

Proposed Amendments to Statement of Commitments

The following table provides the tracked changes to the Statement of Commitments for the Concept Plan.

	Subject	Commitment	Justification for Proposed Change
1.	Scope	<p>The proposed development will be carried out in accordance with the description of the development concept <u>described in Section 3.0 of the Preferred Project Report (PPR) and shown on the Plan as amended at Appendix BA of the PPR EAR prepared by Ethos Urban dated May 2019 August 2018 of this report and the Concept Plan at Appendix C</u> comprising:</p> <ul style="list-style-type: none"> - general layout and siting of development; - land use; - building form concepts - heights, floor space and site coverage; - landscaping concept; - stormwater management concept; - general access arrangements and car parking numbers; - interface control measures; - utility services strategy. <p>The detailed design and construction of the proposed development will be the subject of future <u>Project Application</u> <u>development applications</u>.</p>	<p><u>To reflect the modified Concept Plan.</u></p>
2.	Design	<p><u>ARVAnglicare</u> will finalise the design of the proposed development taking into consideration relevant principles and design requirements contained in the <u>relevant Strategic Planning Policies and Environmental Planning Instruments</u>. following:</p> <p>Seniors Living SEPP; SEPP 65; <u>Residential Flat Design Code</u><u>Apartment Design Guide</u>; <u>SEPP 71</u>;</p>	<p><u>Commitments referred to outdated documents and instruments.</u></p>

		<p>Coastal Design Guidelines; SEPP 55; SEPP Basix;</p> <p>The finalised design and staging plan for the development are to be submitted as part of any future detailed design stage development application.</p>	
3.	Design	<p>The finalised design and staging plan for the development are to be submitted as part of any future detailed design stage Project Applicationdevelopment application.</p>	
4.	Water Management	<p>ARVAnglicare will install water quality control measures in accordance with the proposed Stormwater Management Plan, as designed by GHD (at Appendix E)prepared by Cardno in their report at Appendix ES of the PPR-EAR prepared by Ethos Urban dated May 2019 August 2018as amended. This system of measures will include:</p> <ul style="list-style-type: none"> • roof rainwater harvesting and re-use for toilet flushing, laundry and irrigation purposes; • provision of WSUD retention swales and a wetland; • stormwater treatment facilities including vegetated systems, infiltration system and structural facilities (gross pollutant traps, pit inserts and a wetland); • onsite detention, in the form of a development scale detention pond situated within Cookson's Creek; • all stormwater (surface, subsurface and overland flooding) be routed to the pond; • flood risk management using flood planning levels and flood evacuation; and • Construction Phases Management, which includes Soil and Water Management planning for construction, implementation of erosion and sediment control strategies and ongoing monitoring and maintenance of erosion and sediment control facilities. 	<p>To reflect the updated Water Management Strategy submitted with the modification application.</p>
5.	Water Management	<p>ARVAnglicare will prepare a soil and water management plan to control run off during construction in accordance with principles of Water Sensitive Urban Design.</p>	
6.	Water Management	<p>These works will effectively mitigate the impacts of development at the site and will ensure suitable water balance. Stormwater quality, and management of flooding and flood risk.</p>	
7.	Noise	<p>ARVAnglicare will carry out and consider findings of detailed noise and vibration surveys in preparing a future detailed design stage development project application.</p>	
8.	Noise	<p>ARVAnglicare will design the proposed development to accord with the noise and vibration criteria referred to in Heggies Acoustic Report (at Appendix K) and based on survey findings</p>	

