

SCHEDULE 4

STATEMENT OF COMMITMENTS

PART A – ADMINISTRATIVE COMMITMENTS

A1. Project Description

A Mixed Use development comprising a total of ~~35,066~~ 35,034 sqm 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 conditions of 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/or conditions of any other development approval issued for the land.~~

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 if required.

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, roadworks within the site and immediately adjoining (where necessary/affected by the proposal) and management works during construction and for ongoing operation.~~

Roadworks, footpaths and bicycle ways will be provided in accordance with the Voluntary Planning Agreement. Management of works will be undertaken by the proponent.

~~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 as outlined in the Voluntary Planning Agreement.

Responsibility –Proponent / ~~RTARMS~~

B9. Storm water

All stormwater ~~drainage, drainage and treatment will be designed in consultation with Lane Cove Council, and design will conform to Lane Cove Council published requirements. Other~~ Recommendations of the Stormwater Report prepared by Hyder will be complied with taken into account where relevant to the buildings and land uses on the site.

Responsibility -Proponent

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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 *and Voluntary Planning Agreement*

The ~~developer has offered proponent~~ to enter into a Planning Agreement (VPA) with Lane Cove Council pursuant to conditions 20 and 21, in Schedule 3 of MP10_0148 and any subsequent modifications to that approval, including section 94 / cash contribution offsets towards agreed works-in-kind, 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.

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.

~~It is envisaged that the site will be Community Title with 6 Torrens Title lots and one Community lot. There would be approximately 460 strata lots on the site. The site will be appropriately subdivided to take into account the multiple land uses, public access and land dedications.~~

Responsibility – Proponent / Department of Planning/Lane Cove Council