

14 February 2014  
Our Ref: 6376B.43DK

The Director-General  
Department of Planning and Infrastructure  
GPO Box 39  
Sydney 2000

**Attention: Sebastian Tauni**

Dear Sebastian,

**Section 75W Modification of Concept Plan Approval (MP06\_0060) and Project Approval (MP06\_0058) – Modification No. 14**

**Vincentia Coastal Village & District Centre, Corner of Wool Road and Naval College Road, Vincentia**

**Response to Submissions and Amendments to Application**

We refer to the submissions that have been received from various government agencies in relation to Modification No. 14 of the above Concept Plan and Project approvals. This letter addresses the following matters:

1. Clarification of the land to which the Modification relates and owners consent;
2. A response to the issues raised in the submissions; and
3. Amendments to the Modification, including refinements to the Statement of Commitments.

**1.0 Clarification of land and owners' consent**

For the purposes of clarity the s75 Modification applies to all of the land covered by the Concept Plan and Project approvals including the land owned by Vincentia Nominees (Lots 1 and 2 in DP 1182358). In this regard Vincentia Nominees has provided their consent to the lodgement of the application that is included at **Attachment 1**.

Further amendments to the Statement of Commitments are proposed in relation to responsibilities for the preparation and implementation of management plans (e.g. weed management, vegetation management) so that their implementation aligns with the responsibility entity in the controlled activity approval under the Environment Protection Biodiversity Conservation Act, 1999. These commitments now propose to include a reference to the "Proponent".

Amendments are proposed to commitments 20, 21(a), 21(b), 25, 35 and 59. The updated Statement of Commitment is provided at **Attachment 2**.



## **2.0 Response to Submissions**

### **2.1 Office of Environment and Heritage (OEH)**

The commitment referred to in OEH's letter relates to the Project Application for the district centre (MP 06\_0205) and not the applications the subject of Modification 14.

### **2.2 Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SeWPAC)**

SeWPAC has made comments on a couple of matters that are largely unrelated to the substance of the modification, but are nevertheless addressed in turn below. In our opinion it is not necessary, nor appropriate to repeat conditions of the approval issued under the Environment Protection and Biodiversity Conservation Act, 1999. The EPBC Act is administered by SeWPAC and the enforcement of that approval is a matter for that Commonwealth Department. Conditions of the EPBC approval should not be incorporated in to the Project approval and thereby imposing an enforcement role upon the DoPI when it is not the responsible authority for the EPBC approval.

#### **Commitment No. 26**

SeWPAC comments that commitment 26 (relating to restoration of the scald area) should be updated to replace DEC (i.e. former Department of Environment and Conservation) with OEH (i.e. current Office of Environment and Heritage). The amendment is not essential, but the commitment has been updated accordingly.

#### **Management Plans**

SeWPAC suggests that management plans are to be developed in consultation with OEH and consistent with the objectives of plans submitted under the Environment Protection and Biodiversity Conservation Act 1999.

This suggestion would require a new commitment. The proposed modification is not proposing changes other than those necessary to structure the approval and commitments to relate to different land owners. The suggested commitment falls outside the scope of the modification. Further, management plans have already been prepared and approved for the stages of the project that have already been completed or are under construction. A commitment of this nature could have the unintended effect of resulting in existing (approved) management plans not complying with the new commitment or requiring amendment to comply with the new commitment. We do not agree with such a commitment as it is beyond the scope of the proposed modification. Introducing such a commitment has the potential to cause confusion.

#### **Traffic Calming to Wool Road**

The suggestion for traffic calming to The Wool Road falls outside the scope of the modification. Such an amendment would require consultation with Council and possibly the Roads and Maritime Service. The comment could relate to the s75W modification of MP 06\_0205 (the Project Application for the district centre) which proposes a new access road to the Bay and Basin Leisure Centre and associated works at its intersection with The Wool Road.

### **2.3 Rural Fire Service (RFS)**

The matters raised in the RFS submission are already addressed in the approval (and its modifications), commitments and conditions which collectively have taken into account the staged construction of the development and corresponding staging of APZs where necessary. No further commitments or conditions are considered necessary.

The table below sets out the conditions or commitments that address bushfire related matters and necessary s88B instruments.



Commitment or Condition	Matter addressed	RFS Comment
Commitment No. 3	Establishment of s88B instruments for APZs and fuel management on private land	Issue 1
Commitment 8(a)	Management and maintenance of public open space including APZs required in the open space areas.	Issue 3
Commitment 8(b)	APZs in the road widening zone along Naval College Road	Issue 2 and 3
Commitment 16(a)	Creation of APZs for the staged construction of the development  Commitment 16(a)(iii) relates specifically to the super lots created under Mod 14.	Issue 1 and 3
Commitment 18	Fuel management of APZs and management plans on a stage by stage basis	Issues 1 to 3
Commitment 21(b)	Fire management plans for the environmental core land	Issue 3
Conditions A8 and A12 of Mod 9	APZ requirements for specific lots	Issue 2
Conditions A13 to A18 of Mod 10	Bushfire protection conditions including APZs, s88B instruments for specific lots, fire trails	Issues 1 to 3

## 2.4 Shoalhaven Water

The covering letter dated 8 July 2013 contains 4 conditions. These conditions were imposed as conditions A21 – A24 as part of Modification No. 11 dated 7 November 2011. The dollar amounts in items 3 and 4 have been amended to reflect the current rates. In our opinion, there is no need to reimpose these conditions as they already form part of the Project approval and the amounts payable are recalculated at the time of payment.