9.	Noise	<p>In accordance with Australian Standard AS 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites" ARVAnglicare will prepare a detailed Construction Management Plan that will detail noise level objectives and will include the following general noise and vibration mitigation strategies:</p> <ul style="list-style-type: none"> • The Contractor shall employ the Best Available Technology (BAT) and the Best Management Practices (BAP) to minimise the extent of adverse acoustical and vibration impacts (particularly at sites where residue exceedances of noise and vibration objectives are identified) • Construction shall take place during normal daytime construction hours. Extension of house would require separate approval and likely to be lined (where allowed) to restrictions on the type of activity. • The Contractor (and Sub-Contractors) shall ensure that vehicles required at the construction site minimise their noise emissions in the vicinity of surrounding residential receivers prior to the morning 7.00 am start time. • Particular attention shall be paid to the hours of use of noisy equipment such as rock breakers, angel grinders, etc. While the general hours of work would be based on normal DEC requirements, noise intensive activities shall be minimised for example during the first hour or so of the daytime period. • The quietest available plant and equipment that can economically undertake the work required shall be selected. Mobile plant such as excavators, front-end loaders and other diesel-engine equipment shall be fitted with residential class mufflers and other silencing equipment, as applicable. • The use of "quiet" type impact hammers is recommended in instances identified as exceeding the nominated noise level objective. • Maintenance activities for construction equipment shall be restricted to standard DEC construction hours. Where possible, maintenance activities would be minimised during the first hour of the construction daytime period and carried out within an enclosed area if possible rather than at exposed locations. • Where practical, the layout and positioning of noise-producing plan and activities shall be optimised to minimise noise and vibration emission levels, eg. minimising the occurrence of equipment "clustering". • Where they are likely to be effective, solid hoardings and/or other noise barriers shall be erected around critical work areas to act as acoustical barriers and minimise noise emissions. • Operators shall be trained in order to raise their awareness of potential noise problems and to increase their use of techniques to minimise noise emissions. • Use of PA system within the construction site shall be restricted. If required, PA speakers would be located so that their pointing axis is directed away from nearest sensitive receivers. 	
10.	Air Quality	No facilities are to be provided on site that may be a significant domestic source of air pollution.	
11.	Air Quality	ARVAnglicare will prepare a Construction Management Plan that will detail methods to manage the impacts of air quality during construction of the development. The plan will address suppression of particulates/ dust from demolition. earthworks and vehicles, and management of any lead in accordance with relevant standards associated with legislation for Protection of the Environment and for Workcover.	

12.	Cultural Heritage	<p>Consultation with appropriate Aboriginal community members to determine the location and significance of the "Women's Area" which may be located over the subject site will be undertaken as identified in the Aboriginal Archaeological Report prepared by Mary Dallas (at Appendix H)</p> <p>This consultation is to take place prior to sub-surface archaeological investigations which may be commissioned with respect to proposed future development. This will determine the appropriateness and possible extent of these works. Management of Aboriginal Archaeological Areas shall be undertaken in accordance with the Aboriginal Cultural Heritage Assessment Report dated August 2018 as amended provided at Appendix J of the August 2018 EAR prepared by Ethos Urban.</p>	<p><u>The required anthropological and archaeological investigations have been undertaken and new mitigation and management measures have been recommended by MDCA.</u></p>
13.	Cultural Heritage	<p>Where any work in the north-east corner of the site is proposed, ARV will undertake a targeted archaeological excavation testing for Aboriginal artefacts to determine the nature, extent and significance of any deposits. This work is to be undertaken by a suitably qualified archaeologist.</p>	<p><u>Testing has already been undertaken and is complete</u></p>
14.	Cultural Heritage	<p>Prior to development, ARV will undertake excavation testing for potential archaeological remains to determine the nature, extent and significant of any deposits in accordance with Section 5.0 of the European Heritage Report by Graham Brooks' (at Appendix L). This work is to be undertaken by a suitably qualified archaeologist.</p>	<p><u>Testing has already been undertaken and is complete</u></p>
15.	Cultural Heritage	<p>During construction, <u>ARV Anglicare</u> will engage a suitably qualified archaeologist to monitor excavation of the north eastern portion of the site.</p>	
16.	Cultural Heritage	<p>Necessary excavation permits will be sought for the above works.</p>	
<u>16 A</u>	<u>Cultural Heritage</u>	<p><u>In association with the development, the history of the locale will be interpreted to new residents and visitors alike via low-key information plaques/interpretive signage. Anglicare will consult with Council in this regard.</u></p>	<p><u>To reflect the recommendations of the Heritage Consultant.</u></p>
<u>16 B</u>	<u>Cultural Heritage</u>	<p><u>Consideration will be given to the naming of any intra-site access roads or landscape features in a manner that reflects the past history and/or heritage of the site. Anglicare will consult with Council in this regard. Examples may include Turpentine Lane; Refractory Place; Westmacott Lookout; Tramway Gardens; Cooksons Street</u></p>	<p><u>To reflect the recommendations of the Heritage Consultant.</u></p>
17.	Flora and Fauna	<p><u>ARV Anglicare</u> will prepare a detailed Vegetation Management Plan (VMP). This plan will be submitted as part of a future project application <u>detailed design stage development application</u>. Specifically, the VMP will ensure restoration and preservation of the Turpentine Forest and the Cookson's Creek riparian corridor over the site and will include the following measures:</p> <ul style="list-style-type: none">• retention of all trees with hollows, wherever possible; <u>and</u>• retention of older and large Turpentine trees;• revegetation of the western margins of the forest to mitigate impacts of the APZ encroachment in the north-west on Lot 1; and• the provision of 20 metre setbacks from the forest for development.	<p><u>Revegetation no longer required as APZs are not proposed and do not encroach on the Turpentine Forest.</u></p>

