

Conditions of amended consent (draft)

Section 4.55(2) modification to an approved 10 storey mixed-use commercial/residential building over 3 basement car parking levels. The modifications include a new supermarket and associated mezzanine level office, reduction of the approved retail floor space, internal reconfigurations to the basement levels including an additional basement level for car parking.

The section 4.55(2) modification application (MOD-18-00505) is approved subject to amendments to the imposed conditions as shown in **BOLD** below and with additional conditions shown in **RED**.

Condition 3.3.1 is modified in the following manner:

3.3.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Plan	Dated	Council's File Enclosure No.
100 Rev. C	Basement Plan 4	28/11/2018	-
101 Rev. C	Basement Plan 3	28/11/2018	-
102 Rev. D	Basement Plan 2		-
103 Rev. E	Basement Plan 1	29/11/2018	-
103 Rev.D	Level 1 Plan	06/05/2019	-
105 Rev. B	Supermarket Mezzanine Plan	27/09/2018	-
DA AG00 Rev. PB	Level 2 Plan	02.06.2017	1011
A1900 Issue P1	Right of Carriageway - Typical Section	02.06.2017	101J
200 – 203 Rev. B inclusive (4 sheets)	Building A Elevation Plans	27/09/2018	-
300 – 303 Rev. B inclusive (4 sheets)	Building B Elevation Plans	27/09/2018	-
400 – 403 Rev. B inclusive (4 sheets)	Building C Elevation Plans	27/09/2018	-
500-501 Rev. B inclusive (2 sheets)	Building Section Plans	27/09/2018	-

Drawing No.	Plan	Dated	Council's File Enclosure No.
510 – 512 Rev. A inclusive (3 sheets)	Driveway Ramp Sections	29/11/2018	-
Sk6 D	Roof Plan	28/07/2015	80
Sk7 E	Building A Level 2 Plan	28/07/2015	80
Sk8 E	Building A Level 3 Plan	28/07/2015	80
Sk9 H	BuildinQ A Level 4 - 8 Plan	28/07/2015	80
Sk10 D	Building A Level 9 Plan	28/07/2015	80
Sk11 D	Building A Mezzanine Plan	28/07/2015	80
Sk12 E	Building B Level 2 Plan	24/03/2015	80
Sk13 H	Building B Level 3 Plan	24/03/2015	80
Sk14 F	Building B Level 4 - 8 Plan	24/06/2015	80
Sk15 F	Building B Level 9 Plan	23/06/2015	80
Sk16 D	BuildinQ B Mezzanine Plan	24/03/2015	80
Sk17 D	Building C Level 2 Plan	24/03/2015	80
Sk18 D	Building C Level 3 Plan	24/03/2015	80
Sk19 F	Building C Level 4 - 8 Plan	24/03/2015	80
Sk20 E	Building C Level 9 Plan	23/06/2015	80
Sk21 C	Building C Mezzanine Plan	06/02/2015	80
Sk22 B	Post Adaption Unit Plans	28/07/2015	80
Sk23A	Setback + Separation Plan	19/12/2014	80
Sk25 B	Streetscape Elevations	19/12/2014	80
Sk30A	Sections A-A, B-B, C-C, D-D	19/12/2014	80
Sk31-G	Section Sheet 2	24/03/2015	80
1&2	Photomontages	-	80
L01-L03 B	Landscape Plans	15/12/2014	80
T02	Swept path analysis	05/06/2017	1018

Condition 4.9.3 is modified in the following manner:

- 4.9.3 A minimum of **273 residential, 106 visitor and 141 commercial spaces** (being a total of **520 spaces**) are to be provided on site, each designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Commercial Car Space: 2.6 m x 5.4 m

Residential Flat Building (excluding width of pillar): 2.5 m x 5.4 m

Residential Flat Building (adjacent to solid wall): 2.7 m x 5.4 m

Disabled Car Space: 2.4 m x 5.4 m with shared space of 2.4 m x 5.4 m

Suitable bicycle parking must also be provided as indicated on the approved plans.