The covering letter also contains a Notice under Section 306 of the Water Management Act 2000. The Notice itemises matters that need to be satisfied prior to the release of subdivision certificates at various stages of the project. In the past, these requirements are normally updated after each Modification has been approved. These are detailed matters that have been dealt with outside of the assessment of past Modification applications.

Given that the conditions of the Notice have in the past been managed separately to the Modification application, then the Notice and conditions (or a reference to them) should not be incorporated into the Project approval. To do so would simply complicate the approval and possibly require further section 75W modifications if the requirements need to be amended.

## 2.5 Shoalhaven City Council

Council has raised one comment in relation to the timing of Statement of Commitment No. 55. The staging of the development has changed during construction and since the staging plan was approved.

**Figure 1** below is the staging plan submitted with the Environmental Assessment in 2006 and the red outline indicates the location of Stage 6. Stage 6 is now located in part of proposed Lot 6002 which is indicated in yellow.

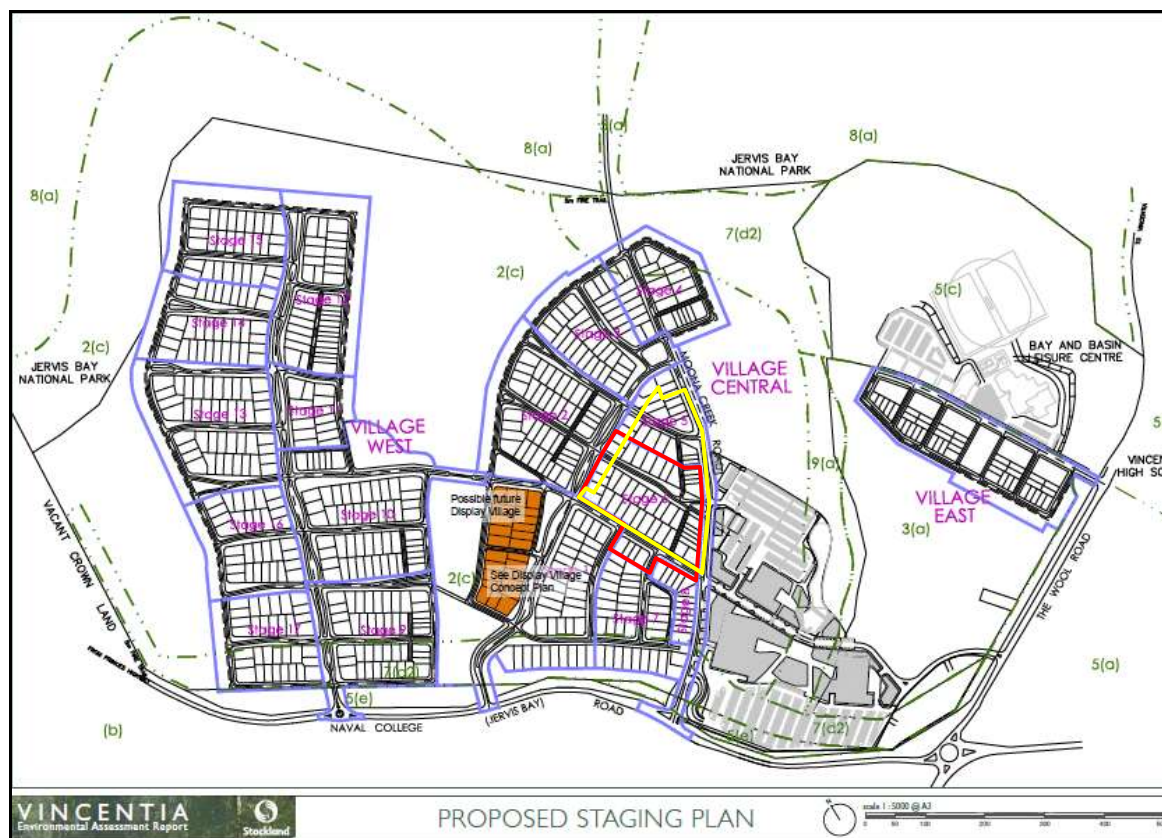


Figure 1: Staging plan as approved

Figure 1 illustrates that proposed Lot 6002 contains the majority of Stage 6. It would therefore be feasible to amend Commitment No. 55 to replace the words Stage 6 with proposed Lot 6002 and still retain the intent of the original commitment and avoid the confusion regarding staging which has changed over time. The new commitment would simply amend the time to read:

*Prior to the occupation of the first stage of the District Town Centre or prior to the issue of a subdivision certificate for residential development within proposed Lot 6002, whichever is sooner.*

An updated version of the Statement of Commitment is provided at **Attachment 2**.

## 2.6 Public Submissions

### Statement of Commitment No. 15

As set out in the Modification application, the deletion of this commitment is necessary as the commitment requires a restrictive covenant on the lot titles with Stockland noted as a benefiting party. The covenant requires the submission of house plans to Stockland Design House. If Stockland is not the developer then compliance with the covenant (and therefore commitment)



is not possible. The Statement of Commitment was particular to Stockland as it has internal design expertise. This is not necessarily available for all land developers who might not have the in house expertise to evaluate building/house designs. It is on this basis that the commitment is proposed to be deleted.

### **Bushland on Lot 6002**

The subject Modification application does not affect how Lot 6002 is to be used. Any contractual arrangements between Stockland and the purchaser of Lot 301 is a civil matter and not relevant to this proposed modification.

### **Pedestrian Access to the Bay and Basin Leisure Centre**

The provision of the path is a matter separate to the subject S75W Modification. We are aware that Council has written to Stockland regarding this matter, and the resolution of this matter should, appropriately, remain outside the assessment of this S75W Modification. We understand that this matter is being attended to by Stockland.