18.	Flora and Fauna	In preparing the final design for the proposed development ARVAnglicare will ensure that a 20 metre wide riparian corridor is incorporated on either side of the centreline of the Cookson's Creek.	
19.	Flora and Fauna	To mitigate impacts to any Green and Golden Bell Frogs frog during the construction phase of development exclusion fencing, and appropriate erosion and sediment and other controls will be utilised.	
20.	Flora and Fauna	<p>Additional mitigating measures are to be implemented as part of the development to maintain, improve and protect potential habitat for a range of species, including the Green and Golden Bell Frog. These measures are to be incorporated in the VMP and will include the following:</p> <ul style="list-style-type: none"> • Designing the proposed pond and weirpedestrian boardwalk so that there are no significant modifications to the hydrological regime that could result in adverse impacts on threatened species habitat or any occurrences of any endangered ecological communities. • Maximising the habitat values of the proposed pond for Green and Golden Bell Frogs by including measures such as: <ul style="list-style-type: none"> ○ Providing suitable basking and refuge habitat ○ Providing potential foraging habitat in association with the water feature ○ Minimising the shading of the pond ○ Avoiding the stocking of the pond with predatory fish species. • Designing the bridge and weirpedestrian boardwalk to provide for the movement of ground-dwelling mammals, reptiles and amphibians between the habitats in the Turpentine Forest and those in the riparian corridor. • Designing the courtyard housing and ILUsdevelopment on either side of the eastern margins of Cookson's Creek to avoid increasing the levels of shading to potential Green and Golden Bell Frog basking habitat. • Limiting access to areas managed for the maintenance of potential threatened species habitat. • Adopting specifications and management practices of the APZ for the courtyard buildings that are compatible with the maintenance of suitable foraging habitats for the Green and Golden Bell Frog. 	
21.	Flora and Fauna	<p>To mitigate impacts to modification of potential foraging habitat for wetland bird species ARVAnglicare will include the following measures within the VMP:</p> <ul style="list-style-type: none"> • provision of a buffer to the potential sheltering and foraging habitat associated with the bed of Cookson's Creek; and • retention of some of the potential foraging habitat for the species, beyond the northern banks of the eastern parts of Cookson's Creek and within the creek itself. 	
22.	Flora and Fauna	The VMP is to be prepared by a suitably qualified person and is to be submitted for consideration as part of any future Project detailed design stage Development Applications. The VMP is to be referred to	

