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## PROPONENT'S STATEMENT OF COMMITMENTS – 6 November 2006

### A. General

#### *Introduction*

Except as provided elsewhere in this Statement of Commitments, these commitments in this section A are made in respect of the carrying out of the project on the site.

#### 1. *Planning Agreement*

- 1.1 Prior to the issue of a construction certificate, the proponent will enter into a planning agreement under s 93 of the *Environmental Planning and Assessment Act*, generally in accordance with or as otherwise agreed by the parties named in the draft planning agreement annexed to this statement of commitments.

#### 2. *Dewatering Management Statement*

*Coffey Geotechnics*

*18 October 2006*

- 2.1 Prior to issue of a construction certificate for each stage, soil samples will be taken for laboratory testing and analysis as part of the groundwater monitoring plan.
- 2.2 Design of dewatering systems is to be integrated with basement / foundation excavation and construction is to be undertaken as part of the detailed design.
- 2.3 Continuous monitoring groundwater levels is to be undertaken in the on-site piezometers up to the beginning of construction works (collected data loggers will be analysed to assess the response of the groundwater table over time, particularly with respect to rainfall).
- 2.4 Prior to the issue of construction certificate for any particular stage of the project, a groundwater monitoring plan is to be developed for the relevant stage which provides for:
- 1.4.1 monitoring of onsite piezometers;
  - 1.4.2 installation and monitoring of additional off-site piezometers to track dewatering impacts;
  - 1.4.3 monitoring of dewatering volumes and water quality;

- 1.4.4 establishment and regular monitoring of settlement at the site boundary and at various points beyond the site boundary to provide a basis of assessment impacts and allow timely intervention if needed;
- 1.4.5 control of groundwater dewatering operation; and
- 1.4.6 during the construction works a regular review of monitoring results of on-site and off-site piezometers will be carried out by a groundwater professional.

### **3. Woodhead Dolphin Blue Development Design Statement**

- 3.1 Access to all dwellings throughout the site will be equitable and comply with accessibility standards.
- 3.2 Prior to the issue of a construction certificate in respect of any stage of the project, a Construction Waste Management Plan consistent with the guidelines and intent of Section 3 of the Waste Management Plan prepared by Acor Consultants dated 19 October 2006, will be prepared in respect of that stage. The Construction Waste Management Plan will be regularly reviewed and monitored.
- 3.3 Prior to issue of an occupation certificate for any stage of the project an Operational Waste Management Plan consistent with the guidelines and intent of Section 4 of the Waste Management Plan prepared by Acor Consultants Pty Ltd dated 19 October 2006, will be prepared in respect of that stage. The Operational Waste Management Plan will be regularly reviewed and monitored.
- 3.4 Security and related operational issues in respect of common lot 1 will be addressed by the community management plan.

### **4. Transport and Traffic Impact Study**

**Arup**

**November 2006**

#### *Pedestrians and Cyclists*

- 4.1 The recommended design features in Section 9.1 – Pedestrians and Cyclists in the report of Ove Arup Pty Ltd dated November 2006, will be implemented in respect of any stage of the project.
- 4.2 The existing petrol station will be removed prior to the issue of an occupation certificate for any part of the project within development lot 4.

**5. Bushfire Hazard Assessment Revised based on Concept Plan**  
**GHD**  
**October 2006**

- 5.1 To the extent the project is carried out within proposed development lot 3 or common lot 1 (insofar as it is within or shares a common boundary with development lot 3), it will be undertaken in accordance with the construction, water supply, access standards and additional measures identified in Sections 5 and 6 of the report prepared by GHD dated October 2006.

**6. Fauna Survey and Assessment**  
**Dr Stephen Ambrose**  
**30 October 2005**

- 6.1 The project is to be carried out in accordance with the recommendations and intent of Section 4.3 of the report prepared by Ambrose Ecological Services Pty Ltd dated 30 October 2006.