### **Bus Access**

The bus stops are not the subject of this S75W Modification. The Concept Plan approval provided *potential* for a bus route. The establishment of a bus service is at the local bus operator's discretion in consultation with Council. Since the author's letter bus stop signage has been provided on Halloran Street near the intersection with Summercloud Crescent. Turning templates have been provided to Council to demonstrate that a bus can negotiate the bus route.

## **3.0 Conclusion**

We have reviewed the submissions and have concluded that only a few adjustments are required to the Statement of Commitments. The adjustments are insignificant and for the purposes of clarity rather than directly related to the substance of the proposed modification.

This letter confirms the land to which the application relates and makes some further adjustments to the Statement of Commitments to also clarify the responsibility for the commitments.

We trust that this information assists the Department in its assessment of the application. Should you have any questions in relation to this letter or the application please do not hesitate to contact David Kettle on 9980 6933.

## **DFP PLANNING CONSULTANTS**

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a light blue horizontal line.

**DAVID KETTLE**  
**DIRECTOR**

[dkettle@donfoxplanning.com.au](mailto:dkettle@donfoxplanning.com.au)

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a light blue horizontal line.

Reviewed: \_\_\_\_\_

- Attachment 1 Vincentia Nominees' owners consent
- Attachment 2 Updated Statement of Commitments



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# ATTACHMENT I



21 January 2014

The Director-General  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2000

Dear Sir,

**Vincentia Coastal Village and District Centre, Corner Wool Road and Naval College Road,  
Vincentia**

We refer to the Section 75W Modification No 14 prepared by DFP on behalf of Stockland as the applicant.

The modification relates to the amendment of the project description to include 4 superlots into the approved Concept Plan and Project applications, amending the definition of the proponent and amendments to the statement of commitment to replace, where appropriate, Stockland with the word "the Proponent".

We are aware that the proposed modifications to the Concept Plan application relate to land owned by Vincentia Nominees.

Vincentia Nominees is a wholly-owned subsidiary of Woolworths Limited. On behalf of the owner we consent to the lodgement of the Section 75W Modification.

Yours faithfully

**WOOLWORTHS LIMITED**



**Paul Oates**

**Head of Property Development**

Direct Line: (02) 8885 1153

Facsimile: (02) 8888 1153

Email: [poates@woolworths.com.au](mailto:poates@woolworths.com.au)



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# ATTACHMENT 2





town planners

## CONCEPT PLAN FOR VINCENTIA COASTAL VILLAGE AND PROJECT APPLICATION FOR 604 LOT SUBDIVISION

### MAJOR PROJECTS MP 06\_0060 & MP 06\_0058



#### AMENDED STATEMENT OF COMMITMENTS

Prepared by: Stockland Developments Pty Ltd  
Date: December 2006

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: August 2007

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: November 2007

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2011

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2011

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: March 2012

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2013

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2014



Printed: 14 February 2014  
 File Name: P:\PROJECTS\6376B Vincentia Complying Development\Reports\6376B\_updated 4 April 2013\_proposed Mod 14\_amended July 2013.doc  
 Project Manager: David Kettle  
 Client: Stockland Development Pty Ltd  
 Project Number: 6376B

## Document history and status

Version	Issued To	Qty	Date	Reviewed
Draft	Project Manager	1	26/10/07	David Kettle
Draft	Stockland	1 pdf	26/10/07	David Kettle
Draft	Project Manager	1	30/10/07	Paul Grech
Draft	Department of Planning	1 pdf	31/10/07	David Kettle
Final	Department of Planning Stockland	5 1	19/11/07	David Kettle
Final	Department of Planning Stockland Cardno	1-e 1-e 1-e	1/2/2011	David Kettle
Final	Dept of Planning & Infrastructure Stockland	1-e 1-e	14/3/2012	David Kettle
Final	Dept of Planning & Infrastructure Stockland	1-e	20/2/2013	David Kettle
<b>Final</b>	<b>DoPI and Stockland</b>	<b>1-e</b>	<b>14/2/2014</b>	<b>David Kettle</b>

## 1. REVISED STATEMENT OF COMMITMENTS

Table 1 sets out the statement of commitments including proposed and previously approved amendments.

**Table 1 Statement of Commitments**

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
1	Scope of Development	The Proponent will carry out the development in accordance with the Environmental Assessment report prepared by ERM January 2006, plans in the Appendix of the EAR and supporting reports, except where amended by other items of this Statement of Commitments.	The Proponent	For the duration of subdivision	
2	Statutory Requirements	<p>The Proponent will obtain and maintain the following licences, permits and approvals for the residential subdivision:</p> <ul style="list-style-type: none"> <li>• Construction Certificates for engineering works (including earthworks, soil and water management, clearing, roadworks, drainage, landscape, water supply, and sewerage) for each stage of the subdivision;</li> <li>• Construction Certificates for the Display Village within Stage 1;</li> <li>• Subdivision Certificates for each residential stage;</li> <li>• Roads and Traffic Authority Road Occupancy Licence;</li> <li>• Road Opening Permit;</li> <li>• Section 138 Consent for roadworks (Roads Act 1993);</li> <li>• Integral Energy Design Certification;</li> <li>• Integral Energy notification of Arrangement;</li> <li>• Telstra Compliance Certificate;</li> <li>• Shoalhaven Water Compliance Certificate;</li> <li>• Department of land and Property Information registration of the subdivision</li> </ul>	The Proponent	Prior to the construction and registration of each stage within the development, and as required from time to time.	Amended 8 October 2007
3	Conveyancing	The Proponent will prepare a final plan of subdivision and Section 88B instrument for each stage of the development. The Section 88B Instrument will provide easements for utility services that encroach onto private land or public reserves, and APZs on private land. The Section 88B instrument will require bushfire fuel management of the APZ on private allotments.	The Proponent	Prior to the registration of allotment within each stage of the development.	Amended s.75W Modification 9