		the Registered Aboriginal Parties and Council for comment for consultation and comment prior to being finalised.	
23.	Flora and Fauna	The APZ area defendable zone adjoining the Tramway Creek is to be managed under a revised VMP specific for Tramway Creek so as to achieve a fuel reduced zone and to remove significant weeds that threaten the native wetland vegetation within the creek.	It is noted that Tramway Creek is located on Stockland's land and is to be dedicated to Council by Stockland. Anglicare will carry out these works to the extent that they apply to the Anglicare lands.
24.	Flora and Fauna	ARV and Stockland are to negotiate and formulate the preparation of the revised VMP. This VMP is to be prepared by a suitably qualified person and submitted for consideration as part of any future Project Application. Future detailed design development applications will be accompanied by Biodiversity Development Assessment Reports (BDARs) confirming the credits required to be obtained with each application.	Stockland has prepared a VMP independently. A draft VMP for the Anglicare site has been submitted with the s75W modification application. Commitment has thus been updated to reflect that future applications will need to be assessed under the BC Act 2016.
25.	Bushfire Risk	In accordance with the Planning for Bushfire Guidelines the final proposed development design is to incorporate all Asset Protections Defendable Zones as recommended in the Bushfire Assessment report prepared by Bushfire and Environmental Services at Appendix M Peterson Bushfire at Appendix R of the EAR prepared by Ethos Urban dated August 2018 and the Bushfire Impact Letter prepared by Peterson Bushfire at Appendix K of the PPR.	
26.	Bushfire Risk	In preparing the VMP for Tramway Creek, consideration must be given to incorporating a suitable APZ defendable zone along the northern bank of the creek.	
27.	Traffic and Access	North-south road link is to be constructed by Anglicare and provided as part of the proposed development and designed at Project detailed design Development Application stage to meet AMCORD Austroads standards to accommodate buses.	
28.	Traffic and Access	The internal road system will be designed in accordance with AMCORD Austroads principles. These road designs are to be included as part of any future detailed design Project Development Application.	
29.	Traffic and Access	Signage is to be put in place to enforce access restrictions across Sturdee Avenue rail bridge on completion of the north-south link. This is to be designed and included as part of any future Project Application	Access has already been restricted across this bridge. Anglicare does not own the bridge and cannot commit to these works.
30.	Traffic and Access	Pedestrian pathways through the site to be designed for access for wheelchairs in accordance with the standards in the SEPP (Seniors Living) where possible, noting that access through the Turpentine	

		<u>Forest may not be achievable due to biodiversity impacts that need to be considered. The detailed designs of the paths are to be provided with the relevant detailed design development application(s).</u>	
31.	Traffic and Access	All access roads through the site are to be designed in accordance with relevant AMCORD-Austroroads standards.	
32.	Traffic and Access	A regular bus service is to be provided on site for the residents of the retirement village.	
33.	Landscape and visual amenity	<p>In finalising the design for the development, the following must be considered with the three precincts and all buildings are respect to visual amenity:</p> <ul style="list-style-type: none"> • The proposed development is to ensure that Regional Parkland will remain the visual dominant element of the vegetated valley and greenbelt next to the foreshore, separating the suburbs of Thirroul to the north and Bulli to the south; • Visual green links from the foreshore to the escarpment are to be maintained by tree planting along the east-west corridors through and next to the site comprising the ridge along the northern boundary of the site, Cookson's Creek through the centre of the site, and Tramway Creek along the southern boundary of the site; • Ensure that building heights are below canopy of the Turpentine Forest, below the level of the suburbs at the foot of the escarpment; • Ensure that building heights step down to fit in with the topography slope of the land, and are of a magnitude that is consistent with the existing factory buildings. 	
34.	Landscape and visual amenity	The final landscape plan for the site is to ensure that the main natural features of the site are retained and enhanced, that being the Turpentine Forest and the Cookson's Creek riparian corridor.	
35.	Landscape and visual amenity	The landscape plan is to ensure the following outcomes:	
36.	Landscape and visual amenity	<ul style="list-style-type: none"> • significant vegetation across the site is retained, including the Turpentine Forest and riparian corridor; • proposed stormwater measures are integrated over the site; • the forest and riparian corridor remain the focal points of the site, thereby providing a high level of amenity for future residents; • that introduced plant species do not compete with indigenous species; • attractive spaces are provided between the proposed buildings; and • the three precincts and all buildings are well connected by a network of pathways and roadways, which also provide links to adjoining sites. 	
37.	Social Environment	The final design of the retirement village is to incorporate a mix of housing for seniors, including independent living units and residential aged care facility.	
38.	Social Environment	Housing and aged care is to be offered to residents from the local community.	

