



ATTACHMENT B – MARKED- UP CHANGES TO STATEMENT OF COMMITMENTS

Rev A, Dated 22.12.2020

The Statement of Commitments have been amended to reflect the proposed development of the Eastlakes Shopping Centre in line with proposed Modification 5 to MP09_0146 and in response to DPIE's additional information request letter dated 16 December 2020. Text proposed to be deleted is indicated by '~~strike through~~' and text proposed to be added is indicated in red text.

Commitment #	Proposed Amendment to the Commitment	Reason for change / comment
Compliance with Plans		
1 Development Plans	<i>The proponent will undertake the development generally in accordance with the architectural plans by Rice Daubney Architects and attached at Appendix 2 to the PPR dated March 2013 FJMT and forming part of Modification 4 and Modification 5.</i>	To reflect the amended proposal forming part of MOD 4 approval, and the subject MOD 5 proposal.
2 Gross Floor Area	<i>The proponent will limit the floor space of the development to a maximum GFA of 51,832m² 60,544sqm.</i>	To reflect the amended proposal forming part of MOD 4 approval, and the subject MOD 5 proposal.
3 Minimum Apartment Sizes	<i>The Proponent will provide apartments with minimum internal floor areas as follows:</i> Studio 39m² 35m² 1 bedroom 46m² 2 bedroom 65m² 3 bedroom 113m² 90m²	To reflect the amended proposal forming part of MOD 4 approval.
4 Minimum Ceiling Heights	<i>The proponent will provide ceiling heights of 2.7m to all habitable areas of residential apartments and ceiling heights of 2.4m to bathrooms, laundries and kitchens.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.

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Public Infrastructure		
5. Section 94 contributions/works in Kind/VPA	<i>The proposed will hold discussions with Botany Bay City Council (Council) regarding undertaking works in kind in the vicinity of the site in lieu of payment of section 94 contributions. Such works could include improvements to Eastlakes Reserve and the public domain areas in the vicinity of the development site.</i> <i>If no agreement is reached between Council and the proponent regarding a VPA or works in kind agreement, the proponent will make a contribution towards the upgrade of public services and facilities in accordance with Council's adopted Section 94 Contribution Plan or in accordance with any relevant Section 94E Direction.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Structural Design and Construction		
6. Detailed Structural Design	<i>The Proponent will undertake the detailed structural design for the development in accordance with the advice from VDM dated 7 February 2013 and attached at Appendix 10 to the PPR dated March 2013.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
7. Construction	<i>The Proponent will undertake construction works in accordance with the approved detailed structural plans.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Building Height and Form		
8. Obstacle Limitation Height	<i>The proponent will comply with the SAC maximum height limitation of 51m AHD for any building, structure or thing unless obstacle lighting is installed in accordance with condition E29 and F23.</i>	To reflect the approved height of Building D on the South Site.
Landscaping		
9 Landscape Design	<i>The proponent will provide landscaping generally in accordance with the landscape plans provided by Taylor Brammer Landscape Architects for the South Site and Turf Design Studio for the North Site.</i>	To reflect the amended proposal forming part of MOD 4 approval.

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10 Tree Protection	<i>The proponent will protect all trees identified in the Arborist report as trees to be retained and protected.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
11 Public Domain	<i>The proponent will undertake improvements to the public domain areas surrounding the site generally in accordance with the Public Domain Improvement Plan prepared by Taylor Brammer Landscape Architects LA03 Rev C. (Appendix 5 to PPR) for the South Site and Public Domain Plans prepared by Turf Design Studio for the North Site.</i>	To reflect the amended proposal forming part of MOD 4 approval.
Heritage		
12. Excavation	<i>The proponent will engage an archaeologist to prepare briefing documents and a monitoring plan for the excavation phase of the development works.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
13 Consultation with Local Aboriginal Land Council	<i>The proponent will consult with the local Aboriginal community in relation to the salvage and/or collection of artefacts should any Aboriginal archaeological sites and/or object be found during excavation.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Transport and Access		
14 Road works – upgrade	<i>The proponent will upgrade the roundabout intersection of Evans Avenue and Racecourse Place in accordance with the recommendations of the traffic impact assessment by Colston Budd & Kafes dated July 2012 (Ref. 8226/6) and attached at Appendix 13 of the EAR dated July 2012, as amended by the Response to Traffic Issues dated March 2013 (Ref: TR/8226/jj) and attached at Appendix 6 to the PPR dated March 2013.</i> <i>The proponent will extend the length of the right turn lane on Gardeners Road by 10m (as per Figure 44 of the MOD 4 assessment report) and condition B48.</i> <i>Works to be completed prior to issue of an Occupation Certificate for Stage 1 Stage 2.</i>	The modifications to the Evans Avenue/ Racecourse Place roundabout (as well as other road works) are to facilitate access into the Stage 2 basement parking and manage the associated traffic. This is illustrated in the south civil drawings which show the roundabout works as part of the south site civil works and the Traffic and Parking Report submitted as part of MOD 4. Stage 1 requires no roadworks to be completed
15 Car parking	<i>The Proponent will provide the following minimum car parking:</i> <i>North Side Site:</i>	To reflect the amended proposal forming part of MOD 4 approval, and the subject MOD 5 proposal.

