

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I the Executive Director of Infrastructure and Industry Assessments determine the modification of the project approval referred to in Schedule 1, subject to the Conditions in Schedule 2.

Daniel Keary
Acting Executive Director
Infrastructure and Industry Assessments

Sydney

2015

SCHEDULE 1

Application No.:	MP08_0244 MOD 2
Proponent:	Aqualand
Approval Authority	Minister for Planning
Land:	23-37 Lindfield Avenue, 7 and 11 Havilah Lane, Lindfield
Project:	<p>Demolition of existing buildings, excavation, and construction of a mixed use retail and residential development totalling 12,066m² in GFA comprising:</p> <ul style="list-style-type: none">• 1 level podium with 2,379.5m² in retail GFA;• 112 apartments in 2 residential towers above the retail podium;• 3 levels of basement car parking for 184 vehicles; and• 699.5m² communal courtyard at the podium level.
Modification:	<p>Modifications to provide includes:</p> <ul style="list-style-type: none">• incorporation of 7 Havilah Lane into the mixed use development envelope to achieve a building height of 7 storeys;• increase in excavation and basement parking;• change in dwelling mix and provision of 10 additional apartments (122 apartments);• increase in overall GFA by 1,555m²; and• other minor amendments.

SCHEDULE 2 CONDITIONS

The above approval is modified as follows:

- (a) Condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

A1. Development Description

Development approval is granted only to carrying out the development described in detail below:

Demolition of existing buildings, excavation, and construction of a mixed use retail and residential development totalling 42,066m² **13,621m²** in GFA comprising:

- 1 level podium with 2,379.5m² **2,750m²** in retail GFA;
- 442 **122** apartments in 2 residential towers above the retail podium;
- 3 levels of basement car parking for 484 **199** vehicles; and
- 699.5m² communal courtyard at the podium level.

- (b) Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

A2. Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with the Environmental Assessment dated November 2010 prepared by JBA Planning and all Appendices, except where varied by:

- the Preferred Project Report dated April 2011 and all Appendices,
- the Proponent's Statement of Commitments included in the PPR;
- the Section 75W Modification Application dated December 2012;
- the Section 75W Modification Application Response to Submissions dated May 2013;
- **the Section 75W Modification Application dated November 2014;**
- **the Section 75W Modification Application Response to Submissions dated March 2015;** and
- the following drawings:

Architectural (or Design) Drawings prepared by Crone Partners			
Drawing No.	Revision	Name of Plan	Date
1000	B <u>D</u>	Basement 3 Plan	20/5/2013 <u>13/02/2015</u>
1001	B <u>D</u>	Basement 2 Plan	20/5/2013 <u>13/02/2015</u>
1002	B <u>D</u>	Basement 1 Plan	20/5/2013 <u>13/02/2015</u>
1003	B <u>D</u>	Lower Ground Floor Plan	20/5/2013 <u>13/02/2015</u>
1004	B <u>D</u>	Ground Floor Plan	20/5/2013 <u>13/02/2015</u>
1005	D <u>F</u>	Level 1 Floor Plan	42/8/2013 <u>13/02/2015</u>
1006	D <u>F</u>	Level 2 Floor Plan	42/8/2013 <u>13/02/2015</u>
1007	D <u>F</u>	Level 3 Floor Plan	42/8/2013 <u>13/02/2015</u>
1008	D <u>F</u>	Level 4 Floor Plan	42/8/2013 <u>13/02/2015</u>