39.	Social Environment	ARV Anglicare are to incorporate formal pedestrian & cycle paths into the final development design.	
40.	Social Environment	Community facilities and services are to be provided in site as described in Section 3.0 of this report.	
41.	Social Environment	A program of community consultation and notification is to be included as part of the Construction Management Plan. The Construction Management Plan will be submitted as part of a future detailed design development application project application .	
42.	Geotechnical	A Geotechnical Assessment is to be undertaken at a later stage prior to works commencing to manage land stability submitted with each detailed design development application to manage land stability .	
43.	Geotechnical	A further environmental assessment of soil contamination and Remediation Action Plan, if required , is to be prepared as part of any future detailed design development application Project Application in accordance with EPA guidelines.	
44.	Geotechnical	A further assessment of acid sulphate and saline soils is to be prepared as part of any future Project Application detailed design development application and if required an Acid Sulphate Soils Management Plan be prepared.	
44A	HAZMAT	A HAZMAT survey/assessment shall be prepared for all existing structures on the site and submitted with the relevant development applications.	To reflect the recommendations of EIS
44B	Groundwater	Groundwater in the north of the site is to be sampled and analysed prior to any development occurring in the Hilltop and Ocean View Precincts	To reflect the recommendations of EIS
45.	Planning Agreement	A planning agreement between Wollongong Council and the proponent ARV Anglicare will be formalised, subject to agreement with Wollongong Council , in accordance with the terms in the "Sandon Point Submission to the Minister for Planning on a Planning Agreement for Infrastructure" in section 5.14 of the Ethos Urban EAR dated August 2018 prior to the determination submission of a future detailed design development application project application .	To reflect the revised Anglicare offer of contributions on the site.
46.	Construction Management	A Construction Management Plan will be prepared and submitted with a future detailed design development application Project Application for the development. The plan is to manage the impacts of construction including the following matters: <ul style="list-style-type: none"> • stormwater runoff, soil erosion, sedimentation and water quality; • noise and vibration; • dust; • archaeological findings; • retention of significant trees in buffer areas; • construction traffic; 	

		<ul style="list-style-type: none"> • public and workplace safety; and • community notification and consultation. 	
47.	Consultation	<p>The Director General's requirements allow for consultation to take place during public exhibition of the Concept Plan application. It is intended that this be undertaken by ARV with:</p> <ul style="list-style-type: none"> • Ambulance Service of NSW • The State Emergency Service • NSW Fire Brigades • NSW Rural Fire Service • Utility and infrastructure service providers • NSW Department of Environment and Conservation; • NSW Department of Primary Industries; • Department of Natural Resources • Southern Rivers Catchment Management Authority • Road and public transport service providers, including the Roads and Traffic Authority; • Illawarra Local Aboriginal Land Council; and • Wollongong City Council 	<p><u>Consultation has been undertaken in accordance with the Secretary's requirements during the preparation of the modification. Consultation will also occur during the assessment of the modification application.</u></p>
47	Ecologically Sustainable Development	<p><u>Future detailed design development applications shall detail how the recommended ESD measures recommended by Cundall (Appendix U of the Ethos Urban EAR dated August 2018) have been incorporated into the proposal.</u></p>	