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	- Retail car parking spaces – 122 132 (including 4 5 accessible spaces) - Residential spaces – 131 150 (including 4 12 accessible spaces) 19 residential motorcycle spaces. South Side Site: Retail Non-residential car parking spaces – 350 516 (including 7 23 accessible spaces) 2 5 loading spaces 16 retail motorcycle spaces - Residential spaces – 424 400 spaces (including 11 72 accessible spaces) 2 car wash bays 18 retail tenant spaces on B2	
16 Bicycle parking spaces	<i>Bicycle parking for residents and retail visitors will be provided within both basement levels on both sites. A minimum of 56 bicycle racks for residents and 74 racks for retail visitors will be provided.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
17 Public transport	<i>The proponent will provide a taxi stand and passenger drop off are on the southern side of Evans Avenue between Barber Avenue and Eastlakes Reserve.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
18 Travel Access Guide	<i>The proponent will prepare a Travel Access Guide for the development in consultation with Council, RMS, Sydney Buses and other relevant stakeholders. The Travel Access Guide will be prepared in accordance with the recommendations of the Transport and Accessibility Impact Assessment attached at Appendix 13 to the EAR dated July 2012.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
19 Service Vehicle Management Plan	<i>The proponent will prepare Service Vehicle Management Plan in order to manage and control service vehicle activity on and around the site. The Service Vehicle Management Plan will be prepared in accordance with the recommendations of the Transport and Accessibility Impact Assessment attached at Appendix 13 to the EA Report dated July 2012.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.

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Staging		
20 Development staging	<i>The proponent will ensure that Stage 1 of the development will be wholly self-contained in terms of amenities and facilities for retail tenants and residents.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
21 Retail development	<i>The retail development on Stage 1 will be completed and operational prior to commencement of works (except early works) on Stage 2.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Acoustic		
22 Provisions	<i>The proponent will implement the recommendations of the VIPAC Acoustic Report at Appendix 9 of the PPR and as amended by the Acoustic Report prepared by Pulse Acoustic Consultancy for the South Site (dated 9 October 2019) and Acoustic Report prepared by Pulse Acoustic Consultancy for the North Site (dated 20 May 2019).</i>	To reflect the supplementary acoustic reports forming part of MOD 4 proposal.
Construction and Site Environmental Management		
23 Construction Traffic Management Plan	<i>The proponent will implement the Construction Traffic Management Plan prepared by Colston Budd Hunt and included at Appendix 27 of the EAR dated July 2012 and as amended by the Traffic and Parking Report for the South Site dated October 2019).</i> <i>The recommendations contained in paragraph 3.63 of the Colston Budd Hunt and Kates Transport and Accessibility Impact Assessment (Appendix 13 to EAR dated July 2012) and the VIPAC Acoustic Report at Appendix 9 of the PPR will also be adopted as part of the Construction Traffic Management Plan.</i>	To reflect the supplementary traffic report forming part of MOD 4 proposal.
24 Construction Management Plan	<i>The proponent will undertake all construction works in accordance with the Construction Management Plan prepared by Crown International Holdings Group and included at Appendix 27 of the EAR dated July 2012 and as amended by the Construction Management Plan for the South Site prepared by Crown Group (dated 10 October 2019).</i>	To reflect the supplementary report forming part of MOD 4 proposal.
25 Construction and Demolition Waste	<i>The proponent will implement the recommendations contained in the Construction Management Plan prepared by Crown International Holdings Group and included at Appendix 27 of the EAR dated July 2012 regarding construction and demolition waste management and as amended</i>	To reflect the supplementary report forming part of MOD 4 proposal.