**7. Phase 1 Geotechnical Assessment**  
**Coffey Partners**  
**18 October 2006**

- 7.1 Prior to the issue of a construction certificate in respect of any stage of the project, a detailed geotechnical investigation of the subsurface conditions across that part of the site on which the storage is to be located, shall be undertaken, including:

- 6.1.1 shallow and deep boreholes to further assess the geotechnical model;
- 6.1.2 an assessment of design parameters for road pavements within the stage;
- 6.1.3 Level 1, monitoring and testing during site earthworks in respect of that stage; and
- 6.1.4 detailed acid sulphate soil investigation and assessment in respect of that stage.

**8. Noise Impact Assessment**  
**Norman Disney & Young**  
**26 October 2006**

- 8.1 Construction noise activity in respect of any stage will comply with the requirements set out in Chapter 171 of the EPA Environmental Noise Control Guideline. Best practice management noise control procedures outlined in AS2536-1981 will be applied in controlling construction noise to achieve the recommended noise levels.



## **FLORA SOC**

### **9. Setting Flora Assessment (Anne Clements & Associates Pty Limited)**

- 9.1 Where practicable the clumps and scattered individuals of the local native trees on any stage of the site will be retained especially the larger *Melaleuca quinquenervia*.
- 9.2 Where practicable, local native species grown from seeds selected from nearby Littoral rainforest dams and of *Banksia Integrifolia* will be utilized in the future landscaping of any stage of the site.

## **WATER SUSTAINABILITY SOC**

### **10. Report on Sustainable Water Management (Acor Consultants Pty Limited)**

- 10.1 All proposed work in any stage will conform to the intent and relevant requirements of Clarence Valley Council's 'Sustainable Water Development Control Plan' (2004).
- 10.2 The development of any stage will adopt best practice design in the handling of all aspects of the water cycle system within the development to achieve these sustainable water goals as per the 'stormwater management and reuse plan' in Appendix A in the report on sustainable water management (ACOR Consultants Pty Limited)'.

## **ABORIGINAL CULTURAL HERITAGE**

### **11. Aboriginal Cultural Heritage Sites Assessment Report**

- 11.1 A storyboard telling the story of the Reedy Creek Campsite will be included along the walkway in consultation with Birrigan Gargle Local Aboriginal Land Council, to raise awareness of Aboriginal cultural heritage in the area of the site.

## **CONTAMINATION**

### **12. Letter from Coffey Geotechnics Pty Ltd to Jones Laing LaSalle Pty Ltd dated 23 October 2006**

- 12.1 During any demolition or construction activities on any stage, site observations will be made in relation to any potential contamination. If any contamination is observed, the contamination will be remediated in accordance with an appropriate remediation action plan prior to the issue of any occupation certificate in respect of that part of the site on which the contamination is located.

## **MOSQUITOES**

### **13. Investigative Report Into the Available Mosquito Control Measures prepared by Woodhead**

- 13.1 On site mosquito control will be addressed by the community management plan in respect of any stage.

## **INFRASTRUCTURE PROVISIONS**

### **14. Report of Norman Disney & Young dated 26 October 2006**

- 14.1 Existing drainage infrastructure servicing any proposed stage of the project will be rectified and re-routed in accordance with the requirements of North Coast Water prior to the issue of any occupation certificate for that stage. An additional connection will be required to satisfy the requirements of the resort area adjoining the Clarence Estuary Nature Reserve to the west of the site, prior to the issue of any occupation certificate for that resort area.
- 14.2 A sanitary system designed to AS3500.2 will be provided to any stage of the project prior to the occupation of that stage.
- 14.3 Water captured from the roof areas is to be redirected to localized rainwater harvesting tanks located within basement areas for re-use. Water obtained via rainwater harvesting is to be re-used within the apartments located within the relevant building(s) for flushing and other appropriate purposes.

### ***B. Community Title Subdivision***

- 14.4 The community title subdivision is to be undertaken generally in accordance with the statement of Denny Linker & Co dated 19 October 2006.

### ***C. Development of Stage 1***

- 14.5 The commitments in section C1 are made in respect of the development of Stage 1 except as varied as follows:
- (a) commitments 5.1 and 4.2 are not made in respect of Stage 1.

