



ATTACHMENT C – REVISED STATEMENT OF COMMITMENTS

Schedule 3 – Proponent’s Statement of Commitments

Rev A, Dated 22.12.2020

Prepared by Don Fox Planning and amended by Urbis on 28 February 2018 and 22 December 2020.

Commitment #	Commitment	Timing	Approved by...
Compliance with Plans			
1 Development Plans	<i>The proponent will undertake the development generally in accordance with the architectural plans by FJMT and forming part of Modification 4 and Modification 5.</i>	Prior to issue of Construction Certificates	Accredited Certifier
2 Gross Floor Area	<i>The proponent will limit the floor space of the development to a maximum GFA of 60,544sqm.</i>	Prior to issue of the final Occupation Certificate.	Accredited Certifier
3 Minimum Apartment Sizes	<i>The Proponent will provide apartments with minimum internal floor areas as follows:</i> <i>Studio 35m2</i> <i>1 bedroom 46m2</i> <i>2 bedroom 65m2</i> <i>3 bedroom 90m2</i>	Prior to issue of Occupation Certificates for each stage.	Accredited Certifier
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>	Prior to issue of Occupation Certificates for each stage.	Accredited Certifier

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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>	Discussions to occur subsequent to issue of any project approval. If works in kind or a VPA are negotiated, details of extent and timing of works to be finalised prior to issue of Construction Certificate for Stage 1. If Section 94 contributions are to be paid, the contribution relevant to that component of the development is to be paid prior to issue of a Construction Certificate for that component of the development.	Botany Bay Council and Proponent
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>	Prior to issue of Construction Certificates for building works.	Accredited Certifier
7. Construction	<i>The Proponent will undertake construction works in accordance with the approved detailed structural plans.</i>	Prior to issue of Occupation Certificates for each stage.	Accredited Certifier
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>	During construction and ongoing.	Sydney Airport Corporation

Commitment #	Commitment	Timing	Approved by...
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>	Prior to issue of Occupation Certificates for each stage.	Accredited Certifier
10 Tree Protection	<i>The proponent will protect all trees identified in the Arborist report as trees to be retained and protected.</i>	During construction	Qualified arborist
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 for the South Site and Public Domain Plans prepared by Turf Design Studio for the North Site.</i>	Prior to the issue of an Occupation Certificate of each building	Accredited Certifier
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>	Prior to issue of the Construction Certificate for site works	Accredited Certifier
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>	During excavation works	Local Aboriginal Land Council
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</i>	Works to be completed prior to issue of an Occupation Certificate for Stage 2.	Accredited Certifier

Commitment #	Commitment	Timing	Approved by...
	<i>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>		
15 Car parking	<i>The Proponent will provide the following minimum car parking:</i> <i>North Side Site:</i> <i>Retail car parking spaces –132 (including 5 accessible spaces)</i> <i>Residential spaces – 150 (including 12 accessible spaces)</i> <i>19 residential motorcycle spaces.</i> <i>South Side Site:</i> <i>Non-residential car parking spaces –516 (including 23 accessible spaces)</i> <i>5 loading spaces</i> <i>16 motorcycle spaces</i> <i>Residential spaces –400 spaces (including 72 accessible spaces)</i>	Prior to issue of Occupation Certificates for each stage	Accredited Certifier
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>	Prior to issue of Occupation Certificates for each stage	Accredited Certifier
17 Public transport	<i>The proponent will provide a taxi stand and passenger drop off area on the southern side of Evans Avenue between Barber Avenue and Eastlakes Reserve.</i>	Prior to issue of the Occupation Certificate for the final stage of Stage 2	Accredited Certifier
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</i>	The Travel Access Guide will be implemented prior to issue of an Occupation Certificate for Stage 1 and will be updated as required prior	Accredited Certifier

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	<i>with the recommendations of the Transport and Accessibility Impact Assessment attached at Appendix 13 to the EAR dated July 2012.</i>	to the issue of subsequent Occupation Certificates.	
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>	The Service Vehicle Management Plan will be prepared prior to issue of the first Occupation Certificate and will be updated as various stages of the development are completed and occupied.	Accredited Certifier
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>	Prior to occupation of Stage 1.	Accredited Certifier
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>	Prior to occupation of retail development on Stage 1 and prior to building construction works commencing on Stage 2.	Accredited Certifier
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>	During demolition, construction and operation of each building.	Accredited Certifier
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</i>	During demolition and construction.	Accredited Certifier

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	<i>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>		
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>	Prior to commencement of construction and during construction of each stage of the development.	Accredited Certifier
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 by the Construction Management Plan for the South Site prepared by Crown Group (dated 10 October 2019).</i>	During demolition and construction	Accredited Certifier
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</i>	Prior to issue of an Occupation Certificate for each building and final Occupation Certificate.	Accredited Certifier

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	<i>Report prepared by Accessibility Solutions for the North Site (dated 28 May 2019) are implemented.</i>		
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>	Prior to issue of an Occupation Certificate for the final stage of the development. .	Accredited Certifier
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>	On going.	Accredited Certifier
Sustainability			
29 BASIX	<i>The proponent will comply with the recommendations of the 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>	Prior to issue of Occupation Certificates for each stage of the development.	Accredited Certifier
30 ESD	<i>The proponent will adopt the recommendations of the 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>	Prior to issue of Occupation Certificates for each stage of the development.	Accredited Certifier
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>	Prior to commencement of works, including demolition works.	Accredited Certifier

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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>	Preparation of the soil and water management plan prior to issue of the first Construction Certificates and to be implemented during construction.	Accredited Certifier
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 be implemented during construction.	Accredited Certifier
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>	To be implemented during construction and prior to issue of Occupation Certificates.	Accredited Certifier
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.	Prior to issue of first Occupation Certificate for the development and to be updated as various stages of the development are completed and occupied.	Accredited Certifier

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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).	Prior to excavation or demolition.	Accredited Certifier
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.	During construction of each stage.	Accredited Certifier
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.	The Security Strategy will be prepared prior to the issue of Occupation Certificates for each stage of the development and implemented following completion of the development. The strategy will be updated as various stages of the development are completed and occupied.	Accredited Certifier
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.	Prior to commencement of construction.	SAC or Accredited Certifier