1009	D F	Level 5 Floor Plan	12/8/2013 13/02/2015
1010	C E	Level 6 Floor Plan	9/8/2013 13/02/2015
1011	C E	Level 7 Floor Plan	9/8/2013 13/02/2015
1012	C E	Roof Plan	9/8/2013 13/02/2015
2000	C E	Elevations (Sheet 1 of 2)	9/8/2013 13/02/2015
2001	C E	Elevations (Sheet 2 of 2)	9/8/2013 13/02/2015
3000	B D	Sections (Sheet 1 of 3)	20/5/2013 13/02/2015
3001	B D	Sections (Sheet 2 of 3)	20/5/2013 13/02/2015
3002	C E	Sections (Sheet 3 of 3)	9/8/2013 13/02/2015
Engineering (or Design) Drawings prepared by Insync Services			
SW-100	C	Basement Level 3 In-ground Hydraulic Services Plan	24/05/2013
SW-101	C	Basement Level 3 Hydraulic Services Plan	24/05/2013
SW-102	C	Basement Level 2 Hydraulic Services Plan	24/05/2013
SW-103	C	Basement Level 1 Hydraulic Services Plan	24/05/2013
SW-104	C	Lower Ground Level Hydraulic Services Plan	24/05/2013
SW-105	C	Ground Level Hydraulic Services Plan	24/05/2013
SW-106	C	Level 1 Hydraulic Services Plan	24/05/2013
SW-107	C	Level 2 Hydraulic Services Plan	24/05/2013
SW-108	C	Level 3 Hydraulic Services Plan	24/05/2013
SW-109	C	Level 4 Hydraulic Services Plan	24/05/2013
SW-110	C	Level 5 Hydraulic Services Plan	24/05/2013
SW-111	C	Level 6 Hydraulic Services Plan	24/05/2013
SW-112	C	Level 7 Hydraulic Services Plan	24/05/2013
SW-113	C	Roof Level Hydraulic Services Plan	24/05/2013
SW-114	A	Stormwater Detention and Rainwater Storage Tank Detail Sheet	24/05/2013
SW-01	1	Stormwater Services Site Plan	14/10/2014
SW-02-A	1	Zone A Basement Level 3 Inground Stormwater Services Plan	14/10/2014
SW-03-B	1	Zone B Basement Level 3 Inground Stormwater Services Plan	14/10/2014
SW-04-A	1	Zone A Basement Level 3 Stormwater Services Plan	14/10/2014
SW-05-B	1	Zone B Basement Level 3 Stormwater Services Plan	14/10/2014
SW-06-A	1	Zone A Basement Level 2 Stormwater Services Plan	14/10/2014
SW-07-B	1	Zone B Basement Level 2 Stormwater	14/10/2014

		Services Plan	
<u>SW-08-A</u>	<u>1</u>	<u>Zone A Basement Level 1 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-09-B</u>	<u>1</u>	<u>Zone B Basement Level 1 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-10-A</u>	<u>1</u>	<u>Zone A Lower Ground Level Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-11-B</u>	<u>1</u>	<u>Zone B Lower Ground Level Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-12-A</u>	<u>1</u>	<u>Zone A Ground Level Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-13-B</u>	<u>1</u>	<u>Zone B Ground Level Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-14-A</u>	<u>1</u>	<u>Tower A Level 1 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-15-B</u>	<u>1</u>	<u>Tower B Level 1 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-16-A</u>	<u>1</u>	<u>Tower A Level 2 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-17-B</u>	<u>1</u>	<u>Tower B Level 2 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-18-A</u>	<u>1</u>	<u>Tower A Level 3 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-19-B</u>	<u>1</u>	<u>Tower B Level 3 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-20-A</u>	<u>1</u>	<u>Tower A Level 4 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-21-B</u>	<u>1</u>	<u>Tower B Level 4 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-22-A</u>	<u>1</u>	<u>Tower A Level 5 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-23-B</u>	<u>1</u>	<u>Tower B Level 5 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-24-A</u>	<u>1</u>	<u>Tower A Level 6 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-25-B</u>	<u>1</u>	<u>Tower B Roof Level Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-26-A</u>	<u>1</u>	<u>Tower A Level 7 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-27-B</u>	<u>1</u>	<u>Tower A Roof Level 8 Stormwater Services Plan</u>	<u>14/10/2014</u>
<u>SW-28</u>	<u>1</u>	<u>OSD & Rainwater Tank Detail Sheet</u>	<u>14/10/2014</u>
Engineering (or Design) Drawings prepared by GHD			
Drawing No.	Revision	Name of Plan	Date
21-19509-C001	C	Sediment and Erosion Control Plan	13/04/2011
Landscape Plan (or Design) Drawings prepared by Aspect Studios			
LA-01	A	Level 1 Landscape Plan	Nov 2012
LA-02	A	Level 1 Courtyard Perspectives	Nov 2012
LA-03	A	Level 1 Courtyard Section	Nov 2012
<u>S75WLA-01</u>	<u>A</u>	<u>Level 1 Landscape Plan</u>	<u>September 2014</u>
<u>S75WLA-02</u>	<u>A</u>	<u>View One: Level 1 Landscape Courtyard Perspective</u>	<u>September 2014</u>
<u>S75WLA-03</u>	<u>A</u>	<u>Section A-A: Level 1 Courtyard</u>	<u>September 2014</u>

