

Emma

With reference to the above modification the comments below are provided:

1. Noise: While the timber screen feature treatment that is proposed by this modification is athletically pleasing it's unclear as to how this structure will address noise issues associated with the current use of the loading dock area. Presently there is nothing to prevent noise generated by the existing loading dock area adversely impacting upon the adjoining residential development. As such, it is unclear as to how noise related requirements and controls associated with its use are complied with (i.e. the loading dock area is located in close proximity to existing residential development as well as soon to be constructed residential development on the north eastern and north western side of Moona Creek Road). Currently this area is used by the developments two major tenants (Aldi and Woolworths) up to and past 7.30pm/8pm most evenings and even longer during peak holiday periods when deliveries are more frequent. How will the noise issue generated by the loading dock area be addressed by the modification? The picture below shows what was envisaged by the architect to be provided as part of earlier determinations which correspond to the currently approved requirements under Mod 6 of a recycled timber screen;



2. Landscaping: The landscaping that is being proposed under this modification has been significantly reduced along the overland flow swale within the site. It is unclear as to why this reduction is being proposed or why it should be supported. As the approved landscaping within the swale was to contain feature plantings as well as a selection of native trees, it as a consequence provided a landscape buffer feature between the shopping center development and the adjoining land to the south. There is currently no feature planting/native trees along the length of this swale and a reduction in its treatment should not be supported. The currently approved landscape plans (Mod 6 - see below) contain cross sections which in part detail precedents on how the area should be landscaped. It is unclear from the applicants submission why this has now changed. It is also noted that the landscape plan as part of this modification indicates 'existing trees proposed for retention' that do not currently exist (e.g. plan with reference Job No. 1710, Drawing No. L_101, Issue B, dated 1.3.18);



3. Completion of Approved Works: As the development is currently occupied it is unclear from the information submitted as to when any works that may be approved by this modification will be completed and who will certify the works have been completed to the required/approved requirements. As such, it is suggested that any approval issued be conditioned so as to clearly specify a completion date for the works (i.e. 6 months from the determination date on the modification) as well as to details as to who will certify the works have been completed in accordance with the approval (i.e. written approval be provided by DPE); and
4. Compliance with Existing Approval: It is unclear as to what compliance action has been taken by DPE in relation to the developments current non-compliance with the matters that this modification is seeking to change, noting that the development is occupied/operational and has been subject to the issue of an occupation certificate from a private certifier. Can DPE please advise if any compliance action has been taken (i.e. issuing of a penalty infringement notice and/or reporting of the certifier to the Building Professional Board) and if not why?

Thanks for taking the time to consider the above in your assessment.

Regards