

## SCHEDULE 4

### STATEMENT OF COMMITMENTS

#### PART A – ADMINISTRATIVE COMMITMENTS

##### A1. Project Description

A Mixed Use development comprising a total of 36,927sqm of Gross Floor Area (as defined under Lane Cove LEP 2009) ~~including 742sqm of retail space, 800sqm of commercial space, 1850sqm of community uses, and 31,674sqm of residential Gross Floor Area (GFA), to accommodate a total of 402 units\* and approximately 645 car spaces.~~

*Responsibility – Proponent and Department of Planning*

##### A2. Future Development Applications

Future Development Applications will be submitted to Lane Cove Council under Part 4 of the EP&A Act and be generally in accordance with the Concept Plan ~~approval submitted with this application.~~

*Responsibility – Proponent and Department of Planning*

*\* The final unit number may vary by +/- 10%, provided the gross floor area and envelopes are complied with. The same applies for car parking.*

## **PART B – GENERAL**

### **B1. Bushfire Management**

Bushfire hazard will be managed consistent with Planning for Bushfire Protection Guidelines and be in accordance with the recommendations of the Bushfire Hazard Assessment report prepared by ~~Barry Eadie Consulting~~ Building Code and Bushfire Hazard Solutions, as amended by any conditions of approval.

*Responsibility – Proponent and Occupants*

### **B2. Land Contamination Investigation**

To ensure the site is suitable for residential purposes, additional assessment will be carried out as required. Site audits will be carried out as necessary to certify the suitability of the site for the proposed uses and according to SEPP55 Guidelines and in accordance with the recommendations made in the Contamination Assessment Report prepared by Aecom and/or any other development approval issued for the land.

*Responsibility – Proponent*

### **B3. Flora and Fauna**

To ensure that impacts on the surrounding ecology are minimised, all works will comply with the mitigation measures outlined in the Flora and Fauna Assessment report prepared by Aecom and conditions of approval.

*Responsibility – Proponent*

### **B4. Heritage**

An assessment of non-Indigenous and Aboriginal heritage was undertaken for the Concept Plan. Further Heritage Impact statements and Consultation shall be carried out in accordance with the recommendations of the Heritage Study prepared by Artefact Heritage Services if required.

*Responsibility – Proponent*

### **B5. Air Quality & Odour**

The Proponent commits to comply with the recommendations of the Air Quality & Odour Constraints Study prepared by Aecom where required.

*Responsibility – Proponent*

## **B6. Noise**

An Acoustic Assessment Report was carried out for the application. Further studies will be carried out for the Development Application and the recommendations of the report will be incorporated into the detailed design.

*Responsibility – Proponent*

## **B7. Geotechnical and Contamination**

Preliminary geotechnical information has been assessed. Further detailed geotechnical assessment and reports will be undertaken at Development Application stage. A Remedial Action Plan will be prepared as part of any future Development Application or Project Application (which may be separate to the approval for the development).

*Responsibility – Proponent*

## **B8. Traffic and Public Transport**

All roadworks related to the development will be paid for by the developer, including footpath works, bicycle way for the frontage of the site, roadworks within the site and immediately adjoining (where necessary/affected by the proposal) and management works during construction and for ongoing operation.

~~The developer will provide a pedestrian bridge over Epping Road, with disabled access, subject to agreement with the NSW Roads and Traffic Authority. An application for approval for the pedestrian bridge will be submitted with the RTA prior to a Development Application being lodged for the site.~~

The developer will also commit to changing the current bus stop just to the east of the development to an all-weather bus shelter.

*Responsibility – Proponent/RTAMS*

## **B9. Stormwater**

All stormwater drainage, treatment and design will conform to Lane Cove Council published requirements. Other recommendations of the Stormwater Report prepared by Hyder will be complied with.

*Responsibility – Proponent*

## **B10. Groundwater**

Further testing will be carried out at Development Application stage to identify the depth of the groundwater. Appropriate mitigation measures will be taken as required by future reports.

*Responsibility – Proponent*

## **B11. BASIX**

The proposal will comply with SEPP (Building Sustainability Index: BASIX) 2009.

*Responsibility – Proponent*

## **B12. Developer Contributions**

~~The developer has offered to enter into a Planning Agreement (VPA) with Lane Cove Council, in the terms outlined in a letter to Council dated 9th March 2011. Such a VPA would be prepared and exhibited prior to or concurrently with a development application for the future buildings.~~

The developer undertakes to provide some public benefits beyond that needed for the development (eg upgrade of bushland area on site), provided there is a credit given against s94 contributions, as is reasonable.

*Responsibility – Proponent/Lane Cove Council*

## **B13. Dedications & Titling Arrangements**

Dedication of the E2 Zoned Handle of the site is proposed to be dedicated to Council ~~as outlined in the draft VPA~~. Where Council prefers not to own the land, a covenant shall be placed on title to allow public access, although infrastructure works to be used by the public and ongoing costs will be sought to be offset against Section 94 obligations.

It is envisaged that the site will be strata titled, with a separate lot for the open space/bushland. ~~Community Title with 6 Torrens Title lots and one Community lot. There would be approximately 460 strata lots on the site.~~

*Responsibility – Proponent/Department of Planning/Lane Cove Council*