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

(c) Condition B1 is deleted as ~~struck out~~ words / numbers as follows:

B1 — Design Modifications

Prior to the issue of the first Construction Certificate, plans and specifications demonstrating compliance with the following shall be submitted to the satisfaction of the Director General:

- Privacy screens shall be provided to the windows and balconies on the southern elevation of the Western Tower at Levels 1, 2, 3 and 4 facing Kochia Lane;
- The "portal frame" element shall be setback a minimum of 1 metre from the southern (Kochia Lane) boundary; and

(c) ~~the vehicle entry driveway off Havilah Lane shall be designed to accommodate the swept path of an 11 metre long rigid truck. The line of bollards which provides physical separation between vehicle and pedestrian paths shall be adjusted to reflect the extent of the swept, particularly at the Havilah Lane footpath.~~

~~Written evidence of this shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.~~

- (d) Condition C1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

C1 Car and Bicycle Parking Provision and Storage

Prior to the issue of a Construction Certificate, plans and specifications demonstrating the following shall be provided to the satisfaction of the Director General **Secretary** of the Department:

- (a) The car spaces in the 3 basement levels shall be allocated as follows:

Car Parking Space	
Residential Car Spaces	405 <u>122</u>
Residential Visitor Car Spaces	25 <u>28</u>
Retail Public Car Spaces	44 <u>48</u>
Retail Employee Car Spaces	40 <u>13</u>
Total car spaces	484 <u>211</u>

Written evidence of this shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate **for the construction of the basement.**

*Should the residential apartment numbers and mix change, the allocation and quantum of car parking will be required to be varied in accordance with the car parking rates applied in this approval with the written approval of the Director General.

- (e) Condition C3 is deleted as ~~struck-out~~ words / numbers as follows:

~~C3 Variation of Right of Way Benefiting 39 and 41 Lindfield Avenue~~

~~Prior to the issue of any Construction Certificate, the Principal Certifying Authority shall be satisfied that the continued operation of the right of way which benefits 39 and 41 Lindfield Avenue can be managed to ensure that it does not conflict with the one-way movement of vehicles through the upper basement level.~~

- (f) Condition C5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

C5 Development Contributions

This development is subject to a development contribution calculated in accordance with *Ku-ring-gai Contributions Plan 2010*, being a s94 Contributions Plan in effect under the Environmental Planning and Assessment Act 1979. Ku-ring-gai Council has estimated the total Contribution to be paid is \$2,084,950.74 **\$2,605,705.32**, broken down as follows:

Key Community Infrastructure	Amount
Local parks and local sporting facilities	\$1,036,294.55 <u>1,253,269.62</u>
Local recreation and cultural facilities; Local social facilities	\$184,925.03 <u>\$223,643.88</u>
Local roads, local bus facilities and local drainage facilities (new roads and road modifications)	\$137,683.15 <u>\$250,726.91</u>
Local roads, local bus facilities and local drainage facilities	\$726,047.98 <u>\$878,064.91</u>

(townscape, transport & pedestrian facilities)	
Total	\$2,084,950.71 <u>\$2,605,705.32</u>

The contribution shall be paid to Council prior to the issue of any Construction Certificate, Linen Plan, Certificate of Subdivision or Occupation Certificate, whichever comes first in accordance with Ku-ring-gai Contributions Plan 2010.

The contributions specified above are as at the December 2012 **2014** quarter and are subject to indexation and will continue to be indexed to reflect changes in the consumer price index and housing price index until they are paid in accordance with Ku-ring-gai Contributions Plan 2010. Prior to payment, please contact Council directly to verify the current payable contributions.