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>The Proponent will also register Section 88B instruments for easements over the following lots</p> <ul style="list-style-type: none"> <li>• Lots 601 to 610 and 1001 to 1011 adjoining Naval College Road to require future owners to protect the integrity of the acoustic fence structure and earth batter, or a retaining wall if constructed by future owners.</li> <li>• Lots. 601 to 610 and 1001 to 1011 adjoining Naval College Road to prevent vehicular access to these lots being obtained from the southern boundary</li> <li>• Lots 610 and 1001 to prevent vehicular access being obtained over the western and eastern boundary, respectively.</li> </ul>			
4	Public Open space	Areas to be dedicated as public reserves will be embellished by The Proponent in accordance with the principles of the landscape masterplan and documented in the detailed landscape design plans to be approved by Shoalhaven Council as part of the Construction Certificate.	The Proponent and Shoalhaven City Council	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
5		The Proponent will provide additional <i>Allocasuarina Littoralis</i> trees as part of the detailed landscape design plans to provide feeding habitat for the glossy black cockatoo.	The Proponent	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for the relevant stage.	
6		The Proponent will recycle timber as mulch throughout the landscape strategy.	The Proponent		
7		A landscaping plan will be prepared and implemented generally in accordance with the landscape masterplan prepared by Clouston Associates and include the use of local provenance trees and, <i>Allocasuarina Littoralis</i> as detailed in the landscape masterplan.	The Proponent	Prior to the construction of each stage of the subdivision.	
8 (a)	Public Open Space Management and Maintenance	The Proponent will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) and bushfire asset protection zones (APZs) where they occupy the same area, for 3 years for each stage containing the WSUD structures. The WSUD infrastructure will be located within the public road reserve and thus will be dedicated as public land at nil cost to Council upon registration of the linen plan.	The Proponent	To be maintained by The Proponent for 3 years for each stage containing the WSUD.	
8(b)		The APZ with in the roads widening zone along Naval College Road will be dedicated to Shoalhaven City Council.	The Proponent and Shoalhaven City Council	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for Stage 1.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
8(c)		The Proponent will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, The Proponent will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
9	Tree Management	The Proponent will identify on engineering plans submitted with the Construction Certificate Application all trees to be retained within the proposed public roads and reserves with the development. The Proponent will provide an arborist report for the trees to be retained near public and private assets which identifies the species and condition of the tree and any remedial works required to render the tree appropriate for retention in the urban environment. All trees that are unsuitable for retention or are unable to be retained due to the provision of services and infrastructure will be removed and mulched on site.	The Proponent	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
10	Construction	<p>The Proponent will prepare a Construction Management Plan that will include:</p> <ul style="list-style-type: none"> <li>• an education strategy for construction contractors;</li> <li>• description of the work program outlining relevant timeframes for activities.</li> <li>• details of statutory and other obligations that must be met during construction and operation, including all approvals and agreements required from authorities and other stakeholders.</li> <li>• description of the roles and responsibilities for all relevant employees involved in the construction phase.</li> <li>• details of the environmental management procedures, monitoring and reporting requirements during the construction or operation phase.</li> <li>• details as to what incident management procedures will be undertaken during construction or operation</li> <li>• the minimisation of rubbish and debris at the site from development activities during the construction phase.</li> </ul>	The Proponent	Prior to the commencement of construction of stage 1, and updated prior to the commencement of construction for each stage of the subdivision.	
11		The Proponent will repair any defective workmanship in each stage of the residential subdivision for a defects liability period of 12 months from the date of registration of the final plan of subdivision for that stage.	The Proponent	For a period of 12 months from the date of registration of the final plan of subdivision for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
12		The Proponent will prepare work as executed plans for construction work in each stage and provide such plans to Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
13		The Proponent will prepare works as executed plans in a format compatible with the geographic information system (GIS) of the Shoalhaven City Council to assist with the Council asset management database.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
14	Design	Design Guidelines will be prepared by The Proponent and implemented for the residential lots through the use of a restrictive covenant on the titles to the lots. <del>The Design Guidelines will be generally in accordance with the attached Design Guidelines and specify:</del> <ul style="list-style-type: none"> <li><del>building setbacks;</del></li> <li><del>APZ setbacks where necessary;</del></li> <li><del>architectural form;</del></li> <li><del>architectural detail;</del></li> <li><del>landscape design.</del></li> </ul>	The Proponent	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amended November 2007  Amended Modification 12
<del>15</del>		<del>Stockland will create a restrictive covenant on the title of each residential lot which will require owners to submit plans for dwelling houses to the Stockland Design House to demonstrate compliance with the Design Guidelines before lodging a Development Application with Shoalhaven City Council or obtaining a Complying Development Certificate. The instrument will identify both Stockland and Shoalhaven City Council as a benefiting party.</del>	<del>Stockland</del>	<del>Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.</del>	<del>Amendment proposed November 2007</del>  <del>Amendment proposed Modification 12</del>  <del>Deletion proposed Modification No. 14</del>
15(a)		The Proponent will create a restrictive covenant on the title of certain residential lots to identify lots that have zero lot lines. <ul style="list-style-type: none"> <li><del>lots that have a primary building line, secondary building line, or rear setback that differs from the respective controls stipulated in the Complying Development Controls</del></li> </ul> The instrument will identify both The Proponent and Shoalhaven City Council as a benefiting party.		Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment approved November 2007  Amended Modification 12