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	by the Construction Management Plan for the South Site prepared by Crown Group (dated 10 October 2019).	
Accessibility and Adaptability		
26 Access	<i>The proponent will ensure that the recommendations of the access consultant (as detailed in the report by Accessibility Solutions (NSW) Pty Ltd dated 17 July 2012 and attached at Appendix 19 of the EAR dated July 2012, as amended by the recommendations of the access consultant in the supplementary advice dated 7 March 2013 and attached at Appendix 13 of the PPR dated March 2013) except as amended by the Accessibility Report prepared by Accessibility Solutions for the South Site (dated 14 October 2019) and Accessibility Report prepared by Accessibility Solutions for the North Site (dated 28 May 2019) are implemented.</i>	To reflect the supplementary report forming part of MOD 4 proposal.
27 Adaptable Units	<i>The proponent will provide a minimum of 15 apartments as adaptable units across the completed development. Adaptable dwellings will be distributed throughout the development.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Signage		
28 Signage	<i>All signage will be wholly contained within the signage zones nominated on the approved plans. Details of signage not provided as part of the EAR or PPR will be provided as part of any further development application(s) to occupy particular retail premises.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.
Sustainability		
29 BASIX	<i>The proponent will comply with the recommendations of the VIPAC BASIX Assessment report dated 15 February 2013 (Appendix 8 to PPR dated March 2013) in relation to water commitments, thermal comfort and energy usage. WSP BASIX and ESD Report prepared for the South Site dated October 2019 and the WSP BASIX Report for the North Site dated May 2019.</i>	To reflect the supplementary report forming part of MOD 4 proposal.
30 ESD	<i>The proponent will adopt the recommendations of the ESD report by VIPAC (Reference: 20C-11-0069-TRP-265538-1 dated 5 July 2012) attached at Appendix 18 of the EAR dated July 2012 and the Section J assessment by VIPAC (Reference: 20C-11-0069-TRP-265526-1 dated 5 July</i>	To reflect the supplementary report forming part of MOD 4 proposal.

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	2012) attached at Appendix 18 of the EAR dated July 2012. WSP BASIX and ESD Report prepared for the South Site dated October 2019 and the WSP BASIX Report for the North Site dated May 2019.	
Contamination		
31 Environmental site assessment	<i>The proponent will implement the recommendations of the Preliminary Site Investigation report prepared by Environmental Investigation Services included at Appendix 14 of the EAR dated July 2012 and as amended by the Environmental Site Assessment prepared by Environmental Investigation Services dated 14 October 2019.</i>	To reflect the supplementary report forming part of MOD 4 proposal.
Stormwater Management and WSUD		
32 Water Quality Targets	<i>The proponent will meet the water quality targets as set out in the 'MUSIC' report by VDM Consulting and as amended by the Stormwater Management Report for the South Site prepared by VDM and dated October 2019. A soil water management plan will be prepared in accordance with Landcom's handbook "Managing Urban Stormwater: Soils and Construction" as recommended in the MUSIC Water Quality Report VDM dated March 2012 and attached at Appendix 25 of the EAR dated July 2012.</i>	To reflect the supplementary report forming part of MOD 4 proposal.
33 Stormwater management	<i>The proponent will provide OSD in order to manage the flow rate of stormwater discharge from the site and development as detailed in the Stormwater Management report by VDM Consulting included at Appendix 25 of the EAR dated July 2012 and as modified by the plans prepared by VDM Consulting and attached at Appendix 10 of PPR and the Stormwater Management Report for the South Site prepared by VDM and dated October 2019.</i>	To reflect the supplementary report forming part of MOD 4 proposal.
34 Rainwater reuse	<i>The proponent will provide rainwater storage tanks with a minimum capacity of 140,000 litres. Rainwater will be used for car washing, irrigation and potentially toilet flushing and laundry activities.</i>	N/A – consistent with Mod 3 approved Statement of Commitments.

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Waste Management		
35 Waste management	The proponent will prepare and implement an Operational Waste Management Plan for the development. The Operational Waste Management Plan will address matters such as use of compactors, bins strategy, identified collection areas and timing of collection etc.	N/A – consistent with Mod 3 approved Statement of Commitments.
Geotechnical Considerations		
36 Dilapidation Reports	The proponent will prepare dilapidation reports on adjoining buildings located within a distance of 2H of the excavation perimeter where H is the depth in metres of the proposed excavation, in accordance with the recommendation of the Preliminary Geotechnical Assessment by Jeffery and Katauskas dated 31 May 2004 (Appendix 23 of EAR).	N/A – consistent with Mod 3 approved Statement of Commitments.
37 Groundwater issues	The proponent will undertake construction of the basement levels in accordance with the recommendations of the Geotechnical Assessment by the Jeffery and Katauskas dated 31 May 2004 included at Appendix 23 of the EAR dated July 2012.	N/A – consistent with Mod 3 approved Statement of Commitments.
Security		
38. Security Strategy	The proponent will prepare a Security Strategy for the development in accordance with the recommendations of the Harris Crime Prevention Services report dated 3 May 2012 and attached at Appendix 21 of the EAR dated July 2012. This strategy will be prepared in consultation with relevant stakeholders including the local police, Council, public transport service providers, retail owners and tenants, residents and the local community.	N/A – consistent with Mod 3 approved Statement of Commitments.
Sydney Airport Corporation		
39. Airspace	The proponent will consult with and obtain the approval of Sydney Airport Corporation prior to installing any construction cranes at the site that may encroach the prescribed airspace of 51 metres AHD at the site.	N/A – consistent with Mod 3 approved Statement of Commitments.