

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

David McNamara
Director
Key Sites Assessments

Sydney 21 November 2018

SCHEDULE 1

- Development Approval:** SSD 8588 granted by the Independent Planning Commission on 25 August 2016.
- For the following:** Detailed design, construction and operation of a convenience retail development on approved Lot 2 (Stage 1) with a gross floor area of 11,438 sqm comprising:
- a supermarket
 - specialty shops, food and drink premises
 - a medical centre
 - pharmacy
 - gymnasium
 - car parking for 433 car spaces
 - end-of-trip facilities
 - community garden
 - signage zones
 - loading dock facilities
 - associated landscaping and infrastructure
- Applicant:** Frasers Property Australia
- Consent Authority:** Minister for Planning
- The Land:** Rooty Hill Road South, Rooty Hill (Lot 1 DP 1103025, Lots 2 & 3 DP 1041487, Lot 100 DP 882326, Lots 1B, 2A, 3A, 3B, 4B, 5B & 13B DP 8681, Lot 1 DP 135665, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, & 10 DP 830836, Lot A DP 358346, Lots 1, 3, 4, 5, 6, 7 & 8 DP 31130, Lots 11, 12 & 14 DP 882325 and Lots 1 & 2 DP 1069269).
- Modification:** **SSD 8588 MOD 1:** Modifications to the detailed design of the retail centre building (in Stage 1), comprising façade realignment at the southwestern corner, changes to plant and services, rainwater tank, loading dock, trolley bay, waste and recycle room and reconfiguration of the internal layout.

SCHEDULE 2

The above approval is modified as follows:

1. Part A – Administrative Condition – Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of ~~struck-out~~ letters/numbers as follows:

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent
- (b) in accordance with all written directions of the Planning Secretary
- (c) **generally** in accordance with the EIS and Response to Submissions
- (d) in accordance with the management and mitigation measures
- (e) **generally in accordance with the approved modification(s)**
- (f) in accordance with the following drawings

Architectural Drawings prepared by i2C			
Drawing No.	Revision	Name of Plan	Date
DA05	<u>AC</u>	Proposed Site Plan – Stage 1	24.01.18 <u>23.07.18</u>
DA06	<u>AB</u>	<u>Stage 1</u> Proposed Roof Plan	11.09.17 <u>31.08.18</u>
DA07	A	Entry 1	11.09.17
DA08	A	Entry 2	11.09.17
DA09	A	Entry 2	11.09.17
DA10-A	<u>AC</u>	Elevations 1	11.09.17 <u>23.07.18</u>
DA10-B	C	Elevations 2	<u>23.07.18</u>
DA11-A	<u>AB</u>	Elevations 23	11.09.17 <u>16.07.18</u>
<u>DA11-B</u>	<u>B</u>	<u>Elevations 4</u>	<u>23.07.18</u>
DA12	A	True Elevations	11.09.17
DA13	A	Sections	11.09.17
DA18	<u>AC</u>	3D Perspectives	11.09.17 <u>16.07.18</u>
<u>DA18-A</u>	<u>B</u>	<u>3D Perspectives</u>	<u>16.07.18</u>
SD01	A	Shopfront Design – Key Plan	11.09.17
SD02	A	Shopfront 1	11.09.17
SD03	A	Shopfront 2	11.09.17
SD04	A	Shopfront 3	11.09.17
SD05	A	Shopfront 4	11.09.17
SD06	A	Shopfront 5	11.09.17
SZ01	A	Signage Zones	11.09.17
SZ02	A	Signage Zones	11.09.17
SZ03	A	Signage Zones	11.09.17
SZ04	A	Signage Zones	11.09.17

SZ05	A	Signage Zones	11.09.17
SZ06	A	Signage Zones	11.09.17
SZ07	A	Signage Zones	11.09.17
SZ08	A	Signage Zones	11.09.17
SZ09	A	Signage Zones	11.09.17
SZ10	A	Signage Zones	11.09.17

2. Part B – Prior to issue of a Construction Certificate – Condition B21 is amended by the insertion of the **bold and underlined** letter and deletion of struck-out letter as follows:

Stormwater and Drainage Management

- B21. Prior to the issue of a Construction Certificate being issued, details of any proposed stormwater disposal and drainage from the development and details of the provision and maintenance of overland flow paths must be submitted to the Certifying Authority. All details for the disposal of stormwater and drainage are to be designed in accordance with the relevant requirements under *Part R_J Blacktown Development Control Plan 2015* and *Blacktown Engineering Guide for Development 2005* unless otherwise agreed with Council.
3. Part C – Prior to commencement of works – Condition C14 is amended by the insertion of the **bold and underlined** words:

Construction Environmental Management Plan (CEMP)

- C14. Prior to the commencement of any works on site, a **Construction Environmental Management Plan (CEMP)** shall be submitted to the Certifying Authority. The CEMP shall be informed by the Construction Management Plan submitted with the EIS. The CEMP shall address, but not be limited to, the following matters where relevant:
- hours of work
 - 24 hour contact details of site manager and details of complaint handling
 - traffic management, in consultation with Council, TfNSW and RMS
 - construction noise and vibration management, prepared by a suitably qualified person
 - management of dust to protect the amenity of the neighbourhood
 - erosion and sediment control
 - measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site
 - external lighting in compliance with *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*
 - works in accordance with any remedial works plan
 - air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works
 - incorporation of all acoustic management and treatments.
 - ground disturbance works in accordance with Condition C13 of the original Concept Approval (SSD 5175).**

The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

4. Part D – During construction – Condition D21 is added as follows:

Discovery of Aboriginal Heritage

D21 In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and a registered Aboriginal representatives must be contacted to determine the significance of the object(s). The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The applicant must consult with the Aboriginal community representatives, the archaeologist and the OEH to develop and implement management strategies for all objects/sites. Aboriginal heritage Management is to be carried out in accordance with an AHIP applicable to the site.

End of Modifications to SSD 8588 MOD 1