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
<del>15(b)</del>		<del>Stockland will create a restrictive covenant on the title of all residential lots to require dwellings to be generally consistent with the Design Guidelines prepared by Stockland with both Stockland and Shoalhaven City Council identified in the instrument as a benefiting party</del>		<del>Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.</del>	<del>Amendment proposed November 2007</del>  Deletion proposed Modification 14
16(a)	Fire Management	<p>The Proponent will establish Asset Protect Zones (APZs) in accordance with:</p> <ul style="list-style-type: none"> <li>i. the Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments for maintenance by lot owner;</li> <li>ii. the APZ and AS3959 Construction Standard plans prepared by Eco Logical Australia attached to their letter dated 30 November 2010 in relation to lots 321-334 in Stage 3 of the Central Precinct; <u>and the lots adjacent to Naval College Road in the Western Precinct.</u></li> <li>iii. <u>The Bushfire Protection Assessment dated 29 May 2013 and prepared by Eco Logical Australia</u></li> </ul> <p>APZ within the public open space containing WSUD will be dedicated to Shoalhaven City Council, as part of the WSUD infrastructure.</p> <p>Only fire retardant, low maintenance species which have limited growth height at maturity will be planted in the APZs.</p>	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amended s.75W Modification 9 & 10  Amendment proposed in Modification No. 14
16(b)		The APZ for the adaptable housing area is to be determined as part of any future project approval application.	The Proponent	As part of the project approval application for the adaptable housing area	
17		The Proponent will install fire hydrants in accordance with Australian Standard S2419.1-1994. Hydrants will be made accessible and located so that a tanker can park within a distance serviceable by a 20 metres hose and that all houses are within 70 metres of a hydrant	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
18		Fuel management within the Asset Protection Zones and Asset Protection Zones maintenance plans will be in accordance with Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments.	The Proponent and Shoalhaven City Council	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
19	Ecological Management	The Proponent will introduce a covenant on the titles to the lots that stipulates the banning of all cats from the development	The Proponent and future land owners	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
20	<b>ENVIRONMENTAL CORE LAND</b>	<b>Weed Management</b> <b>The Proponent</b> will prepare a weed management plan for the core environment area that addresses: <ul style="list-style-type: none"> <li>a resident education strategy;</li> <li>identification of invasive weeds;</li> <li>monitoring of exotic plant distribution and effectiveness of management controls, particularly adjacent to the Jervis Bay National Park.</li> </ul>	<b>The Proponent</b> in consultation with DEC.  Responsibility for implementing the weed management plan will be vested with the landowner.	Within six months of the release of the subdivision certificate for stage 1.	<b>Amendment proposed in Modification No. 14</b>
21	<b>Vegetation Management</b>	<b>The Proponent</b> will prepare a vegetation management plan for land in the core environment area that addresses monitoring of: <ul style="list-style-type: none"> <li>rare and threatened communities and species;</li> <li>threatening processes associated with changed in habitat conditions.</li> </ul> <p>The vegetation management plan will include a movement management plan which addresses the design, type, location, management and restriction of access through the land in the core environment area.</p>	<b>The Proponent</b> in consultation with DEC  Responsibility for implementing the vegetation management plan will be vested with the landowner and annual monitoring shall be reported to DEC.	Within six months of the release of the subdivision certificate for stage 1.  Annual monitoring shall occur for a period of 5 years from the completion of the vegetation management plan.	<b>Amendment proposed in Modification No. 14</b>
21(b)		<b>The Proponent</b> will prepare a fire management plan for the environmental core land.	<b>The Proponent</b> in consultation with DEC and the RFS  Responsibility for implementing the fire management plan will be vested	Within 6 months of release of subdivision certificate for stage 1.	<b>Amendment proposed in Modification No. 14</b>