The Contributions applicable is based on approval for:

- 412 **122** apartments comprising:
 - **4** x studio
 - 53 **56** x 1 bedroom apartments
 - 53 **55** x 2 bedroom apartments
 - **27** x 3 bedroom apartments
- 2,019m² **2,325m²** retail lettable floor area

Should the residential apartment numbers and mix change the amount payable may be accordingly adjusted. Refer to Council for any adjustments in accordance with Ku-ring-gai Contributions Plan 2010.

Ku-ring-gai Contributions Plan 2010 may be viewed at www.kmc.nsw.gov.au and at the Council Chambers.

- (g) *Condition C8 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:*

C8 Noise from Road and Rail

Prior to issue of the relevant Construction Certificate, plans showing acoustic treatment to comply with "Development Near Rail Corridors and Busy Roads-Interim Guidelines" shall be submitted to the Principal Certifying Authority in accordance with the recommendations of the acoustic report prepared by Acoustic Logic Consultants and dated 30 September 2010 **and letter dated 21 January 2015** and submitted with the EA documentation. **An updated acoustic report is required to be submitted prior to the issue of the Construction Certificate for construction of the building assessing the changes approved as part of MOD 2.** Should design changes occur the acoustic report is to be updated. The plans shall demonstrate to the Principal Certifying Authority that the development will be acoustically designed and constructed to ensure that the following LAeq levels are not exceeded:

- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7am; and
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

Plans and specifications of the required acoustic design shall be prepared by a practicing acoustic engineer.

- (h) Condition C15 is deleted as ~~struck-out~~ words / numbers as follows:

C15 — Stormwater Management Plan

~~Prior to issue of the Construction Certificate, the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) may be based on, Hydraulic Service Drawings prepared by Insync Services 24/05/2013 and must include the following detail:~~

- ~~• exact location and reduced level of discharge point to the public drainage system layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing — all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence);~~
- ~~• details of the required on-site detention tanks required by Ku-ring-gai Water Management DCP 47, including dimensions, materials, locations, orifice and discharge control pit details as required (refer Chapter 6 and Appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements); and~~
- ~~• the required basement stormwater pump-out system is to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design).~~

~~The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Council's Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 — Plumbing and Drainage Code and the Building Code of Australia.~~

- (i) Condition C16 is deleted as ~~struck-out~~ words / numbers as follows:

C16 Recycling and Waste Management

Prior to the issue of the Construction Certificate for the construction of the basement, evidence shall be submitted to the Principal Certifying Authority confirming Council's support for waste compaction or amended plans be submitted increasing the size of common/garbage storage rooms so they are capable of storing all wheelie garbage bins and recycling bins provided by Council for the number of units in accordance with Council's requirements.

~~shall be satisfied that the development provides a common garbage collection/separation area sufficient in size to store all wheelie garbage bins and recycling bins provided by Council for the number of units in the development in accordance with DCP 40. The garbage collection point is to be accessible by Council's Waste Collection Services. The responsibility for the cleaning of waste rooms and waste service compartments; and the transfer of bins within the property, and to the collection point once the development is in use, shall be determined when designing the system and clearly stated in the Waste Management Plan.~~

- (j) Condition C29 is deleted as ~~struck-out~~ words / numbers as follows:

C29 — Stormwater Management Plan

~~Prior to issue of the relevant Construction Certificate, the Proponent must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the exact location and reduced level of discharge point to the public drainage system.~~

- (k) Condition D3 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

D3 Construction Management Plan (CMP)

The Proponent shall submit, for approval by the Principal Principal Certifying Authority, a detailed Construction Management Plan (CMP) prior to the commencement of works issue of the Construction Certificate for each stage of works (each Construction Certificate). The CMP shall address:

- Construction vehicles access to and egress from the site in and route plan in accordance with the TMP during construction.
- Parking for construction vehicles.
- Locations of site office, accommodation and the storage of major materials related to the project.
- Protection of adjoining properties, pedestrians, vehicles and public assets.
- ~~Details of alternate means of pedestrian and vehicular access to the properties known as Nos. 39 and 41 Lindfield Avenue throughout the construction phase.~~
- Location and extent of proposed builder's hoarding and Work Zones.
- Tree protection management measures for all protected and retained trees.
- Noise management requirements for plant and equipment.
- Any request for adjustment to the approved construction working hours and its justification, duration and purpose.