- 4.9.4 The car parking allocation required by Condition **4.9.3** of this consent is to be incorporated into a parking management strategy which will also include the following responsibilities for the Managing Agent/ future Body Corporate:

- (a) Measures to ensure there is a clear segregation between the residential and non-residential parking spaces. In this regard, the provision of a security roller door or boom gate, with access provided through an intercom system, to segregate the commercial and or visitor car parking area from the residential parking area is to be provided.
- (b) Measures to ensure that the parking areas are not used for commuter parking.
- (c) The ongoing maintenance of the parking areas to ensure the allocation is in accordance with Condition 4.5.2 and are appropriately managed.

The parking management strategy is to be submitted to Council, prior to the release of the Construction Certificate.

New waste conditions prior to Construction Certificate stage are added as follows:

- 7.2 The applicant must complete the Wastelocate form to ensure correct disposal of any asbestos identified onsite.
- 7.3 The applicant must ensure that roads and driveways etc are rated suitable for 24 tonne trucks.
- 7.4 The applicant must ensure the approved bin collection points for all bins for the whole site are shown on the stamp approved plans with each bin indicated.
- 7.5 Access for collection vehicles must be designed in accordance with the dimensions indicated on the approved architectural plans, CAD files and vertical clearances (as per Australian Standards), showing adequate truck entry and exit and in all manoeuvring areas.

New Environmental Health conditions prior to Construction stage are added as follows:

9.5 Prior to Construction – Environmental Health Requirements

- 9.5.1 The applicant is to submit a review of the existing acoustic report *Environmental Noise Impact Report – Proposed Commercial & Residential Development 1 Zoe Place, Mt Druitt, NSW prepared by Day Design Pty Ltd dated 21 April 2015*, and advise of any changes and recommendations required for the proposed MOD-18-00505. The review must be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the

Australian Acoustical Society (AAS). The acoustic review must be submitted to Council for review.

9.5.2 Any recommendations from the acoustic report review must be carried out during construction.

New waste conditions Prior to Occupation Certificate stage are added as follows:

- 14.13.4 Should Council provide a waste service to this site, the elected strata manager must sign our 'Onsite Waste Collection Agreement Form' (attached) before collections can occur onsite.
- 14.13.5 The applicant must amend the waste management plan to include an explanation around the size of the supermarket/convenience store, and the proposed service vehicle as previously requested. The explanation from the applicant's letter (dated 18/4/19) will suffice.
- 14.13.6 A Community Management Agreement/Strata Management Agreement must exist which:
- indicates a requirement for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan. This includes placement of bins out for collection and their return to the storage areas following servicing.
 - indicates the responsibility for maintenance of the garbage collection system and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times including providing access to the loading bay prior to bin servicing.
 - indicates the method of communication to new tenants and residents regarding the waste management service and collection system for the complex.
 - clearly outlines the requirement for the building manager to maintain and display consistent signs on all bins and in all communal bin storage areas.
 - clearly outlines the requirement for the building manager to arrange for the prompt removal of dumped rubbish from the site.
 - includes the updated (and approved) waste management plan as lodged with the development application on dd/mm/yyyy.

New waste conditions at Operational stage are added as follows:

- 15.3.10 The Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property.
- 15.3.11 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 15.3.12 Heavy rigid vehicles similar to those used for ALDI, Coles or Woolworths are not permitted to enter this site indefinitely as it has only been designed to cater for medium rigid vehicles no longer than 8.8 m.
- 15.3.13 A building manager must be engaged in perpetuity and for the life of the development to:
- manage bins and bulky waste onsite
 - clean bins and the waste room(s)
 - arrange clear access to the waste loading bay on collection day (i.e, remove lockable bollards or open roller doors and boom gates etc), which are in place to protect the truck turning areas on private property from being parked out.