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
			with the landowner.		
22		The Proponent will prepare an Asset Management Plan for public open space (including public reserves, WSUD and APZs) that will be dedicated to the Shoalhaven City Council.	The Proponent in consultation with the Shoalhaven City Council	Prior to dedication of open space to the Shoalhaven City Council.	
23		The Proponent will fence the interface boundary between the environmental lands and the outer edge of the APZ with a fence of post and wire construction to the height of an Australian Standard pool rated fence. The fence will be constructed stage by stage.	The Proponent	The fencing to be completed within six months of the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
24		The Proponent will provide temporary fencing around each stage of development until the adjacent stage has been developed.	The Proponent	During construction of the stage of development, and will remain in place until the adjacent stage has been developed.	
25		The Proponent will retain ownership and maintenance responsibility for the environmental core land under its current zoning in accordance with the appropriate management plans until such time that the land can be transferred to an agreed entity to manage the environmental lands.	The Proponent	Upon commencement of work on the site, with the appropriate entity being identified prior to the completion of the project.	Amendment proposed in Modification No. 14
26		The Proponent will prepare and implement restoration for the scald area within the Jervis Bay Orchid habitat north of the District Town Centre, in consultation with NSW Office of Environment and Heritage (OEH) and relocate the existing Bay and Basin Leisure Centre access as part of the future approval of the village east area.  A 25 metres buffer will be provided from the identified Jervis Bay Leek Orchids as shown on Drawing No 104016-71-SK 01_P0 prepared by Forbes Rigby Pty Ltd.	The Proponent in consultation with OEH	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier that creates the core environment land.	Amendment proposed in Modification No. 14
27		The Proponent will provide flora and fauna interpretive signage along the boundary of the residential subdivision and the environmental core land.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for the final stage.	
28	Flooding	The Proponent will create flood free building envelopes for all residential allotments in the subdivision.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each stage	
29		The Proponent will provide safe vehicular ingress and egress for all residential allotments in the 1% AEP flood event.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
30	Water Supply and Quality Management	The Proponent will design and install water quality control measures in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) and Construction Certificate Plans and include: Bio retention swales, detention ponds and artificial wetlands to be located in the APZ and Gross Pollutant traps.	The Proponent	stage Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
31		The Proponent will collaborate with the Shoalhaven City Council to establish the agreed detailed design of the WSUD and maintenance thereof.	The Proponent in consultation with the Shoalhaven City Council	During the detailed design of the WSUD, and to be agreed prior to the transfer of the infrastructure in accordance with item number 8 above.	
32		The Proponent will prepare a soil and water management plan to control run off during construction in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) the Landcom publication Managing Urban Stormwater (MUS): Soils and Construction Volume 1, 4 <sup>th</sup> Edition, approved Construction Certificate Plans and DCP100.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier for each stage.	
33(a)		The Proponent will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) measures for 3 years for each stage containing the structures. At that time testing will be conducted to confirm the infrastructure is operating in accordance with the design. When confirmed the maintenance of stormwater quality control measures will be transferred to the Shoalhaven City Council.	The Proponent	To be maintained by The Proponent for 3 years for each stage.	
33(b)		The Proponent will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, The Proponent will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
34		The Proponent will contribute \$150,000 to the Shoalhaven City Council for the future maintenance of the WSUD devices.	The Proponent	To be made at the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for the first residential stage	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
35	Social	<p>The Proponent will prepare a community development program which will include:</p> <ul style="list-style-type: none"> <li>welcome initiatives for residents of the subdivision and provide local information;</li> <li>consultation with the new community in regards to planning and development of future stages;</li> <li>opportunities for resident involvement in environmental restoration and maintenance initiatives;</li> <li>a Feral and Domestic Animal Management Plan that includes a resident education strategy to recognise the importance of dogs being kept on a lead and out of conservation areas</li> <li>community education in regards to recycling initiatives</li> </ul>	The Proponent	Prior to the sale of residential lots in stage 1.	Amendment proposed in Modification No. 14
36	Cultural Heritage	The Proponent will ensure all artefacts retrieved during the excavations of Site #58-2-0392 and Site #58-2-0393 will be retained in consultation with the Jerrinja community.	The Proponent in consultation with the Jerrinja	During construction of any stage of the development.	
37		The Proponent will inform the Jerrinja Local Aboriginal Land Council of progress of the development.	The Proponent	Ongoing through the construction of the subdivision.	
38		The Proponent will engage the local community and facilitate employment opportunities where possible between contractors and Jerrinja Aboriginal community.	The Proponent	Ongoing through the construction of the subdivision.	
	Infrastructure	<b>Reticulated Services</b>			
39		The Proponent will provide reticulated water supply, sewerage and underground electricity to each residential lot.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
40		The Proponent will provide a reticulated water connection to each public reserve.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
41		The Proponent will relocate existing high voltage electricity cables parallel to Naval College Road where they conflict with the development footprint.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
42		The Proponent will relocate existing high voltage electricity cables along Moona Creek Road where they conflict with the proposed road realignment.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
43		The Proponent will provide for infrastructure services generally in accordance with Drawing Number 4105 rev 2 Electricity, Telecommunications and Interallotment Drainage Concept Plan, Drawing Number 4103 rev 2 Sewer Reticulation Concept Plan and Drawing number 4104 rev 2 Water Reticulation Concept Plan prepared by Forbes Rigby Pty Ltd.	The Proponent	stage. Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
44		The Proponent will relocate the existing sewerage rising main and treated effluent transfer main where they conflict with the development footprint.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
45		The Proponent will provide a minor system street drainage network designed to accommodate the 20% AEP storm event in accordance with design plans approved in the Construction Certificate.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
46		The Proponent will provide a major system street drainage network designed to accommodate the 1% AEP storm event in accordance with design plans in the Construction Certificate.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier or each stage.	
47		The Proponent will bear the cost of the relocation of utility services required as a result of construction of the development.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
<b>Roads</b>					
48a		The Proponent will complete an initial concept design for all works (Naval College Road and The Wool Road) including all paths / cycleway works.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	
48b		The full suite of road design for all works (Naval College Road and The Wool Road) including all path / cycleway works must be completed and approved by Shoalhaven City Council prior to the occupation of Stage 1 of the District Centre.	The Proponent	Prior to occupation of Stage 1 of the District Centre	
48c		The Proponent will design and construct signalised intersection of The Wool Road, the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School.	The Proponent	Prior to the occupation of the first stage of the District Town Centre or prior to the construction certificate of village east, which ever is first.	
49		The Proponent will design and upgrade The Wool Road to four lanes from the intersection with the access road to the Bay and Basin Leisure	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		Centre and the access to the Vincentia High School to Naval College Road.			
50		The Proponent will remove the existing pavement from the current access to the Bay and Basin leisure centre and rehabilitate.	The Proponent	At the completion of the construction of item 49C	
51		The Proponent will design and upgrade the roundabout at the Naval College Road and the Wool Road intersection to two lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	
52		The Proponent will provide a proportional contribution towards the upgrade of the Wool Road southwest of Naval College Road where it can be demonstrated by traffic counts together with projected traffic from the following stage that the district centre has or is likely to affect traffic volumes to the point where a level of service D cannot be achieved. Traffic volumes to be measured at a point approx 500m west of the Naval College Road/Wool Rd roundabout and between the proposed school and the roundabout on the Wool Rd.	The Proponent	To be assessed at each stage of the District Town Centre.	
53		The Proponent will design and construct a roundabout with a non mountable central island intersection at Access A along Naval College Road to AUSTROADS standards, including approach and departure lanes.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 9 (shown as Stage 6 in the Western Village on the Proposed Staging Plan, Drawing 4107, Rev 15 prepared by Cardno).  Refer also to commitment 80.	Amended s.75W Modification 9
54		The Proponent will design and construct the 80km/hr full channelised stop-sign controlled intersection at Access B along Naval College Road to AUSTROADS standards, including approach and departure lanes ensuring that adequate sight distance is provided, which may require realignment of Naval College Road. Appropriate signage is to be installed north of intersection A to forewarn of the changed traffic conditions and intersection at B. Once intersection A is constructed the above signage can be removed.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	
55		The Proponent will design and construct a roundabout with non mountable central island intersection at Access C along Naval College Road to AUSTROADS standards, including approach and departure lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre or <del>prior to the issue of a subdivision certificate for residential development within Proposed Super Lot 6002 residential stage 6</del> whichever is sooner.	Amendment proposed in Modification No. 14