A copy of the CMP shall be submitted to the Department and Council.

- (l) Condition D5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

D5 Dilapidation Survey and Report (Private Property)

Prior to the commencement of any demolition or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible condition of all structures which comments on any structural conditions that may be evident from the visual inspection upon the following lands, has been completed and submitted to Council:

- 2 Kochia Lane
- 39-41 Lindfield Avenue
- 19-21 Lindfield Avenue
- **43-47 Lindfield Avenue**
- **9 Havilah Lane**

The dilapidation report must include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof and structural members. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report and Vibration Impact Report and subsequent reports and addendums. In the event that access for undertaking the dilapidation survey is denied by a property owner, or conditions imposed by the property owner are unreasonable the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: A copy of the dilapidation report is to be provided to Council prior to any excavation works been undertaken. The dilapidation report is for record keeping purposes only and may be used by an applicant or affected property owner to assist

in any civil action required to resolve any dispute over damage to adjoining properties arising from works.

- (m) Condition D6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

D6 Geotechnical Report

Prior to the commencement of any bulk excavation works on site, the applicant shall submit to the Principal Certifying Authority, the results of the detailed geotechnical investigation comprising a minimum of five cored boreholes and 2 piezometer standpipes, as recommended in Jeffery and Katauskas Report on Desktop Assessment Ref. 24013SP dated 31 March 2011 **and Geotechnical Investigation report prepared by Douglas Partners dated January 2015**. The report is to address such matters as:

- appropriate excavation methods and techniques;
- vibration management and monitoring;
- dilapidation survey;
- support and retention of excavated faces;
- hydrogeological considerations; and

The recommendations of the report are to be implemented during the course of the works.

- (n) Condition D7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

D7 Further Geotechnical Input

The geotechnical and hydro-geological works implementation, inspection, testing and monitoring program for the excavation and construction works must be in accordance with the report by Jeffery and Katauskas dated 31 March 2011 and the **Geotechnical Investigation Report prepared by Douglas Partners dated January 2015** ~~report prepared~~ prior to commencement of bulk earthworks. Over the course of the works, a qualified geotechnical/hydro-geological engineer must complete the following:

- further geotechnical investigations and testing recommended in the above report(s) and as determined necessary;
- further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary; and
- written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.

- (o) Insertion of Condition E21A as **bold and underlined** words / numbers as follows:

E21A Contamination

The development shall at all times be carried out in accordance with the recommendations of the Detailed Site Investigation Report carried out by Douglas Partners dated January 2015.

- (p) Condition F14 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

F14 Compliance with BASIX Certificate

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that all commitments listed in BASIX Certificate No. 4005269533 **446723M 06** have been complied with. Ku-ring-gai Council's approval must be obtained for the operation of the recycled water supply system. A copy of the approval must be provided to the Principal Certifying Authority.

- (q) Condition G5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

G5 No Door Restricting Internal Waste Collection in Basement–Lower Ground Floor

At all times, the lower ground floor garbage storage and collection area is to be accessible by Council's Waste Collection Services. No doors, grilles, gates or other devices shall be provided in any location which would prevent this service. Where a gate, door or the like is to be erected, unimpeded access to the garbage collection point is to be provided by other means through written agreement with Council's Waste Collection Services.

- (r) Condition G7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

G7 Loading Dock Management Plan

Prior to the issue an Occupation Certificate in respect of the retail tenancies, a loading dock management plan shall be submitted to and approved by the Principal Certifying Authority which provides details in regard to:

- hours of operation;
- noise management;
- light spill management;
- vehicular and pedestrian access management;
- safety and security management;
- maintenance;
- all future deliveries to the site shall be undertaken via the loading dock;
- articulated vehicles are prohibited from use or access to the loading dock; and
- ongoing review requirements.

The loading dock management, capacity and operating procedures for all deliveries (including hours of deliveries) to the development must comply with the Loading Dock Management Strategy submitted with the application documents **and acoustic statement prepared by Acoustic Logic and dated 21 January 2015.**

Further no vehicles greater than 11m in length shall access the loading dock and basement car parking at any time.

- (s) The Statement of Commitments is replaced with the following: