

Annexure A

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No: DA 86/2020/5

Development Consent modified: DA 86/2020

Description of development to be carried out under the consent (as previously modified): Alterations and additions to an existing dwelling house.

Address and particulars of title of land on which development to be carried out: 2 Drumalbyn Road, Bellevue Hill 2033 (Lot 10, DP 1265631)

Description of modification to the development consent: Internal and external modifications to convert the approved double carport to a triple garage.

Determination: The development consent is modified as follows:

1. Delete Condition A.7 and replace with the following amended condition:

A.7 Approved Amended (section 4.55) 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). Only those works shown in colour or are otherwise highlighted are approved.

Reference	Description	Author/Drawn	Date(s)
DA003 Issue B	Architectural drawings	PBD Architects	09/09/2020
DA004 Issue B			09/09/2020
DA101 Issue D			09/09/2020
DA102 Issue C			09/09/2020
DA200 Issue D			09/09/2020
DA201 Issue D			09/09/2020
DA202 Issue D			09/09/2020
DA203 Issue D			09/09/2020
DA300 Issue F			09/09/2020
DA301 Issue C			09/09/2020

As amended by: DA100 Issue C DA101 Issue E DA102 Issue D DA103 Issue B DA104 Issue C DA200 Issue E DA201 Issue E DA202 Issue E DA203 Issue E DA300 Issue G DA301 Issue D			16/11/2020 16/11/2020 16/11/2020 16/12/2020 16/11/2020 16/11/2020 16/11/2020 16/11/2020 16/11/2020 16/11/2020 16/11/2020 16/11/2020
As amended by: DA100 Issue D DA101 Issue F DA102 Issue E DA103 Issue C DA104 Issue D DA200 Issue F DA201 Issue F DA202 Issue F DA203 Issue F DA300 Issue H DA301 Issue E			19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021 19/02/2021
As further amended by: DA101 Issue H DA102 Issue F DA104 Issue E DA201 Issue G DA202 Issue G DA203 Issue G			08/06/2021 12/05/2021 12/05/2021 12/05/2021 12/05/2021 12/05/2021
DA400 Issue C DA401 Issue C DA402 Issue C DA403 Issue C	Material schedule	PBD Architects	09/09/2020 09/09/2020 09/09/2020 09/09/2020
As amended by: DA400 Issue E			16/11/2020

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*.)

2. Delete Condition C.1 and replace with the following amended condition:

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

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:

- a) Deleted.
- b) Deleted.
- c) Deleted.
- d) In order to adequately mitigate amenity impacts upon the adjoining property to the west (73 Victoria Road, Bellevue Hill) and the streetscape, the western side elevation to the proposed double width garage component shall be setback 570mm from the western side boundary instead of the proposed 140mm setback. The proposed western wall to the double width garage component shall be removed. An internal minimum unobstructed width of 5.4m in relation to the double width garage component shall be achieved via internal modifications as necessary. A permanent immovable planter of no less than 600mm height shall be installed with a minimum width of 350mm within the 570mm setback from the western side boundary for the length of the double width garage component. The planter shall be planted with species of Bamboo or Lilli Pilli with a minimum height at maturity adequate to screen the opening to the western elevation to the proposed double garage component when viewed from 73 Victoria Road Bellevue Road. Such planting shall be maintained and replaced as necessary. A lapped and capped timber fence to a height 1.8m shall be erected adjacent to the western boundary above the first floor level from the street alignment for a distance of 6.5m, or the length of the first floor slab that forms the base of the double width garage component, whichever is lesser. The section of the western side elevation to the proposed tandem car space to the rear of the western section of the garage shall be setback 917mm from the western side boundary instead of the proposed approximate 470mm setback. Internal modifications are permitted to facilitate a tandem car space with a minimum internal unobstructed width of 3m.

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.

3. Insert new condition C.14:

C.14 Flood Protection

The Construction Certificate plans and specifications, required by clause 139 of the Regulation, must include a Flood Risk Management Plan on the basis of the Flood Planning Level (FPL) detailing:

- a) A permanent flood risk management plan shall be installed in an area frequented by the residents such as the laundry.
- b) A permanent flood risk management plan shall be installed a prominent area of the garage.
- c) The garage floor shall be at or above the level of 63.8m AHD.
- d) The garage floor level shall be graded up from the front to rear at minimum grade of 1%.
- e) The pedestrian entry off Drumalbyn to the side passage shall be protected by a step set at a minimum flood of 150 mm above the adjacent footpath level.
- f) Flood compatible materials shall be used for all flood exposed construction
- g) All flood exposed electrical wiring and equipment shall be waterproofed.
- h) All flood protection measures are to be inspected and certified as fit for purpose after construction is complete by a engineer experienced in flood mitigation.

Flood protection is to comply with Woollahra DCP 2015, Part E General Controls for All Development, Chapter E2 –Stormwater and Flood Risk Management.

Note: The revised driveway profile, gradients and transitions must be in accordance with Australian Standard 2890.1 – 2004, Part 1: *Off-street car parking*. The driveway profile submitted to Council must contain all relevant details: reduced levels, proposed grades and distances. Council will not allow alteration to existing reduced levels within the road or any other public place to achieve flood protection