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
56		The Proponent will design and construct the signalised intersection at Access D along The Wool Road, including the approach and departure lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	
57		The Proponent will design and upgrade Naval College Road between The Wool Road intersection and Access C to four lanes, including road widening for setbacks.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	
58a		The Proponent will design, realign and upgrade Naval College Road between Access C and Access B to two lanes and 80km/hr AUSTROAD standards.	The Proponent	In conjunction with provision of access C (item 56).	
58b		The Proponent will design, realign and upgrade Naval College Road between Access B and Access A to two lanes and 80km/hr AUSTROAD standards.	The Proponent	In conjunction with provision of access A (item 54).	
59		<del>The Proponent</del> will design and construct the Naval College Road <del>pedestrian / cycleway underpass</del> mid-block signalised pedestrian crossing with a 50% contribution from Council as Section 94 offset in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006 and as modified in October 2006 as part of the Preferred Project Report.	<del>The Proponent</del>	Prior to the occupation of the first stage of the District Town Centre.	Amended s.75W Modification 13 on 9 April 2013
60		The Proponent will design and upgrade the existing track between the northern end of the newly formed Moona Creek Road within the site and the western end of the existing formation of Berry Street as a shared footpath / cycleway. The upgrade will include regrading the existing vehicular track, formalising table drains and minor relief drainage, trimming of vegetation as necessary and construction of a 2 metre wide bitumen pavement.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 4.	
61		The Proponent will relocate existing unformed public roads to suit the subdivision layout at nil cost and nil compensation to state or local government. The Proponent fund all of the cost related to the road closures.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
62		The Proponent will design and construct flexible road pavements in accordance with the Australian Road Research Board design criteria and Shoalhaven City Council DCP 100.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
63		The Proponent will design and construct rigid road pavements in accordance with the Cement and Concrete Association design guidelines.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
64		The Proponent will ensure that the AUSTROADS Design Service Vehicle (8.8 metre rigid) can negotiate all public roads and intersections and that the AUSTROADS Long Rigid Bus (14.5metre) can negotiate all bus routes.	The Proponent	accredited certifier for each stage. Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
65		The Proponent will design and construct foot and cycle paths as documented in the EAR including: <ul style="list-style-type: none"> <li>continuing the shared foot and cycle path network to connect with the proposed underpass at Naval College Road and the existing pedestrian network including a safe crossing facility across The Wool Road;</li> <li>Shared foot and cycle paths to all be at a width of 2.0m;</li> <li>Main east – west footpath to the District Centre from residential stages 6 &amp; 8 to be a shared foot and cycle path at a width of 2.0m.</li> </ul>	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
66		The Proponent will provide parking bays within the road reserve of the ridge and connector roads at a rate of one per two dwellings.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
67		The Proponent will provide street signs for each new public road in accordance with the requirements of the Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
68	Geotechnical	<del>Stockland will provide a lot classification geotechnical report to Shoalhaven City Council for each stage of development prior to the release of the final plan of subdivision for that stage.</del>	Stockland	<del>Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.</del>	Condition A6 of the Project Approval prevails. Refer Modification 5 approved 20 April 2009
69	Staging	The Proponent will construct the subdivision in accordance with the Proposed Staging Plan prepared by Forbes Rigby, 2006 or as otherwise approved in Construction Certificate plans approved by Shoalhaven City Council or accredited certifier.	The Proponent	For all stages of the development.	
70		The Proponent commits to construct stage 1 of the District Town Centre in accordance with the staging plan submitted as part of the preferred project (drawing Number A009 dated 24 May 2006) or as otherwise	The Proponent	Submission of Project Approval Application	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
71		approved by consent in the project approval for the development. The Proponent commits to submitting a project approval application for adaptable housing within 12 months of obtaining Concept approval for adaptable housing, should it be determined appropriate.	The Proponent	Submission of Project Approval Application	
72	Monitoring	The Proponent will undertake a water quality monitoring program in accordance with the Water Quality Monitoring Plan to measure performance of WSUD measures against ANZECC Guidelines throughout the development and for a period of three years following the registration of the final subdivision plan for the final stage that drains into the monitoring location.	The Proponent	For a period of three years following the registration of the final plan of subdivision for each stage.	
73		The Proponent will undertake a weed monitoring program in accordance with the Weed Management Plan during the maintenance period.	The Proponent	For a period of two years following the registration of the final plan of subdivision for each stage.	
74	Developer Contributions	The Proponent will pay Section 94 developer contributions in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006, and as modified in October 2006 as part of the Preferred Project Report which forms part of the EAR on a "per ET" basis for each stage of the residential subdivision at the rate applicable at the time of payment, except for project 03 CFAC 0003 (Amendment 67 – Bay & Basin Recreation & Cultural Hall) which is a fixed amount of \$3,656 that would then fully recoup the developer share for that whole project.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage of the residential subdivision and the Construction Certificate for each stage of the District Town Centre.	
75		The Proponent will pay Section 64 water and sewer developer contributions in accordance with the development servicing plan applicable at the time of payment.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
76	Display village	<p>The Proponent will design, construct and operate a housing display village in Stage 1 of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> <li>The display village will be confined to proposed Lots 110 to 121.</li> <li>Be generally consistent with the display village Concept Plan prepared by Annand Alcock Urban Design included as Part 4 Annexure B of the Preferred Project Report.</li> <li>Each of the display homes are capable of complying with</li> </ul> </li> </ul>	The Proponent	As soon as practicable, coordinated so that operation commences after suitable vehicular access is established. The operation of the display village will continue until such time as market conditions do not warrant such a village, or a maximum of 24 months after the registration of the final stage of the residential subdivision development.	Amended 8 October 2007

