond the wall of the bedroom to the west of the kitchen;
 - ii. the external south west wall which faces the rear of the site is to be parallel to walls of the adjacent bedroom and kitchen;

- iii. the area of kitchen removed as a result of the amendments in condition C.1(c)(a)(i) and (ii) will be filled in with a planter box to the same height as the approved balustrade of the adjoining private open space; and
 - iv. the external south west kitchen wall which adjoins the planter box referred to in Condition C.1(c)(a)(iii) will be fitted with a non-fixed window to allow for access to the planter box from the kitchen.
- d) Unit 5 is to be amended in the same manner as Unit 3 as outlined above in Condition C.1(b), with the relevant plan being Plan s4.56 104 Rev 1.
 - e) Unit 6 is to be amended in the same manner as Unit 4 as outlined above in Condition C.1(c), with the relevant plan being Plan s4.56 104 Rev 1.
 - f) The lift overrun is to be reduced by 400mm so that the lift overrun is a maximum height of RL34.56.
 - g) As amended, the total gross floor area (as defined the Woollahra Local Environmental Plan 2014) of the proposed development is to be no more than 711.17m².

The approved plans and the Construction Certificate plans and specification, required to be submitted to the Certifying Authority pursuant to clause 139 of the Regulation, must detail the following amendments:

- h) The front fence/gate should have a maximum height of 1.2m if solid or 1.5m if 50% transparent or open.
- i) In response to neighbours' concerns regarding replacement planting, five *Waterhousia floribunda* (Weeping Lilly Pilly) should be planted along the western rear boundary.
- j) Lockable mailboxes should be provided at the street front and integrated within the front fence or entry.
- k) An outdoor clothes drying area should be provided within the subject site.

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 any Construction Certificate 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.

Standard Condition: C4 (Autotext CC4)