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for residential purposes.</p> <ul style="list-style-type: none"> <li>○ All display homes will comply with the built form controls and design guidelines contained in Part 4 Annexure B of the Preferred Project Report, except the requirement for a rainwater tank.</li> <li>○ The total display office area will be contained within a maximum of one storey in height, will not exceed 100m<sup>2</sup> in gross floor area, and will be generally consistent with the Sales Centre Plans prepared by Stockland Property Trust dated 1 February 2004, Drawing No. 0803.00 05-07 and Martins Design Pty Ltd dated 1-3-04.</li> <li>○ The provision of a minimum of 26 car parking spaces inclusive of one space for persons with a disability, suitably sealed and marked, and compliant with AS2890(2002).</li> <li>○ The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>○ Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to the issue of a Construction Certificate.</li> </ul> <ul style="list-style-type: none"> <li>• Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>• The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday.</li> <li>• No display home will be occupied for residential purposes until after the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</li> <li>• All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>• The display office, car parking and any associated works not</li> </ul>			

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the proposed lots suitable for proposed residential occupation.			
76a	Display Village - Western Village	<p>The Proponent will design, construct and operate a housing display village in the Western Village of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> <li>The display village will be confined to proposed Lots 530-535, 551 and 552.</li> <li>Each of the display homes are capable of complying with all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for residential purposes.</li> <li><del>All display homes will comply with the built form controls and design guidelines of the Bayswood Design Essentials dated 10 December 2009, except the requirement for a rainwater tank.</del></li> <li>The provision of a six (6) customer car parking spaces on proposed Lot 550 in the western village.</li> <li>The approved and constructed display office area and customer car parking (minimum 26 car car parking spaces) located in the Central Village will continue to operate for the life of the Western Village display homes.</li> <li>The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to the issue of a Construction Certificate.</li> </ul> </li> <li>Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>The hours of operation of the display village will be limited to 9am to</li> </ul>	The Proponent	The operation of the display village will continue until such time as market conditions do not warrant such a village, or a maximum of 24 months after the registration of the final stage of the residential subdivision development.	<p>Amended s.75W Modification 10</p> <p>Amended s.75W Modification 12</p>



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>5pm, Monday to Sunday.</p> <ul style="list-style-type: none"> <li>No display home will be occupied for residential purposes until after the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</li> <li>All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>The display office, car parking and any associated works not relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the proposed lots suitable for proposed residential occupation.</li> </ul>			
77	Signage	The Proponent will provide estate marketing signs within The Wool Road and Naval College Road reserves in accordance with plans approved by Shoalhaven City Council as part of the Construction Certificate	The Proponent		
78	Noise	The Proponent will provide a 1.8 metre high timber noise attenuation barrier on a 0.7metres high landscaped earth mound along the boundary of Lots 154 to 163 and 725 to 733 in accordance with the Noise Impact Assessment by Heggies Australia, 2006, subject to such plans first being approved by Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
78a	Noise	The Proponent will construct a 3.4m high acoustic barrier comprising a 1600m landscaped mound and 1800mm high colourbond mini screen fencing along the southern boundary of the lots and for 15m along the northern return of each end lot, in accordance with the Landscape Plan: Acoustic Treatment LCo1 Revision C prepared by Taylor Bramer dated 26 November 2010.	The Proponent	Details of the acoustic fence to be provided with the construction certificate for the relevant stage incorporating the affected lots.	Amended s.75W Modification 9
78b	Noise	The Proponent will register a Section 88B instrument under the Conveyancing Act 1919 upon Lots 601 to 610 and 673 to 683 adjoining Naval College Road in the Western Village to require two storey dwellings to incorporate mechanical ventilation and/or architectural treatment techniques such as appropriate dwelling layout and design to manage noise impacts to the first floor of the habitable rooms of future dwellings.	The Proponent	Prior to the registration of each allotment within each stage of the development.	Amended s.75W Modification 9
79	Road Widening	Land for Road Widening to be ceded to and at nil cost to the Council. The Proponent to bear all costs to facilitate transfer of land.	The Proponent	As soon as practicable after practical completion of the road widening construction works.	
80	Subdivision Certificates for the western village (stages 6 and above)	The Proponent commits to ensuring that subdivision certificates for Stage 6 of the western village (as indicated on the Proposed Staging Plan, Drawing 4107, Rev 15, prepared by Cardno) and all subsequent stages in the western village will not be issued until Access A and the	The Proponent	On-going until Access A and the ridge road are constructed.	Amended s.75W Modification 9

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		ridge road (Seagrass Avenue) is constructed to a standard for public use.			